

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

IN THE MATTER OF:

THE ELECTRONIC APPLICATION OF)	
HENDERSON COUNTY SOLAR LLC FOR A)	
CERTIFICATE TO CONSTRUCT AN)	
APPROXIMATELY 50 MEGAWATT)	CASE NO. 2020-00391
MERCHANT SOLAR ELECTRIC GENERATING)	
FACILITY IN HENDERSON COUNTY,)	
KENTUCKY PURSUANT TO KRS 278.700,)	
ET SEQ. AND 807 KAR 5:110)	

HENDERSON COUNTY SOLAR LLC'S
MOTION FOR APPROVAL OF MODIFIED PUBLIC HEARING AND NOTICE

Comes now Henderson County Solar LLC, by counsel, pursuant to KRS 278.706(2)(f) and other applicable law, and does hereby tender its Motion for Approval of Modified Public Hearing and Notice, respectfully stating as follows:

Henderson County Solar LLC (“Henderson County Solar”) is filing with this Motion its Notice of Intent to file an Application to construct a 50 megawatt (“MW”) merchant solar electric generating facility in Henderson County, Kentucky (the “Henderson County Solar Project”). As part of the preparation for that filing, a public meeting must be scheduled and conducted in the county where the proposed facility will be constructed (Henderson County) at least ninety (90) days prior to filing the Application. In light of the State of Emergency arising from the COVID-19 global pandemic, state agencies across the Commonwealth have limited in-person activities and encouraged teleconferences instead. Executive Orders from the Governor and Orders of the Kentucky Public Service Commission have reinforced the importance of social distancing and

limited public gatherings. These limitations affect the ability of Henderson County Solar to conduct traditional, in-person public meetings.

In response to the same situation confronting other Siting Board applicants, the Siting Board has approved non-traditional public meeting formats that are deemed to satisfy the requirements of KRS 278.706(2)(f) while also protecting public health and safety.¹ Henderson County Solar proposes to follow this precedent and utilize similar protocols that will allow interested persons within Henderson County to become informed with regard to the Henderson County Solar Project. Specifically, Henderson County Solar proposes to utilize the following procedures:

- A. A Project Website: Henderson County Solar will launch a website accessible to the public which contains the following key information:
 - 1. A PowerPoint presentation on the Henderson County Solar Project;
 - 2. The date, time, and other details of a subsequent virtual public information meeting, which will be listed once this information is finalized;
 - 3. The date, time, and location of in-person office hours for dissemination of relevant information to the public regarding the solar project, which will be listed once this information is finalized;

¹ See e.g. *In the Matter of the 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*, Order, Case No. 2020-00244 (Ky. P.S.C. Aug. 5, 2020).

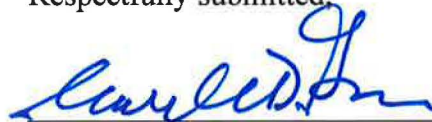
4. A map showing the solar project area, facility layout, aerial imagery, and parcel information for all participating properties in Henderson County;
 5. Contact information and instructions for submitting questions and comments regarding the solar project;
 6. A summary of frequently asked questions and responses; and
 7. Instructions on how to request more information, including paper copies of the PowerPoint presentation.
- B. In-Person Office Hours: Henderson County Solar will publish notice, include on the website, and send to neighboring landowners at least two (2) weeks in advance any information about specific hours for in-person discussion opportunities for the public in Henderson County. Any member of the public will have an opportunity to ask questions about the solar project and obtain information. The “In-Person Office Hours” will comport with any social distancing and public gathering requirements then in effect. The In-Person Office Hours will take place prior to the virtual public information meeting.
- C. Virtual Public Information Meeting: At a date and time to be published locally and sent to neighboring landowners at least two (2) weeks prior, Henderson County Solar will host a live presentation of the solar project with a question-and-answer session which will be accessible to the public either by the internet or by telephone. The “Virtual Public Information Meeting” will be capable of hosting up to 1,000 participants, will allow

the public to view a presentation from Henderson County Solar's representatives, and will allow the public to ask any questions related to the solar project.

Henderson County Solar believes that the foregoing arrangements will comply with the requirements for hosting a public meeting under KRS 278.706(2)(f) while also being consistent with applicable public health guidance and the Governor's Executive Orders. In order to give timely notice of these activities, Henderson County Solar respectfully requests approval of this proposed method of public meeting no later than December 17, 2020.

Done this 7th day of December, 2020.

Respectfully submitted,



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