

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

In the Matter of:

ELECTRONIC APPLICATION OF EXIE SOLAR,)	
LLC FOR A CERTIFICATE OF CONSTRUCTION)	
FOR AN APPROXIMATELY 110 MEGAWATT)	
MERCHANT ELECTRIC SOLAR GENERATING)	CASE NO.
FACILITY AND NONREGULATED ELECTRIC)	2025-00151
TRANSMISSION LINE IN GREEN COUNTY,)	
KENTUCKY)	

ORDER

This matter is before the Siting Board upon a motion for reconsideration and clarification filed on March 5, 2026, by Exie Solar, LLC (Exie Solar) seeking reconsideration and clarification of certain mitigation requirements imposed by the Siting Board's February 3, 2026 Order (final Order) that conditionally approved a certificate to construct an approximately 110-megawatt (MW) merchant solar generating facility in Green County.

DISCUSSION AND FINDINGS

Mitigation Measure 20

Exie Solar requested reconsideration of Mitigation Measure 20. Mitigation

Measure 20 reads as follows:

Exie Solar shall place panels, inverters, and substation equipment consistent with the distances to noise receptors to which it has committed in its maps and site plans. The Siting Board approves Exie Solar's proposed setback distance of 1,950 feet between any solar panel or string inverter and any residential neighborhood. The other proposed

setbacks from Exie Solar are not approved. The Siting Board finds that Exie Solar shall not place solar panels or string inverters, if used, closer than 250 feet from a residence, church, or school, 50 feet from non-participating adjoining parcels, or 50 feet from adjacent roadways and 100 feet from any exterior property line. Exie Solar shall not place a central inverter, and if used, energy storage systems, closer than 450 feet from any adjacent residences, churches, or schools.¹

In support of its motion, Exie Solar argued that Mitigation Measure 20 states that the Applicant place panels, inverters, and substation equipment consistent with the distances to noise receptors to which it committed in its maps and site plans.² The mitigation measures requires that the panels be set back 50 feet from the nonparticipating adjoining parcels and 100 feet from any exterior property line.³ Exie Solar argued that due to the conflicting language in the first sentence in Mitigation Measure 20 Exie Solar cannot place panels as demonstrated in its maps and site layout as required by Mitigation Measure 20 and at the same time comply with the setbacks for property lines.⁴ Lastly, Exie Solar argued that there is no evidence in the record to support 100-foot setback from panels to exterior property lines.⁵

Pursuant to KRS 278.708(6), the Siting Board is permitted to establish any mitigation measures that the Board deems appropriate.⁶ Thus, even though there are no

¹ Order (Ky. Siting Board Feb. 3, 2026), Appendix A at 5.

² Exie Solar's Motion for Reconsideration and Clarification (filed on Mar. 6, 2026) at 2.

³ Exie Solar's Motion for Reconsideration and Clarification (filed on Mar. 6, 2026) at 2.

⁴ Exie Solar's Motion for Reconsideration and Clarification (filed on Mar. 6, 2026) at 3.

⁵ Exie Solar's Motion for Reconsideration and Clarification (filed on Mar. 6, 2026) at 2.

⁶ KRS 278.708(6).

proscribed statutory setbacks for standalone structures or property lines, it is within the Siting Board's authority to require additional setback requirements for property lines as deemed appropriate. The Siting Board has imposed both a setback for non-participating adjacent property and a setback for exterior property lines in at least 13 cases.⁷ In every

