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Case Management System - KY Public Service Commission*Merchant Plant Applications Cases Before the Commission as of May 10, 2026***2020-00391**

RECEIVED: 06/25/21

FILED: 06/25/21

FINAL: 12/22/21

REOPENED:

SUSPENSION DATE:

CASE NATURE: Henderson County Solar LLC

CASE CODE

Merchant Plant - Board Decision Due

HEARINGS:

03/26/26 Formal Hearing

10/25/21 Formal Hearing

INDEX OF EVENTS:

- 04/30/26 Order Entered: 1. The Siting Board finds that Henderson County Solar and Stellar Renewable Power have violated the Siting Board's December 22, 2021 final Order, specifically Mitigation Measure 26. 2. In lieu of revocation of the construction certificate, the Siting Board implements the Mitigation Measures set forth in the Appendix to this Order, in addition to those found in the December 22, 2021 Order. 3. If a conflict in the Mitigation Measures arises between the Orders, these measures are controlling. 4. The Siting Board cannot retroactively approve the transfer; however, had the Siting Board received an application to transfer Henderson County Solar to Stellar Renewable Power it would have approved such transfer.
- 04/29/26 Notice of Filing Hearing Documents - March 26, 2026
- 04/06/26 POST CASE: Pierce Stevenson Henderson County Solar LLC Response to Post-Hearing Request for Information
- 03/30/26 SITING BOARD STAFF'S SHOW CAUSE POST-HEARING REQUEST FOR INFORMATION TO HENDERSON COUNTY SOLAR LLC
- 03/30/26 Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before March 30, 2026. 2. Responses to post-hearing requests for information shall be filed on or before April 7, 2026. 3. Counsel for Henderson County Solar shall file a memorandum brief in support of Henderson County Solar's post-hearing position on or before April 3, 2026. 4. This case shall stand submitted for a decision by the Siting Board effective 12:01 a.m. Eastern Daylight Time, April 8, 2026.
- 03/20/26 POST CASE: Pierce Stevenson Henderson County Solar LLC Notice of Filing Proof of Evidentiary Hearing Notice
- 03/20/26 POST CASE: Pierce Stevenson Henderson County Solar LLC Witness List
- 03/06/26 Order Entered: 1. An evidentiary hearing in this matter shall be held March 26, 2026, at 9 a.m. EDT, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Henderson County Solar shall file notice of any scheduled hearing with the Siting Board in accordance with the provisions set forth in 807 KAR 5:110, Section 9. 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 listing on the PSC website, psc.ky.gov." 3. At any evidentiary hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted. 4. Any evidentiary hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. If the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.
- 02/19/26 POST CASE: Pierce T. Stevenson Henderson County Solar LLC Response to Siting Boards Show Cause Order
- 02/09/26 POST CASE: Pierce Stevenson Henderson County Solar LLC Renewed Entry of Appearance
- 01/30/26 POST CASE: L. Allyson Honaker Request to be Removed from Certificate of Service List
- 01/30/26 Order Entered: 1. Henderson County Solar shall file a response to this Order no later than 20 days after service of this Order. 2. A copy of this Order shall be mailed to the Henderson County Judge Executive. 3. Counsel for the parties shall enter an appearance or appearances within ten days of the date of entry of this Order. 4. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry. 5. Nothing in this Order shall be

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construed as preventing the Siting Board from issuing additional Orders

01/15/26 POST CASE: Pierce Stevenson Henderson County Solar LLC Renewed Request for Relief

01/15/26 POST CASE: Pierce Stevenson Henderson County Solar LLC Notice of Firm Name Change

01/14/26 POST CASE: Multiple Public Comments

12/22/25 POST CASE: Pierce T. Stevenson Henderson County Solar LLC Notice of Filing

09/24/25 POST CASE: Gregory T. Dutton Henderson County Solar LLC Transfer Approval Request

09/24/25 POST CASE: Gregory T. Dutton Henderson County Solar LLC Entry of Appearance

04/20/23 POST CASE: Kathryn A. Eckert Henderson County Solar LLC Henderson County Solar Entry of Appearance for counsel of record and Notice regarding the 12/22/21 Final Order

02/18/22 POST CASE: Mark David Goss Henderson County Solar LLC Redacted information pursuant to Order

02/09/22 Order Entered: 1. Henderson County Solar's motion for confidential treatment for seven leases is granted in part and denied in part.

