

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION  
AND TRANSMISSION SITING

In the Matter of:

|                                       |   |            |
|---------------------------------------|---|------------|
| ELECTRONIC APPLICATION OF BLUEBIRD    | ) |            |
| SOLAR LLC FOR A CERTIFICATE OF        | ) |            |
| CONSTRUCTION FOR AN APPROXIMATELY     | ) | CASE NO.   |
| 100 MEGAWATT MERCHANT ELECTRIC        | ) | 2021-00141 |
| SOLAR GENERATING FACILITY IN HARRISON | ) |            |
| COUNTY, KENTUCKY PURSUANT TO KRS      | ) |            |
| 278.700 AND 807 KAR 5:110             | ) |            |

NOTICE OF FILING

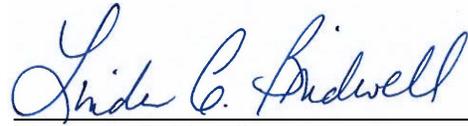
Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on June 2, 2022 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 June 2, 2022.

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/P6sCluMVtAY>.

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

Done at Frankfort, Kentucky, this 8<sup>th</sup> day of July 2022.

A handwritten signature in blue ink that reads "Linda C. Bridwell". The signature is written in a cursive style with a horizontal line underneath it.

Linda C. Bridwell  
Executive Director  
Public Service Commission of Kentucky

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BLUEBIRD SOLAR )  
LLC FOR A CERTIFICATE OF CONSTRUCTION FOR )  
AN APPROXIMATELY 100 MEGAWATT MERCHANT )  
ELECTRIC SOLAR GENERATING FACILITY IN )  
HARRISON COUNTY, KENTUCKY PURSUANT TO )  
KRS 278.700 AND 807 KAR 5:110 )

CASE NO.  
2021-00141

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 June 2, 2022. The Formal Hearing Log is included with the recording on June 2, 2022;
2. I am responsible for the preparation of the digital recording;
3. The digital recording accurately and correctly depicts the Formal Hearing of June 2, 2022; and
4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of June 2, 2022, and the time at which each occurred.

Signed this 8th day of July, 2022.

  
Candace H. Sacre  
Administrative Specialist III

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



| Date:    | Type:                          | Location:      | Department:           |
|----------|--------------------------------|----------------|-----------------------|
| 6/2/2022 | Public Hearing\Public Comments | Hearing Room 1 | Hearing Room 1 (HR 1) |

Witness: Paul Coomes; Jeremy Jackson; Richard Kirkland; Andrea Parra; David Shu; Michael Stanton  
 Judge: Kent Chandler  
 Clerk: Candace Sacre

| Event Time | Log Event  |  |
|------------|--|--|
| 9:05:45 AM | Session Started                                      |  |
| 9:05:57 AM | Chairman Chandler<br>Note: Sacre, Candace            | Good morning, we are on the record in Case No. 2021-00141, electronic application of Bluebird Solar, LLC, for a certificate of construction for an approximately 100-megawatt merchant solar generating facility in Harrison County, Kentucky, pursuant to KRS 278.700 and 807 KAR 5:110.  |
| 9:06:21 AM | Chairman Chandler<br>Note: Sacre, Candace            | My name is Kent Chandler. I am Chairman of the Kentucky Public Service Commission and serve as Chairman of the Kentucky State Board on Electric Generation and Transmission Siting, and I will be presiding over the hearing today.  |
| 9:06:33 AM | Chairman Chandler<br>Note: Sacre, Candace            | Joining me by videoconference today are the other Siting Board members. They are John Lyons, Deputy Secretary of the Energy and Environment Cabinet, serving as proxy for the Secretary of the Energy and Environment Cabinet; Sydney Montgomery, Executive Advisor with the Cabinet for Economic Development, serving as proxy for the Secretary for the Cabinet for Economic Development; Gregory Coulson, first ad hoc appointee; and Daryl Northcutt, second ad hoc appointee. |
| 9:06:58 AM | Chairman Chandler<br>Note: Sacre, Candace            | Hearing and videoconferencing recommendations. (Click on link for further comments.)   |
| 9:07:47 AM | Chairman Chandler<br>Note: Sacre, Candace            | Entry of appearance of counsel.  |
| 9:07:51 AM | Atty Osterloh Bluebird Solar<br>Note: Sacre, Candace | Todd Osterloh, along with Rebecca Price, here in person in hearing room Michael Stanton, we also have Jeremy Jackson, Andrea Parra, David Shu, Dr. Paul Coomes, and Richard Kirkland.  |
| 9:08:20 AM | Chairman Chandler<br>Note: Sacre, Candace            | James Cox? (Click on link for further comments.)   |
| 9:08:59 AM | Staff Atty Temple PSC<br>Note: Sacre, Candace        | Heather Temple.  |
| 9:09:01 AM | Chairman Chandler<br>Note: Sacre, Candace            | Public notice. (Click on link for further comments.)   |
| 9:09:17 AM | Chairman Chandler<br>Note: Sacre, Candace            | Outstanding motions?   |
| 9:09:24 AM | Chairman Chandler<br>Note: Sacre, Candace            | Public comments. (Click on link for further comments.)   |
| 9:10:48 AM | Chairman Chandler<br>Note: Sacre, Candace            | First witness?   |

