

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF UNBRIDLED)	
SOLAR, LLC FOR A CERTIFICATE OF)	
CONSTRUCTION FOR AN APPROXIMATELY)	
160 MEGAWATT MERCHANT ELECTRIC)	CASE NO.
SOLAR GENERATING FACILITY AND)	2020-00242
NONREGULATED ELECTRIC)	
TRANSMISSION LINE IN HENDERSON AND)	
WEBSTER COUNTIES, KENTUCKY)	

NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on April 8, 2021 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording;
- A written log listing, inter alia, the date and time of where each witness' testimony begins and ends on the digital video recording of the evidentiary hearing conducted on April 8, 2021.

A copy of this Notice, the certification of the digital video record, and hearing log have been served upon all persons listed at the end of this Notice. Parties desiring to view the digital video recording of the hearing may do so at https://youtu.be/iKSChJgn_q4.

Parties wishing an annotated digital video recording may submit a written request by electronic mail to pscfilings@ky.gov. A minimal fee will be assessed for a copy of this recording.

Done at Frankfort, Kentucky, this 15th day of April 2021.



Linda C. Bridwell
Executive Director
Public Service Commission of Kentucky

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SOLAR GENERATING FACILITY AND)
NONREGULATED ELECTRIC TRANSMISSION)
LINE IN HENDERSON AND WEBSTER)
COUNTIES, KENTUCKY)

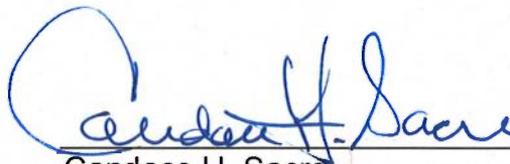
CASE NO.
2020-00242

CERTIFICATION

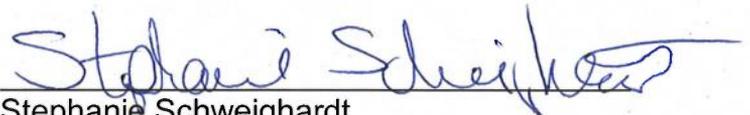
I, Candace H. Sacre, hereby certify that:

1. The attached flash drive contains a digital recording of the Formal Hearing conducted in the above-styled proceeding on April 8, 2021. The Formal Hearing Log is included with the recording on April 8, 2021;
2. I am responsible for the preparation of the digital recording;
3. The digital recording accurately and correctly depicts the Formal Hearing of April 8, 2021; and
4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of April 8, 2021, and the time at which each occurred.

Signed this 9th of April, 2021.



Candace H. Sacre
Administrative Specialist III



Stephanie Schweighardt
Notary Public State at Large ID#: 614400
Commission Expires: January 14, 2023



Date:	Type:	Location:	Department:
4/8/2021	Public Hearing\Public Comments	Hearing Room 1	Hearing Room 1 (HR 1)

Witness: Elle DeBlicek; Courtney Pelissero; Brian Zoeller
 Judge: Kent Chandler; Thomas Glover; John Lyons; Talina Mathews; Michael Schmitt; Brad Schneider
 Clerk: Candace Sacre

Event Time	Log Event	
9:01:53 AM	Session Started	
9:03:26 AM	Chairman Schmitt Note: Sacre, Candace	On the record in Case No. 2020-00242, Electronic Application Unbridled Solar, LLC, for a Certificate of Construction for an Approximately 160 Megawatt Merchant Electric Solar Generating Facility and Non-Regulated Transmission Line in Henderson and Webster Counties, Kentucky.
9:03:53 AM	Chairman Schmitt Note: Sacre, Candace	My name is Michael Schmitt, Chairman of Kentucky PSC and also serve as Chairman of the Kentucky State Board on Electric Generation and Transmission Siting and will be presiding today. Joining me by way of videoconferencing are other six Board members, Kent Chandler, Vice Chairman PSC; Dr. Talina Mathews, Commissioner PSC; John Lyons, Deputy Secretary EEC, proxy for Secretary Goodman; Charlie Rowland, Executive Advisor Economic Development, proxy for Interim Secretary Hayes; Henderson Co Judge Executive Brad Schneider, first ad hoc appointee; and Thomas Glover, second ad hoc appointee.
9:06:52 AM	Chairman Schmitt Note: Sacre, Candace	The hearing today is for the purpose of taking evidence on Unbridled Solar's application requesting Certificates of Construction for a 188 megawatt merchant electric generating solar facility and an approximately 3.5 mile 161 kilovolt transmission line to be located in Henderson and Webster counties, Kentucky.
9:07:17 AM	Chairman Schmitt Note: Sacre, Candace	Counsel for Unbridled Solar introduce himself, co-counsel, client, witnesses.
9:07:32 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	Jason Bentley, co-counsel Katie Eckert and Katie Younger. two witnesses, Elle DeBlicek and Courtney Pelissero, and experts provided expert analysis, call on them as needed.
9:08:55 AM	Chairman Schmitt Note: Sacre, Candace	For Staff?
9:08:58 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Quang Nguyen, Commission Staff, also watching Jenny Fell, Sarah Jankowski, John Rogness, Ruth Rowles, and Jim Stevens.
9:09:13 AM	Chairman Schmitt Note: Sacre, Candace	Outstanding confidentiality motions. (Click on link for further comments.)
9:09:57 AM	Chairman Schmitt Note: Sacre, Candace	Public notice. (Click on link for further comments.)
9:10:08 AM	Chairman Schmitt Note: Sacre, Candace	Public comments. (Click on link for further comments.)

