

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF PINE GROVE)	
SOLAR, LLC FOR A CERTIFICATE OF)	
CONSTRUCTION FOR AN APPROXIMATELY 50)	CASE NO.
MEGAWATT MERCHANT ELECTRIC SOLAR)	2022-00262
GENERATING FACILITY IN MADISON COUNTY,)	
KENTUCKY PURSUANT TO KRS 278.700 AND)	
807 KAR 5:110)	

SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION
TO PINE GROVE SOLAR, LLC

Pine Grove Solar, LLC (Pine Grove Solar), pursuant to 807 KAR 5:001E, is to file with the Commission an electronic version of the following information. The information requested is due on February 3, 2023. The Siting Board directs Pine Grove Solar to the Kentucky Public Service Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

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.

Pine Grove Solar shall make timely amendment to any prior response if Pine Grove Solar obtains information that indicates the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Pine Grove Solar fails or refuses to furnish all or part of the requested information, Pine Grove Solar shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Pine Grove Solar shall, in accordance with 807 KAR 5:001E, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Various places in the application and exhibits list different acreages for the project. Provide the total leased acreage for the project, the total fenced acreage, and the total acreage that will contain project components.

2. Provide a schedule for the project, starting from the receipt of the proposed certificate for construction to the completion of the project, and including the length of each construction phase.

3. Refer to the Application, Attachment I, Site Assessment Report (SAR), Appendix B, Preliminary Site Layout. Labels cover the southeast portion of the site as depicted on the Site Layout. Provide a Site Layout without the labeling covering the site area.

4. State whether a power purchase agreement has been made. If so, provide.

5. List the company that will employ the individuals that are or will be responsible for ensuring compliance with the statements in the application and any conditions imposed by the Siting Board during construction and operations of the project.

6. Provide a map of any karst features within the project boundaries and within the 2-mile radius. Also provide any mitigation measures proposed for karst features during construction.

7. Refer to the Application, Attachment A. Provide an updated Context Map that delineates the 2,000-foot radius around the proposed project.

8. Provide the distance from the project footprint to residences within the 2,000-foot project radius.

9. Refer to the Application, Attachment A, Context Map. Also refer to the Application, Attachment I, SAR, Appendix B. Explain why the Hubbard Cemetery is not located on the Context Map even though it is within the 2-mile project radius. Also, provide the proposed setbacks that will be used for the Hubbard Cemetery.

10. Refer to the Application, Attachment I, SAR, Appendix F, page 3. Provide the number and approximate weight classes of the heavy and light duty trucks anticipated on site per day during the construction phase.

11. Provide the estimated weight of the project's required substation transformer and the truck class necessary for its delivery.

12. Provide a summary of any communication between Pine Grove Solar and the Kentucky Transportation Cabinet District Engineer regarding road weights ratings for heavy deliveries to the site and any required mitigation measures by the Kentucky Transportation Cabinet.

13. Provide a summary of any communication between Pine Grove Solar and the Madison County Road Department regarding the proposed project, traffic impacts, and heavy deliveries to site.

14. Refer to the Application, Attachment I, SAR, Appendix F. Provide a map showing what roads construction traffic will use to gain access to the entrances on Pine Grove Road. Also show what roads will be utilized by construction employees to get to Pine Grove Road.

15. Refer to the Application, Attachment B, Impact Studies, page 9. A recommendation was made to consult with the United States Department of Fish and Wildlife regarding an Endangered Species Assessment (ESA). Provide an update on this consultation. Provide the ESA when it is completed.

16. Refer to the Application, page 4. Also refer to the Application, Attachment I, SAR, Appendix B. The Application states the project is 50 MW. The SAR states the project is 45 MW. Provide the complete MW for the project.

17. Refer to the Application, Attachment I, SAR, Appendix B, Preliminary Site Layout. The map shows one gate in the proposed electrical fence at the northeast end of Pine Grove Road. Explain whether there is only one entrance at the northeast end of Pine Grove Road. If other entrances are planned, identify those and explain how the entrances will be secured.

18. Refer to the Application, Exhibit I, SAR, page 7. Refer to the Application, Exhibit I, SAR, Appendix B. Also refer to the Application, Exhibit I, SAR, Appendix F, Figure 1. All have a different number of site entrances. Provide the correct number of site entrances and provide a map showing the entrances.

