

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

In the Matter of:

ELECTRONIC APPLICATION OF LYNN BARK	)	
ENERGY CENTER, LLC FOR A CERTIFICATE	)	CASE NO.
OF CONSTRUCTION FOR AN UP TO 6.3 MILE	)	2026-00096
NONREGULATED TRANSMISSION LINE IN	)	
MARTIN COUNTY, KENTUCKY	)	

ORDER

On June 16, 2026, Lynn Bark Energy Center, LLC (Lynn Bark Energy) filed an application with the Kentucky State Board on Electric Generation and Transmission Siting (Siting Board) seeking a Construction Certificate, to construct a 138 kilovolt (kV) nonregulated electric transmission line that will be approximately 6.27 miles long in Martin County, Kentucky.¹

A site visit was held on August 3, 2026. Siting Board consultant, BBC Research and Consulting (BBC), filed its report (BBC Report) on September 8, 2026.² Lynn Bark Energy did not submit a response to the BBC Report. A formal hearing was held on September 24, 2026. Lynn Bark Energy filed its responses to post-hearing requests for information on October 5, 2026. The matter now stands submitted for a decision.

¹ Application (filed June 16, 2026) at 2.

² BBC Research and Consulting Report (BBC Report) (filed Sept. 9, 2026).

LEGAL STANDARD

KRS 278.714(2) directs the applicant to file the following information in an application for the construction of an unregulated electric transmission line as proposed by Lynn Bark Energy:

- Location of proposed line and structures to support it;
- Proposed right-of-way limits;
- Existing property lines that will be crossed and names of owners;
- Distance from neighborhoods, schools, public and private parks;
- Initial and design voltages and capacities;
- Length of line;
- Terminal points;
- Substation connections; and
- Statement of compliance for construction and maintenance with engineering practices and the National Electrical Safety Code (NESC).

KRS 278.714(3) states:

Action to grant the certificate shall be based on the board's determination that the proposed route of the line will minimize significant adverse impact on the scenic assets of Kentucky and that the applicant will construct and maintain the line according to all applicable legal requirements. In addition, the board may consider the interstate benefits expected to be achieved by the proposed construction or modification of electric transmission facilities in the Commonwealth. If the board determines that locating the transmission line will result in significant degradation of scenic factors or if the board determines that the construction and maintenance of the line will be in violation of applicable legal requirements, the board may deny the application or condition the application's approval upon relocation of the route of the line, or changes in design or configuration of the line.

Per KRS 278.714(3), the Siting Board's action is based on two considerations: (1) scenic impact and (2) the applicant's compliance with all applicable legal requirements.

Full Description of the Proposed Route of Transmission Line

KRS 278.714(2)(b) requires a full description of the proposed route of the electric transmission line. Lynn Bark Energy proposed to construct a nonregulated electric

transmission line in Martin County, Kentucky, approximately 14 miles northeast of the town of Prestonsburg.³ The 138 kV transmission line would connect the facility's onsite substation to the to the existing Inez Substation which is owned by Kentucky Power Company (Kentucky Power), which is a subsidiary of American Electric Power Company, Inc (AEP).⁴ The transmission line route will cross six landowners.⁵ A Routing Study was conducted by Stantec.⁶ Lynn Bark Energy stated that the final route was based on numerous factors such as environmental and cultural features, distance, residential homes, land ownership and topography,⁷ but ultimately it was based on the landowners who were interested in entering into an easement agreement.⁸

The proposed nonregulated transmission line will start at Lynn Bark Energy's substation⁹ and proceed East/Northeast for one mile.¹⁰ The route would then proceed Southeast for one mile and continue East for more than two miles.¹¹ The route would then make a 90-degree turn Northeast, cross South Wolf Creek, then proceed over a mile to reach the Inez Substation.¹² Lynn Bark Energy stated that the route generally

³ Application at 2.

⁴ Application at 2.

⁵ Lynn Bark Energy's Response to Siting Board Staff's First Request for Information (Staff's First Request) (filed July 28, 2026), Item 2.

⁶ Hearing Video Testimony of the September 24, 2026 Hearing, Eddie Barry Testimony at 10:12:21-10:12:31.

⁷ Lynn Bark Energy's Response to Staff's First Request, Item 31.

⁸ Lynn Bark Energy's Response to Staff's First Request, Item 3.

⁹ Application at 2.

¹⁰ BBC Report, Section C at 3.

¹¹ BBC Report, Section C at 3.

