

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 100)	CASE NO.
MEGAWATT MERCHANT ELECTRIC SOLAR)	2021-00141
GENERATING FACILITY IN HARRISON)	
COUNTY, KENTUCKY PURSUANT TO KRS)	
278.700 AND 807 KAR 5:110)	

ORDER

On August 3, 2022, Bluebird Solar LLC (Bluebird Solar) received a construction certificate to construct an approximately 100-megawatt (MW) merchant solar electric generating facility in Harrison County, Kentucky. On March 28, 2024, Bluebird Solar filed a motion requesting the Siting Board approve amendments to its Final Site Plan approved on September 12, 2023.¹

Bluebird Solar requested approval for three changes. Bluebird Solar stated that it formalized an easement with the property owner on the north side of the project to allow access for maintenance of the vegetative screening.² Bluebird Solar provided maps depicting the easement along with the vegetative screening area.³ Bluebird Solar noted that, initially, the project planned to locate the internal road along an existing gravel road,

¹ Bluebird Solar filed a final site plan and a motion requesting approval on July 12, 2023. The Siting Board issued an Order approving the plan on September 12, 2023.

² Bluebird Solar's Motion (filed March 28, 2024) at 6.

³ Bluebird Solar's Motion at 6-7.

but the existing gravel road travels through buildings.⁴ Accordingly, the layout plan has been revised to have the internal road go to the north of all the buildings in that location, but still south of Panel Array 12, as originally proposed.⁵ Bluebird Solar stated that this shift is less than 200 feet northward.⁶ Bluebird Solar provided two maps, one the original route of the road and the other the proposed revision route, for comparison.⁷

For the third revision, Bluebird Solar proposed to change the location of the entrance to the project from Russell Cave Road to a location 129 feet north between Panel Arrays 27 and 28.⁸ Bluebird Solar included a map depicting this change but unlike the other two revisions, offered no reason for this shift.⁹

Bluebird Solar also sought clarification on whether or not the final Siting Board issued on August 3, 2022, provided approval for the transmission line proposed as part of the project.¹⁰ Bluebird Solar cited to several other subsequent approved Siting Board projects in which the transmission line was approved as part of the application.¹¹

⁴ Bluebird Solar's Motion at 7.

⁵ Bluebird Solar's Motion at 7.

⁶ Bluebird Solar's Motion at 7-8.

⁷ Bluebird Solar's Motion at 8.

⁸ Bluebird Solar's Motion at 8.

⁹ Bluebird Solar's Motion at 8.

¹⁰ Bluebird Solar's Motion at 1-5.

¹¹ Bluebird Solar's Motion at 2-5; See also Case No. 2022-00115, *Electronic Application of Thoroughbred Solar, LLC for Certificate of Construction for an Approximately 50 Megawatt Merchant Electric Solar Generating Facility in Hart County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110* (Ky. Siting Board Apr. 10, 2023) at 21; Case No. 2022-00262, *Electronic Application of Pine Grove Solar, LLC for Certificate of Construction for an Approximately 50 Megawatt Merchant Electric Solar Generating Facility in Madison County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110* (Ky. Siting Board May 26, 2023) at 17; Case No. 2020-00243, *Electronic Application of Golden Solar, LLC for Certificate of Construction for an Approximately 100 Megawatt Merchant Electric Solar Generating Facility in Caldwell County, Kentucky* (Ky. Siting Board Feb. 21, 2023) at 20-21.

Based upon the motion, and otherwise being sufficiently advised, the Siting Board finds Bluebird Solar's motion should be granted. The changes between the preliminary site plan reviewed by the Siting Board in the original consideration of the case and the revised final site plan do not create a materially different pattern or magnitude of impacts.

The Siting Board notes that the final Order speaks for itself. However, the Commission does agree with Bluebird Solar's interpretation of the approval for the transmission line. At 350 feet, the transmission line is relatively short and will be located on the interior of the project site. The Siting Board confirms that this transmission line is an accessory structure or facility of the generating facility, and no separate approval is needed for this transmission line.

IT IS THEREFORE ORDERED that:

1. Bluebird Solar's motion is granted.
2. The updated site plan to each adjustment are attached in the Appendix of this Order.

KENTUCKY STATE BOARD ON ELECTRIC
GENERATION AND TRANSMISSION SITING

Chairman, Public Service Commission

Vice Chairman, Public Service Commission

Commissioner, Public Service Commission

Secretary, Energy and Environment Cabinet,
or her designee

by KAC
w/ permission

Secretary, Cabinet for Economic Development,
or his designee

Greg Coulson, ad hoc

ATTEST:

Executive Director
Public Service Commission
on behalf of the Kentucky State
Board on Electric Generation
and Transmission Siting