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| 9:10:54 AM | Atty Osterloh Bluebird Solar<br>Note: Sacre, Candace                      | Michael Stanton.  |
| 9:11:00 AM | Chairman Chandler<br>Note: Sacre, Candace                                 | Procedural discussions. (Click on link for further comments.)   |
| 9:12:09 AM | Chairman Chandler<br>Note: Sacre, Candace                                 | Witness is sworn.   |
| 9:12:19 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace               | Examination. Name and address?  |
| 9:12:32 AM | Atty Osterloh Bluebird Solar - witness Stanton<br>Note: Sacre, Candace    | Direct Examination. By whom employed?   |
| 9:12:35 AM | Atty Osterloh Bluebird Solar - witness Stanton<br>Note: Sacre, Candace    | Title?  |
| 9:12:39 AM | Atty Osterloh Bluebird Solar - witness Stanton<br>Note: Sacre, Candace    | Involvement in project?   |
| 9:12:49 AM | Atty Osterloh Bluebird Solar - witness Stanton<br>Note: Sacre, Candace    | Responses?  |
| 9:12:53 AM | Atty Osterloh Bluebird Solar - witness Stanton<br>Note: Sacre, Candace    | Also adopting other sponsors of responses?  |
| 9:12:57 AM | Atty Osterloh Bluebird Solar - witness Stanton<br>Note: Sacre, Candace    | Adopt as your testimony?  |
| 9:13:12 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | Cross Examination. Appendix B, Preliminary Site Plan, anything change to document?  |
| 9:13:29 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | Same site plan submitted in conditional use permit proceeding?  |
| 9:13:54 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | One attached as appendix is most recent?  |
| 9:14:03 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | Attachment B, application, landscape plan for project, states it was approved during conditional use process, is that final landscape plan? |
| 9:14:21 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | Four segments vegetative buffers, think contain two acres native pollinators?   |
| 9:14:40 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | Probably ask that as post-hearing data request?   |
| 9:14:41 AM | POST-HEARING DATA REQUEST<br>Note: Sacre, Candace<br>Note: Sacre, Candace | STAFF ATTY TEMPLE PSC - WITNESS STANTON<br>VERIFY IF FOUR SEGMENTS OF VEGETATIVE BUFFERS CONTAIN TWO ACRES OF NATIVE POLLINATORS            |
| 9:14:47 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | When landscaping be done, each stage goes along, end of project, or how landscaping be done?  |
| 9:15:12 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | Conditional use permit, one of conditions storm water management plan, not come up with one yet, one being drafted?                         |
| 9:15:47 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | Conditional use permit requires emergency management plan with local fire department and emergency services, that being worked on as well?  |
| 9:16:00 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace           | Condition 15 discusses communication with landowners, vegetative buffers, anyone opted out?   |

