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Case Management System - KY Public Service Commission

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

2024-00406 RECEIVED: 01/29/25 FILED: 01/29/25 FINAL: 09/09/25 REOPENED: 08/20/25
SUSPENSION DATE:

CASE NATURE: Lost City Renewables LLC

CASE CODE
Merchant Plant - Board Decision Due

HEARINGS:

06/13/25	Formal Hearing
06/11/25	Formal Hearing
03/27/25	Public Meeting

INDEX OF EVENTS:

08/07/26	POST CASE: Aaron Cobb Request for Information
07/08/26	Order Entered: 1. Lost City Renewables's June 11, 2025 petition for confidential treatment 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. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Lost City Renewables shall inform the Commission and file with the Commission an unredacted copy of the designated material. 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, Lost City Renewables 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 Lost City Renewables 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.
07/08/26	Order Entered: 1. Lost City Renewables's April 28, 2025 petition for confidential treatment 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. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Lost City Renewables shall inform the Commission and file with the Commission an unredacted copy of the designated material. 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, Lost City Renewables 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 Lost City Renewables 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.
09/09/25	Order Entered: 1. Intervenors' motion for rehearing is denied. 2. The second sentence of paragraph 16 of Appendix A to the Final Order be and is hereby deleted. 3. The fifth sentence of paragraph 16 of Appendix A to the Final Order be and is hereby amended to remove "residence," as set forth below: Nevertheless, Lost City Renewables 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.
08/27/25	POST CASE: Todd Osterloh Lost City Renewables LLC Response to Motion for Rehearing
08/20/25	POST CASE: Harold Johns Intervenors Motion for Rehearing
07/28/25	Final Order Entered: 1. Lost City Renewables' application for a Construction Certificate to construct an approximately 250 MW merchant solar electric generating facility in Muhlenberg County, Kentucky, is conditionally granted subject to full compliance with this Order, including the mitigation measures and conditions prescribed in Appendix A. 2. Lost City Renewables' motion for a deviation from KRS 278.704(2), concerning setbacks from residential neighborhoods, is granted in part and denied in part. Specifically, a deviation is granted from KRS 278.704(2) for any additional residential neighborhood identified herein allowing the placement of electric generating equipment within 1,000 feet of any residential structure within any residential neighborhood identified in this Order and allowing closer