⁷ See Case No. 2020-00244, *Electronic Application of Caldwell Solar, LLC for a Certificate of Construction for an Approximately 200 Megawatt Merchant Electric Solar Generating Facility In Caldwell County, Kentucky* (Ky. Siting Board April 8, 2022) Order, Appendix A at 4; Case No. 2021-00141, *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* (Ky. Siting Board August 3, 2022), Order, Appendix A at 4; Case No. 2021-00414, *Electronic Application of Blue Moon Energy LLC for a Certificate Of Construction for an Approximately 70 Megawatt Merchant Electric Solar Generating Facility and Nonregulated Electric Transmission Line In Harrison County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110* (Ky. Siting Board Aug. 3, 2022) Order, Appendix A at 4; Case No. 2021-00235, *Electronic Application of Russellville Solar LLC for a Certificate of Construction for an Approximately 173 Megawatt Merchant Electric Solar Generating Facility In Logan County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110* (Ky. Siting Board Aug. 23, 2022), Order, Appendix A at 4; Case No. 2020-00243, *Electronic Application of Golden Solar, LLC for a Certificate of Construction for an Approximately 100 Megawatt Merchant Electric Solar Generating Facility in Caldwell County, Kentucky*, Order, Appendix A at 4-5 (Ky. Siting Board Feb. 21, 2023); Thoroughbred Solar, LLC, 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*, Order, Appendix A at 4-5 (Ky. Siting Board April 10, 2023); Hummingbird Energy, LLC, Case No. 2022-00272, *Electronic Application Of Hummingbird Energy, LLC for a Certificate of Construction for an Approximately 200 Megawatt Merchant Electric Solar Generating Facility and Nonregulated Electric Transmission Line in Fleming County, Kentucky Pursuant To KRS 278.700 and 807 KAR 5:110* (December 13, 2023), Order, Appendix A at 4-5; FRON BN, LLC (Frontier Solar), Case No. 2023-00360, *Electronic Application of Fron Bn, LLC for a Certificate of Construction for an Approximately 120 Megawatt Merchant Solar Electric Generating Facility and Nonregulated Electric Transmission Line in Marion and Washington Counties, Kentucky Pursuant To KRS 278.700 And 807 KAR 5:110* (Ky. Siting Board June 25, 2024), Order, Appendix A at 4-5; Pike County Solar Project, LLC, Case No. 2024-00105 *Electronic Application of Pike County Solar Project, LLC for a Certificate of Construction for an up to 100 Megawatt Merchant Electric Solar Generating Facility In Pike County, Kentucky* (Ky. Siting Board Nov. 15, 2024), Order, Appendix A at 4; and Lynn Bark Energy Center, LLC, Case No. 2024-00104, *Electronic Application of Lynn Bark Energy Center, LLC for a Certificate of Construction for an up to 200 Megawatt Merchant Electric Solar Generating Facility in Martin County, Kentucky* (Ky. Siting Board Nov. 27, 2024), Order, Appendix A at 4. In addition to these 10 cases, the Siting Board included a similar condition in Banjo Creek Solar LLC, Case No. 2023-00320, *Electronic Application of Banjo Creek Solar LLC for a Certificate of Construction for: A 161kv Nonregulated Electric Transmission Line up to Approximately 2,000 Feet in Length In Graves County, Kentucky Pursuant To KRS 278.700 And 807 KAR 5:110* (Ky. Siting Board Mar. 5, 2024), Order, Appendix A at 4-5, but with a 30-foot setback for non-participating adjacent properties and a 100-foot setback for exterior property line. It also approved consistent setbacks in Lost City Renewables LLC, Case No. 2024-00406, *Electronic Application of Lost City Renewables LLC for a Certificate of Construction for an Approximately 250 Megawatt Merchant Electric Solar Generating Facility in Muhlenberg County, Kentucky Pursuant To KRS 278.710 and 807 KAR 5:110* (Ky. Siting Board July 29, 2025), Order, Appendix A at 4-5, of 25-foot setback for non-participating adjacent properties and a 25-foot setback for exterior property line. Summer Shade, LLC, Case No. 2025-00064, *Electronic Application of Summer Shade Solar, LLC for a Certificate of Construction for an Approximately 106-Megawatt Merchant Electric Solar Generating Facility In Metcalfe County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110* (Ky. Siting Board Oct. 24, 2025), Order, Appendix A at 5; Mantle Rock Solar, LLC, Case No. 2024-00050,

case since 2021, except for Weirs Creek Solar,⁸ the Siting Board has imposed setbacks for both non-participating adjoining parcels and exterior property lines.

To the extent that the motion requests clarification, the Siting Board finds that the request should be granted, recognizing that the first sentence in Mitigation Measure 20 could create confusion. Thus, the first sentence in Mitigation Measure 20 will be struck. Mitigation Measure 20 shall be the following:

The Siting Board approves Exie Solar's proposed setback distance of 1,950 feet between any solar panel or string inverter and any residential neighborhood. The other proposed setbacks from Exie Solar are not approved. The Siting Board finds that Exie Solar shall not place solar panels or string inverters, if used, closer than 250 feet from a residence, church, or school; 50 feet from non-participating adjoining parcels; or 50 feet from adjacent roadways; and 100 feet from any exterior property line. Exie Solar shall not place a central inverter, and if used, energy storage systems, closer than 450 feet from any adjacent residences, churches, or schools.

Based upon the motion and the final Order, and being otherwise sufficiently advised, the Siting Board finds that the requirement of a 100-foot setback for exterior property lines should not be modified and denies the motion as to that issue.

Electronic Application of Mantle Rock Solar, LLC for a Certificate of Construction for an Approximately 42-Megawatt Merchant Electric Solar Generating Facility in Livingston County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110 (Ky. Siting Board Feb. 20, 2026), Order Appendix A at 5.