2. Henderson County Solar's motion for confidential treatment as to the personal contact information in the leases, consisting of alternate private addresses, email addresses and phone numbers is granted. 3. Henderson County Solar's motion for confidential treatment as to the material terms in the leases is granted. 4. Henderson County Solar's motion for confidential treatment for the remaining terms of the leases is denied. 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 30 years or until further Order of this Siting Board. 6. Use of the designated material granted confidential treatment by this Order in any Siting Board proceeding shall comply with 807 KAR 5:110, Section 5. 7. Henderson County Solar shall inform the Siting Board if the designated material granted confidential treatment becomes publicly available or no longer qualifies for confidential treatment.

12/22/21 Final Order Entered: 1. Henderson County Solar's application for a Construction Certificate to construct an approximately 50 MW merchant solar electric generating facility in Henderson County, Kentucky, is conditionally granted subject to full compliance with the mitigation measures and conditions prescribed in Appendix A. 2. Henderson County Solar shall fully comply with the mitigation measures and conditions prescribed in Appendix A. 3. In the event mitigation measures within the body of this Order conflict with those prescribed in Appendix A, the measures in Appendix A shall control. 4. Within 30 days of entry, Henderson County Solar will send a copy of this Order to all the adjoining landowners who previously were required to receive notice of the Project. 5. This case is closed and removed from the commission's docket.

11/23/21 Acknowledgement Letter of Additional Application Fees

11/17/21 Order Entered: Henderson County Solar is assessed a supplemental application fee of \$55,000, which shall be remitted to the Siting Board within five days of entry of this Order.

11/15/21 Mark David Goss Henderson County Solar LLC Supplemental Response to Staffs First Request No. 62

11/09/21 Mark David Goss Henderson County Solar LLC Responses to Post-Hearing Data Requests

11/04/21 Notice of Filing Hearing Documents

10/27/21 SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO HENDERSON COUNTY SOLAR LLC

10/27/21 Order Entered: 1. Post-hearing data requests, if any, shall be filed on or before October 27, 2021. 2. Responses to post-hearing data requests shall be filed on or before November 10, 2021. 3. This case shall stand submitted for a decision by the Siting Board effective 12:01 a.m., November 11, 2021.

10/19/21 Mark David Goss Henderson County Solar LLC Proof of Publication of Hearing Notice

10/15/21 Mark David Goss Henderson County Solar Response to Consultants Report

10/08/21 Susan Walker Harvey Economics Company This document provides a review of the Site Assessment Report for the proposed Henderson County Solar Facility submitted to the Kentucky State Board on Electric Generation and Transmission Siting.

09/24/21 Mark David Goss Henderson County Solar LLC Responses to Staffs Data Requests

09/13/21 SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION TO HENDERSON COUNTY SOLAR

09/10/21 Order Entered: 1. The July 22, 2021 Order should be amended, with the procedural event scheduling a second request for information stricken and replaced with the following: Second requests for information to Henderson County Solar LLC, shall be filed no later than 09/13/21 2. All other provisions

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of the July 22, 2021 Order shall remain in full force and effect.

08/27/21 Mark David Goss Henderson County Solar LLC Responses to Staffs Requests for Information
08/26/21 Memo Filing Document into the Record
08/13/21 Siting Board Staff's First Request for information to Henderson County Solar
07/22/21 Order Entered: The procedural schedule set forth in the Appendix to this Order shall be followed for this proceeding.
07/13/21 Memo Filing Documents into the Record
06/29/21 Acknowledgement Letter of Application Fees
06/29/21 No deficiency letter
06/25/21 Mark David Goss Henderson County Solar LLC Application
06/25/21 Henderson County Solar LLC Letter Regarding Application Fees
05/24/21 Mark David Goss Henderson County Solar LLC Amended and Restated Notice of Intent

02/05/21 David S. Samford Henderson County Solar LLC Notice of Filing of Public Meeting Notice
12/15/20 Order Entered: 1. Henderson County Solar's motion to approve modified form of public meeting is granted. 2. Within three days of the publication of the public notice, Henderson County 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, Henderson County 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.

12/08/20 NOI No deficiency letter
12/07/20 Mark David Goss Henderson County Solar LLC Motion for Approval of Modified Public Hearing and Notice
12/07/20 Mark David Goss Henderson County Solar LLC Notice of Intent
12/03/20 Acknowledge Receipt of Filing
12/03/20 Henderson County Solar LLC Notice of Intent to File an Application for a Certificate of Public Convenience and Necessity to Construct an Approximately 50 Megawatt Merchant Electric Solar Generating Facility in Henderson County, Kentucky pursuant to KRS 278.700 and 807 KAR 5:110 Using Electronic Filing Procedures

Total Number of Cases: 1