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Case Management System - KY Public Service Commission

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

2023-00256 RECEIVED: 09/01/23 FILED: 09/01/23 FINAL: 02/28/24 REOPENED: SUSPENSION DATE:

CASE NATURE: Song Sparrow Solar LLC

CASE CODE
Merchant Plant - Board Decision Due

HEARINGS:
01/23/24 Formal Hearing

INDEX OF EVENTS:

03/13/24	Order Entered: 1. Song Sparrow Solar's petition for confidential treatment for the material terms of the PPA provided in response to Siting Board Staff's First Request, Item 3 is granted. 2. 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. 3. 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. 4. Song Sparrow 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. 5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Song Sparrow Solar shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Song Sparrow Solar is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Siting Board shall deny the request for inspection.
02/28/24	Final Order Entered: 1. Song Sparrow Solar's application for a construction certificate to construct an approximately 104 MW merchant solar electric generating facility in Ballard County, Kentucky, and an approximately 200-foot nonregulated electric transmission line in Ballard County is conditionally granted subject to full compliance with the mitigation measures and conditions prescribed in Appendix A to this Order. 2. Song Sparrow Solar shall fully comply with the mitigation measures and conditions prescribed in Appendix A to this Order. 3. 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. 4. This case is closed and removed from the Siting Board's docket.
02/19/24	M Todd Osterloh Song Sparrow Solar LLC Notice of Filing
02/02/24	M Todd Osterloh Song Sparrow Solar LLC Response to Post-Hearing Data Requests
01/26/24	SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO SONG SPARROW SOLAR LLC
01/25/24	Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before January 26, 2024. 2. Responses to post-hearing requests for information shall be filed on or before February 2, 2024. 3. Counsel for Song Sparrow shall file a memorandum brief in support of Song Sparrow's post-hearing position on or before January 30, 2024. 4. This case shall stand submitted for a decision by the Siting Board effective 12:01 a.m. Eastern Standard Time, February 3, 2024.
01/24/24	Order Entered: 1. Song Sparrow Solar's petition 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 Song Sparrow Solar objects to the Siting Board's determination that the requested material not be 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, Song Sparrow Solar 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 Song Sparrow Solar'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 Song Sparrow Solar to seek a remedy afforded by law.

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01/24/24	Shawn Ross Public Comment
01/23/24	Mitchell Ivy Public Comment
01/23/24	Jill and David Wrye Public Comment
01/16/24	M Todd Osterloh Song Sparrow Solar LLC Witness List
01/16/24	M. Todd Osterloh Song Sparrow Solar LLC Notice of Filing Publication
01/08/24	M Todd Osterloh Song Sparrow Solar LLC Response to Consultants Report
12/22/23	M Todd Osterloh Song Sparrow Solar LLC Supplemental Response to DR1-38
12/15/23	Douglas Jeavons BBC BBC Research Consulting SAR Review on behalf of Siting Board
12/06/23	M Todd Osterloh Song Sparrow Solar LLC Response to Second Request for Information
12/04/23	Order Entered: 1. Song Sparrow Solar's petition for confidential treatment is granted in part and denied in part. 2. Song Sparrow Solar's petition for confidential treatment for the material terms of leases provided in response to Siting Board Staff's First Request, Item 1, is granted. 3. Song Sparrow Solar's petition for confidential treatment for the remaining 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 for public inspection for an indefinite period 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. Song Sparrow 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. 7. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Song Sparrow Solar shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878.
11/14/23	SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION TO SONG SPARROW SOLAR, LLC
10/20/23	M Todd Osterloh Song Sparrow Solar LLC Responses to Initial Request for Information
10/06/23	Letter Filing Document into the Record
10/05/23	SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION TO SONG SPARROW SOLAR LLC
09/15/23	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. Song Sparrow 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. 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 January 23, 2024, at 1 p.m., Eastern Standard Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky.
09/08/23	Letter Filing Document into the Record
09/06/23	Letter Filing Document into the Record
09/05/23	No deficiency letter
09/01/23	M. Todd Osterloh Song Sparrow Solar, LLC Application
08/22/23	Acknowledgement Letter of Application Fees
07/28/23	No deficiency letter - Notice of Intent
07/28/23	M Todd Osterloh Song Sparrow Solar LLC Notice of Intent
07/27/23	Acknowledge Receipt of Filing
07/27/23	Song Sparrow Solar LLC Notice of Intent to File an Application for Certificate of Construction for an Approximately 104 Megawatt Merchant Electric Solar Generating Facility in Ballard County, Kentucky pursuant to KRS 278.700 and 807 KAR 5:110 Using Electronic Filing Procedures

Total Number of Cases: 1