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Case Management System - KY Public Service Commission

Merchant Plant Applications Cases Before the Commission as of September 15, 2026

2020-00208 RECEIVED: 12/22/20 FILED: 12/22/20 FINAL: 05/06/22 REOPENED: 07/08/21
SUSPENSION DATE:

CASE NATURE: Northern Bobwhite Solar, LLC

CASE CODE
Merchant Plant - Board Decision Due

HEARINGS:
05/04/21 Formal Hearing

INDEX OF EVENTS:

12/21/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Notice of Filing of Redacted Landowner Agreements
11/22/21	Order Entered: 1. Northern Bobwhite's motion for rehearing is granted in part and denied in part. 2. Northern Bobwhite's motion for rehearing for the expansion of the definition of "material terms" to include term number 3 and term number 4 is granted. The definition of "material terms" as it relates to the September 27, 2021 Order is expanded to include the following terms: a. Economic terms other than lease rates and related escalations such as signing payments, crop damage calculations, construction rent amounts, extension fees, and holdover rent amounts; and b. The structure of the lease term including the outside date for the rent commencement date. 3. Northern Bobwhite's motion for rehearing regarding the expansion of the definition of "material terms" is denied for all other proposed key commercial terms in the Landowner Agreements.
11/18/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Motion for Informal Conference
10/15/21	Kenneth J. Gish, Jr. Northern Bobwhite Solar LLC Motion for Reconsideration of Confidentiality Order
09/27/21	Order Entered: 1. Northern Bobwhite's motion for clarification is granted in part and denied in part. 2. Northern Bobwhite's motion for clarification of Mitigation Measures 23, 29, and 32 is granted. Non-noise-causing and non-construction activities shall take place on the site between 7:00 a.m. and 10:00 p.m. Monday through Sunday. Construction activities, which includes process and deliveries, shall only take place from 8:00 a.m. to 6:00 p.m., Monday through Saturday, and pile-driving activities within 1,000 feet of non- participating homes shall be limited to 9:00 a.m. to 5:00 p.m., Monday through Saturday. 3. Northern Bobwhite's motion for clarification of Mitigation Measures 35 and 36 is granted. Mitigation Measure 36 on page 7 of Appendix A is stricken from the June 18, 2021 Order. The setback provisions in Mitigation Measure 35 shall remain in full force and effect.
09/27/21	Order Entered: 1. Northern Bobwhite's February 15, 2021 motion for confidential treatment for is granted in part and denied in part. 2. Northern Bobwhite's February 15, 2021 motion for confidential treatment for the copies of leases and easement agreements contained in Exhibit K of its responses to Siting Board Staff's First Request for Information is granted solely for the material terms of the lease as defined within this Order and for personal contact information of the parties contained in the leases. 3. Northern Bobwhite's February 15, 2021 motion for confidential treatment for all non-material terms of the leases and easement agreements contained in its responses to Siting Board Staff's First Request for Information is denied. 4. Northern Bobwhite's February 15, 2021 motion for confidential treatment for the potential future salaries of Northern Bobwhite employees and anticipated annual operations and maintenance expenses for the solar project contained in its responses to Siting Board Staff's First Request for Information is granted. 5. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Siting Board.
07/19/21	Order Entered nunc pro tunc, that: 1. Numbered paragraph 3 on page 27 is stricken and is replaced with the following language: Northern Bobwhite shall fix or pay for damage resulting from any vehicle transport to the project site in accordance with all transportation permits obtained from state and local road authorities. 2. Numbered paragraph 24 on page 5 of 10 of Appendix A is stricken and is replaced with the following language: Northern Bobwhite shall fix or pay for damage resulting from any vehicle transport to the project site in accordance with all transportation permits obtained from state and local road authorities. 3. Numbered paragraph 9 on page 2 of 10 of Appendix A is stricken from the Order. 4. Numbered paragraph 11 on page 2 of 10 of Appendix A is stricken from the Order. 5. All other provisions of the Siting Board's June 18, 2021 Order that are not in conflict with the terms of this Order shall remain in

