

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

In the Matter of:

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

MOTION FOR APPROVAL OF FINAL SITE PLAN

Comes now Henderson County Solar LLC (“Applicant” or “Henderson Solar”), by and through counsel, and hereby moves the Kentucky State Board on Electric Generation and Transmission Siting (“Siting Board” or “Board”) to approve Henderson Solar’s final site plan in accordance with the final order issued by the Board on December 22, 2021 (the “Construction Certificate”) and the order issued in response to the Board’s show-cause investigation dated April 30, 2026 (the “2026 Order”). Because construction mobilization is contingent on the Siting Board’s decision on this Motion, **Applicant respectfully requests review and decision from the Board within the time frame set forth in Mitigation Measure No. 1 of the 2026 Order.**

I. INTRODUCTION

The Siting Board’s 2026 Order contained certain new mitigation measures, which are in addition to those found in the Applicant’s Construction Certificate. The Construction Certificate included the following mitigation measures pertaining to the facility’s final site plan:

1. A final site layout plan shall be submitted to the Siting Board upon completion of the final site design. Deviations from the preliminary site layout should be clearly indicated on the revised graphic. Those changes could include, but are not limited to, location of solar panels, inverters, transformers, substation, operation and maintenance building or other Project facilities and infrastructure.

2. Any change in the Project boundaries from the information which formed this evaluation shall be submitted to the Siting Board for review.
3. The Siting Board will determine if any deviation in the boundaries or site layout plan is likely to create a materially different pattern or magnitude of impacts. If not, no further action is required, but if yes, the application will support the Siting Board's effort to revise its assessment of impact and mitigation requirements.

The Board's 2026 Order provided the following new and additional mitigation measure pertaining to the facility's final site plan:

1. A final site layout plan shall be submitted for approval to the Siting Board upon completion of the final site design and no less than 30 days prior to construction.

Henderson Solar has previously notified the Board of its compliance with Mitigation Measure Nos. 14, 28, and 32 regarding transmittal of construction notices and the complaint resolution program to residents and businesses within 2,400 feet of the Project boundary, and filing the Project's decommissioning plan upon completion.¹ In addition, the Project has filed a copy of its decommissioning bond and performance agreement with the Energy and Environment Cabinet's Solid Waste Branch under Agency Interest # 187899, and thus is compliant with Mitigation Measure No. 29, KRS 278.710(3)(a), and applicable Division of Waste Management regulations.

In accordance with the above-described mitigation measures, Henderson Solar now provides the following in support of its Motion for Approval of Final Site Plan:

II. DEVIATIONS FROM PRELIMINARY SITE LAYOUT

Henderson Solar has attached two versions of the final site layout. Exhibit A is a clean copy of the final site layout and Exhibit B presents the final site layout with deviations from the preliminary site plan indicated on the revised graphic. The boundaries of the Project have not

¹ See Henderson County Solar LLC's *Notice of Filing* filed on December 22, 2025.

expanded beyond the preliminary site design approved by the Board and have in fact shrunk due to the removal of several panel areas from the preliminary site plan.

With this reduction in the Project footprint, the changes between the final and preliminary site layouts do not create a materially different pattern or magnitude of impacts, while also maintaining compliance with all setbacks prescribed by the Board’s Construction Certificate. The primary changes from the preliminary plan are described in Table 1 as follows:

Table 1: Summary of Changes

Identifier	Component/Feature	Preliminary Site Plan	Final Site Plan	Net Change
1	Acres of Leased Area	541	421	-120 Acres
2	Number of PV Panels	130,000	114,884	-15,116 Panels
3	Inverter Pads	17	13	-4 Inverter Pads
4	Access Road Entrances	6	4	-2 Entrances
5	Miles of Vegetative Buffer	0.44	0.20	-0.24 Buffer Miles

As listed in Table 1 and identified in Exhibit B, the Project’s final site design will have a reduced scope and impact compared to the preliminary site design approved by the Siting Board, including reductions in total acreage, number of components, and road and vegetation features.

The Project’s final site layout will have approximately 120 fewer acres than the preliminary site plan due to the removal of land under site control from the central portion of the Project. These parcels are located generally south of the KY 425 (Henderson Bypass) near Kenergy and Pratt Paper facilities, and illustrated in Exhibit B, Figures 2.1, 2.3, 2.4, 2.6, and 2.7. With the removal of solar infrastructure located nearest the Kenergy property in the Project’s final layout, all Project facilities will be located over 2,000 feet from the Kenergy corporate building and thus located outside the “Kenergy Zone”.² As such, the Project complies with Mitigation Measure 13 of the

² See Construction Certificate at 12 (“the Kenergy Zone will be defined as all Project areas within 750 feet of the nearest corner of the Kenergy Corporation building at 6402 Old Henderson-Corydon Rd., Henderson, Kentucky 42419.”).

Construction Certificate with respect to the “Kenergy Zone”. Henderson Solar’s construction plans remain compliant with respect to the Project’s Neighbor Zones.

The Project will have approximately 15,116 fewer PV panels than previously approved by the Board, reducing the overall footprint and associated impacts. Panels were removed from the central portion of the Project, which stems from the removal of the central parcels totaling 120 acres. In addition, panels were removed from approximately 20 acres of the northern most Project parcel, located generally west of Lovers Lane. This is illustrated in Exhibit B, Figures 2.1-2.3. The removal of these panel areas will not affect the Project’s 50 MW generation capacity approved by the Board. The removal and relocation of panels from the northern portion also eliminates the need for approximately 0.24 miles of vegetative buffer in that area, as shown in Exhibit B, Figures 2.1-2.2. The remaining 0.20 miles of vegetative buffer has been approved by county officials and is consistent with the plans previously approved by the Siting Board.

Some PV panels have been relocated to other panel areas through site optimization. The reduction and relocation of panels reduce potential impacts to nearby residences and surrounding properties. Specifically, panels removed from the Project’s northern section reduce potential visibility near homes, while the small addition in the southern section would not be visible to the public and can only potentially be seen from an adjacent parcel controlled by a participating landowner. This small addition of modules in the southern portion still remains within the original Project boundary submitted with and approved under the Construction Certificate. Thus, the relocating of these modules has not expanded the outer boundary as approved under the Construction Certificate. The limited relocation of panels to the southern section is located at a substantial distance from any noise receptor and thus will reduce any potential noise impacts. As illustrated in Exhibit B, Figure 2.2, the Project’s substation was relocated northeast of its proposed

location by approximately 10 feet. Panel and substation relocations remain compliant with the setbacks imposed in Mitigation Measure 16 of the Construction Certificate and Henderson County's solar ordinance (Henderson County Zoning Ordinance, Article XXX, "Solar Energy System Regulations").

The Project's preliminary design included 17 inverter pads, which is reduced to 13 inverter pads in its final design, as shown in Exhibit B, Figure 2.1. Remaining inverters will continue to be in compliance with the setbacks imposed by the Siting Board in Mitigation Measure 16 of the Construction Certificate and Henderson County's solar ordinance. Accordingly, the reduction in the total number of inverter pads will result in a correlating reduction in the Project's overall noise impact.

The Project's preliminary layout included six access points, which have been reduced to four access points in Exhibit B, Figures 2.1, 2.2, 2.5, 2.8, and 2.11. Two access points associated with the central portion of the site were removed as the land is no longer needed for the Project. An access point used to access the northern section of the site has been relocated from Lovers Lane, due to weight limitations on the Lovers Lane bridge, to the north side of the existing Henderson Municipal Power & Light substation parcel south of S. Green Street (US 60). The northern section of the site will now be accessed from the entrance south of S. Green Street and from the entrance located southeast of the Pratt Paper facility on the north side of Henderson Bypass pursuant to an easement agreement executed with the property owner. In addition, one access point has been relocated from Wilson Station Road to US 41A in order to access the southern portion of the Project.

