DOC11R

Case Management System - KY Public Service Commission

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

2022-00131 RECEIVED: 04/18/23 FILED: 04/18/23 FINAL: 10/12/23 REOPENED:
SUSPENSION DATE:

CASE NATURE: Sebree Solar II, LLC

CASE CODE
Merchant Plant - Board Decision Due

HEARINGS:

04/30/26	Informal Conference
08/17/23	Formal Hearing

INDEX OF EVENTS:

08/14/26	POST CASE: Heather Temple Sebree Solar II Notice of Operations Filing
08/13/26	Order Entered: 1. Sebree Solar II's request for declaratory order is denied. 2. Sebree Solar II's request to enter into and complete a non-controlling tax equity investment transaction, as set forth in the application, is granted. 3. Sebree Solar II shall provide notice to the Siting Board, in post-case correspondence referencing this case number, within 20 days of each of the transaction closing.4. Sebree Solar II shall provide notice to the Siting Board, in post-case correspondence referencing this case number, of the ultimate lienholder, the total amount of indebtedness as well as the indebtedness related to this project, within 20 days of the financial transaction closing.
07/13/26	POST CASE: Heather Temple Sebree Solar II Responses to Request for Information
07/07/26	Order Entered: 1. Sebree Solar II's motion is granted. 2. Sebree Solar II shall file its responses no later than July 13, 2026.
06/29/26	POST CASE: Heather Temple Sebree Solar II Motion for Additional Time
06/22/26	SITING BOARD STAFF'S REQUEST FOR INFORMATION TO SEBREE SOLAR II, LLC
05/14/26	Order Entered: 1. Sebree Solar II's motion for deviation of Mitigation Measure 15 is granted. 2. The Siting Board finds that for a continuous period of 96 hours Mitigation Measure 15 is suspended. 3. All other provisions of the Siting Board's October 12, 2023 final Order that are not in conflict with the terms of this Order shall remain in effect.
05/01/26	POST CASE: Heather Temple Sebree Solar II Motion for Deviation
04/29/26	Order Entered: 1. Sebree Solar II's April 23, 2026 motion for an informal conference is granted. 2. An informal conference is scheduled on April 30, 2026, at 10:30 a.m. Eastern Daylight Time, via videoconference. 3. Siting Board Staff shall contact participants by electronic mail to provide details for joining the conference by video link.
04/29/26	POST CASE: Heather Temple Sebree Solar II Motion for Equity Transactions
04/23/26	POST CASE: Heather Temple Sebree Solar II Motion for an Informal Conference
10/15/25	POST CASE: L. Allyson Honaker Sebree Solar II, LLC Compliance Filing
06/11/25	Order Entered: 1. Sebree Solar II's request for declaratory Order is denied. 2. Sebree Solar II request to obtain transfers between Sebree Solar II and affiliates to obtain funding for the Project through three separate financings is granted. 3. Sebree Solar II shall provide proof to the Siting Board, in post-case correspondence referencing this case number, within 20 days of each of the transaction closing. 4. Sebree Solar II shall provide notice to the Siting Board, in post-case correspondence referencing this case number, of the ultimate lienholder, the total amount of indebtedness as well as the indebtedness related to this project, within 20 days of the financial transaction closing.
06/11/25	Order Entered: 1. Sebree Solar II's motion is granted. 2. The revised final site plan is attached in the Appendix of this Order.
05/16/25	POST CASE: L. Allyson Honaker Sebree Solar II, LLC Responses to Staffs DR
05/09/25	SITING BOARD STAFF'S REQUEST FOR INFORMATION TO SEBREE SOLAR II, LLC
04/28/25	POST CASE: L. Allyson Honaker Sebree Solar II, LLC Final Site Plan
04/08/25	POST CASE: Meredith Cave Sebree Solar II, LLC Application for Declaratory Order
12/15/23	Order Entered: 1. Sebree Solar II's motion for rehearing is granted in part and denied in part. 2. Sebree Solar II's motion for rehearing on Mitigation Measure 11 and Mitigation Measure 28 are denied. 3. Sebree Solar II's motion for rehearing on Mitigation Measure 15 is granted. Mitigation Measure 15 in Appendix A to the Final Order is stricken and shall be replaced with the following: Sebree Solar II is required to limit the construction activity, process, and deliveries to the hours between 8 a.m. and 6 p.m., Monday through Saturday. Non-noise causing and non-construction activities can take place on the site between 6 a.m. and 10 p.m. Monday through Sunday, including field visits, arrival, departure, planning meetings, mowing, surveying, etc. 4. Sebree Solar II's motion for rehearing on Mitigation