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| 9:16:28 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Any written comments in any hearings conditional use permit process?  |
| 9:17:09 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Go over comments?   |
| 9:17:27 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | No one made any objections or written concerns?   |
| 9:17:42 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Conditional permit also requires decommissioning plan, status of that?  |
| 9:17:55 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Been involved in drafting one before?   |
| 9:18:00 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | How detailed are decommissioning plans usually?   |
| 9:18:11 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Require removal of all underground equipment?   |
| 9:18:44 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Section 10, application talks about no power purchase agreement entered into, still being negotiated or has been one?   |
| 9:19:03 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Who is that with?   |
| 9:19:11 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace     | Examination. Not at liberty to say in the sense is confidential?  |
| 9:19:28 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Not know this for you or Jackson, two cemeteries found within boundary, what happening with those, none located within fenced area, how located within project?   |
| 9:20:16 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Be roads still be accessed?   |
| 9:20:49 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Looked at Wells report mitigation measures it recommended?  |
| 9:20:56 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Measure 10 suggested sound blanketing or shrouding, response stated not use sound blanketing, use other method approved in other cases such as semi-tractor and canvas method, is that the method going to use? |
| 9:21:40 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Particularly, was an objection in report filed to sound blanket?  |
| 9:21:58 AM | Chairman Chandler<br>Note: Sacre, Candace                       | Examination. Have a copy of comments in response to Wells report?   |
| 9:22:14 AM | Chairman Chandler<br>Note: Sacre, Candace                       | Let's get to the bottom of what their contention is, confused by that, too, took response in report to be in opposition to what Wells proposed, maybe distance issue, but methodology seemed have opposition.   |
| 9:22:54 AM | Chairman Chandler<br>Note: Sacre, Candace                       | Bluebird response to consultant report? (Click on link for further comments.)   |
| 9:23:01 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Cross Examination (cont'd). That Recommendation No. 10 where they suggested it?   |
| 9:23:35 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Guess that is question, what was quoted in response, semi-tractor and canvas method, sound blankets on fencing but also objecting to Wells report sound blankets on fencing?                                    |

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| 9:24:09 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | What does shrouding mean?   |
| 9:24:22 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Still debating between semi-tractor and canvas method or sound blankets?  |
| 9:24:45 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace     | Examination. Think what confusing, refers to shrouding as an extreme nonstandard noise measure, confusion about what it is or do you think you know what it is and think extreme and nonstandard?   |
| 9:25:49 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace     | Think you know what it means and that's the reaction, you have an idea?   |
| 9:26:07 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Cross Examination (cont'd). Response use conditional use permit on timing during day, construction hours 7 am to 9 pm Monday through Saturday, potential makeup days on Sunday, still be doing noise-causing construction activities until 9 pm weekdays? |
| 9:26:50 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Even though in conditional use permit, what you all are saying plan on doing?   |
| 9:27:12 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Questions about roads, preliminary site plan, appears Reed parcel developed?  |
| 9:27:40 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | When look at site map, very small bridge on Lail Lane used to get to Reed parcel, one-lane bridge ten feet wide, access road built on other side, what plan for bridge during construction?   |
| 9:28:45 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | One planning on building?   |
| 9:29:02 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Karst, better for Jackson, three geotechnical reports, found in all reports lot of karst, will be avoided, not indicate how or setbacks from karst be?  |
| 9:30:12 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Going to be outside fence or still part of where solar array will be, not blocked off?  |
| 9:30:42 AM | Staff Atty Temple PSC - witness Stanton<br>Note: Sacre, Candace | Company have experience developing projects in high karst areas?  |
| 9:31:08 AM | Chairman Chandler<br>Note: Sacre, Candace                       | Questions?  |
| 9:31:28 AM | Board Member Lyons - witness Stanton<br>Note: Sacre, Candace    | Examination. Interconnection studies and survey, upgrades had to take place prior to project viable interconnection with PJM, Spurlock reactor resize project been completed?   |
| 9:32:25 AM | Board Member Lyons - witness Stanton<br>Note: Sacre, Candace    | PJM backed up in queue process and approval process for renewable projects, impacting project in any way?   |
| 9:33:15 AM | Board Member Lyons - witness Stanton<br>Note: Sacre, Candace    | Not discuss who PPA with, but can confirm whether within State of Kentucky?   |
| 9:33:46 AM | Chairman Chandler<br>Note: Sacre, Candace                       | Questions?  |

9:33:51 AM Board Member Montgomery - witness Stanton  
Note: Sacre, Candace Examination. Going through CUP process, part developing emergency plan, fire remediation part of plan and if so in discussions with local fire departments enough infrastructure in event of fire?