¹² BBC Report, Section C at 3.

trends East to Southeast, traversing through steep terrain and crossing Walnut Fork, ending in the communities of Laurel Fork and Threeforks.¹³

Lynn Bark Energy also provided an alternative route.¹⁴ The BBC Report stated that more than 90 percent of the proposed route, and the alternative route are the same.¹⁵ The only difference between the two routes is where the transmission line would enter the substation.¹⁶ In the alternative route, the transmission line proceeds across the North side of the substation.¹⁷

Detailed Description of the Proposed Transmission Line and Appurtenances

KRS 278.714(2)(c) states that a full description of the proposed electric transmission line and appurtenances is required, including the following: initial and design voltages and capacities; length of the line; terminal points; and substation connections.

The proposed 138 kV transmission line will connect from Lynn Bark Energy's new substation to the existing Inez Substation.¹⁸ Lynn Bark Energy submitted a map showing the existing property lines that the proposed transmission line would cross¹⁹ and submitted copies of the leases currently procured for the route of the transmission line.²⁰ The proposed right-of-way (ROW) is primarily 150 feet wide with a 75-foot ROW on each

¹³ Application at 3.

¹⁴ Application at 5.

¹⁵ BBC Report, Section C at 3.

¹⁶ BBC Report, Section C at 3.

¹⁷ BBC Report, Section C at 3; Application at 5.

¹⁸ Application at 2.

¹⁹ Application, Exhibit B.

²⁰ Lynn Bark Energy's Response to Staff's First Request, Item 1, Attachment A.

side of the centerline.²¹ Lynn Bark Energy stated that the lease and easement agreements allow for flexibility to make minor adjustments if any environmental or other impacts arise.²²

Lynn Bark Energy stated that a specific design for the proposed transmission line poles has not been completed.²³ Lynn Bark Energy provided illustrations of the typical types of towers that can be utilized.²⁴ Lynn Bark Energy stated that typically transmission poles are single engineered poles, lattice structures, or H-frames that are comprised of either steel or wood.²⁵ Lynn Bark Energy explained that the project will require at least 50 to 60 structures across 6.27 miles.²⁶ The distances between the poles will span from 600 to 1500 feet.²⁷ Lynn Bark Energy stated the poles will range from 60 to 100 feet in height.²⁸

The Siting Board finds that Lynn Bark Energy has provided sufficient information regarding the chosen route of the transmission line as well as the structure of the line. The Siting Board finds that Lynn Bark Energy should comply with all mitigation measures contained in its application and filings. The Siting Board finds additional requirements are necessary to ensure protections exist, in case the transmission line route is different than

²¹ Lynn Bark Energy's Response to Staff's First Request, Item 20.

²² Lynn Bark Energy's Response to Staff's First Request, Item 22.

²³ Lynn Bark Energy's Response to Staff's First Request, Item 18.

²⁴ Lynn Bark Energy's Response to Staff's First Request, Item 28.

²⁵ Lynn Bark Energy's Response to Staff's First Request, Item 18.

²⁶ Lynn Bark Energy's Response to Staff's First Request, Item 27.

²⁷ Lynn Bark Energy's Response to Staff's First Request, Item 28.

²⁸ Lynn Bark Energy's Response to Staff's First Request, Item 27.

the route supported by the record of this matter. This will be set forth more fully in Appendix A to this Order.

Compliance with National Electrical Safety Code (NESC)

KRS 278.714(2)(d) requires that the applicant provide a statement that the proposed transmission line and appurtenances will be constructed and maintained in accordance with accepted engineering practices and the NESC. Lynn Bark Energy confirmed that the proposed electric transmission line would be built and maintained in accordance with accepted engineering practices and the NESC.²⁹

Scenic Impact

For the proposed nonregulated transmission line, the project features under consideration for scenic compatibility include towers to support the transmission line and the approximately 6.3-mile route of the transmission line from Lynn Bark Energy substation location to the existing Inez substation.

Lynn Bark Energy stated that the project is compatible with scenic surroundings and that there were no scenic areas identified along the proposed transmission line route.³⁰ Lynn Bark Energy also stated that the closest scenic byway is located 13 miles from the proposed transmission line route.³¹

The BBC Report recommended that Lynn Bark Energy limit the extent of tree clearing for the transmission right-of-way to the 150-foot width proposed as much as

²⁹ Application at 5-6; Lynn Bark Energy's Response to Staff's First Request, Item 16.

³⁰ Lynn Bark Energy's Response to Staff's First Request, Item 4.

