



Andy Beshear
Governor

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
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psc.ky.gov

Michael J. Schmitt
Chairman

Kent A. Chandler
Vice Chairman

Talina R. Mathews
Commissioner

June 29, 2021

TO: DIVISION OF FILINGS

RE: Case No. 2020-00370
ELECTRONIC APPLICATION OF FLEMING SOLAR, LLC FOR A
CERTIFICATE OF CONSTRUCTION FOR AN APPROXIMATELY 80
MEGAWATT MERCHANT ELECTRIC SOLAR GENERATING FACILITY IN
FLEMING COUNTY, KENTUCKY PURSUANT TO KRS 278.700 AND 807 KAR
5:110

Please file in the administrative record of the above-referenced case the enclosed copy of letters from Chairman Michael J. Schmitt to Governor Andy Beshear and to Judge/Executive of the Fleming County, Hon. Larry Foxworth. Both letters are dated June 24, 2021.

Sincerely,

A handwritten signature in blue ink that reads "Linda C. Bridwell".

Linda C. Bridwell
Executive Director

cc: Parties of Record



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June 24, 2021

Hon. Governor Andy Beshear
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Re: Siting Board Case No. 2020-00370

Dear Governor Beshear:

As the Chairman of the Kentucky Public Service Commission (PSC), I also serve as the Chairman of the Kentucky State Board on Electric Generation and Transmission Siting (Siting Board). Therefore, it is my duty to inform you that, on May 28, 2021, the Siting Board received an application from Fleming Solar, LLC requesting a certificate to construct an approximately 80 megawatt merchant electric solar generation facility near Flemingsburg, Fleming County, Kentucky.

The five permanent members of the Siting Board are myself; PSC Vice Chairman Kent A. Chandler; PSC Commissioner Talina R. Mathews; Secretary of the Energy and Environment Cabinet Rebecca W. Goodman (or her designee);¹ and Interim Secretary of the Economic Development Cabinet Larry Hayes (or his designee).²

In addition to the permanent members of the Siting Board, pursuant to KRS 278.702(1)(d)(1), the Governor must appoint two ad hoc public members to serve on the Siting Board for the duration of the case. Based on the facts as presented in the application, one of the ad hoc appointees must be the county judge/executive of Fleming County, Larry Foxworthy. The second ad hoc appointee must be a legal resident of Fleming County, where the proposed electric merchant generation facility will be sited.

Pursuant to KRS 278.710(1), the Siting Board is required to issue its decision granting or denying the application within either 120 days or 180 days (if a local public hearing is requested). Therefore, it is vital to the successful completion of the Siting Board's duties that the ad hoc members be appointed by you as soon as practicable.

For your convenience, I have enclosed a copy of Executive Order 2021-328, issued by you on May 18, 2021, appointing two ad hoc Siting Board members a recent Siting Board Case (Case No. 2020-00226). This format may be used by you to appoint the second ad hoc Siting Board member for the present case.

¹ Secretary Goodman has designated John S. Lyons as her designee for this matter.

² Interim Secretary Hayes has designated Charlie W. Rowland as his designee for this matter.

Please let me know if I can provide you any additional information regarding this case. Any communications regarding this case may be directed either to me or Cornelius Mance Jr, Staff Attorney III, at (502) 782-2581. Thank you for your time and attention to this matter.

Sincerely,



Michael J. Schmitt
Chairman

Enclosure

cc: Kent A. Chandler, Vice Chairman Public Service Commission
Talina R. Mathews, Commissioner Public Service Commission
John S. Lyons, Deputy Secretary Energy and Environment Cabinet
Charlie W. Rowland, Economic Development Cabinet
Matt Osborne, Office of the Governor



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2021 - 328
May 18, 2021

By virtue of the authority vested in me by Section 278.702 of the Kentucky Revised Statutes, I, Andy Beshear, Governor of the Commonwealth of Kentucky, do hereby appoint the following as members of the Kentucky State Board on Electric Generation and Transmission Siting:

Jeffrey Hoover, Jamestown, representing residents of Russell County; and

Gary D. Robertson, County Judge/Executive, Jamestown, representing Russell County.

Please issue commissions to them.

A handwritten signature in cursive script that reads "Andy Beshear".

ANDY BESHEAR, GOVERNOR
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State



Andy Beshear
Governor

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

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Michael J. Schmitt
Chairman

Kent A. Chandler
Vice Chairman

Talina R. Mathews
Commissioner

June 24, 2021

Hon. Larry Foxworthy, Judge/Executive
100 Court Square
Flemingsburg, Kentucky 41041

Re: Siting Board Case No. 2020-00370

Dear Judge Foxworthy:

As the Chairman of the Kentucky Public Service Commission (PSC), I also serve as the Chairman of the Kentucky State Board on Electric Generation and Transmission Siting (Siting Board). Therefore, it is my duty to inform you that, on May 28, 2021, the Siting Board received an application from Fleming Solar, LLC requesting a certificate to construct an approximately 80 megawatt merchant electric solar generation facility near Flemingsburg, Fleming County, Kentucky.

The five permanent members of the Siting Board are myself; PSC Vice Chairman Kent A. Chandler; PSC Commissioner Talina R. Mathews; Secretary of the Energy and Environment Cabinet Rebecca W. Goodman (or her designee);¹ and Interim Secretary of the Economic Development Cabinet Larry Hayes (or his designee).²

In addition to the permanent members of the Siting Board, pursuant to KRS 278.702(1)(d)(1), the Governor must appoint two ad hoc public members to serve on the Siting Board for the duration of the case. Based on the facts as presented in the application, one of the ad hoc appointees must be the county judge/executive of Fleming County.

Pursuant to KRS 278.710(1), the Siting Board is required to issue its decision granting or denying the application within either 120 days or 180 days (if a local public hearing is requested). Therefore, Governor Beshear will be appointing you as soon as practicable.

¹ Secretary Goodman has designated John S. Lyons as her designee for this matter.

² Interim Secretary Hayes has designated Charlie W. Rowland as his designee for this matter.

Please let me know if I can provide you any additional information regarding this case. Any communications regarding this case may be directed either to me or Cornelius Mance Jr, Staff Attorney III, at (502) 782-2581. Thank you for your time and attention to this matter.

Sincerely,



Michael J. Schmitt
Chairman

cc: Kent A. Chandler, Vice Chairman Public Service Commission
Talina R. Mathews, Commissioner Public Service Commission
John S. Lyons, Deputy Secretary Energy and Environment Cabinet
Charlie W. Rowland, Economic Development Cabinet
Matt Osborne, Office of the Governor

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