9:34:52 AM Chairman Chandler  
Note: Sacre, Candace Questions?

9:34:58 AM Board Member Coulson - witness Stanton  
Note: Sacre, Candace Examination. Power purchase agreement, something placed in record under seal, what is procedure for finding out information?

9:35:29 AM Board Member Coulson - witness Stanton  
Note: Sacre, Candace Shrouding and noise reduction, more information about that?

9:35:58 AM Board Member Coulson - witness Stanton  
Note: Sacre, Candace Read application, seemed provision made for end of life remediation, how long expect operate, what kind of funding set aside for remediation and removal?

9:37:04 AM Chairman Chandler  
Note: Sacre, Candace Questions?

9:37:34 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Examination. National precedent on three feet decommissioning, have you decommissioned many projects?

9:37:51 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Aware projects decommissioned?

9:37:57 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Down side to leaving things underground, not necessarily have experience with in decommissioning?

9:38:16 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Be honest about utility-scale solar, how many 20, 30 years old?

9:38:28 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Aware of 811 calls?

9:38:40 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Surprised to know all states have 811 laws?

9:38:50 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace In Kentucky, exception for 811 not have to comply, few examples activities not have to call 811, one is farmers tilling own land, decommission facilities places three feet and higher or three feet and higher at decommissioning?

9:40:02 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace How know that from surface?

9:40:16 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace These are agricultural lands?

9:40:27 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Anticipation will go back to being agricultural?

9:40:35 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Expectation some grading to occur depths facilities can change?

9:40:58 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Consideration fact once back to agricultural, farmers able till without concern what facilities underground on property?

9:41:41 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Decommissioning bond, information from county, leases also require bonding or security obligation ensure decommissioning?

9:42:57 AM Chairman Chandler - witness Stanton  
Note: Sacre, Candace Landowner and county, not be explicit obligation under leases to landowner?

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| 9:43:22 AM  | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | Involved in drafting of response to Wells report?  |
| 9:43:38 AM  | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | Assertions setbacks for board of adjustments has precedent over setbacks determined by Siting Board?   |
| 9:44:33 AM  | Chairman Chandler<br>Note: Sacre, Candace                   | Is applicant making assertion setbacks in CUP take precedent over setbacks of this board or in 278.704(2) and (5)? (Click on link for further comments.) |
| 9:48:08 AM  | Chairman Chandler<br>Note: Sacre, Candace                   | Purchase Power Agreement. (Click on link for further comments.)  |
| 9:52:15 AM  | Board Member Coulson<br>Note: Sacre, Candace                | As member of community hard for me to continue to support this. (Click on link for further comments.)  |
| 9:52:50 AM  | Chairman Chandler<br>Note: Sacre, Candace                   | Short recess until 10:07.  |
| 9:53:10 AM  | Session Paused  |  |
| 10:09:35 AM | Session Resumed   |  |
| 10:09:40 AM | Chairman Chandler<br>Note: Sacre, Candace                   | Going on to confidential session now.  |
| 10:09:55 AM | Private Mode Activated                                      |  |
| 10:09:55 AM | Private Recording Activated                                 |  |
| 10:09:58 AM | Chairman Chandler<br>Note: Sacre, Candace                   | Make sure room locked, on confidential, and everybody on here your people except for ours.   |
| 10:17:47 AM | Chairman Chandler<br>Note: Sacre, Candace                   | Back on pubic record, unlock room as well.   |
| 10:17:59 AM | Normal Mode Activated                                       |  |
| 10:17:59 AM | Public Recording Activated                                  |  |
| 10:18:02 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | Examination. Copy of CUP two-page addendum response to Wells report?   |
| 10:18:41 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | Go to Items 8 and 9, last two pages?   |
| 10:19:00 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | No. 8 is, cost estimate, reading, (click on link for further comments), see that?  |
| 10:19:19 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | Then it says, reading, (click on link for further comments), know whether zoning ordinance provided in this case?  |
| 10:19:35 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | Done decommissioning plans in past?  |
| 10:19:43 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | How specific?  |
| 10:19:59 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | Same person coming up with plan also comes up with cost estimate?  |
| 10:20:04 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | That same estimate include salvage value?  |
| 10:20:14 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | There's cost of decommissioning and then cost netted against salvage value decommissioned facilities?  |
| 10:20:20 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace | All done by same engineer?   |