	Measure 18 is granted. Mitigation Measure 18 in Appendix A to the Final Order is stricken and shall be replaced with the following: Sebree Solar II shall place panels, inverters, and substation equipment consistent with the distances to noise receptors to which it has committed in its maps and site plans. The Siting Board approves Sebree Solar II's proposed setback from residences of 150 feet from any panel or string inverter. Nevertheless, Sebree Solar II shall not place solar panels or string inverters, if used, closer than 150 feet from a residence, church, or school, 25 feet from non-participating adjoining parcels, or 50 feet from adjacent roadways.
12/01/23	POST CASE: Brittany Hayes Koenig Sebree Solar II, Inc Responses
11/20/23	Order Entered: 1. Sebree Solar II's motion for confidential treatment is denied. 2. The designated material denied confidential treatment by this Order is not exempt from public disclosure and shall be placed in the public record and made available for public inspection. 3. If Sebree Solar II objects to the Siting Board's determination that the requested material is not granted confidential treatment, it must seek either rehearing pursuant to 807 KAR 5:110, Section 5(4), or judicial review of this Order pursuant to KRS 278.712(5). Failure to exercise either of these statutory rights will be deemed as agreement with the Siting Board's determination of which materials should be granted confidential treatment. 4. Within 30 days of the date of service of this Order, Sebree Solar II shall file a revised version of the designated material for which confidential treatment was denied, reflecting as unredacted the information that has been denied confidential treatment. 5. The designated material for which Sebree Solar II's request for confidential treatment has been denied shall neither be placed in the public record nor made available for inspection for 30 days from the date of service of this Order in order to allow Sebree Solar II to seek a remedy afforded by law.
10/31/23	POST CASE: Brittany Hayes Koenig Sebree Solar II, Inc Motion for Rehearing
10/12/23	Final Order Entered: 1. Sebree Solar II's motion for deviation filed on April 18, 2023, for a deviation from KRS 278.706(2)(f) for landowners that were not part of the project during the initial public meetings is granted. 2. Sebree Solar II's application for a Construction Certificate to construct an approximately 150-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 to this Order. 3. Sebree Solar II shall fully comply with the mitigation measures and conditions prescribed in Appendix A to this Order. 4. Sebree Solar I, or its subsidiaries, shall assign the leases for the property where the Project is to be sited to Sebree Solar II within 90 days of the date of service of this Order. 5. In the event mitigation measures within the body of this Order conflict with those prescribed in Appendix A to this Order, the measures in Appendix A shall control. 6. This case is closed and removed from the Siting Board's docket.
09/27/23	Notice of Filing Hearing Documents
09/05/23	Brittany Hayes Koenig Sebree Solar II, Inc PHDR Responses
08/21/23	SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO SEBREE SOLAR II, LLC
08/21/23	Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before August 22, 2023. 2. Responses to post-hearing requests for information shall be filed on or before September 5, 2023. 3. This case shall stand submitted for a decision by the Siting Board effective 12:01 a.m. Eastern Daylight Time, September 6, 2023.
08/14/23	Order Entered: 1. Sebree Solar II's motion to allow Erin Bowen, MIA, to adopt the responses to requests for information sponsored by Andrew Lines, MIA, and testify at the August 17, 2023, hearing in his place is granted. 2. Mr. Lines is excused from the August 17, 2023, hearing.
08/11/23	Brittany Hayes Koenig Sebree Solar II, Inc Response to Report
08/09/23	Brittany Hayes Koenig Sebree Solar II, Inc Notice of Proof of Publication of Hearing Notice
08/09/23	Brittany Hayes Koenig Sebree Solar II, Inc Notice of Filing Response to August 2, 2023 Order
08/08/23	Brittany Hayes Koenig Sebree Solar II, Inc Witness List
08/07/23	Collin Abell Wells Engineering Case No. 2022-00131 Sebree Solar II - PSC Consultant Final Report
08/02/23	Order Entered: 1. Sebree Solar II's motion for confidential treatment is granted in part and denied in part. 2. Sebree Solar II's motion for confidential treatment for the material terms of leases provided in response to Siting Board Staff's First Request, Item 1 is granted. 3. Sebree Solar II's motion for confidential treatment for the reaming portions of the leases is denied. 4. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available