The reduction in access points will not result in increased traffic along anticipated delivery routes. All vehicles will utilize state-maintained principal arterial and/or minor arterial roads for

deliveries and workforce mobilization, and will no longer use county roads to access the Project site. The elimination of county roadways as delivery routes, specifically Collier Road and Lovers Lane, will reduce noise and visual impacts to residences and buildings located along those routes. All roads leading to the final access gates were included in the Project's Traffic Study.³

III. PRAYER FOR RELIEF

As demonstrated above, the Project's design changes do not create a materially different pattern or magnitude of impacts and remain within scope of the preliminary site design approved by the Board. Thus, Henderson County Solar LLC respectfully asserts that its final site design has complied with Mitigation Measures 1, 2, and 3 contained in Appendix A of the Construction Certificate, and has fully complied with Mitigation Measure 1 of the 2026 Order.

WHEREFORE, Henderson County Solar LLC, respectfully requests that the Board:

1. find that Henderson County Solar LLC's final site plan, Exhibit A, fully complies with Mitigation Measures 1, 2, and 3 contained in Appendix A of the Construction Certificate issued on December 22, 2021;
2. find that Henderson County Solar LLC's final site plan, Exhibit A, fully complies with Mitigation Measure 1 of the Order issued on April 30, 2026; and
3. grant Henderson County Solar LLC's motion to approve the final site plan, Exhibit A, as filed.

³ See Application, Exhibit 12 Attachment 12.7.

Respectfully submitted,

/s/Pierce T. Stevenson

Gregory T. Dutton

Pierce T. Stevenson

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Louisville KY 40202

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Counsel for Henderson County Solar LLC

EXHIBIT A



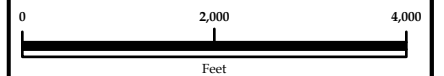
Prepared for:

Henderson County Solar LLC

FIGURE 1.1:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

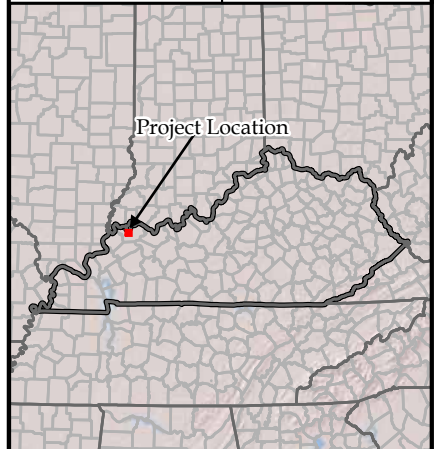
Legend

- Existing HMPL Substation
- Project Substation
- ⊕ Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence

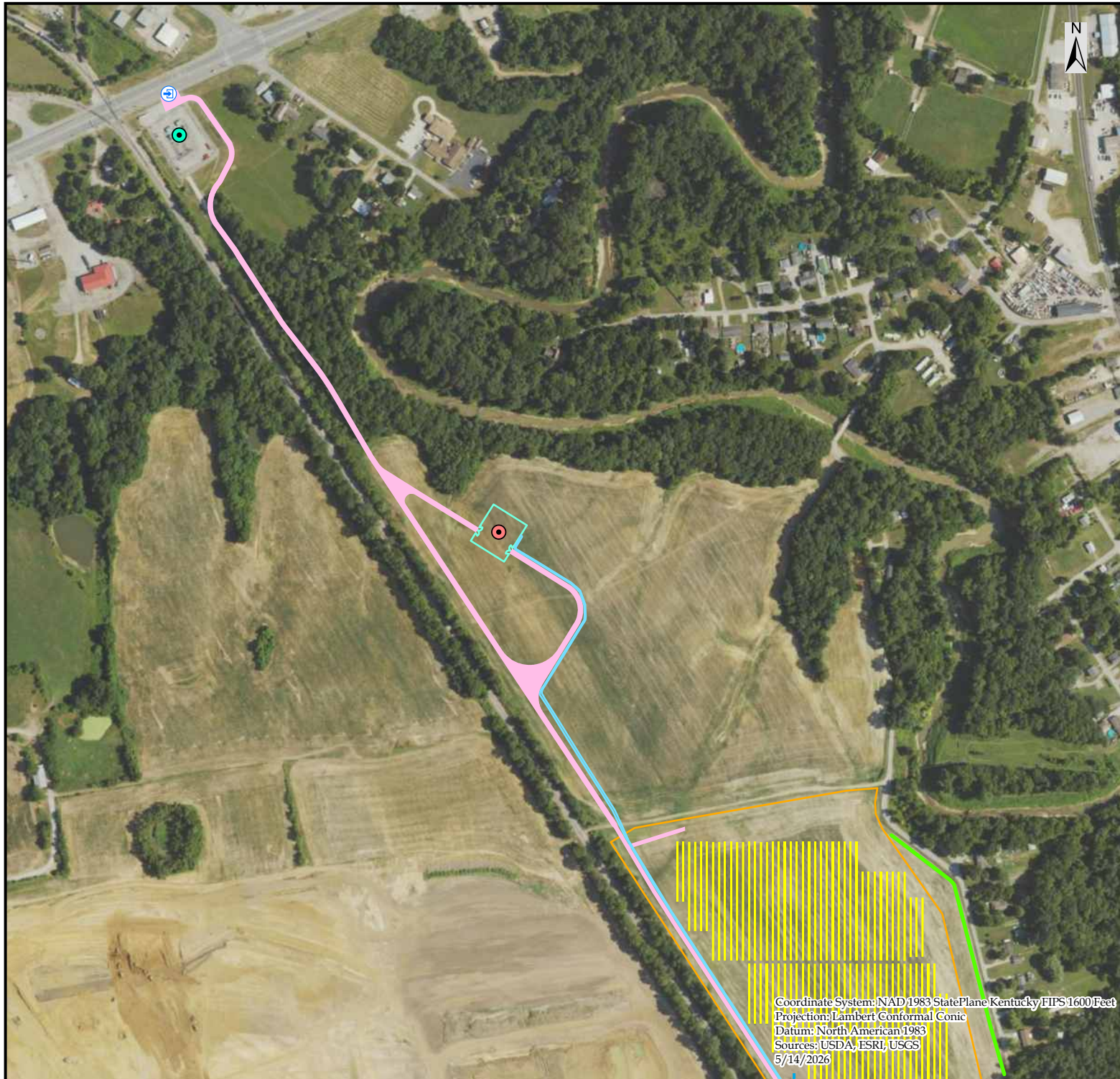


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Checked by:	DH	Revision:	03



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 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/14/2026



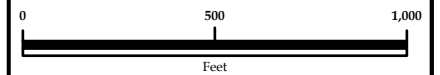
Prepared for:

Henderson County Solar LLC

FIGURE 1.2:
 Project Site Plan
 for the Henderson Solar Project
 Henderson County, Kentucky

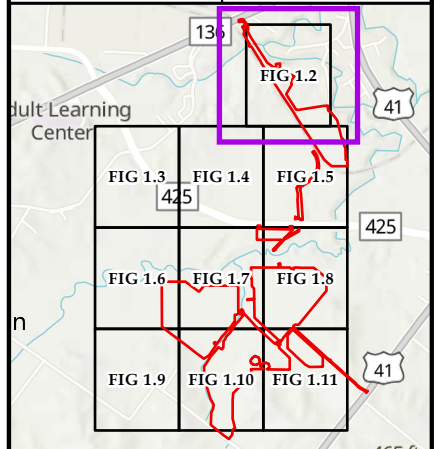
Legend

- Existing HMPL Substation
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- MV Line
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- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



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Checked by:	DH	Revision:	03





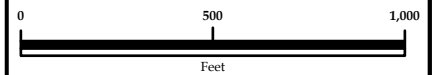
Prepared for:

Henderson County Solar LLC

FIGURE 1.3:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

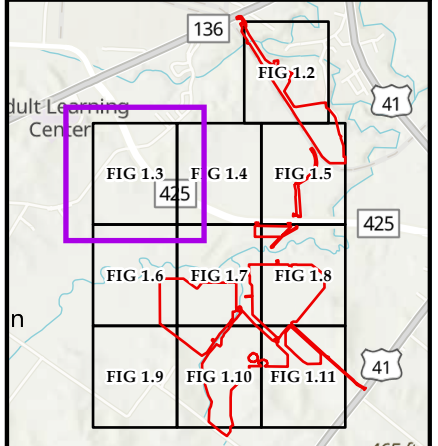
Legend

- Existing HMPL Substation
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- MV Line
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- External Road
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- Project Substation Fence



