



Andy Beshear
Governor

Kent A. Chandler
Chairman

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
**Kentucky State Board on
Electric Generation and
Transmission Siting**
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940

May 17, 2024

PARTIES OF RECORD

Re: CASE NO. 2024-00099

Notice is given to all parties that the attached letter requesting ad hoc appointment for Weirs Creek Solar, LLC has been filed into the record of this proceeding.

If you have any comments you would like to make regarding the contents of the document, please do so within five days of receipt of this letter. If you have any questions, please contact Nicole Carr, Staff Attorney, at Nicole.Carr@ky.gov.

Sincerely,

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

Linda C. Bridwell, PE
Executive Director
On Behalf of the Siting Board

Attachment



Andy Beshear
Governor

Kent A. Chandler
Chairman

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
**Kentucky State Board on
Electric Generation and
Transmission Siting**

211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

May 16, 2024

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

Re: Siting Board Case No. 2024-00099

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 April 15, 2024, the Siting Board received a Notice of Intent from Weirs Creek Solar, LLC requesting certificates to construct an approximately 150-megawatt merchant electric solar generation facility in Webster and Hopkins Counties, Kentucky.

The five permanent members of the Siting Board are the Chairman, Vice Chairman, and Commissioner of the PSC; the Secretary of the Energy and Environment Cabinet (or her designee);¹ and the Secretary of the Economic Development Cabinet (or his designee).²

In addition to the permanent members of the Siting Board, pursuant to KRS 278.702(1)(d)(2), two local ad hoc public members serve on the Siting Board for the duration of the case. Based on the facts as presented in the Notice of Intent, one of the ad hoc members must be either the county judge/executive of Webster County, Hon. Steve Henry, or the county judge/executive of Hopkins County, Hon. Jack Whitfield. The judge/executives of Webster County and Hopkins County will have 30 days from the date of the filing of the application to select which of them will be the ad hoc member for this matter. If the judge/executives are unable to determine which of them will serve, the Governor will have the authority to directly appoint one of them as the member pursuant to KRS 278.8702(1)(d)(2). The second ad hoc appointee must be a legal resident of either Webster County or Hopkins County, where the proposed electric merchant generation facility and transmission line will be sited.

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

² Secretary Jeff Noel has designated Sydney Montgomery as his designee for this matter.

Hon. Governor Andy Beshear
May 16, 2024
Page 2 of 2

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 held). Therefore, it is vital to the successful completion of the Siting Board's duties that the second ad hoc member be appointed by you as soon as practicable.

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 Nicole Carr, Staff Attorney, at 502-782-3259. Thank you for your time and attention to this matter.

Sincerely,



Kent A. Chandler
Chairman

Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

IN THE MATTER OF:

| | | |
|----------------------------------|---|---------------------|
| THE ELECTRONIC APPLICATION OF |) | |
| WEIRS CREEK SOLAR, LLC FOR A |) | |
| CERTIFICATE TO CONSTRUCT AN |) | |
| APPROXIMATELY 150 MEGAWATT |) | |
| MERCHANT SOLAR ELECTRIC |) | CASE NO. 2024-00099 |
| GENERATING FACILITY IN WEBSTER |) | |
| COUNTY AND HOPKINS COUNTY, |) | |
| KENTUCKY PURSUANT TO KRS 278.700 |) | |
| ET SEQ. AND 807 KAR 5:110 |) | |

NOTICE OF INTENT

Comes now Weirs Creek Solar, LLC, by counsel, pursuant to KRS 278.700, *et seq.*, 807 KAR 5:110, Section 2 and other applicable law, and does hereby tender its **NOTICE OF INTENT** to file an application, on or before May 15, 2024 for a Certificate to Construct an approximately 150 megawatt (“MW”) merchant solar electric generating facility in Webster County and Hopkins County, Kentucky, and an approximately 0.85 mile nonregulated transmission line to the Hopkins - Reid 161 kV line located in Webster County, KY (the “Project”), respectfully stating as follows:

1. Pursuant to 807 KAR 5:110, Section 2(2)(a) and 807 KAR 5:120, Section 2(2)(a) the forthcoming application will be filed by:

Weirs Creek Solar, LLC
Attn: Jason Andrews
700 Universe Boulevard
Juno Beach, FL 33408
Email: Jason.andrews@nexteraenergy.com
Phone: (561) 365-5956

2. Pursuant to 807 KAR 5:110, Section 2(2)(b), the Project will be capable of generating approximately 150 MWs of electricity from a solar array covering a total of approximately 2,200 leased acres. The Project will include approximately 384,128 of photovoltaic solar panels, associated racking, 41 inverters and a project substation transformer that will connect via a 161 kV line to a proposed 3 breaker ring bus station to the Reid – Hopkins 161kV line.

3. Pursuant to 807 KAR 5:110, Section 2(2)(c), the Project is located in Webster and Hopkins Counties, Kentucky near the cities of Nebo and Providence, Kentucky. The street address for the Project is 369 Russell Farms Rd, Providence, Kentucky, 42450 and its approximate coordinates are: 37.421095 latitude and -87.687396 longitude. No portion of the Project is located within the boundaries of a municipality.

4. Pursuant to 807 KAR 5:110, Section 2(2)(d), the Project will be located within the jurisdictional boundaries of the Hopkins County Joint Planning Commission. There is no planning and zoning commission in Webster County with jurisdiction over that portion of the Project site.

5. Pursuant to 807 KAR 5:110, Section 2(2)(e), neither Hopkins nor Webster County has adopted local setback requirements applicable to this site.

6. Pursuant to 807 KAR 5:110, Section 2(2)(f), the applicant does not expect to request a deviation from the setback requirements found in KRS 278.704(2).

Filed this April 15, 2024.

Respectfully submitted,

Heather S. Temple

L. Allyson Honaker
Brittany Hayes Koenig
Heather S. Temple
HONAKER LAW OFFICE, PLLC

1795 Alysheba Way, Suite 1203
Lexington, KY 40509
(859) 368-8803
allyson@hloky.com
brittany@hloky.com
heather@hloky.com

Counsel for Weirs Creek Solar, LLC

*L. Allyson Honaker
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 6202
Lexington, KENTUCKY 40509

*Brittany H. Koenig
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 6202
Lexington, KENTUCKY 40509

*Heather Temple
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 6202
Lexington, KENTUCKY 40509

*Jason Andrews
NextEra Energy Resources, LLC
700 Universe Boulevard
, FLORIDA 33408