19. Refer to the Application, Attachment I, SAR, Appendix B. Provide an updated site layout that shows the point where Pine Grove Road turns into a private access road. Also identify and label the project inverters and the three-phase-pad-mounted transformers.

20. Refer to the Application, Attachment H. Provide a copy of the work papers supporting the economic impact study.

21. Refer to the Application, Attachment H, page 4. Confirm that the indirect effect for Madison County for the construction phase of the project would be 45 new jobs with a payroll of \$3 million (calculated by subtracting direct effect from total effect).

22. Refer to the Application, Attachment H, page 5. Provide a table(s) showing the number of direct, indirect, induced, and total jobs for the three models: Madison County, the six-county region and Kentucky during the project construction and operational phases of the project.

23. Refer to the Application, Attachment H, page 6-7. For each of the three models referenced above, provide a table(s) showing both the occupational and income tax revenues during both the construction and operational phases of the project. Provide the tax estimates both for Madison County and for Kentucky.

24. Refer to the Application, Attachment H, page 7. Explain whether the Madison County 1.0 percent net profits tax was applied to the project. If it was applied, explain how it affected the analysis.

25. Refer to the Application, Attachment H, page 7. Explain whether the Madison County net profits tax and the state corporate income tax apply equally to the project.

26. Refer to the Application, Attachment H, page 7. Explain whether Pine Grove Solar intends to apply for an Industrial Revenue Bond (IRB) and a Payment in Lieu of Taxes (PILOT) agreement with Madison County.

27. Refer to the Application, Attachment I, SAR, Appendix D, Noise Analysis Report, Figure 1. Figure 1 indicates 13 noise-sensitive receptors differing from the Context Map. Indicate which is correct, Figure 1 or the Context Map.

28. Refer to the Application, Attachment I, SAR, Appendix D, Noise Analysis Report, Figure 1, and Table A-1. Provide an updated Figure 1 that shows the noise sensitive receptors that are listed in Table A-1 with identification labels.

29. Refer to the Application, Attachment I, SAR, Appendix D, Noise Analysis Report, Table 2, page 6. Explain the meaning of the number in parentheses beside each type of equipment.

30. Explain how the Maximum Equipment Noise Level (L_{max}) and the Composite Equipment Noise Level (L_{eq}) are defined and the calculation to arrive at the numbers.

31. Provide a chart with the noise levels of pile-driving within 1,500 feet of a noise sensitive receptor.

32. Refer to the Application, Attachment I, SAR, Appendix D, Noise Analysis Report, page 7. The proposed mitigation measures for construction noise mitigation include a fence. Confirm that Pine Grove Solar will be using a fence for construction noise mitigation.

33. If Pine Grove Solar does not intend to use fencing as noise mitigation, explain what construction noise mitigation is intended.

34. Provide a description of any conversations, or complaints, from residents concerned about construction noise.

35. Refer to the Application, Attachment I, SAR, Appendix D, Noise Analysis Report, Figure 1, page 11 and Appendix A, Table A-1, pages 14-17.

a. Provide an update to Figure 1 identifying each noise sensitive receptor listed in Table A-1 and the sound level it will experience during the project operational phase.

b. Provide an update to Figure 1 identifying each noise sensitive receptor listed in Table A-1 within the 1,500-foot sound contour boundary that will experience sound at 55 dBA during construction.

c. Provide an update to Table A-1 to include the distance of each noise sensitive receptor from nearest construction activity and the associated maximum noise level during the project's construction phase.

36. Submit a copy of the leases or purchase agreements, including options, separate agreements, or deeds which Pine Grove Solar has entered into in connection with the proposed solar facility, including the agreements for each of the parcels of the Project.

37. List and provide details for any contracts by which Pine Grove Solar has paid, has negotiated to pay, or any compensation paid to non-participating landowners, whether cash or otherwise, near the project. Include the terms of the agreements and which properties are involved in terms of distance to the project boundaries.



Linda C. Bridwell, PE
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of the Kentucky State Board on
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DATED JAN 20 2023

cc: Parties of Record

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