³¹ Lynn Bark Energy's Response to Staff's First Request, Item 43.

possible in order to help protect the scenic assets of Kentucky.³² In addition, the BBC Report recommended that Lynn Bark Energy notify residents in nearby neighborhoods prior to beginning the use of helicopters to deliver and install the transmission towers, poles and conductors.³³

The BBC Report stated that the proposed transmission line will be most visible for the first mile of the route where the transmission line will cross a plateau to Lynn Bark Energy's proposed substation.³⁴ There are no residences in this plateau and the immediate area will only be accessible by construction workers and maintenance workers, once Lynn Bark Energy solar facility is operational.³⁵ The BBC Report stated that there are ten residential neighborhoods within a one mile radius of the proposed transmission line route.³⁶ BBC concluded that, due to the topography of the area and existing thick vegetation, most of these neighborhoods will be partly screened from visibility of the transmission line.³⁷

The Siting Board finds that, based on the application, the construction of the transmission line will have a minimal scenic impact on the area. The Siting Board finds that the mitigation measures proposed by BBC are reasonable and will minimize the impact to the area. However, the Siting Board finds additional requirements are

³² BBC Report, Section C at 14.

³³ BBC Report, Section C at 14.

³⁴ BBC Report, Section C at 7.

³⁵ BBC Report, Section C at 7.

³⁶ BBC Report, Section C at 7.

³⁶ BBC Report, Section C at 8.

³⁷ BBC Report, Section C at 12.

necessary to ensure protections exist, in case the transmission line route is different than the route supported by the record of this matter. This will be set forth more fully in Appendix A to this Order.

Compliance with all Legal Requirements

KRS 278.714(3) frames the decision to be made by the Siting Board for proposed nonregulated electric transmission line. As previously discussed, the Siting Board finds that overall, the proposed transmission line would not have a significant adverse impact on the scenic assets of Martin County, Kentucky.

As Kentucky Power, through AEP, is a member of the Regional Transmission Organization (RTO) PJM Interconnection, LLC (PJM), the PJM footprint is implicated, necessitating study of the transmission project. Lynn Bark Energy has submitted the Feasibility Study and the System Impact Study conducted by PJM.³⁸ The PJM Facilities Study Report was completed in 2024.³⁹ Lynn Bark Energy has entered into a Generation Interconnection Agreement with PJM and Kentucky Power.⁴⁰ Lynn Bark Energy has complied, to date, with all applicable conditions relating to electrical interconnection with the grid by following PJM's processes.

The Siting Board finds that Lynn Bark Energy's proposed transmission line meets the requirements of KRS 278.714(3), subject to the mitigation measures and conditions imposed in this Order and the attached Appendix A to this Order.

³⁸ Application at 5; Application, Attachment D.

³⁹ Lynn Bark Energy's Response to Staff's First Request, Item 29, Attachment E.

⁴⁰ Lynn Bark Energy's Response to Siting Board Staff's Second Request for Information (filed Aug. 26, 2026), Attachment B.

CONCLUSION

After carefully considering the criteria outlined in KRS Chapter 278, the Siting Board finds that Lynn Bark Energy has presented sufficient evidence to support the issuance of a Construction Certificate to construct the proposed nonregulated electric transmission line. The Siting Board conditions its approval upon the full implementation of all mitigation measures and other requirements described herein and listed in Appendix A to this Order. A map showing the location of the proposed transmission line is attached hereto as Appendix B.

IT IS THEREFORE ORDERED that:

1. Lynn Bark Energy's application for a Construction Certificate to construct an up to 6.3-mile, 138 kV nonregulated electric transmission line in Martin County, Kentucky, is conditionally granted, subject to full compliance with the mitigation measures and conditions prescribed in Appendix A.
2. Lynn Bark Energy shall fully comply with the mitigation measures and conditions prescribed in Appendix A to this Order.
3. Lynn Bark Energy is approved to place the centerline and associated right-of-way in the 150-foot corridor as required based on the field conditions encountered.
4. In the event mitigation measures within the body of this Order conflict with those prescribed in Appendix A to this Order, the measures in Appendix A shall control.
5. This case is closed and removed from the Siting Board's docket.

Entered on this 12th day of October, 2026.

KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING



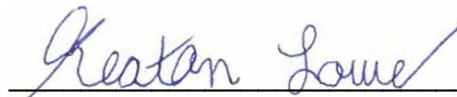
Angie Hatton
Chair, Public Service Commission



John Lyons
Secretary, Energy and
Environment Cabinet, or his
designee



Mary Pat Regan
Vice Chair, Public Service Commission



Jeff Noel
Secretary, Cabinet for Economic
Development, or his designee



Andrew W. Wood
Commissioner, Public Service Commission



Barry L. Mayfield
Commissioner, Public Service Commission

ATTEST:



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

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING IN CASE NO. 2026-00096 DATED OCT 12 2026

MITIGATION MEASURES AND CONDITIONS IMPOSED

The following mitigation measures and conditions are hereby imposed on Lynn Bark Energy, LLC (Lynn Bark Energy) to ensure that the facilities proposed in this proceeding are constructed as ordered.

1. A final site plan shall be submitted for approval to the Siting Board upon completion of the final transmission line route. Deviations from the preliminary transmission line route should be clearly indicated on the revised graphic.

2. Any change in the transmission line route from the information that formed this evaluation shall be submitted to the Siting Board for review.

3. Lynn Bark Energy shall adhere to the proposed transmission routes presented in the application. Should Lynn Bark Energy find it necessary to include any parcel of land not included in this record as a notified landowner in order to finalize the route of the proposed transmission line(s), Lynn Bark Energy shall return to the Siting Board to request an amendment to the location of the transmission line or right-of-way.

4. The Siting Board will determine whether any deviation in the transmission line route is likely to create a materially different pattern or magnitude of impacts.

5. Existing vegetation between the transmission line and nearby roadways and homes shall be left in place to the extent it is feasible to help minimize visual impacts and screen the transmission line from nearby homeowners and travelers. Lynn Bark Energy will not remove any existing vegetation except to the extent it must remove such

vegetation for the construction of the transmission line and to maintain right of ways along the transmission line route.

6. Lynn Bark Energy is required to limit construction activity, process, and deliveries to the hours between 8 a.m. and 6 p.m. local time, Monday through Saturday. The Siting Board directs that construction activities that create a higher level of noise will be limited to 9 a.m. to 5 p.m. local time, Monday through Friday. Non-noise causing and non-construction activities can take place on the site between 7 a.m. and 10 p.m. local time, Monday through Sunday, including field visits, arrival, departure, planning, meetings, mowing, surveying, etc.

7. Lynn Bark Energy shall fix or pay for repairs for damage to roads and bridges resulting from any vehicle transport to the areas of construction for the transmission line. For damage resulting from vehicle transport in accordance with all permits, those permits will control.

8. Lynn Bark Energy shall comply with all laws and regulations regarding the use of roadways.

9. Lynn Bark Energy shall implement ridesharing between construction workers when feasible, use appropriate traffic controls, or allow flexible working hours outside of peak hours to minimize any potential traffic delays during AM and PM peak hours.

10. Lynn Bark Energy shall consult with the Kentucky Transportation Cabinet (KYTC) regarding truck and other construction traffic and obtain necessary permits from the KYTC.

11. Lynn Bark Energy shall consult with the Martin County Road Department regarding truck and other construction traffic and obtain any necessary permits from the County Road Departments.

12. Lynn Bark Energy shall develop special plans and obtain necessary permits before transporting heavy loads onto state or county roads.

13. Lynn Bark Energy shall comply with any road use agreement executed with the County Road Departments. Such an agreement might include special considerations for overweight loads, routes utilized by heavy trucks, road weight limits, and bridge weight limits.

14. Lynn Bark Energy shall develop and implement a traffic management plan to minimize the impact on traffic flow and keep traffic safe. Any such traffic management plan shall also identify any traffic-related noise concerns during the construction phase and develop measures that would address those noise concerns.

15. Lynn Bark Energy shall properly maintain construction equipment and follow best management practices related to fugitive dust throughout the construction process, including the use of water trucks. Dust impacts shall be kept at a minimal level. The Siting Board requires Lynn Bark Energy's compliance with 401 KAR 63:010.

16. If any person shall acquire or transfer ownership of, or control, or the right to control the project, by sale of assets, transfer of stock, or otherwise, or abandon the same, Lynn Bark Energy or its successors or assigns shall request explicit approval from the Siting Board with notice of the request provided to the Martin County Fiscal Court. In any application requesting such abandonment, sale, or change of control, Lynn Bark Energy shall certify its compliance with KRS 278.710(1)(i).

17. As applicable to individual lease agreements, Lynn Bark Energy, its successors, or assigns will abide by the specific land restoration commitments agreed to by individual property owners as described in each executed lease agreement.

