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Case Management System - KY Public Service Commission

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

2020-00272 RECEIVED: 04/02/21 FILED: 04/02/21 FINAL: 09/29/21 REOPENED: SUSPENSION DATE:

CASE NATURE: Flat Run Solar, LLC

CASE CODE
Merchant Plant - Board Decision Due

HEARINGS:

09/08/21	Formal Hearing
08/26/21	Formal Hearing
08/11/21	Formal Hearing

INDEX OF EVENTS:

09/14/26	POST CASE: Harlon Barnett Public Comment
09/11/26	POST CASE: Harlon Barnett Public Comment
07/07/26	Order Entered: 1. Flat Run Solar's final site plan is approved. 2. Flat Run Solar shall provide a copy of this Order and the final site plan to the Taylor County Judge Executive and the Taylor County Fiscal Court.
06/03/26	POST CASE: Rebecca C. Price Flat Run Solar, LLC Motion for Approval of Final Site Layout Plan
06/03/26	POST CASE: Rebecca Price Flat Run Solar, LLC Notice of Substitution of Counsel
06/16/22	POST CASE: Gregory T. Dutton Flat Run Solar Final Decommissioning Plan
10/18/21	POST CASE: Gregory Dutton Flat Run Solar LLC Redacted Leases
10/07/21	Order Entered nunc pro tunc, that: 1. Ordering paragraph 2 is stricken and is replaced with the following language: 2. Flat Run Solar's motion for deviation from the 2,000- feet setback requirement is granted in part, such that the following setbacks shall apply to each of the three neighborhoods to the project: (1) 700 feet for Neighborhood A, (2) 840 feet for Neighborhood B, and (3) 1,060 feet from Neighborhood C. In addition, the following setbacks shall also apply: (1) Central Inverters shall be no closer to a noise receptor than 450 feet, (2) String Inverters shall be no closer to a noise receptor than 150 feet, and (3) Solar Panels shall be no closer to a noise receptor than 150 feet. These setbacks shall not be required for residences owned by landowners involved in the project that explicitly agree to lesser setbacks, and have done so in writing. All agreements by participating landowners to lesser setbacks must be filed with the Siting Board prior to commencement of construction of the Project. 2. All other provisions of the Commission's September 29, 2021 Order that are not in conflict with the terms of this Order shall remain in effect.
10/06/21	Order Entered: 1. Flat Run Solar's May 27, 2021 petition for confidential treatment is granted in part and denied in part. 2. Flat Run Solar's May 27, 2021 petition for confidential treatment for copies of leases submitted in its responses to Items 4(c) and 14(b) of Siting Board Staff's First Request 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. Flat Run Solar's May 27, 2021 petition for confidential treatment for all non- material terms of the lease agreements contained in its responses to Siting Board Staff's First Request is denied. 4. 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 Commission.
09/29/21	Final Order Entered: 1. Flat Run Solar's application for a Certificate to Construct an approximately 55 MWac merchant solar electric generating facility in Taylor County, Kentucky, is conditionally granted subject to full compliance with the mitigation measures and condition prescribed in Appendix A. 2. Flat Run Solar's motion for deviation from the 2,000-feet setback requirement is granted in part, such that the following setbacks shall apply to each of the three neighborhoods to the project: (1) 700 feet for Neighborhood A, (2) 840 feet for Neighborhood B, and (3) 1,060 feet from Neighborhood C. In addition, the following setbacks shall also apply: (1) Central Inverters shall be no closer to a noise receptor than or450 feet, (2) String Inverters shall be no closer to a noise receptor than 150 feet, and (3) Solar Panels shall be no closer to a noise receptor than 150 feet, except for the location of the inverters. These setbacks shall not be required for residences owned by landowners involved in the project that explicitly agree to lesser setbacks, and have done so in writing. All agreements by participating landowners to lesser setbacks must be filed with the Siting Board prior to commencement of construction of the Project. 3. Flat Run Solar shall fully comply with the mitigation measures and conditions prescribed in Appendix A.

