

**IN THE  
SUPREME COURT OF OHIO**

In the Matter of the Application of	:	Case No. 2023-1011
<b>BIRCH SOLAR 1, LLC</b> for a Certificate	:	
of Environmental Compatibility and	:	
Public Need for a Solar-Powered Electric	:	Appeal from the Ohio Power Siting
Facility Located in Allen and Auglaize	:	Board, Case No. 20-1605-EL-BGN
Counties, Ohio	:	
	:	

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**APPLICATION FOR DISMISSAL OF APPEAL  
SUBMITTED ON BEHALF OF APPELLANT  
BIRCH SOLAR 1, LLC**

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NOW COMES Appellant Birch Solar 1, LLC, by and through counsel, and pursuant to the provisions of Rule 4.05 of the Rules of Practice of the Supreme Court of Ohio, hereby respectfully requests that the Court dismiss its above-captioned appeal. The reason in support of the Appellant's application for dismissal is that Appellant has elected to suspend further development of the solar facility at issue in the appeal.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Application for Dismiss of Appeal** submitted on behalf of Appellant Birch Solar 1, LLC was served upon the following parties of record this 9<sup>th</sup> day of January, 2025 via electronic transmission.

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