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| 10:20:25 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | Know what extent have expectation depth of review by planning and zoning commission with decommissioning plans?  |
| 10:20:52 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | Expectation reviewing for completeness or ensure puts back land back way it was or compliance with ordinance?  |
| 10:21:27 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | Ask from perspective, how present for ultimate approval, what specificity going into?  |
| 10:22:00 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | Options for performance warranty surety, cash deposit, letter of credit, surety bond, aware in Item 10?  |
| 10:22:16 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | Those are all carry out cost estimate?   |
| 10:22:23 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | As a matter of practice, have preference?  |
| 10:22:52 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | In other jurisdictions, have preferences as matter of course between irrevocable letter of credit, surety bonds, or cash deposit?                                  |
| 10:23:10 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | When get surety bond, do for five-year period or life of project and revise then later?  |
| 10:24:01 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | Pay money up front surety bond or annual premium keep bond current?  |
| 10:24:13 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | What hazard or obligation under maintain surety bond, what hazard to not pay for last four years?  |
| 10:25:00 AM | Chairman Chandler - witness Stanton<br>Note: Sacre, Candace            | What happens if stop paying premium on bond?   |
| 10:25:25 AM | Chairman Chandler<br>Note: Sacre, Candace                              | Questions?   |
| 10:25:30 AM | Atty Osterloh Bluebird Solar - witness Stanton<br>Note: Sacre, Candace | Redirect Examination. Language in CUP allows form of cash deposit, irrevocable letter of credit, or surety bond, correct company prefer have options available?    |
| 10:26:05 AM | Atty Osterloh Bluebird Solar - witness Stanton<br>Note: Sacre, Candace | Company agreeable to mitigation measure within 1500 feet of noise receptor developer use construction method suppress noise generated during pile driving process? |
| 10:26:43 AM | Chairman Chandler<br>Note: Sacre, Candace                              | Witness excused.   |
| 10:26:49 AM | Chairman Chandler<br>Note: Sacre, Candace                              | Call another witness?  |
| 10:26:51 AM | Atty Osterloh Bluebird Solar<br>Note: Sacre, Candace                   | Jeremy Jackson.  |
| 10:27:50 AM | Chairman Chandler<br>Note: Sacre, Candace                              | Witness is sworn.  |
| 10:27:56 AM | Chairman Chandler - witness Jackson<br>Note: Sacre, Candace            | Examination. Name and address?   |
| 10:28:08 AM | Atty Osterloh Bluebird Solar - witness Jackson<br>Note: Sacre, Candace | Direct Examination. Principle or owner of Jackson Group?   |
| 10:28:18 AM | Atty Osterloh Bluebird Solar - witness Jackson<br>Note: Sacre, Candace | Role in this project?  |