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09/17/21	Gregory Dutton Flat Run Solar LLC Notice of Transfer
09/17/21	Gregory Dutton Flat Run Solar LLC Response to Post-hearing RFI
09/15/21	Notice of Filing Hearing Documents
09/10/21	SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO FLAT RUN SOLAR, LLC
09/08/21	Letter Filing Document into the Record
09/07/21	Gregory Dutton Flat Run Solar LLC Evidence of Public Notice
08/26/21	Order Entered: 1. The hearing in this matter is rescheduled for September 8, 2021, at 1:30 p.m. Eastern Time, in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky. 2. Flat Run Solar shall give notice of the hearing in compliance with 807 KAR 5:110, Section 9(1). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov."; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Flat Run Solar shall forward a duplicate of the notice and request to the Commission. 3. Pursuant to 807 KAR 5:110, Section 6(7), a digital video transcript shall be made of the hearing.
08/24/21	Gregory Dutton Flat Run Solar LLC Notice regarding public notice in advance of hearing.
08/24/21	Notice of Filing Hearing Documents
08/11/21	Order Entered: 1. The hearing in this matter is rescheduled for August 26, 2021, at 9:00 a.m. Eastern Time, in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky. 2. Flat Run Solar shall give notice of the hearing in compliance with 807 KAR 5:110, Section 9(1). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov."; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Flat Run Solar shall forward a duplicate of the notice and request to the Commission. 3. Pursuant to 807 KAR 5:110, Section 6(7), a digital video transcript shall be made of the hearing.
08/11/21	Gregory Dutton Flat Run Solar LLC Letter re Rescheduling Evidentiary Hearing
07/24/21	Gregory Dutton Flat Run Solar LLC Response to Consultants Report
07/12/21	Memo Filing Final Report of BBC Research and Consulting
06/25/21	Gregory Dutton Flat Run Solar LLC Response to Siting Boards 2nd RFI
06/11/21	SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION TO FLAT RUN SOLAR, LLC
05/28/21	Gregory Dutton Flat Run Solar LLC Notice of Substitution of Counsel
05/27/21	M Todd Osterloh Flat Run Solar, LLC Responses to Initial Requests for Information
05/24/21	M Todd Osterloh Flat Run Solar, LLC Supplemental Information
05/11/21	SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION TO FLAT RUN SOLAR, LLC
04/30/21	James W. Gardner Flat Run Solar, LLC Motion for Deviation
04/28/21	IT IS THEREFORE ORDERED that the procedural schedule set forth in the Appendix to this Order shall be followed for this proceeding.
04/08/21	Acknowledgement Letter of Application Fees
04/05/21	No deficiency letter
04/02/21	James W. Gardner Flat Run Solar, LLC Application
03/22/21	Memo Filing Executive Order into the Record
01/12/21	James W. Gardner Flat Run Solar, LLC Amended Notice of Intent
09/04/20	M Todd Osterloh Flat Run Solar, LLC Notice of Filing - Public Notice
08/28/20	Order Entered: 1. Flat Run Solar's motion to approve form of public meeting is granted. 2. Within three days of the publication of the public notice, Flat Run 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, Flat Run 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.
08/25/20	M Todd Osterloh Flat Run Solar, LLC Motion for Approval of Public Meeting Format
08/24/20	No deficiency letter - Notice of Intent
08/24/20	James W. Gardner Flat Run Solar, LLC Notice of Intent
08/17/20	Acknowledge Receipt of Filing
08/17/20	Flat Run Solar, LLC Notice of Intent to File an Application for a Certificate of Construction for an Approximately 55 Megawatt Merchant Electric Solar Generating Facility in Taylor County, Kentucky

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pursuant to KRS 278.200 807 KAR 5:110 Using Electronic Filing Procedures

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Total Number of Cases: 1