Scale: 1 in = 500 ft

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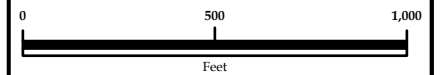
Prepared for:

Henderson County Solar LLC

FIGURE 1.4:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

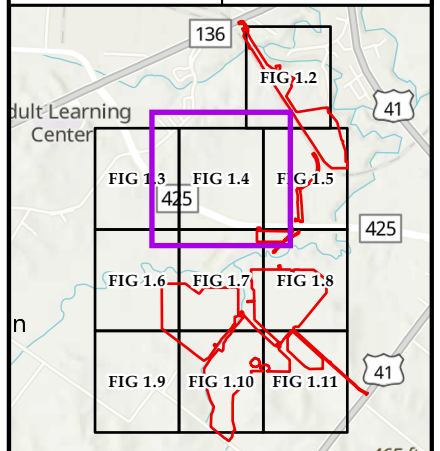
Legend

- Existing HMPL Substation
- Project Substation
- ⊕ Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence

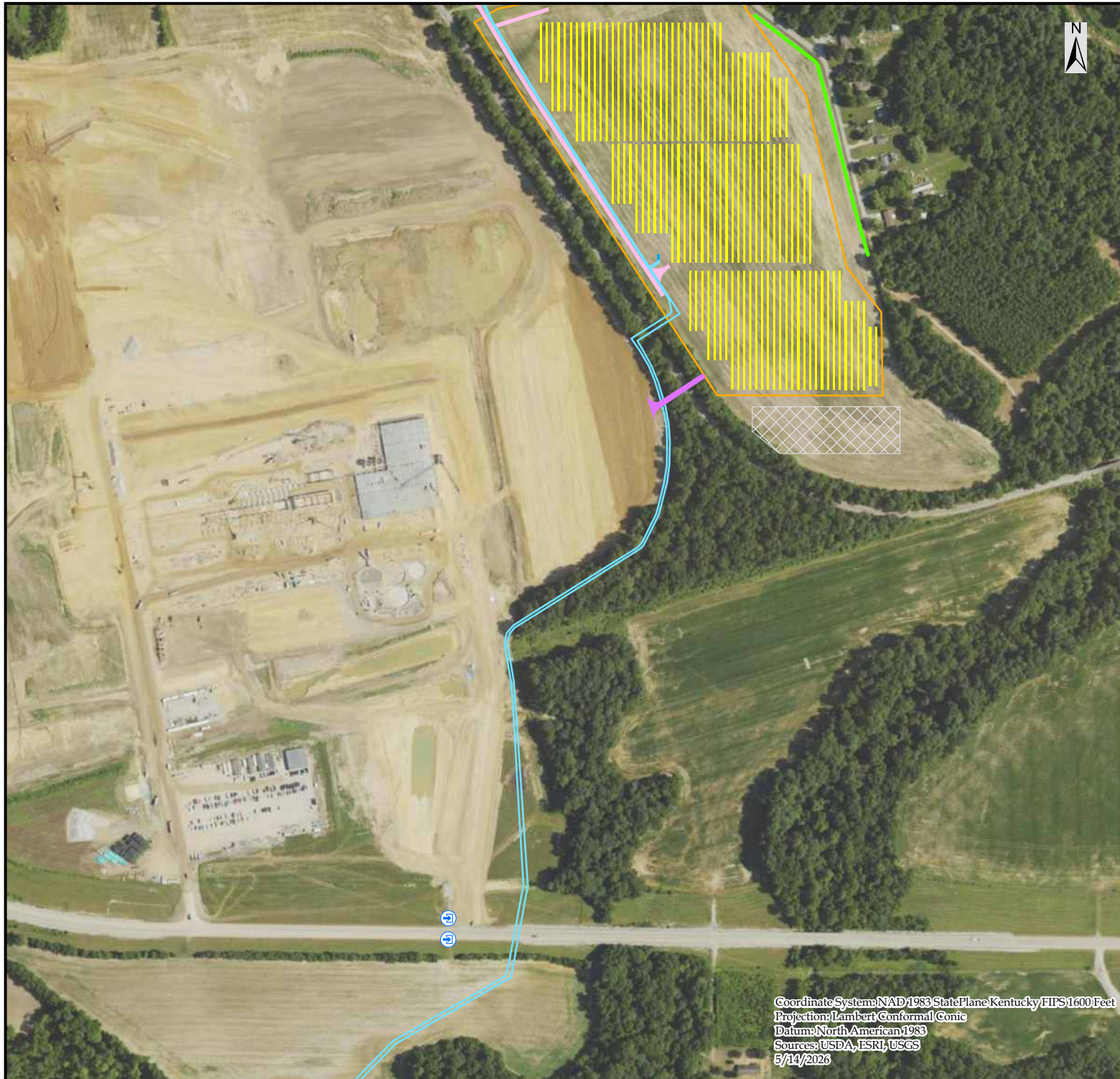


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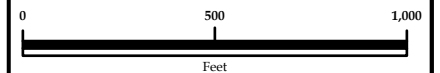
Prepared for:

Henderson County Solar LLC

FIGURE 1.5:
Project Site Plan
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Henderson County, Kentucky

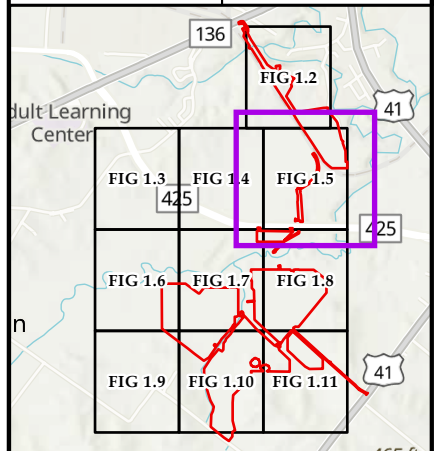
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- Existing HMPL Substation
- Project Substation
- Access Point
- Vegetative Screening
- MV Line
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- Internal Road
- External Road
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- Proposed Pollinator Area
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- Project Substation Fence



Scale: 1 in = 500 ft

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 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/14/2026



Prepared for:
Henderson County Solar LLC

FIGURE 1.6:
 Project Site Plan
 for the Henderson Solar Project
 Henderson County, Kentucky

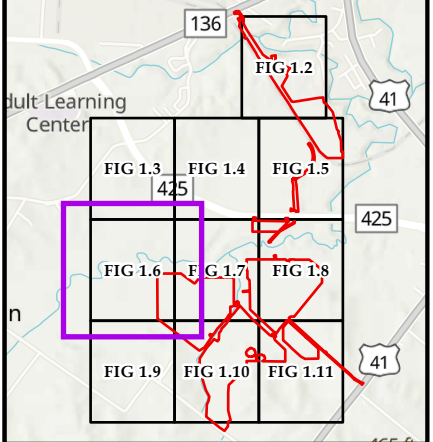
Legend

- Existing HMPL Substation
- Project Substation
- Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



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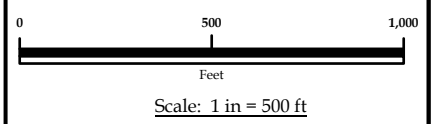
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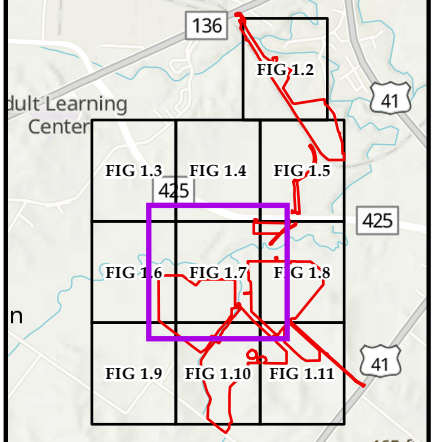
Prepared for:
Henderson County Solar LLC

