

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

1. Provide a copy of the draft of the viewshed mitigation study as referenced at the hearing.

Response: A draft of the viewshed mitigation study is attached to the contemporaneously filed Second Petition for Confidentiality.

Witness: Adam Stratton

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

2. State when the viewshed mitigation study is expected to be completed.

Response: The viewshed mitigation study is expected to be completed during the fourth quarter of 2021.

Witness: Adam Stratton

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

3. Provide an explanation as to how the property tax revenue was calculated and the basis for the projected growth of property tax revenues as used in market value impact and economic impact studies.

Response: Dr. Loomis received the property tax analysis file titled, "2020.Updated KY Property Tax Budget Estimate.DRAFT.xlsx" from Acciona. The original file had a tax rate increase assumption of 0.25% (presumably for budgeting purposes). To be conservative in estimating the property tax revenues and economic impacts of those revenues, Dr. Loomis changed that assumption to be 0%. He left the assumption of 0.75% increase in real property value because he believed that the increase was conservative enough for his purposes. Dr. Loomis's adjustments are found in the file named "constant rates 2020.Updated KY Property Tax Budget Estimate.DRAFT.xlsx". This file shows the property taxes listed in the economic impact report. These Excel files are being attached to the contemporaneously filed Second Petition for Confidentiality.

AEUG Fleming also adopts and incorporates the testimony of David Loomis and William Brown at the April 15, 2021, hearing in Case No. 2020-00219 involving AEUG Madison Solar, LLC.

Witness: David Loomis

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

4. State when the ambient noise study is expected to be completed and provide a copy of the ambient noise study when completed.

Response: The ambient noise study is expected to be performed during the week of April 19, 2021. A copy of the ambient noise study will be filed with the Siting Board no later than May 14, 2021.

Witness: Brad Sohm, P.E. Senior Air Quality Specialist, SWCA Environmental
Consultants

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

5. Confirm that the maximum noise level caused by inverters during operations of the proposed solar facility is based on the total number of inverters and not based on a single inverter.

Response: Correct, the maximum noise level caused by inverters during operation of the project was based on the cumulative noise impacts from the proposed facility design consisting of 73 inverters each rated at 66 dBA at a distance of 10 meters.

Witness: Brad Sohm, P.E. Senior Air Quality Specialist, SWCA Environmental Consultants

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

6. Provide the noise impact of the substation transformer to nearby property owners and the Fleming County High School.

Response: The noise levels at the Fleming County High School from the operation of the substation transformer was estimated to be 15.6 dBA L_{day} and L_{night} (22 dBA day-night average sound level [L_{dn}]). Noise levels from the operation of the transformer at the closest noise-sensitive area (NSA), a residence located approximately 1,590 feet south of the substation, was projected to be 22.5 dBA L_{day} and L_{night} or 28.9 dBA L_{dn} .

Witness: Brad Sohm, P.E. Senior Air Quality Specialist, SWCA Environmental Consultants

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

7. Provide a copy of an electronic copy of the workpapers with inputs from Acciona for the results generated by the IMPLAN and JEDI modeling methodologies.

Response: Acciona provided the total project cost of construction, balance of system cost, and a cost breakdown of materials versus labor in the balance of system costs. These costs are shown in file "20200807 Tenaska BOS mat-lab split_Rev00.xlsx". Dr. Loomis used these costs and percentages along with the JEDI default percentages to allocate the costs into the subcategories required for the JEDI model. Those calculations and the JEDI inputs are shown in file "Project Cost Input Sheet Acciona Fleming interpreted.xlsx". For operations and maintenance costs, I received file "O&M Costs 20200706_USA_OV_Fort Bend_250MW_HT_v11 – Finance.xlsx" from Acciona. Dr. Loomis used that file to derive the operations and maintenance costs to use in the JEDI model as shown in "OM Costs derived 20200706_USA_OV_Fort Bend_250MW_HT_v11 – Finance.xlsx". The final O&M costs used in the JEDI model are shown in the file "Project Cost Input Sheet Acciona Fleming interpreted.xlsx". These Excel files are being attached to the contemporaneously filed Second Petition for Confidentiality.

Witness: David Loomis

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

8. State whether AEUG Fleming is willing to provide a concrete proposal to address and provide mitigation of any viewshed or noise issues as it relates to the 23 identified noise sensitive areas as well as any proposed construction schedule to mitigate noise impacts to the noise sensitive areas. If yes, provide a copy of the mitigation proposal.