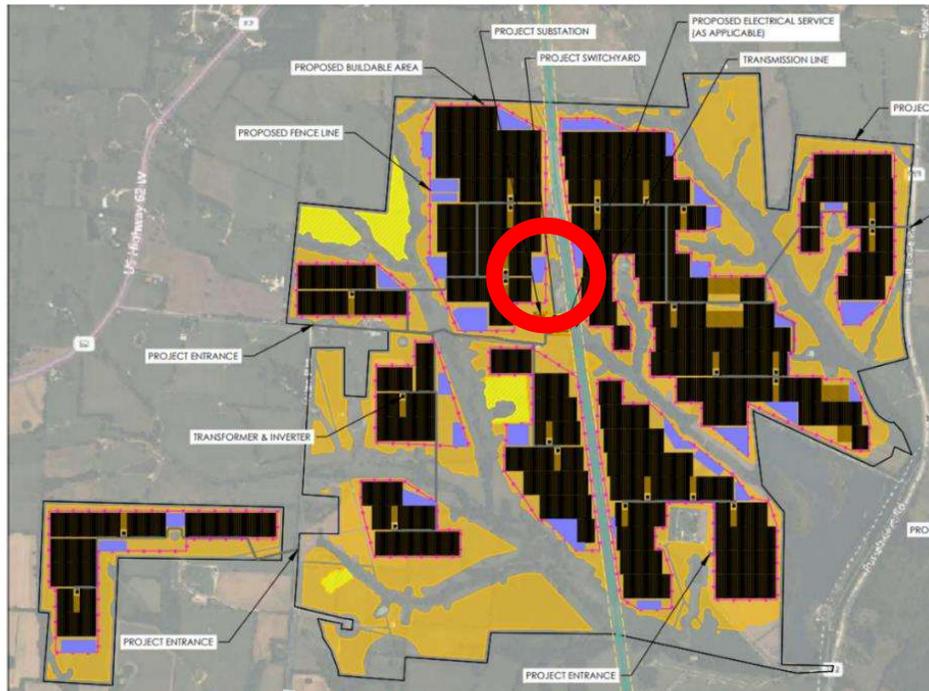


APPENDIX

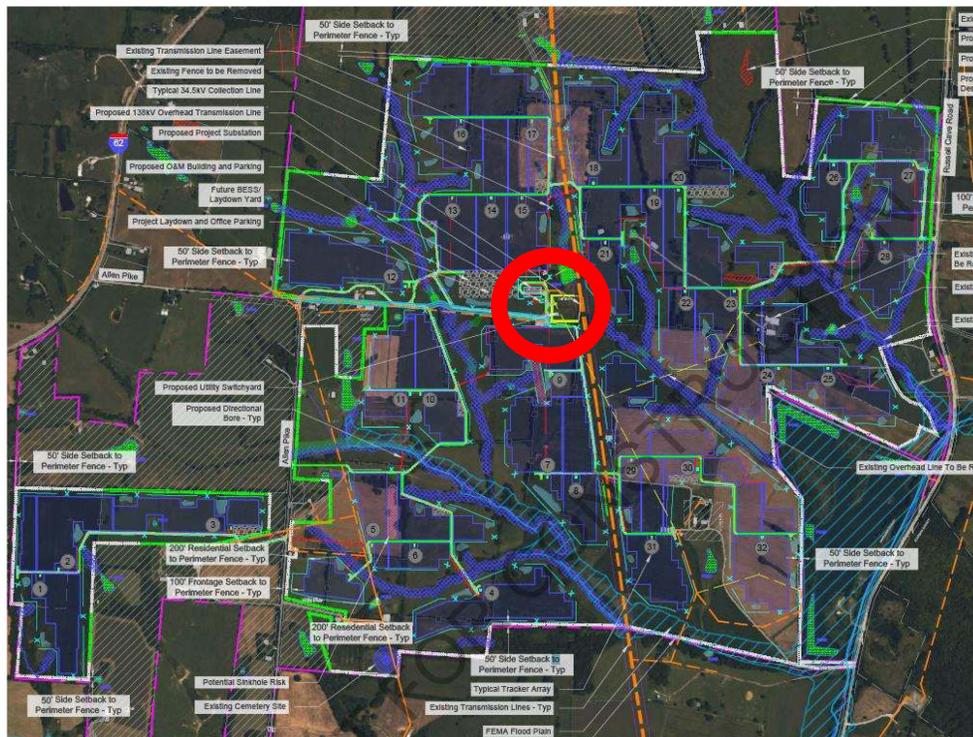
APPENDIX TO AN ORDER OF THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING IN
CASE NO. 2021-00141 DATED APR 26 2024

FOUR PAGES TO FOLLOW

As shown in the preliminary site plan copied below that will be updated as a supplement to this motion, the transmission line connecting the project substation and utility switchyard will be located in the middle of the project, and will be approximately 2,000 feet from the nearest non-participating property boundary.