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| 10:28:51 AM | Atty Osterloh Bluebird Solar - witness Jackson<br>Note: Sacre, Candace    | Responses?   |
| 10:28:56 AM | Atty Osterloh Bluebird Solar - witness Jackson<br>Note: Sacre, Candace    | Adopt today?   |
| 10:29:04 AM | Chairman Chandler<br>Note: Sacre, Candace                                 | Questions?   |
| 10:29:06 AM | Staff Atty Temple PSC - witness Jackson<br>Note: Sacre, Candace           | Cross Examination. Touch on karst issue again, review geotechnical reports and make recommendations?   |
| 10:29:34 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Examination. Company do Phase 1 environmental assessment?  |
| 10:29:46 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Did client ask you do one of those?  |
| 10:29:52 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Been done?   |
| 10:30:13 AM | Chairman Chandler<br>Note: Sacre, Candace                                 | Ask as post-hearing, if already in record, can point us there but did not see it.  |
| 10:30:22 AM | Staff Atty Temple PSC<br>Note: Sacre, Candace                             | Believe filed on May 28. (Click on link for further comments.)   |
| 10:31:30 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Phase 1 environmentals done identify whatever on property area of concern?   |
| 10:32:23 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Either way not have it, ask for post-hearing data request?   |
| 10:32:25 AM | POST-HEARING DATA REQUEST<br>Note: Sacre, Candace<br>Note: Sacre, Candace | BOARD MEMBER LYONS - WITNESS JACKSON<br>COPY OF PHASE 1 ENVIRONMENTAL ASSESSMENT   |
| 10:32:41 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Regarding archeological report Phase 1, clarification HR 84, report handy?   |
| 10:32:57 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Page 36 site map, not see HR-86, page 199, Figure 5-141, clearly marked in SW corner of Silas Baptist Church, appears within project boundary, clarify that? |
| 10:33:50 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Inside project boundary but fenced area where solar panels placed, outside that boundary?  |
| 10:34:07 AM | Board Member Lyons - witness Jackson<br>Note: Sacre, Candace              | Did recommend client take measures to fence off/protect area, not typically on register, historic areas, note that, did recommend in report?                 |
| 10:34:45 AM | Board Member Lyons<br>Note: Sacre, Candace                                | Landscaping plan outstanding, appreciate native species for buffering and vegetation. (Click on link for further comments.)                                  |
| 10:35:35 AM | Chairman Chandler<br>Note: Sacre, Candace                                 | Questions?   |
| 10:35:48 AM | Chairman Chandler<br>Note: Sacre, Candace                                 | Witness excused.   |
| 10:35:53 AM | Chairman Chandler<br>Note: Sacre, Candace                                 | Next witness?  |
| 10:35:56 AM | Atty Osterloh Bluebird Solar<br>Note: Sacre, Candace                      | Andrea Parra.  |
| 10:36:01 AM | Chairman Chandler<br>Note: Sacre, Candace                                 | Witness is sworn.  |