FIGURE 1.7:
 Project Site Plan
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 Henderson County, Kentucky

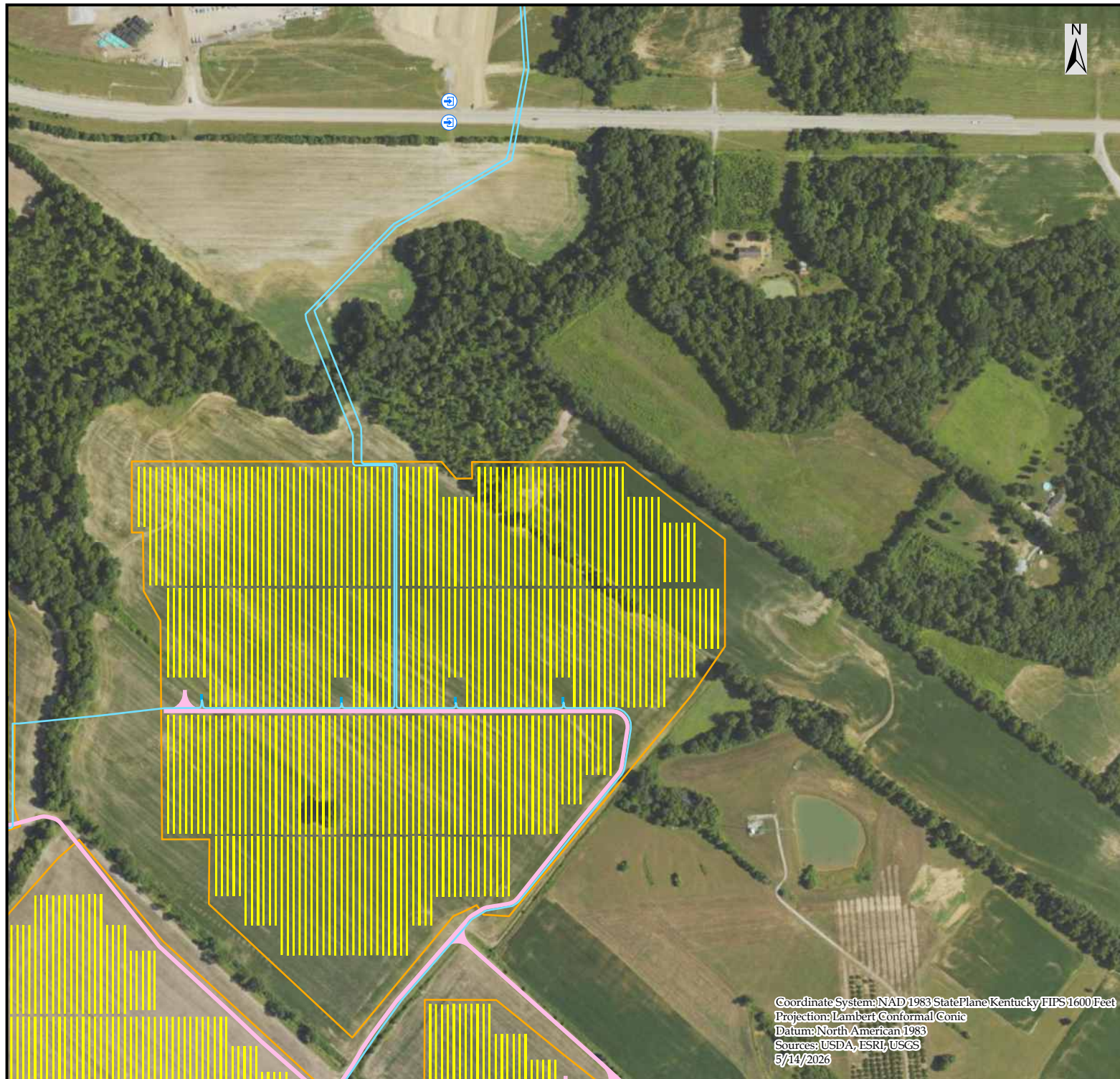
- ### Legend
- Existing HMPL Substation
 - Project Substation
 - Access Point
 - Vegetative Screening
 - MV Line
 - Inverter pad
 - Internal Road
 - External Road
 - Solar Array
 - Proposed Pollinator Area
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 - Project Substation Fence



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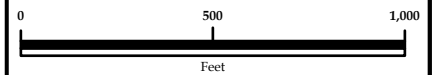
Prepared for:

Henderson County Solar LLC

FIGURE 1.8:
Project Site Plan
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Henderson County, Kentucky

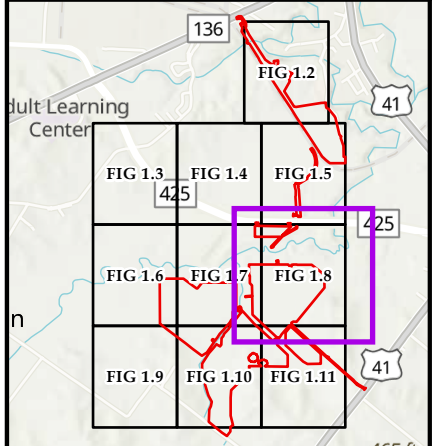
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- Existing HMPL Substation
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- Access Point
- Vegetative Screening
- MV Line
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- Internal Road
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- Site Fence
- Project Substation Fence



Scale: 1 in = 500 ft

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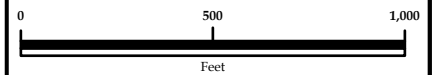
Prepared for:

Henderson County Solar LLC

FIGURE 1.9:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

Legend

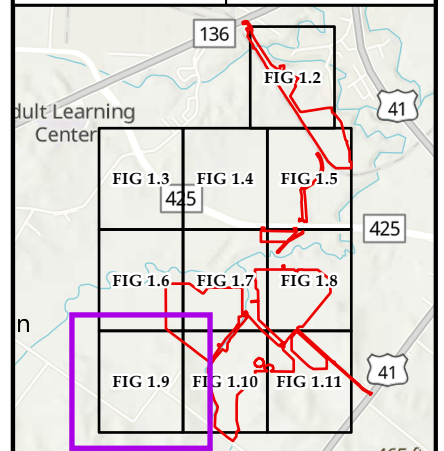
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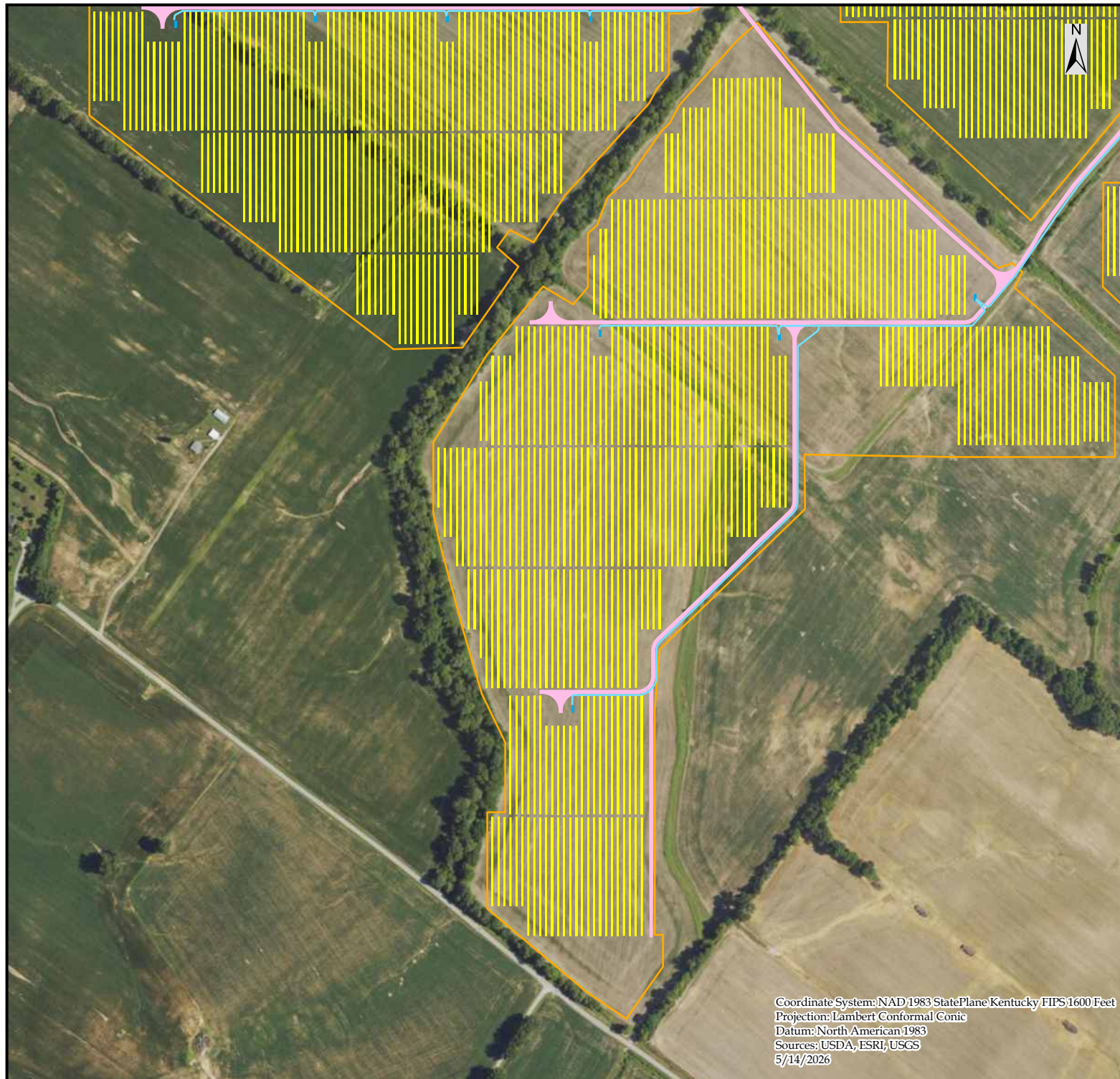
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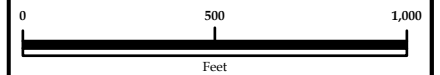
Prepared for:

Henderson County Solar LLC

FIGURE 1.10:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

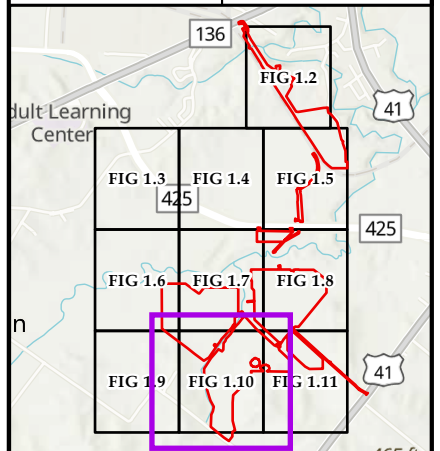
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- Existing HMPL Substation
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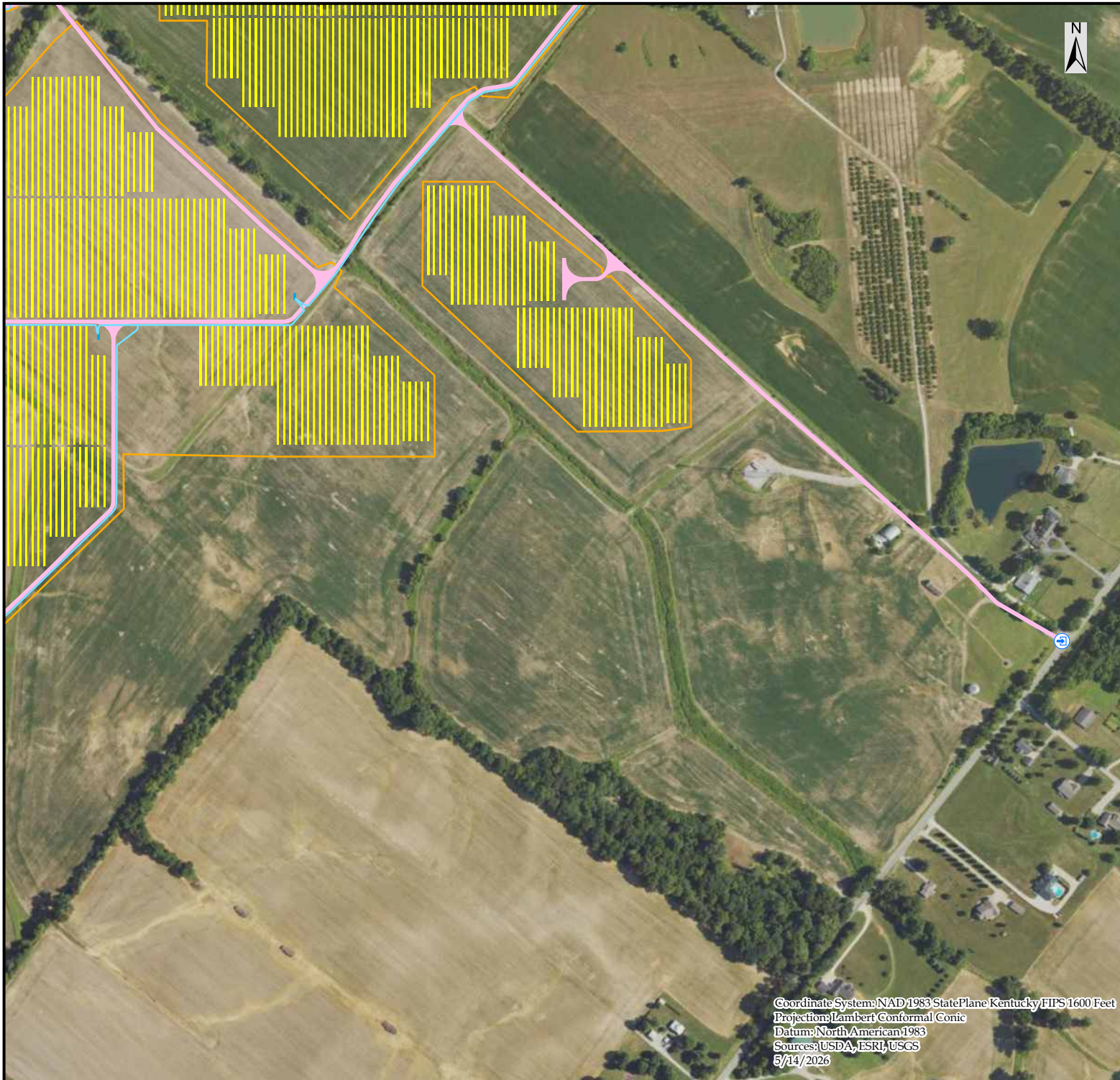


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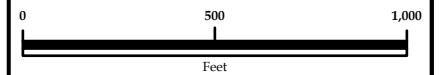
Prepared for:

Henderson County Solar LLC

FIGURE 1.11:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

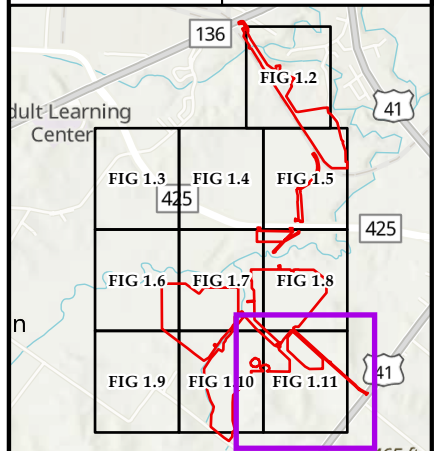
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-  Existing HMPL Substation
-  Project Substation
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-  Vegetative Screening
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-  Inverter pad
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-  External Road
-  Solar Array
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-  Project Substation Fence