9:10:12 AM	Camera Lock PTZ Activated	
9:11:26 AM	Camera Lock Deactivated	
9:11:49 AM	Camera Lock PTZ Activated	
9:12:12 AM	Camera Lock Deactivated	
9:13:22 AM	Camera Lock PTZ Activated	
9:13:24 AM	Chairman Schmitt	
	Note: Sacre, Candace	Mr. Bentley, first witness?
9:13:29 AM	Camera Lock Deactivated	
9:13:30 AM	Atty Bentley Unbridled Solar	
	Note: Sacre, Candace	Present both witnesses, Elle DeBlicek and Courtney Pelissero.
9:14:14 AM	Chairman Schmitt	
	Note: Sacre, Candace	Witnesses sworn.
9:15:35 AM	Atty Bentley Unbridled Solar	
	Note: Sacre, Candace	No testimony to present, witnesses presented to Board.
9:15:43 AM	Chairman Schmitt	
	Note: Sacre, Candace	Mr. Nguyen?
9:15:50 AM	Asst Gen Counsel Nguyen PSC - witness DeBlicek	
	Note: Sacre, Candace	Cross Examination. Unbridled Solar spans Henderson and Webster counties?
9:16:42 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Portion within Henderson zoning ordinance?
9:17:15 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Fence, visual buffer?
9:17:38 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Submit vegetation for approval from Planning Commission?
9:18:06 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Same level of screening Webster?
9:18:17 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Vegetation screening plan submitted to ????
9:18:43 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	When be submitted?
9:18:53 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Vegetation screening plan under development?
9:19:14 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Screening plan in application Exhibit K?
9:19:35 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Will be submitted to ????
9:19:47 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Why waiting?
9:20:23 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Henderson ordinance decommissioning plan and surety bond?
9:20:53 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	When finalized?
9:21:04 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Upcoming months?
9:21:28 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero	
	Note: Sacre, Candace	Decommissioning plan submitted this case?
9:21:42 AM	Asst Gen Counsel Nguyen PSC	
	Note: Sacre, Candace	Request submit decommissioning plan.
9:21:52 AM	Atty Bentley Unbridled Solar	
	Note: Sacre, Candace	Yes, can get that to you.
9:21:59 AM	POST-HEARING DATA REQUEST	
	Note: Sacre, Candace	ASST GEN COUNSEL NGUYEN PSC - WITNESS PELISSERO
	Note: Sacre, Candace	DECOMMISSIONING PLAN

9:22:11 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Provide general description of plan?
9:22:33 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Restored to use prior to development?
9:22:53 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Subsurface structures removed?
9:23:14 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Surety bond anticipate provide such bond for Webster?
9:23:38 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Discussions with Webster County?
9:24:17 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Vegetative screening plan, provides planting nonmature trees, shrubs, plants, mixture, considered planting mature vegetation?
9:25:17 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Magnitude of economic burden mature trees, vegetation?
9:25:42 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Estimated estimated cost planting mature vegetation?
9:26:07 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Post-hearing data request estimated cost mature vegetation?
9:26:21 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	Duly noted.
9:26:22 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	ESTIMATED COST OF PLANTING MATURE VEGETATION ASST GEN COUNSEL NGUYEN PSC - WITNESS PELISSERO
9:26:26 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Also request estimated cost nonmature vegetation?
9:26:46 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	Yes, will work on that and discuss later time frame.
9:26:47 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	ASST GEN COUNSEL NGUYEN PSC - WITNESS PELISSERO ESTIMATED COST OF PLANTING NONMATURE VEGETATION
9:27:04 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Nonmature vegetation planted, providing temporary measures along fencing until vegetation grows mature state?
9:28:01 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Post-hearing data request estimated cost including temporary measures?
9:28:25 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	Yes, will look into that.
9:28:26 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	ASST GEN COUNSEL NGUYEN PSC - WITNESS PELISSERO ESTIMATED COST NONMATURE VEGETATION INCLUDING TEMPORARY MEASURES
9:29:02 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Noise and traffic study indicated sound generated constuction, daylight hours?
9:29:31 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Committing to engage construction activities high noise daylight hours?
9:30:16 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	No commitment day of week?
9:30:33 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Sunday work makeup day involve generate create noise level high for area?