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	effect.
07/08/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Motion for Clarification
06/18/21	Final Order Entered: 1. Northern Bobwhite's application for a Certificate to Construct an approximately 96 MWac merchant solar electric generating facility in Marion County, Kentucky, is conditionally granted subject to full compliance with the mitigation measures and condition prescribed in Appendix A. 2. Northern Bobwhite's motion for deviation from the 2,000 feet setback requirement is granted. 3. Northern Bobwhite shall fully comply with the mitigation measures and conditions prescribed in Appendix A.
06/04/21	Memo Regarding Siting Board Extensions
05/17/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Response to Post-Hearing Data Requests
05/10/21	Notice of Filing Hearing Documents
05/10/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Supplemental Response to Data Requests
05/07/21	SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO NORTHERN BOBWHITE SOLAR, LLC
05/04/21	Order Entered: 1. Post-hearing data requests shall be filed in the record on or before May 7, 2021. 2. Responses to post-hearing data requests shall be filed in the record on or before May 18, 2021.
04/28/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Notices of Publication and Filing
04/28/21	IT IS THEREFORE ORDERED that Bobwhite Solar's motion to submit case for decision on record is denied.
04/08/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Response to Consultant Report and Motion to Submit Case on Record
03/29/21	Memo Filing Bobwhite Solar, LLC Responses to Supplemental Request for Information
03/29/21	Memo Filing Harvey Economics Final Report
03/15/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Response to Second Set of Data Requests
02/26/21	Memo Filing Executive Order into the Record
02/26/21	SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION TO NORTHERN BOBWHITE SOLAR, LLC
02/15/21	Kenneth J Gish Jr Northern Bobwhite Solar LLC Northern Bobwhite Solar LLCs responses to Board Staff and Harvey Economics First Set of Data Requests
02/01/21	SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION TO NORTHERN BOBWHITE SOLAR, LLC
01/12/21	Order Entered: The procedural schedule set forth in the Appendix to this Order shall be followed for this proceeding
01/07/21	No deficiency letter
12/30/20	Acknowledgement Letter of Application Fees - Additional Payment
12/22/20	Kenneth J Gish Jr Northern Bobwhite Solar LLC Application for Construction Certificates Part 3
12/22/20	Kenneth J Gish Jr Northern Bobwhite Solar LLC Application for Construction Certificates, Part 2
12/22/20	Kenneth J Gish Jr Northern Bobwhite Solar LLC Application for Construction Certificates, Part 1
12/18/20	Acknowledgement Letter of Application Fees
10/15/20	Kenneth J Gish Jr Northern Bobwhite Solar LLC Notice of Transfer of Membership Interests
07/16/20	Kenneth Gish Northern Bobwhite Solar LLC Notice of Compliance with Board Order
07/09/20	Order Entered: 1. Northern Bobwhite's motion for approval of a public meeting format is granted. 2. Within three days of the publication of the public notice, Northern Bobwhite shall submit a copy of the newspaper advertisement that will notify the public of the proposed public meeting format, including information on the project website (including the web address), the "In-Person Offices Hours" (including the location), and the virtual public meeting. 3. Within three days of the mailing of the notice to adjacent property owners, Northern Bobwhite 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.
06/29/20	Kenneth Gish Northern Bobwhite Solar LLC Notice of Updated Schedule
06/26/20	No deficiency letter
06/26/20	Kenneth Gish Northern Bobwhite Solar LLC Notice of Intent to File Application and Motion for Approval of Public Meeting Format
06/26/20	Acknowledge Receipt of Filing
06/26/20	Northern Bobwhite Solar, LLC Notice of Intent to File an Application for a Certificate of Public Convenience and Necessity to Construct a Merchant Electric Solar Generating pursuant to KRS 278.704 Using Electronic Filing Procedures

Total Number of Cases: 1