	placement to any residential structure of a participating land owner and, subject to any other commitments or mitigations measures herein, upon agreement of the owner of the residential structure. 3. Lost City Renewables 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 commission's docket.
07/03/25	Todd Osterloh Lost City Lost City Response Brief
07/03/25	Harold Johns Intervenors Reply to Lost City Renewables Brief and Motion to Strike
07/03/25	PSC Response E-Mail to Erin Groves
07/01/25	PSC Response E-Mail to Multiple Comments
06/27/25	Todd Osterloh Lost City Renewables LLC Certification Pages for PHDR Responses
06/27/25	Todd Osterloh Lost City Renewables LLC Post-Hearing Brief
06/27/25	Todd Osterloh Lost City Renewables LLC Response to Post-Hearing Data Requests
06/27/25	Harold Johns Intervenors Brief of Intervenors
06/25/25	PSC Response E-Mail to Kassidy Cobb
06/20/25	SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO LOST CITY RENEWABLES LLC
06/20/25	Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before June 20, 2025. 2. Responses to post-hearing requests for information shall be filed on or before June 27, 2025. 3. Simultaneous post-hearing briefs, if any, shall be filed on or before June 27, 2025. 4. Responses to post-hearing briefs, if any, shall be filed on or before July 3, 2025. 5. As described above, any portions of the hearing video or transcript which provide personal identifying information shall be stricken so as not to reveal PII censored. 6. This case shall stand submitted for a decision by the Siting Board effective 12:01 a.m. Eastern Daylight Time, July 4, 2025.
06/19/25	Harold Mac Johns Intervenors Notice of filing photo exhibit
06/17/25	PSC Response E-Mail to Multiple Comments
06/12/25	Todd Osterloh Lost City Renewables LLC Statement Regarding Hearing
06/12/25	Todd Osterloh Lost City Renewables LLC Motion to Recuse
06/11/25	Todd Osterloh Lost City Renewables LLC Supplemental Responses to Second Request for Information
06/11/25	PSC Response E-mail to Multiple Comments
06/10/25	PSC Response E-Mail to Multiple Comments
06/09/25	Harold Mac Johns Interveners Subpoena for Stetson Atcher
06/09/25	Siting Board Notice of Filing of Executive Order
06/06/25	Todd Osterloh Lost City Renewables LLC Witness List
06/06/25	Todd Osterloh Lost City Renewables LLC Notice of Hearing
06/05/25	Response E-Mail to Multiple Comments
06/04/25	Charles and June Vincent Public Comment
06/03/25	Order Entered: 1. Lost City Renewable’s motion to excuse Richard Kirkland or allow him to participate virtually in the June 13, 2025 hearing is granted, in part, and denied, in part. 2. Richard Kirkland is not excused from the hearing, but is permitted to participate virtually. 3. Siting Board Staff shall contact Mr. Kirkland with instructions on participating remotely. 4. The remaining witnesses who sponsored testimony or exhibits must be present in person at the hearing.
06/02/25	Aaron Cobb Public Comment
05/30/25	Todd Osterloh Lost City Renewables LLC Reply in Support of Motion for Exclusion or for Virtual Participation
05/30/25	Brandy Alexander Public Comment
05/29/25	Roy Douglas Mallory Public Comment
05/27/25	Aaron Cobb Public Comment
05/26/25	Todd Osterloh Lost City Renewables LLC Response to Consultants Report
05/23/25	Harold Mac Johns Interveners Notice regarding Request to Not Excuse Mr. Kirkland from June 13, 2025 Hearing
05/21/25	Danny Mitchell Public Comment
05/19/25	Colton Spurlock Public Comment
05/19/25	Lee and Mary Ann Spurlock Public Comment
05/15/25	M Todd Osterloh Lost City Renewables LLC Motion to Excuse Witness
05/12/25	Collin ABell Elliot Engineering Inc. Consultants Final Report
05/09/25	M Todd Osterloh Lost City Renewables LLC Notice of Filing - Visibility Analysis
05/08/25	Adjoining Property Owners Public Comment