9:31:09 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Pile drivers racking system expected occur eight weeks across project?
9:31:56 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Eight to 12 weeks pile driving typical length of time install racking systems?
9:32:42 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Familiar BBC final report site assessment report?
9:33:00 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Pg 6 of report section (b) recommends, reading. (Click on link for further comments.) Agree with recommendation?
9:34:05 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Examination. When say construction activities, what mean, pile driving?
9:34:34 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Cross Examination (cont'd). Says, reading. (Click on link for further comments.) Precisely where and when, know when schedule finalized?
9:35:27 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	When known, will make sure owners within 500 feet notified?
9:36:02 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	BBC report recommends traffic management plan, when complete, finalized?
9:36:56 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Economic study filed, correct?
9:37:23 AM	Asst Gen Counsel Nguyen PSC - witness DeBlicek Note: Sacre, Candace	Familiar with study?
9:37:41 AM	Asst Gen Counsel Nguyen PSC - witness DeBlicek Note: Sacre, Candace	Report mentions anticipate increasing \$6.6 million taxes?
9:38:02 AM	Asst Gen Counsel Nguyen PSC - witness DeBlicek Note: Sacre, Candace	How calculated?
9:38:30 AM	Asst Gen Counsel Nguyen PSC - witness DeBlicek Note: Sacre, Candace	Used Jedhi, more specific, assumptions?
9:39:07 AM	Asst Gen Counsel Nguyen PSC - witness DeBlicek Note: Sacre, Candace	Zoeller tax counsel, someone else?
9:39:21 AM	Asst Gen Counsel Nguyen PSC - witness DeBlicek Note: Sacre, Candace	Defer questions to him?
9:39:33 AM	Asst Gen Counsel Nguyen PSC - witness DeBlicek Note: Sacre, Candace	Basis for assumptions used calculate \$6.6 million state/local tax benefits?
9:40:26 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	Swear in Zoeller?
9:40:40 AM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
9:40:58 AM	Asst Gen Counsel Nguyen PSC - witness Zoeller Note: Sacre, Candace	How underlying assumptions used calculate \$6.6 million state/local taxes, factors?
9:43:15 AM	Chairman Schmitt - witness Zoeller Note: Sacre, Candace	Examination. Local officials provided with information?
9:44:13 AM	Chairman Schmitt Note: Sacre, Candace	Documents filed local property taxes intended paid by landowner?
9:44:49 AM	Atty Eckert Unbridled Solar Note: Sacre, Candace	Sensitive business matters

9:45:00 AM	Chairman Schmitt - witness DeBlieck Note: Sacre, Candace	Entity responsible for paying taxes. Confidential session if you want. What I'd like to know, part of assessment taxes generated locally, that's not confidential, real estate, land, leased tracts?
9:45:50 AM	Chairman Schmitt Note: Sacre, Candace	Would like to ask a couple of questions, and maybe Judge Executive would, too. Can we go into confidential session?
9:46:02 AM	Private Mode Activated	
9:46:02 AM	Private Recording Activated	
10:05:11 AM	Normal Mode Activated	
10:05:11 AM	Public Recording Activated	
10:05:12 AM	Chairman Schmitt Note: Sacre, Candace	Back in open session. Mr. Nguyen?
10:05:20 AM	Asst Gen Counsel Nguyen PSC - witness DeBlieck Note: Sacre, Candace	Cross Examination (cont'd). Surety bond clarification, responded, Ms. DeBlieck?
10:05:50 AM	Asst Gen Counsel Nguyen PSC - witness DeBlieck Note: Sacre, Candace	Surety bond amount calculated entirety of project?
10:06:14 AM	Asst Gen Counsel Nguyen PSC - witness DeBlieck Note: Sacre, Candace	Amount protects Henderson, no discussion with Webster, anticipate discussion with Webster?
10:07:17 AM	Asst Gen Counsel Nguyen PSC - witness Pelissero Note: Sacre, Candace	Will engage in discussions with Webster?
10:07:43 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Exhibit D, application, notices mailed neighboring landowners, notifying of meetings conducted before application, listing of names of landowners redacted, nothing under seal unredacted, provide unredacted?
10:08:57 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	Will provide.
10:09:19 AM	Atty Eckert Unbridled Solar Note: Sacre, Candace	Exhibit J, Figure C, key.
10:09:51 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	ASST GEN COUNSEL NGUYEN PSC PROVIDE EXHIBIT D UNREDACTED
10:10:24 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	All questions.
10:10:26 AM	Chairman Schmitt Note: Sacre, Candace	Questions?
10:10:50 AM	Board Members Lyons - witness Pelissero Note: Sacre, Candace	Examination. Wells used for water withdrawal, dust control, what done with wells completion?
10:11:53 AM	Board Member Wells Note: Sacre, Candace	All have.
10:12:08 AM	Chairman Schmitt Note: Sacre, Candace	Vice Chairman?
10:12:14 AM	Vice Chairman Chandler - witness Pelissero Note: Sacre, Candace	Examination. Conversation surety bond, decommissioning plan, bond no apply Webster, decommissioning plan entirety of project?
10:13:01 AM	Vice Chairman Chandler - witness Pelissero Note: Sacre, Candace	Requires underground up to three feet, decommissioning only abide by Henderson ordinance or intend to remove all facilities?
10:13:46 AM	Vice Chairman Chandler - witness Pelissero Note: Sacre, Candace	When removed/decommissioned, underground electrical kept, official certification process state/local body certify no longer active?