Response: AEUG Fleming is fully committed to working with neighboring properties and other noise sensitive areas to address and provide reasonable mitigation measures related to viewshed or noise issues. In response to Item 1 above, we are providing a draft viewshed mitigation plan, which will need to be refined based on individual concerns and solutions. Part of creating a mitigation proposal is learning what concerns exist. AEUG Fleming has created the attached Complaint Resolution Plan to ensure that complaints to AEUG Fleming are properly addressed.

Witness: Adam Stratton

AEUG Complaint Resolution Program

1. INTRODUCTION

AEUG Fleming Solar, LLC (AEUG) has developed a complaint resolution program for implementation during the construction of the AEUG project (the Project) to provide an effective process for identification and resolution of concerns voiced by members of the community.

AEUG is committed to complying with requirements established through the Kentucky State Siting Board (KSSB) and other regulatory processes, and to establishing an accessible process for community members to voice concerns and for those concerns to be addressed as quickly and effectively as possible. Maintaining detailed records of all complaints and resulting actions is an important aspect of the complaint resolution program.

AEUG's policy is to take all reasonably necessary actions to rectify legitimate interference or disturbances that are a direct result of the Project.

2. COMPLAINT RESOLUTION PROCEDURE

2.1 AEUG Contacts

AEUG will establish a direct telephone number and email address prior to construction of the Project and will provide that information to the county and city officials, emergency responders, schools, and public libraries within the Project Area; that information will also be posted on the Project website. To register a complaint, individuals may either call the telephone number and leave a message, send an email or go to the local construction office during regular business hours.

AEUG personnel receiving a complaint should fill out a Complaint Resolution Form and ensure that the appropriate Site Manager receives the form and an explanation of any pertinent details.

Individuals wishing to file a complaint will be provided four options, including:

1. The Applicant will establish a "hotline" phone number that will be included in this plan and provided to Fleming County and the City of Flemingsburg before start of construction.
2. Individuals may visit the temporary on-site management office during during normal business hours to file a written complaint with the construction manager.,
3. Individuals may submit written complaints by mail to:

Acciona Energy USA Global LLC

55 East Monroe Street, Suite 1925
Chicago, Illinois 60603

4. Individuals may submit complaints via email to the construction manager during construction. Email addresses will be included in this plan and provided to Fleming County and the City of Flemingsburg once they are established.

The following information should be provided for Acciona to accurately and thoroughly address complaints:

- Name and contact information of the complainant;
- Date of complaint;
- Detailed description of the complaint, including, if possible, the location, date, and time that the issue occurred, and any other details that can help identify and resolve the issue.

2.2 Notification

In addition to providing the contact information and procedure to the officials and public locations noted above, AEUG will maintain a Project contact list for residents and will provide notification to residences located within 2,400 feet of construction activities that construction is about to commence, which is consistent with the consultant's report submitted in the Kentucky Siting Board case.

2.3 Complaint Documentation and Follow-Up

AEUG will coordinate with the complainant to quickly and effectively address issues such that both parties are satisfied. AEUG will enter complaints into a complaint log, document the details of the complaint, and assign a point of contact to investigate the complaint. The construction manager, or alternative designee, will be responsible for initiating the review of complaints received during the construction process. On-site construction and development staff will be responsible for initiating the review of complaints reported.

AEUG will determine if complaints violate federal, state, or local laws or permit conditions, and if there are notifications or required steps to address those violations. AEUG will also determine if outside resources are necessary to address issues. Once a corrective action or response has been determined, AEUG will contact the Complainant by telephone or return mail to inform them of the proposed corrective action, if any.

AEUG is committed to resolving reasonable complaints within 30 days, unless extenuating circumstances necessitate a longer time period, or it is determined that the complaint is unresolvable. AEUG will provide an explanation to the complainant for the extended period and the timeline for addressing the complaint should complaint resolution take longer than 30 days.

Individuals who register a complaint with AEUG will receive correspondence from AEUG no later than five (5) business days after registering the complaint. The intent of the initial correspondence is to gather more information to better understand the complaint.

Within 30 days of the complaint being logged, AEUG will initiate reasonable action to resolve the legitimate interference or disturbance that is a direct result of the Project.

AEUG will keep a logbook to register every complaint received. The logbook will include pertinent information about the person making the complaint, the issues surrounding the complaint, and the date the complaint was received. An example of a complaint resolution form is attached.

The logbook will also document AEUG's recommended resolution, the date agreement was reached on a proposed resolution, and the date when the proposed resolution was implemented. AEUG personnel will generate a quarterly report based on the information recorded in the log book about the nature and resolution of all complaints received in that quarter, and file the report at the site office during construction.