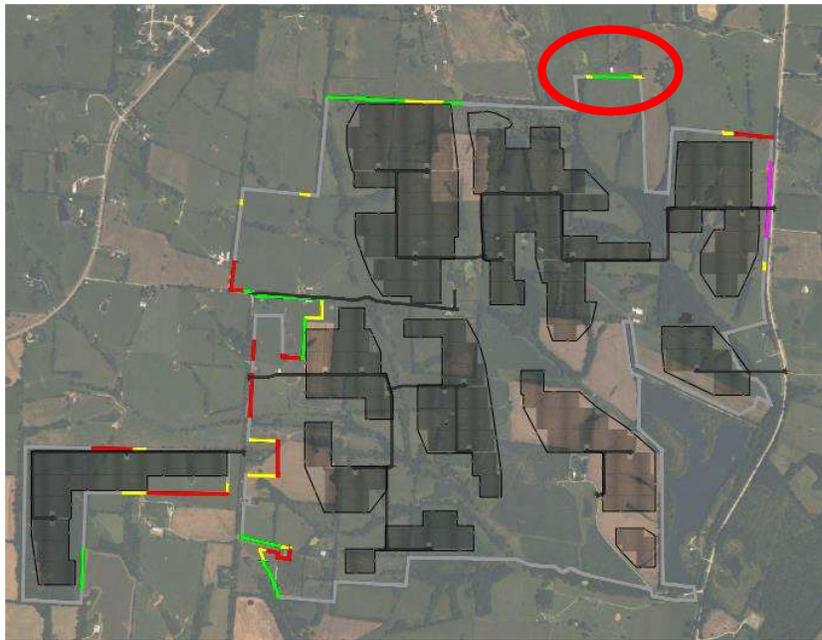


It is depicted on the revised site plan below as the small orange line between the project substation and the utility switchyard.



A. Access Easement

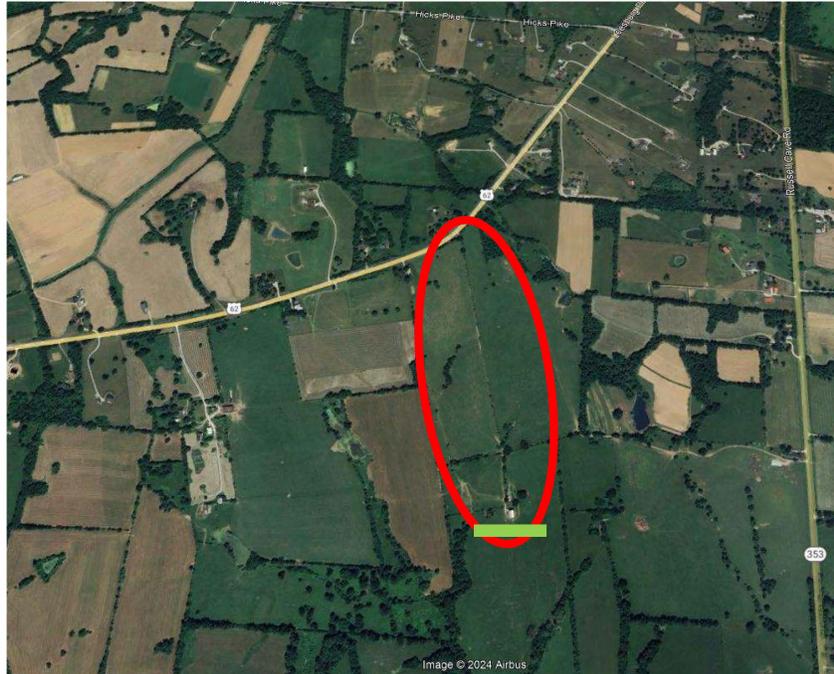
The first minor change to the layout plan relates to the addition of an access way from US 62 to the project's northern-most property boundary, which has been formalized in an easement.¹¹ As depicted below, Bluebird's landscape plan¹² calls for less than 1,000 linear feet of vegetative screening on the northern-most segment of the property boundary.



In order to have the most efficient means of maintaining this vegetative buffer, Bluebird negotiated an access easement along an existing dirt path with the adjoining landowner to the north of that vegetative buffer. This access is anticipated to be used only one or two times a year during operations for maintenance of the vegetative screen. The dirt path is depicted below inside the red oval with the approximate location of the vegetative buffer shown in green.

¹¹ A copy of the recorded easement is attached as Exhibit A.

¹² See [Attachment B](#) to the Application, filed Feb. 4, 2022.



B. Internal Road Routing Change off Allen Road

The second change relates to minor rerouting of an internal road, which comes from Allen Pike to the west and runs south of Panel Array 12. Initially, the project planned to locate the internal road along an existing gravel road, but the existing gravel road travels through buildings. Accordingly, the layout plan has been revised to have the internal road go to the north of all the buildings in that location, but still south of Panel Array 12. This shift is less than 200 feet northward, and is depicted below when comparing the prior layout plan on the left and the revised layout plan on the right.

Previous Plan



Revised Plan



C. Access Point and Internal Road Routing Change off Russell Cave Road

The third change relates to a minor shift of an access point off of Russell Cave Road and a related routing change to that internal road. Specifically, the entrance located on Russell Cave Road between Panel Arrays 27 and 28 will be moved approximately 129 feet to the north. In the depiction below, the red arrow points to the location of the entrance where it was previously planned and the green arrow points to the location of the entrance for the revised plan.



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