10:14:22 AM	Vice Chairman Chandler - witness Pelissero Note: Sacre, Candace	Identified in decommissioning plan?
10:14:46 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	Interject, happy to research and provide answers.
10:15:05 AM	Vice Chairman Chandler Note: Sacre, Candace	Underground facilities include electrical lines, three and a half feet.
10:15:06 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace	UNDERGROUND ELECTRIC FACILITIES INCLUDED IN DECOMMISSIONING PLAN VICE CHAIRMAN CHANDLER - WITNESS PELISSERO
10:16:10 AM	Vice Chairman Chandler Note: Sacre, Candace	All have.
10:16:12 AM	Chairman Schmitt Note: Sacre, Candace	Dr. Mathews?
10:16:14 AM	Commissioner Mathews Note: Sacre, Candace	Don't have any.
10:16:18 AM	Chairman Schmitt - witness DeBlieck Note: Sacre, Candace	Examination. BBC report, question use state highways/county roads and railway, railway through this site?
10:17:03 AM	Chairman Schmitt Note: Sacre, Candace	Main power transformer heavy, 600,000 pounds, not permitted state or county road?
10:17:44 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	Correct, but need to look into that.
10:17:56 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Examination. Leave it up to vendor. Expectation had to move transformer state/local roads assume cost of damage?
10:20:05 AM	Chairman Schmitt Note: Sacre, Candace	Recess 25 till 11.
10:20:20 AM	Session Paused	
10:36:35 AM	Session Resumed	
10:36:39 AM	Chairman Schmitt Note: Sacre, Candace	Back on record. How much Glover missed. (Click on link for further comments.)
10:37:16 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Examination (cont'd). Noise, houses close proximity pile driving, BBC report decibel level 95, cause hearing damage, mitigate noise levels?
10:38:55 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Notify residents pile driving take place on May 4 between 2 and 4?
10:39:28 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Work day 7 am to 7 pm six days a week?
10:39:42 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Sunday makeup day, rain Thurs and Fri, work hours on Sunday?
10:40:09 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Up to contractor, something you propose?
10:40:39 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	15 access sites, used during construction?
10:40:56 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Established parking areas workmen relation nearby homes?
10:41:30 AM	Chairman Schmitt - witness Pelissero Note: Sacre, Candace	Time established when construction employees on site?
10:41:55 AM	Chairman Schmitt Note: Sacre, Candace	No further.

10:42:02 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Bentley?
10:42:10 AM	Atty Bentley Unbridled Solar Note: Sacre, Candace	No questions.
10:42:31 AM	Atty Eckert Unbridled Solar Note: Sacre, Candace	No questions.
10:42:36 AM	Chairman Schmitt Note: Sacre, Candace	Members of Siting Board, questions, statements?
10:42:48 AM	Board Member Schneider Note: Sacre, Candace	No questions.
10:43:00 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Lyons?
10:43:05 AM	Board Member Lyons Note: Sacre, Candace	Have one question.
10:43:08 AM	Board Member Lyons - witness DeBlieck Note: Sacre, Candace	Examination. Public outreach, all residents certain radius of project area, expand?
10:44:27 AM	Board Member Lyons - witness DeBlieck Note: Sacre, Candace	Read only a couple has issues?
10:44:40 AM	Chairman Schmitt Note: Sacre, Candace	Questions?
10:44:50 AM	Chairman Schmitt Note: Sacre, Candace	Data requests, Commission Staff by Monday, April 12. Responses by Monday, April 19. Virtual meeting discuss order. June 4 order must be entered. Week of April 19, Staff in touch with each of you. (Click on link for further comments.)
10:46:42 AM	Chairman Schmitt Note: Sacre, Candace	Anything else?
10:47:03 AM	Chairman Schmitt Note: Sacre, Candace	Hearing adjourned.
10:47:12 AM	Session Ended	

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