**AEUG
Complaint Resolution Form**

Complaint Log Number: _____
Complainant's name and address:
Phone number/email:
Date complaint received: _____
Time complaint received: _____
Date complainant first contacted: _____
Nature of complaint:
Definition of problem after investigation:
Description of corrective measures taken:
Complainant's signature: _____ Date: _____
This information is certified to be correct:
Site Manager's Signature: _____ Date: _____

(Attach additional pages and supporting documentation, as required.)

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

9. State when a glare study can be completed and provide a copy of such study.

Response: AEUG Fleming anticipates that a glare study will be complete and able to be filed by May 17, 2021.

Witness: Mark Randall

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

10. State the number of merchant generation projects that Acciona has developed.
- a. Of these projects, state how many were solar generation.
 - b. Identify where these solar projects were located.
 - c. State whether there were any residential areas in close proximity to those solar facilities.
 - d. Identify an accommodations that were made for those residents near the solar facilities.
 - e. With respect to these solar facilities, state whether there were any setback requirements imposed by any state or local government. If so, provide a detail explanation of those setback requirements and whether AEUG Fleming was able to comply with those requirements.

Response: AEUG Fleming Solar, LLC is part of the larger Acciona Group. The Acciona Group is the developer, owner and operator of more than 10,000 MW of renewable energy projects across the globe. In the United States, the Acciona Group is an independent power producer with a portfolio that includes 11 operating projects and four projects in an advanced stage of development. A breakdown of the projects in the United States can be found in the graph below:

Project Name	Technology	MW	Location	Status
Blue Canyon*	Wind	423.45 MW	Oklahoma	Operational
EcoGrove	Wind	100.5 MW	Illinois	Operational
La Chalupa	Wind	198 MW	Texas	Operational
Dempsey Ridge	Wind	132 MW	Oklahoma	Operational
Fleming	Solar PV	188 MW	Kentucky	Development
Fort Bend	Solar PV	240 MW	Texas	Development
High Point	Solar PV	100 MW	Illinois	Development
Madison	Solar PV	100 MW	Kentucky	Development

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

Nevada Solar One	Concentrated Solar Power	64 MW	Nevada	Operational
Palmas Altas	Wind	144.9 MW	Texas	Operational
Pioneer Grove	Wind	6 MW	Iowa	Operational
Red Hills	Wind	123 MW	Oklahoma	Operational
San Roman	Wind	93 MW	Texas	Operational
Tatanka	Wind	180 MW	North Dakota, South Dakota	Operational
Velva	Wind	12 MW	North Dakota	Operational

* Acciona is a minority owner in this project

10 a. Of this portfolio, the four projects highlighted in yellow above are solar PV projects.

10 b. All four of these solar PV projects are in advanced development, with two projects before Kentucky's Electric Generation and Transmission Siting Board (the Board) and two projects permitted and expected to begin construction in the second quarter of 2021 (the High Point Solar Project in Illinois, and the Fort Bend Solar Project in Texas).

10 c. There are primary residences within close proximity of all four projects that are under development. The Board is familiar with the two projects in Kentucky. For the Illinois and Texas projects, please see the maps below showing the project areas with pins indicating residences within ½ mile of proposed Project structures.

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION



CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S POST-HEARING REQUEST FOR INFORMATION

10 d and e. Neither Illinois (High Point) nor Texas (Fort Bend) has a state setback statute for solar development.

The Illinois project required a Special Use Permit issued by the county where the Project will be located, and in those negotiations, the County requested that the Project engage in discussions with certain adjacent landowners who had provided notices of objection to the Board. The Project engaged in conversations with the applicable landowners and reached agreements on individualized setbacks and confidential compensation for three landowners.

There have been no setbacks required by state or local officials or setback agreements with third parties in relation to the Texas project. However, per internal standards the project will implement 150 foot setbacks from public roads, 300 foot setbacks from pipeline easements. Additionally, there are no residences within 200 feet of proposed structures in this project.

Witness: David Jakubiak

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

In the Matter of the Application of AEUG Fleming)
Solar, LLC for a Construction Certificate to Construct) **Case No. 2020-00206**
a Merchant Electric Generating Facility)

CERTIFICATION

This is to certify that I have supervised the preparation of AEUG Fleming Solar, LLC's responses to the Post-Hearing Data Requests and that the responses are true and accurate to the best of my knowledge, information, and belief after reasonable inquiry.

Date: April 20, 2021



Tracy Stoddard