18. Lynn Bark Energy will provide the Siting Board all interconnection reports when they are completed.

19. Lynn Bark Energy shall provide the Martin County Fiscal Court and Judge Executive the contact information for individuals within the company that can be contacted with concerns. This shall include contact information for the general public to reach individuals that can address their concerns. Lynn Bark Energy shall update this contact information yearly, or within 30 days of any change in contact information.

20. Create an overall plot plan indicating all water bodies, bridges, railroad crossings, culverts, access roads, power lines, residential and public structures, etc., to minimize interference or adverse impact.

21. The new transmission line shall maintain sufficient clearance from any existing power lines.

22. Coordinate with surrounding nonparticipating landowners to limit the impact of oversized loads delivered to the project (Ex. Power Poles).

23. As Lynn Bark Energy progresses in the interconnection process, Lynn Bark Energy shall provide the Siting Board with all final reports.

24. At least 30 days prior to construction Lynn Bark Energy shall provide notice to residents and businesses within a 1-mile radius of the proposed transmission line regarding construction and operation noises, as well as limits on working hours during

the construction period, any mitigation plans, and its Complaint Resolution Program referred to in Item 28 of this Appendix, at least one month prior to the start of construction.

25. The transmission line project shall comply with all applicable statutes and regulations, including but not limited to the NESC, U.S. Department of Agriculture Rural Utilities Service (RUS) Bulletin 1724E-200 Design Manual for High Voltage Transmission Lines, IEEE 516-2021, and IEEE Guide for Maintenance Methods on Energized Power.

26. In order to minimize the impacts provided for in KRS 278.714(3), Lynn Bark Energy shall submit a final layout of the transmission line and make all reasonable efforts to minimize the new right of ways and instead try to co-locate with any current transmission facilities.

27. Within 30 days of this order being issued, Lynn Bark Energy shall initiate and maintain a Complaint Resolution Program to address any complaints from community members. Lynn Bark Energy shall also submit annually a status report associated with its Complaint Resolution Program, providing, among other things, the individual complaints, how Lynn Bark Energy addressed those complaints, and the ultimate resolution of those complaints, identifying whether the resolution was to the complainant's satisfaction.

28. The Complaint Resolution Program shall be published on the project's website so that residents can be able to contact a representative of Lynn Bark Energy to address any complaints that may arise. Once the project has commenced electric generation, within 30 days after that date, Lynn Bark Energy shall file a final report for any unreported period.

29. Lynn Bark Energy shall discuss potential screening plan agreements with the landowners leasing land to Lynn Bark Energy for the transmission line to determine if any screening strategies that might mitigate and reduce the visual impact to the affected residences and continue to address complaints through the construction phase of the transmission line.

30. Lynn Bark Energy shall comply with all electrical inspections that are required by local, county, and state ordinances and regulations. After these inspections have been completed Lynn Bark Energy shall file the inspection reports with the Siting Board.

31. Lynn Bark Energy shall notify the Siting Board at least 30 days prior to interconnection to the substation to allow adequate time for the Division of Inspections to conduct an inspection to ensure compliance.

32. The Siting Board can reconvene to enforce any of the above mitigation measures until the generation of electricity commences.