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| 10:36:14 AM | Chairman Chandler - witness Parra<br>Note: Sacre, Candace            | Examination. Name and address?  |
| 10:36:33 AM | Atty Osterloh Bluebird Solar - witness Parra<br>Note: Sacre, Candace | Direct Examination. By whom employed?   |
| 10:36:39 AM | Atty Osterloh Bluebird Solar - witness Parra<br>Note: Sacre, Candace | Job title?  |
| 10:36:45 AM | Atty Osterloh Bluebird Solar - witness Parra<br>Note: Sacre, Candace | Role in project?  |
| 10:37:00 AM | Atty Osterloh Bluebird Solar - witness Parra<br>Note: Sacre, Candace | Responses?  |
| 10:37:05 AM | Atty Osterloh Bluebird Solar - witness Parra<br>Note: Sacre, Candace | Adopt as testimony?   |
| 10:37:12 AM | Chairman Chandler<br>Note: Sacre, Candace                            | Questions?  |
| 10:37:14 AM | Staff Atty Temple PSC - witness Parra<br>Note: Sacre, Candace        | Cross Examination. Karst issue, identify setbacks for karst features?   |
| 10:38:12 AM | Chairman Chandler<br>Note: Sacre, Candace                            | Questions?  |
| 10:38:20 AM | Board Member Lyons - witness Parra<br>Note: Sacre, Candace           | Examination. Response about parcels not part overall project area, particularly to west, responded connections substation under ground, all easements/permissions run lines underground received from landowners or run along highway easement, how be connected? |
| 10:39:51 AM | Board Member Lyons - witness Parra<br>Note: Sacre, Candace           | Need more clarity on that, if agreements in place and when will be in place that far western portion not adjacent directly to larger parcel, post-hearing data request about easements for lines be trenched?   |
| 10:40:38 AM | Atty Osterloh Bluebird Solar<br>Note: Sacre, Candace                 | Stanton has information on easements, like to address them now? (Click on link for further comments.)   |
| 10:40:53 AM | Chairman Chandler<br>Note: Sacre, Candace                            | Questions?  |
| 10:41:01 AM | Chairman Chandler<br>Note: Sacre, Candace                            | Witness excused.  |
| 10:41:48 AM | Chairman Chandler<br>Note: Sacre, Candace                            | Call back Stanton, then allow call remaining witnesses.   |
| 10:41:59 AM | Chairman Chandler<br>Note: Sacre, Candace                            | Still under oath.   |
| 10:42:09 AM | Board Member Lyons - witness Stanton<br>Note: Sacre, Candace         | Examination. Provide clarification easements for parcels not connected to larger parcel, trenched, no information regarding easements and whether obtained?   |
| 10:43:33 AM | Board Member Lyons - witness Stanton<br>Note: Sacre, Candace         | Site plan for trenching eastern portion considering distance, that provided?  |
| 10:44:07 AM | Board Member Lyons - witness Stanton<br>Note: Sacre, Candace         | Trenching impact stream, if along highway might get away with that, could be 404 or 401 certification issues there, 2500 corner eastern parcel, along access road, think need detail how run?   |
| 10:45:56 AM | Chairman Chandler<br>Note: Sacre, Candace                            | Questions?  |
| 10:46:02 AM | Chairman Chandler<br>Note: Sacre, Candace                            | Step down.  |

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| 10:46:05 AM | Chairman Chandler<br>Note: Sacre, Candace                             | Like to call additional witness?   |
| 10:46:09 AM | Atty Osterloh Bluebird Solar<br>Note: Sacre, Candace                  | David Shu.   |
| 10:46:11 AM | Chairman Chandler<br>Note: Sacre, Candace                             | Witness is sworn.  |
| 10:47:06 AM | Chairman Chandler - witness Shu<br>Note: Sacre, Candace               | Examination. Name and address?   |
| 10:47:23 AM | Atty Osterloh Bluebird Solar - witness Shu<br>Note: Sacre, Candace    | Direct Examination. By whom employed?  |
| 10:47:30 AM | Atty Osterloh Bluebird Solar - witness Shu<br>Note: Sacre, Candace    | Title?   |
| 10:47:36 AM | Atty Osterloh Bluebird Solar - witness Shu<br>Note: Sacre, Candace    | Role with this project?  |
| 10:47:47 AM | Atty Osterloh Bluebird Solar - witness Shu<br>Note: Sacre, Candace    | Prepare noise analysis report found in record this case?   |
| 10:47:55 AM | Atty Osterloh Bluebird Solar - witness Shu<br>Note: Sacre, Candace    | Responses?   |
| 10:47:59 AM | Atty Osterloh Bluebird Solar - witness Shu<br>Note: Sacre, Candace    | Adopt as testimony?  |
| 10:48:09 AM | Chairman Chandler<br>Note: Sacre, Candace                             | Questions?   |
| 10:48:11 AM | Staff Atty Temple PSC - witness Shu<br>Note: Sacre, Candace           | Cross Examination. Refer to two reports, construction noise analysis report and operation noise analysis report, (click on link for further comments), explain why used two different sound limits in studies? |
| 10:51:02 AM | Staff Atty Temple PSC - witness Shu<br>Note: Sacre, Candace           | Will noise generated from construction with sound mitigation be down to 55 decibels EPA uses or between 75-80 referenced in first study?   |
| 10:52:19 AM | Staff Atty Temple PSC - witness Shu<br>Note: Sacre, Candace           | Not see in record, provide post-hearing estimate of sound levels at noise receptors at 1500 feet during construction?  |
| 10:53:49 AM | Chairman Chandler<br>Note: Sacre, Candace                             | Questions?   |
| 10:54:10 AM | Chairman Chandler<br>Note: Sacre, Candace                             | Witness excused.   |
| 10:54:25 AM | Chairman Chandler<br>Note: Sacre, Candace                             | Next witness?  |
| 10:54:28 AM | Atty Osterloh Bluebird Solar<br>Note: Sacre, Candace                  | Dr. Paul Coomes.   |
| 10:54:31 AM | Chairman Chandler<br>Note: Sacre, Candace                             | Witness is sworn.  |
| 10:54:45 AM | Chairman Chandler - witness Coomes<br>Note: Sacre, Candace            | Examination. Name and address?   |
| 10:54:57 AM | Atty Osterloh Bluebird Solar - witness Coomes<br>Note: Sacre, Candace | Direct Examination. Professor Emeritus Economics, University of Louisville?  |
| 10:55:04 AM | Atty Osterloh Bluebird Solar - witness Coomes<br>Note: Sacre, Candace | Describe involvement in this matter?   |
| 10:55:30 AM | Atty Osterloh Bluebird Solar - witness Coomes<br>Note: Sacre, Candace | Adopt report and responses?  |
| 10:55:41 AM | Chairman Chandler<br>Note: Sacre, Candace                             | Questions?   |