⁸ Case No. 2024-00099, *Electronic Application of Weirs Creek Solar, LLC for a Certificate to Construct an Approximately 150-Megawatt Merchant Solar Electric Generating Facility in Webster County and Hopkins County, Kentucky Pursuant To KRS 278.700 and 807 KAR 5:110 (Ky. Siting Board Dec. 3, 2024), Order, Appendix A at 4.*

Mitigation Measure 38

Exie Solar requested reconsideration of Mitigation Measure 38. Mitigation Measure 38 reads as follows:

Exie Solar should furnish the County Judge Executive and Green County Fiscal Court with a net decommissioning cost summary each year of the operational lifetime of the project, updating the estimated salvage revenue using current market values for salvaged components.⁹

Mitigation Measure 38 requires Exie Solar to submit a net decommissioning cost summary each year of the operational life of the project. Exie Solar argued that KRS 278.710(8) already requires Exie Solar to calculate a net decommissioning cost once the facility is operational at least every five years for review by the Energy and Environment Cabinet (EEC).¹⁰ Exie Solar also argued that any requirement to update decommissioning cost summaries annually may conflict with the approved bond that was reviewed by the Cabinet as required by KRS 278.706(2)(m)(5)(a)(i) and KRS 278.710(8).¹¹ Exie Solar stated that, as approved by the legislature, the statutory timeline is sufficient to capture any significant changes in circumstances or depreciation of components' salvage values.¹² Exie Solar recommended that if Mitigation Measure 38 is not stricken entirely that Exie Solar be required to submit an updated decommissioning

⁹ Order (Ky. Siting Board Feb. 3, 2026), Appendix A at 8.

¹⁰ Exie Solar's Motion for Reconsideration and Clarification (filed on Mar. 6, 2026) at 4–5.

¹¹ Exie Solar's Motion for Reconsideration and Clarification (filed on Mar. 6, 2026) at 5.

¹² Exie Solar's Motion for Reconsideration and Clarification (filed on Mar. 6, 2026) at 5.

plan to the EEC in compliance with KRS 278.710(8), and also provide a copy to the county at that time.¹³

Based upon the motion and the final Order, and being otherwise sufficiently advised, the Siting Board finds that the mitigation measure should be amended. The Siting Board finds that any time Exie Solar is required to submit an estimated net decommissioning cost summary to the EEC for approval, it should also provide a copy to the Green County Fiscal Court and the county judge executive. The Siting Board acknowledges that the original Mitigation Measure 38 was adopted, in part, to address the concerns raised by the consultant in this matter and the need to ensure that the financial assurances remain adequate throughout the life of the project.¹⁴ While Mitigation Measure 38 is amended herein, the Siting Board finds that the same objectives can be met by requiring Exie Solar to submit a copy of the cost summary report every five years.

IT IS THEREFORE ORDERED that:

1. Exie's Solar's motion for reconsideration regarding the imposed setbacks from the exterior property lines is denied. In clarifying the Siting Board removed the first sentence in Mitigation Measure 20.

2. Mitigation Measure 20 in Appendix A to the final Order shall read the following:

The Siting Board approves Exie Solar's proposed setback distance of 1,950 feet between any solar panel or string inverter and any residential neighborhood. The other proposed setbacks from Exie Solar are not approved. The Siting Board finds that Exie Solar shall not place solar panels or string

¹³ Exie Solar's Motion for Reconsideration and Clarification (filed on Mar. 6, 2026) at 6.

¹⁴ BBC Report, Section B at 7.

inverters, if used, closer than 250 feet from a residence, church, or school; 50 feet from non-participating adjoining parcels; or 50 feet from adjacent roadways; and 100 feet from any exterior property line. Exie Solar shall not place a central inverter, and if used, energy storage systems, closer than 450 feet from any adjacent residences, churches, or schools.

3. Exie's Solar motion for reconsideration requiring Exie Solar to submit a cost summary of the decommissioning plan every year to local officials is granted as set forth in the Order and ordering paragraph 3.

4. Mitigation Measure 38 in Appendix A to the final Order is stricken and shall be replaced with the following:

Exie Solar should furnish the County Judge Executive and Green County Fiscal Court with an updated decommissioning plan every five years as provided to the EEC.

5. All other provisions of the Siting Board's February 3, 2026, final Order that are not in conflict with the terms of this Order shall remain in effect.

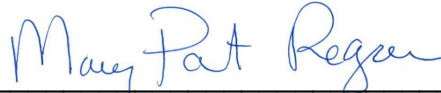
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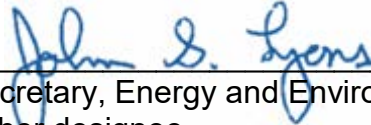
Chairman, Public Service Commission



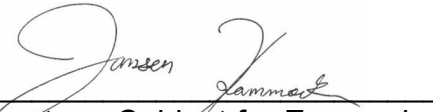
Commissioner, Public Service Commission



Commissioner, Public Service Commission



Secretary, Energy and Environment Cabinet,
or her designee



Secretary, Cabinet for Economic Development,
or his designee

ATTEST:



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on behalf of the Kentucky State
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