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Case Management System - KY Public Service Commission*Merchant Plant Applications Cases Before the Commission as of May 03, 2024***2020-00206**

RECEIVED: 11/25/20

FILED: 11/25/20

FINAL: 09/06/22

REOPENED: 08/03/21

SUSPENSION DATE:

CASE NATURE: AEUG Fleming Solar, LLC

CASE CODE

Merchant Plant - Board Decision Due

HEARINGS:

04/01/21 Formal Hearing

INDEX OF EVENTS:

09/06/22 Order Entered: the case is closed and removed from the Siting Board's Docket.

11/12/21 Order Entered: 1. AEUG Fleming's petition for reconsideration, clarification and for a formal conference is granted in part and denied in part. 2. AEUG Fleming's petition for reconsideration and clarification for Mitigation Measure 3 is granted. Mitigation Measure 3 is stricken from Appendix A to the May 24, 2021 Order and replaced with the following: The Siting Board will determine if any deviation in the boundaries (as set forth in Mitigation Measure 2) is likely to create a materially different pattern or magnitude of impacts. If not, no further action is required; but if that is the case, AEUG Fleming will support the Siting Board's effort to review its assessment of impacts and mitigation requirements. If AEUG Fleming modifies its site development plan from the version originally submitted with its Application in a manner that negatively impacts noise levels or external view, such as moving project infrastructure closer to adjoining neighbors, then it will similarly submit such information to the Siting Board for review as specified above.

08/30/21 M Todd Osterloh AEUG Fleming Solar, LLC Notice of Filing

08/03/21 M. Todd Osterloh AEUG Fleming Solar, LLC Petition for Reconsideration, Clarification and for a Formal Conference

07/30/21 Order Entered: 1. AEUG Fleming's January 22, 2021 petition for confidential treatment is granted in part and denied in part. 2. AEUG Fleming's request for confidential treatment in its January 22, 2021 petition for responses to Staff's Initial Request, Item 16, is granted. 3. AEUG Fleming's January 22, 2021 petition for confidential treatment for the leases contained in its responses to Staff's Initial Request, Item 19(c), is granted solely for the material terms of the lease as defined within this Order. 4. AEUG Fleming's January 22, 2021 petition for confidential treatment for Sections 3.3(a), 3.3(b), and 4.5 and all non-material terms of the leases contained in its responses to Staff's Initial Request, Item 19(c), is denied.

07/26/21 Order Entered: 1. AEUG Fleming's application for a Certificate to Construct an approximately 188 MWac merchant solar electric generating facility in Fleming County, Kentucky, remains conditionally granted subject to full compliance with the mitigation measures and conditions prescribed in Appendix A of the May 24, 2021 final Order. 2. The Siting Board approves the glare study submitted by AEUG Fleming as filed, satisfying the condition provided in mitigation measure No. 13 listed in Appendix A of the May 24, 2021 final Order.

06/15/21 POST CASE: M Todd Osterloh AEUG Fleming Solar, LLC Notice of Filing Glare Study and Motion for Approval

05/24/21 Final Order Entered: 1. AEUG Fleming's application for a Certificate to Construct an approximately 188 MWac merchant solar electric generating facility in Fleming County, Kentucky, is conditionally granted subject to full compliance with the mitigation measures and condition prescribed in Appendix A. 2. AEUG Fleming's motion for deviation from the 2,000 feet setback requirement is granted. 3. AEUG Fleming shall fully comply with the mitigation measures and conditions prescribed in Appendix A.

05/14/21 M Todd Osterloh AEUG Fleming Solar, LLC Supplemental Response to PHDR Items 4 and 9

05/05/21 Response E-mail to Patrick Estill

04/30/21 Patrick and Lauralee Estill Public Comment

04/20/21 M Todd Osterloh AEUG Fleming Solar, LLC Response to Post-Hearing Data Requests

04/09/21 Response E-mail to Tommy W. Whisman

04/08/21 Notice of Filing Hearing Documents

04/07/21 SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO AEUG FLEMING SOLAR, LLC