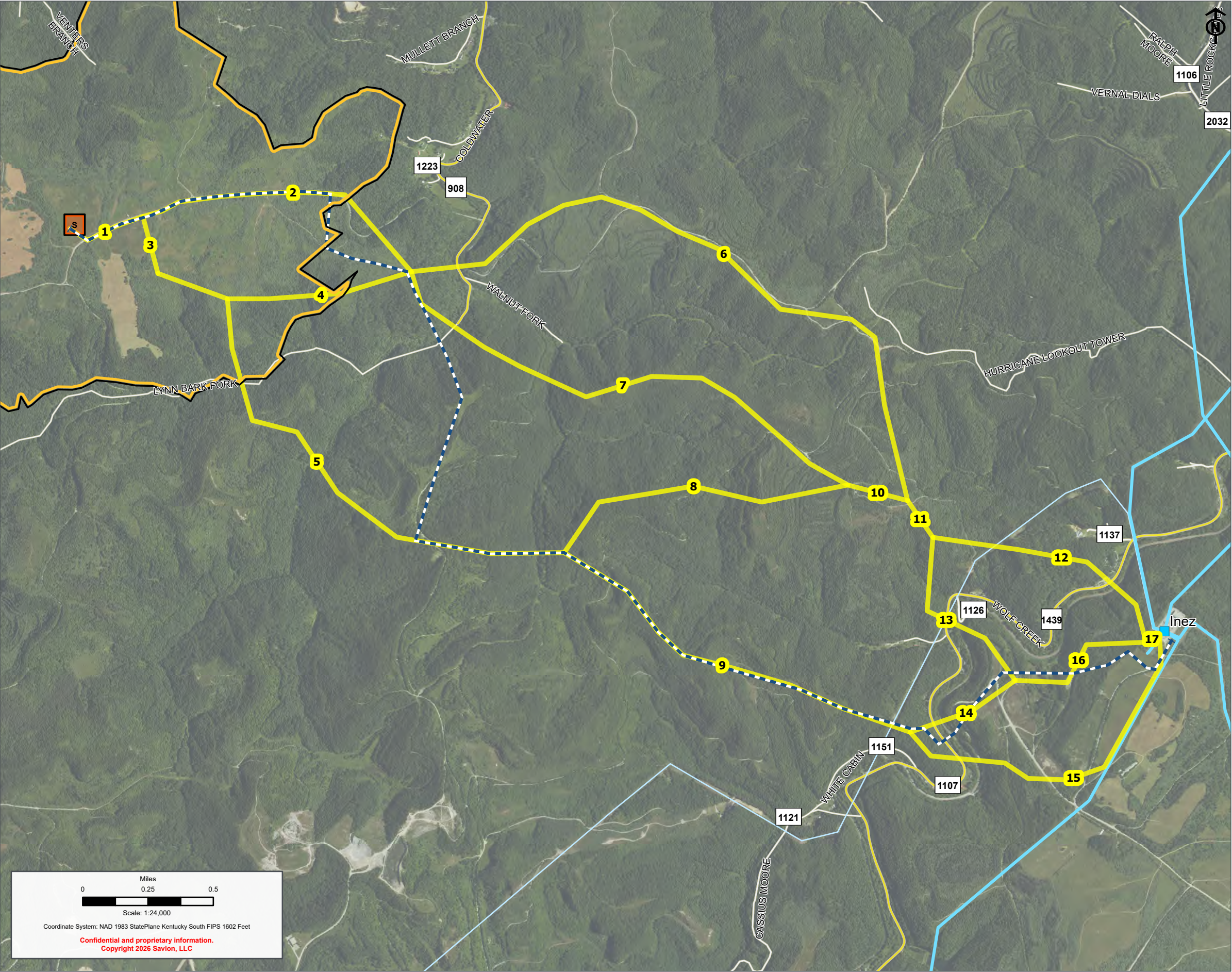
33. Within 30 days of service of this Order, Lynn Bark Energy shall send a copy of this Order to all the adjoining landowners who previously were required to receive notice of this Project.

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING IN
CASE NO. 2026-00096 DATED OCT 12 2026

ONE PAGE TO FOLLOW

LYNN BARK



 Project Boundary

 Segment Network

Project Layout

 Project Gen-Tie

Project Facilities

 Substation

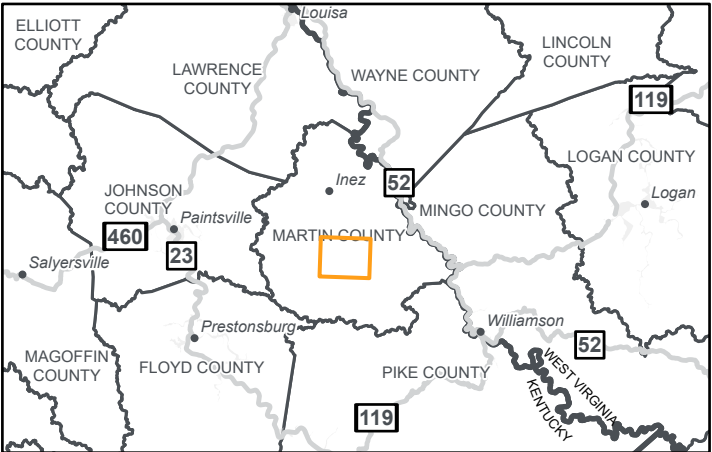
Existing Transmission Lines

Voltage kV

 69

 138

 Substation



PRELIMINARY DESIGN – NOT FOR CONSTRUCTION

PROJECT: LYNN BARK	
DEVELOPER: SAVION, LLC	ENGINEER:
DATE: 8/24/2026	SCALE: 1 INCH : 2,000 FEET
NOTES:	
SHEET: 11X17 PROJECT (LLC)	

Service List for Case 2026-00096

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