Scale: 1 in = 500 ft

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 Sources: USDA, ESRI, USGS
 5/14/2026

EXHIBIT B



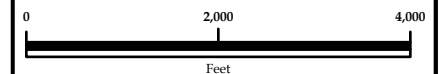
Prepared for:

Henderson County Solar LLC

FIGURE 2.1:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

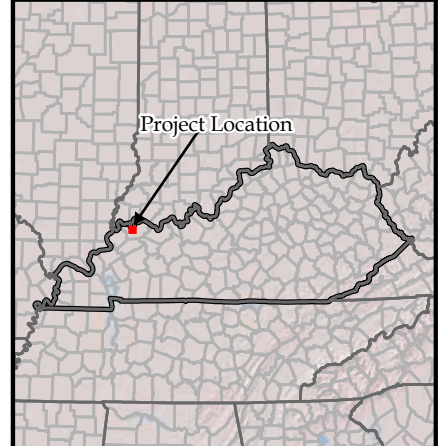
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- Existing HMPL Substation
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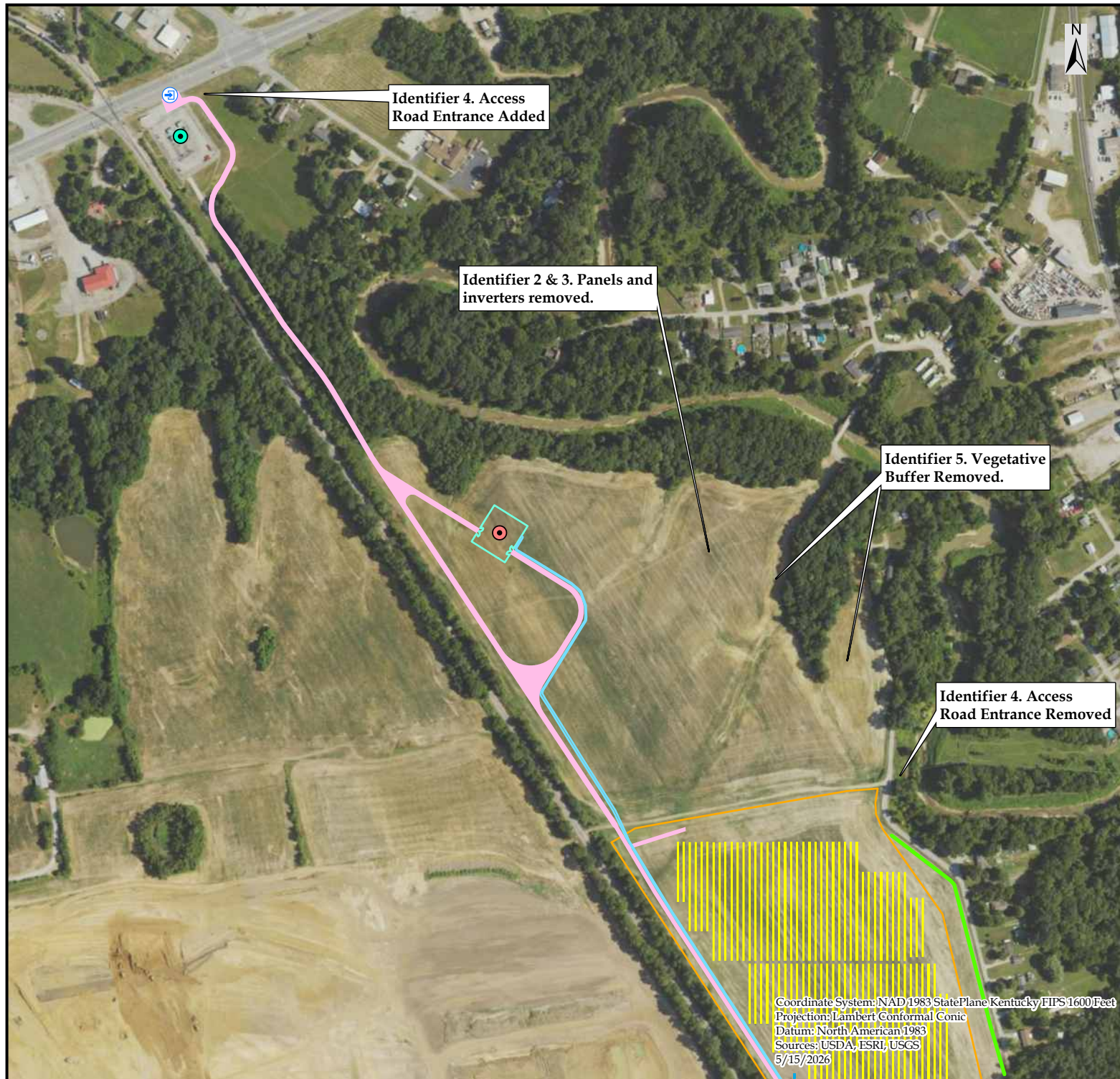


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Checked by:	DH	Revision:	03



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 5/15/2026



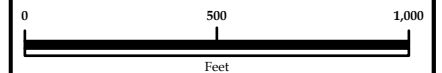
Prepared for:

Henderson County Solar LLC

FIGURE 2.2:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

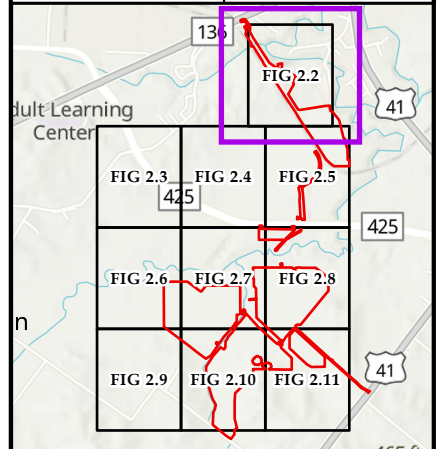
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 Projection: Lambert Conformal Conic
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 5/15/2026



Identifier 1, 2, 3, & 4. Acreage of leased area, Inverters, Panels, and Access Road Entrances removed.

Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026



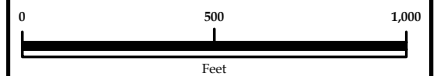
Prepared for:

Henderson County Solar LLC

FIGURE 2.3:
 Project Site Plan
 for the Henderson Solar Project
 Henderson County, Kentucky