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05/06/25	PSC Letter Filing Document from March 27, 2025 Public Comments Meeting into the Record
04/28/25	M Todd Osterloh Lost City Renewables LLC Response to Second Request for Information
04/10/25	SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION TO LOST CITY RENEWABLES LLC
04/08/25	Order Entered: 1. The procedural schedule established on February 12, 2025, is amended. Portions of the February 12, 2025 procedural schedule not in conflict with this Order shall remain in effect. 2. A hearing in this matter shall be held on June 13, 2025, 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. 3. Lost City Renewables shall give notice of the hearing date set forth herein in compliance with 807 KAR 5:110, Section 9(1). 4. Lost City Renewables shall file a witness list at least five days prior to the hearing.
04/08/25	Jenny Payne Public Comment
04/08/25	Keith Lovell Public Comment
04/03/25	Joe Ward Public Comment
04/02/25	Response E-Mail to Jay McElwain
04/02/25	Multiple Public Comments
04/01/25	Order Entered: 1. The Movants' Motion to Intervene and Amended Motion to Intervene are granted. 2. The Movants shall act through counsel of record. 3. The Movants are entitled to the full rights of a party and shall be served with the Siting Board's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 4. The Movants shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 5. The Movants shall adhere to the procedural schedule set forth in the Siting Board's February 12, 2025 Order and as amended by subsequent Orders. 6. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, the Movants shall file a written statement with the Siting Board that: a. Certifies that they, or their agent, possess the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.
03/31/25	Tyler McCoy Public Comment
03/28/25	Spencer Emerson Public Comment
03/28/25	Lucas Travis Public Comment
03/28/25	Brian Emerson Public Comment
03/27/25	Kentucky Laborers' District Council Public Comment
03/27/25	Rhonda Wood Public Comment
03/27/25	Darrin Benton Public Comment
03/21/25	M Todd Osterloh Lost City Renewables LLC Response to First Request for Information
03/21/25	Harold Mac Johns Brad Reed, et al. Notice of Map Filing
03/21/25	Laborers' International Union of North America Local #1392 Public Comment
03/19/25	M Todd Osterloh Lost City Renewables LLC Notice of Publication - Local Meeting
03/18/25	Response E-Mail to Mara Cobb
03/18/25	Keturah Byers Public Comment
03/17/25	Brandon Ward Public Comment
03/13/25	Order Entered: 1. A local public hearing in this matter is scheduled for March 27, 2025, at 5 p.m. Central Daylight Time, at the Muhlenberg County Fiscal Court Room, 100 South Main Street, Greenville, Kentucky 42345. 2. Lost City Renewables shall give timely notice of this local public hearing in a newspaper of general circulation in Muhlenberg County as required by 807 KAR 5:110, Section 9(2). 3. Lost City Renewables shall submit proof to the Siting Board of the notice to the public at least three days prior to the March 27, 2025 hearing.
03/13/25	Order Entered: The Movants have 10 days from the date of this Order to supplement the Motion to Intervene with information satisfying the requirements of 807 KAR 5:110, Section 4.
03/07/25	SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION TO LOST CITY RENEWABLES LLC
03/06/25	M. Todd Osterloh Lost City Renewables LLC Response to Amended Motion to Intervene
03/05/25	Response E-Mail to Kyle McPherson
03/03/25	Harold Mac Johns Brad Reed, et al. Amended Motion to Intervene
03/03/25	Harold Mac Johns Brad Reed, et al. Amended Entry of Appearance
02/27/25	M Todd Osterloh Lost City Renewables LLC Letter to the Governor
02/20/25	Harold Mac Johns Brad Reed, et al. Motion to Intervene
02/20/25	Harold Mac Johns Brad Reed, et al. Entry of Appearance

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02/18/25	Response E-Mail to Amy Alley
02/17/25	Response E-Mail to Multiple Public Comments
02/13/25	Muhlenberg County Judge Executive Mack McGehee Public Comment
02/12/25	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. Lost City Renewables 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 June 11, 2025, 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.
02/10/25	Danny Mitchell Request for Public Meeting
02/10/25	Dana Mitchell Request for Public Meeting
02/10/25	George Wood Request for Public Meeting
02/10/25	Rhonda Wood Request for Public Meeting
02/03/25	Response E-Mail to Keira Elitzer
01/30/25	No deficiency letter
01/30/25	Jay McElwain Public Comment
01/29/25	M Todd Osterloh Lost City Renewables LLC Application for Certificate of Construction
01/28/25	Acknowledgement Letter of Application Fees
01/27/25	Response E-Mail to Erin Groves
01/27/25	Lisa Johnson Public Comment
01/24/25	Aaron Cobb Public Comment
01/23/25	Ronald and Diane Porter Public Comment
01/15/25	Response E-Mail to Jay McElwain
01/13/25	J. Frank Richards Public Comment
01/08/25	PSC Notice of Filing for ad hoc request letter to Governor Beshear and Notice of Intent
01/08/25	Roy Douglas Mallory Public Comment
01/02/25	Response E-Mail to Multiple Comments
12/27/24	No deficiency letter - Notice of Intent
12/27/24	M Todd Osterloh Lost City Renewables LLC Notice of Intent
12/23/24	Acknowledge Receipt of Filing
12/23/24	Lost City Renewables LLC Notice of Intent to File an Application for a Certificate of Construction for an Approximately 250-Megawatt Merchant Electric Solar Generating Facility in Muhlenberg County, Kentucky pursuant to KRS 278.710 and 807 KAR 5:110 Using Electronic Filing Procedures
12/10/24	Rhonda Wood Follow-Up Public Comment
11/25/24	Dana Mitchell Public Comment
11/25/24	Rhonda Wood Public Comment

Total Number of Cases: 1