DOC11R **Case Management System - KY Public Service Commission**

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

	for public inspection for ten years or until further order of this Siting Board. 5. 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. 6. Sebree Solar II shall inform the Siting Board if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
07/28/23	Brittany Hayes Koenig Sebree Solar II, Inc Motion to Allow Witness to Adopt Response
07/21/23	Brittany Hayes Koenig Sebree Solar II, Inc Response to PSC Staffs DR-2
07/07/23	SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION TO SEBREE SOLAR II, LLC
06/16/23	L. Allyson Honaker Sebree Solar II, LLC Responses to Staffs First Data Request and Motion for Confidential Treatment
05/31/23	SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION TO SEBREE SOLAR II, LLC
05/15/23	Order Entered: 1. The statutory deadline for the processing of this matter is 180 days from the application filing date. 2. The procedural schedule set forth in the Appendix to this Order shall be followed for this proceeding. 3. Sebree Solar II shall respond to all requests for information propounded by Siting Board Staff, whether identified on the procedural schedule or otherwise, as provided in those requests. 4. Pursuant to 807 KAR 5:110, Section 3(4), any party filing a paper with the Siting Board shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001E, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Siting Board directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085[1] regarding filings with the Siting Board. 5. As set forth in 807 KAR 5:110, Section 4, a person requesting to become a party to the proceeding before the Siting Board is required to demonstrate (1) that he or she has a special interest in the proceeding; or (2) that his or her participation in the proceeding will assist the Siting Board in reaching its decision and would not unduly interrupt the proceeding. 6. An evidentiary hearing in this matter shall be held August 17, 2023, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky.
04/19/23	Acknowledgement Letter of Application Fees
04/19/23	No deficiency letter
04/18/23	Brittany Hayes Koenig Sebree Solar II, Inc Attachment A to Exhibit 12
04/18/23	Brittany Hayes Koenig Sebree Solar II, Inc Application
04/18/23	Sebree Solar II, LLC Letter Regarding Application Fees
10/21/22	No deficiency letter - Notice of Intent
10/20/22	L. Allyson Honaker Sebree Solar II, LLC Amended and Restated Notice of Intent
09/13/22	Letter Filing Document into the Record
09/06/22	Order Entered: Sebree Solar II's motion for deviation is denied.
08/19/22	L. Allyson Honaker Sebree Solar II, LLC Proof of Notice Publication and Motion for Deviation
08/17/22	L. Allyson Honaker Sebree Solar II, LLC Entry of Appearance
07/29/22	David Samford Sebree Solar II, LLC Notice of Withdrawal of Counsel
06/13/22	Letter Dated June 10, 2022 Filing Executive Order 2022-302 into the Record
04/29/22	No Deficiency Letter- Notice of Intent
04/29/22	David S. Samford Sebree Solar II, LLC Notice of Intent
04/28/22	Acknowledge Receipt of Filing
04/28/22	Sebree Solar II, LLC Notice of Intent to File an Application for a Certificate to Construct an Approximately 150 Megawatt Solar Electric 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