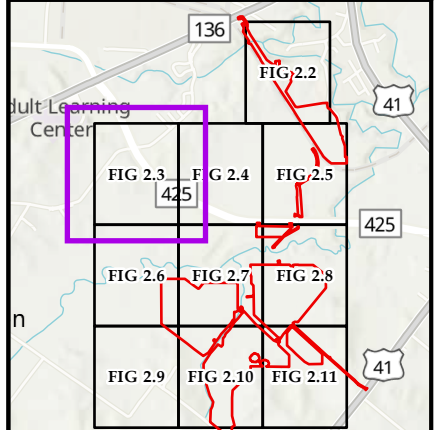
Legend

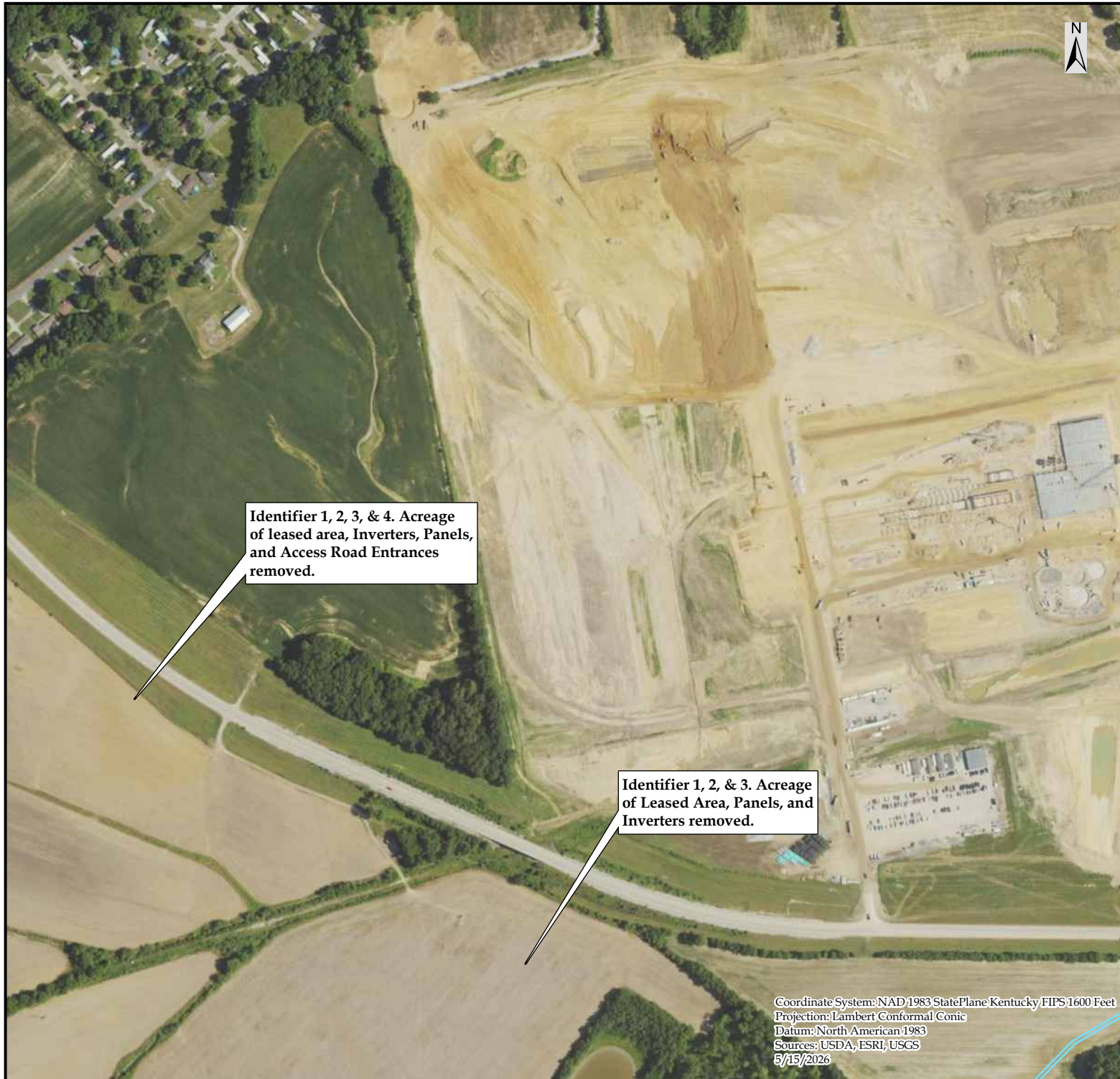
- Existing HMPL Substation
- Project Substation
- Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



Scale: 1 in = 500 ft

Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03





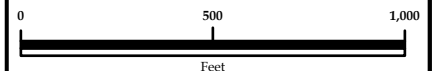
Prepared for:

Henderson County Solar LLC

FIGURE 2.4:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

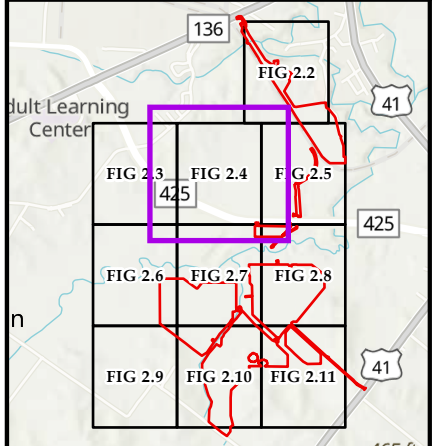
Legend

- Existing HMPL Substation
- Project Substation
- ⊕ Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- ⊠ Proposed Pollinator Area
- Site Fence
- Project Substation Fence



Scale: 1 in = 500 ft

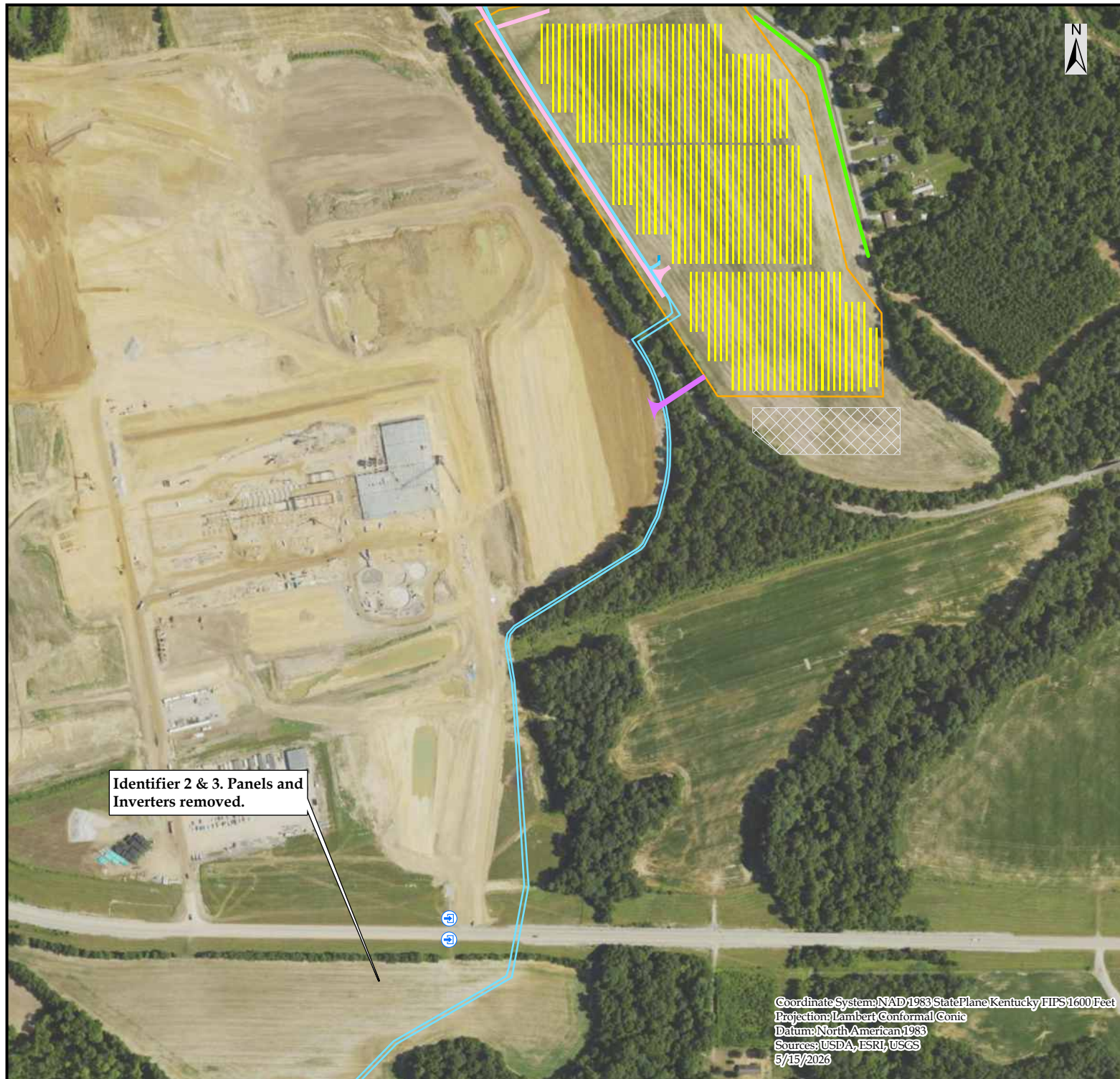
Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03



Identifier 1, 2, 3, & 4. Acreage of leased area, Inverters, Panels, and Access Road Entrances removed.