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| 10:55:54 AM | Board Member Montgomery - witness Coomes<br>Note: Sacre, Candace        | Examination. Not economic impact about operational phase, briefly opine about operational impact regionally?  |
| 10:58:13 AM | Board Member Montgomery - witness Coomes<br>Note: Sacre, Candace        | Original report year old, since then property tax rate book changed, if were higher tax rate add significant value to economic impact analysis?   |
| 10:59:46 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Questions?  |
| 10:59:51 AM | Chairman Chandler - witness Coomes<br>Note: Sacre, Candace              | Examination. Models used take generic paths, aware not have utility scale solar facilities in Kentucky, expectation self-correct moving forward, pick up more or less jobs actually created?  |
| 11:02:48 AM | Chairman Chandler - witness Coomes<br>Note: Sacre, Candace              | Only aware NUCOR expected produce tubes racks sit on, outside that fair point, expectation as power production less centralized, greater buildout and dependency on transmission, IMPLAN and JEDI inherently pick up, general economic impact or note connection between two? |
| 11:05:18 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Witness excused.  |
| 11:05:21 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Next witness.   |
| 11:05:24 AM | Atty Osterloh Bluebird Solar<br>Note: Sacre, Candace                    | Richard Kirkland.   |
| 11:05:44 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Witness is sworn.   |
| 11:05:54 AM | Chairman Chandler - witness Kirkland<br>Note: Sacre, Candace            | Examination. Name and address?  |
| 11:06:05 AM | Atty Osterloh Bluebird Solar - witness Kirkland<br>Note: Sacre, Candace | Direct Examination. Owner of Kirkland Appraisals, LLC?  |
| 11:06:13 AM | Atty Osterloh Bluebird Solar - witness Kirkland<br>Note: Sacre, Candace | Prepared written analysis related to property value impacts for project?  |
| 11:06:22 AM | Atty Osterloh Bluebird Solar - witness Kirkland<br>Note: Sacre, Candace | Responses?  |
| 11:06:28 AM | Atty Osterloh Bluebird Solar - witness Kirkland<br>Note: Sacre, Candace | Adopt report and responses?   |
| 11:06:39 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Questions?  |
| 11:06:55 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Witness excused.  |
| 11:07:00 AM | Chairman Chandler<br>Note: Sacre, Candace                               | This is last witness? (Click on link for further comments.)   |
| 11:07:09 AM | Chairman Chandler<br>Note: Sacre, Candace                               | That's it for witnesses and case today?   |
| 11:07:26 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Procedural schedule, post-hearing data requests. (Click on link for further comments.)  |
| 11:07:44 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Briefs. (Click on link for further comments.)   |
| 11:08:05 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Anything else? (Click on link for further comments.)  |
| 11:08:27 AM | Chairman Chandler<br>Note: Sacre, Candace                               | Hearing adjourned.  |



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