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| 04/06/21 | Response E-mails to Multiple Comments |
| 04/05/21 | M Todd Osterloh AEUG Fleming Solar, LLC Notice of Filing |
| 04/02/21 | Response E-mails to Multiple Comments |
| 04/02/21 | Order Entered: 1. Post-hearing data requests shall be filed in the record on or before Wednesday, April 7, 2021. 2. Responses to post-hearing data requests shall be filed in the record on or before Tuesday, April 20, 2021. |
| 04/02/21 | William and Sandra Cooper Public Comment |
| 03/29/21 | Response E-mails to Multiple Comments |
| 03/29/21 | Multiple Public Comments |
| 03/23/21 | Response E-mails to Multiple Comments |
| 03/22/21 | Memo Filing Executive Order into the Record |
| 03/19/21 | M Todd Osterloh AEUG Fleming Solar, LLC Notice of Filing |
| 03/18/21 | Order Entered: 1. AEUG Fleming Solar's motion for an extension of time to file its response to the HE Final Report is granted. 2. The deadline in which AEUG Fleming Solar shall file its response to the HE Final Report is extended from March 12, 2021, to March 17, 2021. |
| 03/17/21 | M Todd Osterloh AEUG Fleming Solar, LLC Response to Consultants Report |
| 03/17/21 | Response E-mails to Multiple Comments |
| 03/12/21 | M Todd Osterloh AEUG Fleming Solar, LLC Motion for Extension |
| 03/12/21 | Response E-mails to Multiple Comments |
| 02/26/21 | Memo Filing Final Report of Harvey Economics |
| 02/25/21 | M Todd Osterloh AEUG Fleming Solar, LLC Certification of Responses to Second Data Requests |
| 02/19/21 | M Todd Osterloh AEUG Fleming Solar, LLC Motion for Deviation from Setback Requirements |
| 02/19/21 | M Todd Osterloh AEUG Fleming Solar, LLC Response to Second Request for Information |
| 02/03/21 | SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION TO AEUG FLEMING SOLAR, LLC |
| 01/22/21 | M Todd Osterloh AEUG Fleming Solar, LLC AEUG Fleming Petition for Confidential Treatment |
| 01/22/21 | M Todd Osterloh AEUG Fleming Solar, LLC Responses to Harvey Economics Initial Request for Information |
| 01/22/21 | M Todd Osterloh AEUG Fleming Solar, LLC Responses to Siting Board Staffs Initial Request for Information |
| 01/22/21 | POST CASE: Multiple Public Comments |
| 01/11/21 | Response E-mail to Susan Dorsey Ramey |
| 01/11/21 | Ramona Hurd Public Comment |
| 01/08/21 | Multiple Public Comments |
| 01/07/21 | SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION ON REHEARING TO AEUG FLEMING SOLAR, LLC |
| 01/07/21 | Multiple Public Comments |
| 01/04/21 | Steven Brown Public Comment |
| 01/04/21 | Julie Adams Public Comment |
| 01/04/21 | Denise Vibbert Public Comment |
| 12/10/20 | Acknowledgement Letter of Application Fees |
| 12/07/20 | Memo filing letter to Governor into the record |
| 12/07/20 | Memo filing letter to Judge Foxworthy into the record |
| 12/07/20 | Order Entered: The procedural schedule set forth in the Appendix to this Order shall be followed for this proceeding. |
| 11/30/20 | No deficiency letter |
| 11/25/20 | James W. Gardner AEUG Fleming Solar, LLC Application |
| 07/17/20 | M Todd Osterloh AEUG Fleming Solar, LLC Notice of Filing |
| 07/10/20 | James W. Gardner AEUG Fleming Solar, LLC Notice of Date Change for Public Meeting |
| 07/08/20 | Order Entered: 1. Fleming Solar's motion to approve form of public meeting is granted. 2. Within three days of the publication of the public notice, Fleming Solar shall submit a copy of the newspaper advertisement that will notify the public of the proposed public meeting format. 3. Within three days of the mailing of the notice to adjacent property owners, Fleming Solar shall submit a copy of the notice of the public meeting format that is required to be provided to owners of property adjacent to the solar project. |
| 06/30/20 | M. Todd Osterloh AEUG Fleming Solar, LLC Motion to Approve Form of Public Meeting |
| 06/25/20 | No deficiency letter |
| 06/24/20 | James W. Gardner AEUG Fleming Solar Notice of Intent |

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| 06/24/20 | Acknowledge Receipt of Filing |
| 06/24/20 | AEUG Fleming Solar, LLC Notice of Intent to File an Application for a Certificate of Public Convenience and Necessity to Construct an Approximately 188 Megawatt Merchant Electric Solar Generating Facility in Fleming County, Kentucky pursuant to KRS 278.700 and 807 KAR 5:110 Using Electronic Filing Procedures |

Total Number of Cases: 1