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Case Management System - KY Public Service Commission

Merchant Plant Applications Cases Before the Commission as of September 10, 2026

2022-00272 RECEIVED: 06/23/23 FILED: 06/23/23 FINAL: 12/13/23 REOPENED: SUSPENSION DATE:

CASE NATURE: Hummingbird Energy, LLC

CASE CODE

Merchant Plant - Board Decision Due

HEARINGS:

10/24/23 Formal Hearing

INDEX OF EVENTS:

12/22/23	Order Entered: 1. Hummingbird Energy's motion for confidential treatment is denied. 2. The Siting Board's September 22, 2023 Order is amended to grant confidential treatment for a period of 40 years. 3. All other provisions of the Siting Board's September 22, 2023 Order that are not in conflict with the terms of this Order shall remain in effect.
12/13/23	Final Order Entered: 1. Hummingbird Energy's application for a construction certificate to construct an approximately 200-MW merchant solar electric generating facility in Fleming County, Kentucky, and an approximately 300-foot nonregulated electric transmission line in Fleming County is conditionally granted subject to full compliance with the mitigation measures and conditions prescribed in Appendix A to this Order. 2. Hummingbird Energy's motion for deviation from the setback requirements in KRS 278.704(2) is granted. Hummingbird Energy shall comply with the setbacks prescribed in the mitigation measures in Appendix A to this Order. 3. Hummingbird Energy shall fully comply with the mitigation measures and conditions prescribed in Appendix A to this Order. 4. 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. 5. This case is closed and removed from the Siting Board's docket.
11/28/23	Notice of Filing Hearing Documents
11/14/23	Pierce Stevenson Hummingbird Energy LLC Responses to Siting Board Staffs Post-Hearing Request for Information
10/31/23	Pierce Stevenson Hummingbird Energy LLC Brief in Support of Post-Hearing Positions
10/30/23	SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO HUMMINGBIRD ENERGY, LLC
10/26/23	Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before October 30, 2023. 2. Responses to post-hearing requests for information shall be filed on or before November 14, 2023. 3. This case shall stand submitted for a decision by the Siting Board effective 12:01 a.m. Eastern Standard Time, November 15, 2023.
10/23/23	Pierce Stevenson Hummingbird Energy LLC Second Motion for Confidential Protection
10/23/23	Pierce Stevenson Hummingbird Energy LLC Motion for Reconsideration
10/20/23	Gregory T. Dutton Hummingbird Energy LLC Applicants Response to Consultant Report
10/17/23	Pierce Stevenson Hummingbird Energy LLC Witness List for Evidentiary Hearing Scheduled October 24, 2023
10/16/23	Pierce Stevenson Hummingbird Energy LLC Notice of Public Notice of Evidentiary Hearing
10/12/23	Susan Walker Harvey Economics Co This document provides a review of the Site Assessment Report for the proposed Hummingbird Energy, LLC solar facility.
10/09/23	Multiple Public Comments
10/04/23	Pierce Stevenson Hummingbird Energy LLC Notice of Witness Substitution
10/03/23	Pierce Stevenson Hummingbird Energy LLC Response to Siting Board Staffs Third Request for Information
09/29/23	Pierce Stevenson Hummingbird Energy LLC Responses to Second Request for Information
09/28/23	SITING BOARD STAFF'S THIRD REQUEST FOR INFORMATION TO HUMMINGBIRD ENERGY, LLC
09/22/23	Order Entered: 1. Hummingbird Solar's motion for confidential treatment is granted in part and denied in part. 2. Hummingbird Solar'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. Hummingbird Solar's motion for confidential treatment for the reaming portions of the leases is denied. 4. Hummingbird Solar's motion for confidential treatment for the email addresses and phone numbers of the property owners in the leases 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

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	inspection for ten 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. Hummingbird Solar 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.
09/15/23	SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION TO HUMMINGBIRD ENERGY, LLC
09/08/23	Pierce Stevenson Hummingbird Energy LLC Second Set of Supplemental Responses to Siting Board Staffs First Request for Information
08/25/23	Pierce Stevenson Hummingbird Energy LLC Supplemental Responses to Siting Board Staffs First Request for Information
08/18/23	Pierce Stevenson Hummingbird Energy LLC Responses to First Request for Information
08/04/23	SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION TO HUMMINGBIRD ENERGY, LLC
08/01/23	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. Hummingbird Solar 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 5:001, 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.
07/12/23	Pierce Stevenson Hummingbird Energy LLC Motion for Deviation from Setback Requirements
06/26/23	No deficiency letter
06/26/23	Jake Mazelin Public Comment
06/23/23	Pierce Stevenson Hummingbird Energy LLC Application and Exhibits for a Certificate of Construction
03/06/23	No deficiency - Second Renewed Notice of Intent
03/06/23	Pierce Stevenson Hummingbird Energy LLC Second Renewed and Restated Notice of Intent
11/28/22	No deficiency - Renewed Notice of Intent
11/28/22	Pierce Stevenson Hummingbird Energy LLC Renewed and Restated Notice of Intent
11/23/22	Letter Filing Executive Order 2022-803 into the Record
10/14/22	Pierce Stevenson Hummingbird Energy LLC Response to Notice of Deficiency
10/06/22	Deficiency letter, information due 10/16/2022
10/04/22	Acknowledgement Letter of Application Fees
09/30/22	Pierce Stevenson Hummingbird Energy LLC Application and Exhibits for Certificate of Construction
08/17/22	No deficiency letter - Notice of Intent
08/16/22	Pierce Stevenson Hummingbird Energy LLC Notice of Intent to File Application
08/16/22	Pierce Stevenson Hummingbird Energy LLC Name Correction Letter
08/12/22	Acknowledge Receipt of Filing
08/12/22	Hummingbird Solar, LLC Notice of Intent to File an Application for a Certificate of Construction for a Merchant Electric Solar Generating Facility in Kentucky pursuant to KRS 278.700 and 807 KAR 5:110 Using Electronic Filing Procedures

Total Number of Cases: 1