Identifier 1, 2, & 3. Acreage of Leased Area, Panels, and Inverters removed.

Coordinate System: NAD1983 StatePlane Kentucky FIPS1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026



Identifier 2 & 3. Panels and Inverters removed.

Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026



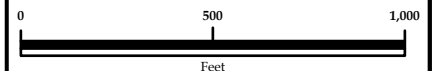
Prepared for:

Henderson County Solar LLC

FIGURE 2.5:
 Project Site Plan
 for the Henderson Solar Project
 Henderson County, Kentucky

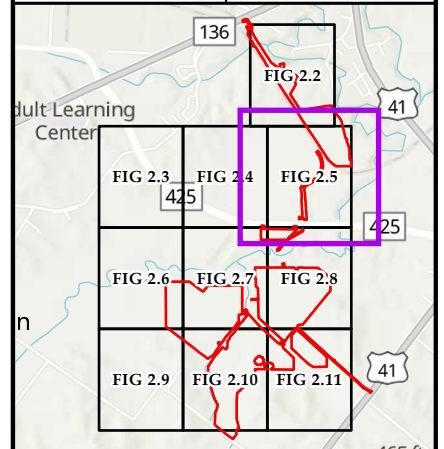
Legend

- Existing HMPL Substation
- Project Substation
- ⊕ Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- ▨ Proposed Pollinator Area
- ▭ Site Fence
- ▭ Project Substation Fence



Scale: 1 in = 500 ft

Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03





Identifier 1, 2, 3, & 4. Acreage of Leased Area, Inverters, Panels, and Access Road Entrances removed.

Identifier 1, 2, & 3. Acreage of Leased Area, Panels, and Inverters removed.

Identifier 2. Panels added here.

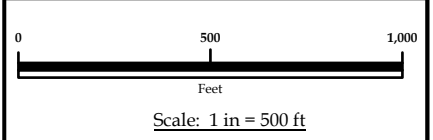


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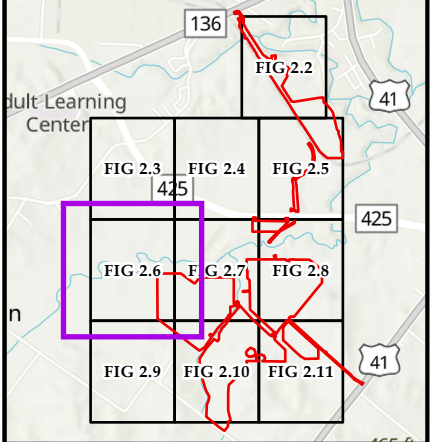
FIGURE 2.6:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

Legend

- Existing HMPL Substation
- Project Substation
- Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03



Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026



Identifier 1, 2, & 3. Acreage of Leased Area, Panels, and Inverters removed.

Identifier 2, & 3. Panels, and Inverters removed.

Identifier 2. Panels added here.

Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026

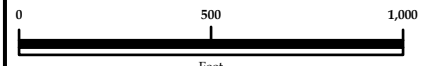


Prepared for:
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FIGURE 2.7:
 Project Site Plan
 for the Henderson Solar Project
 Henderson County, Kentucky

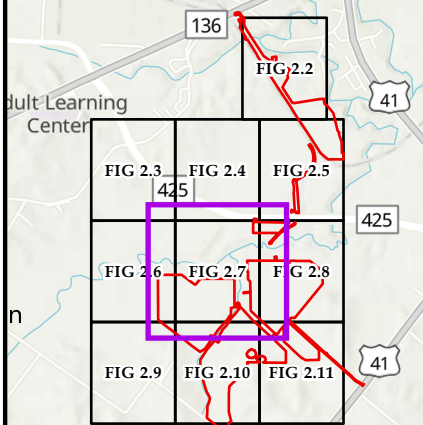
Legend

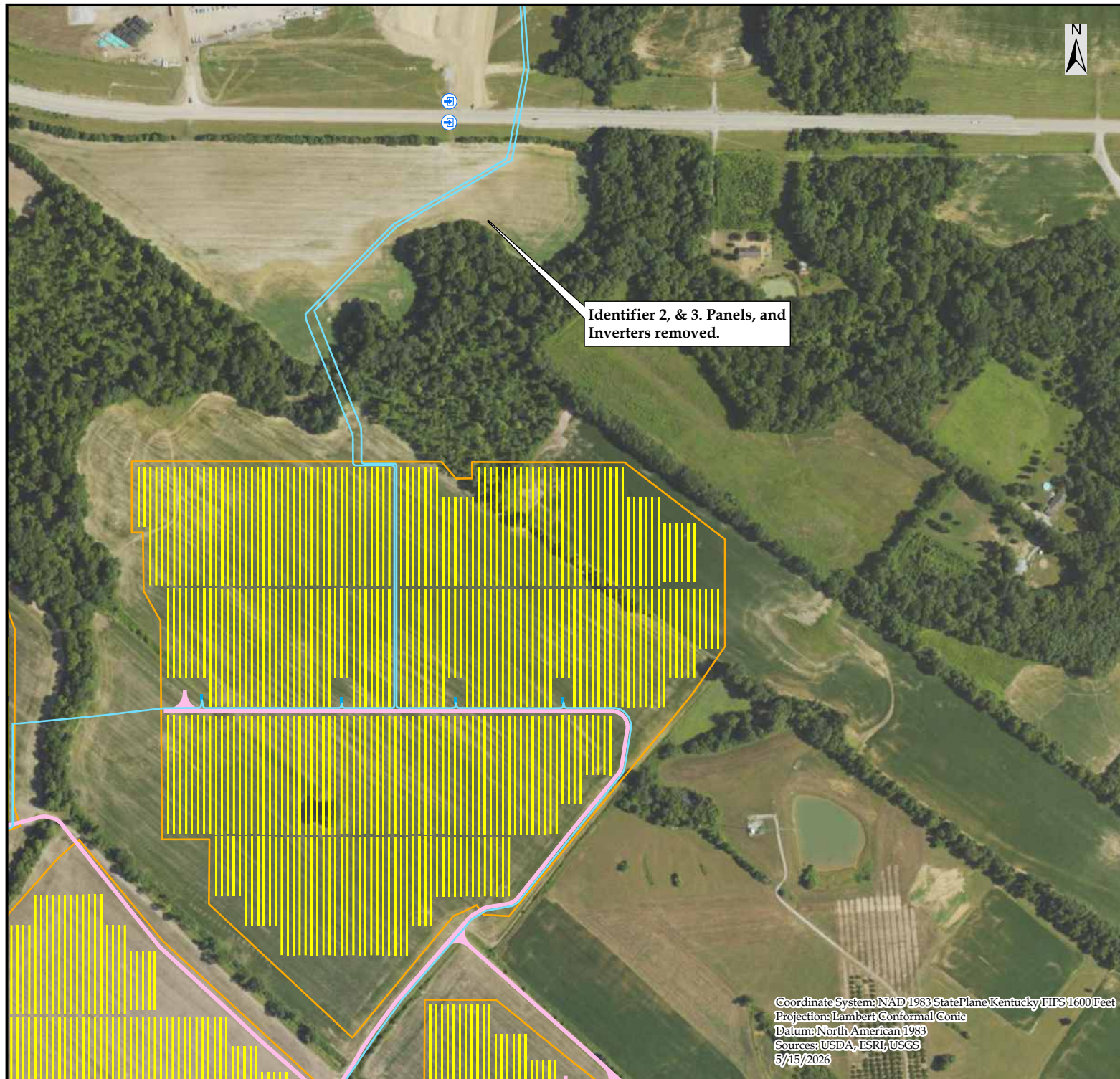
- Existing HMPL Substation
- Project Substation
- Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



Scale: 1 in = 500 ft

Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03





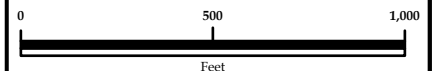
Prepared for:

Henderson County Solar LLC

FIGURE 2.8:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

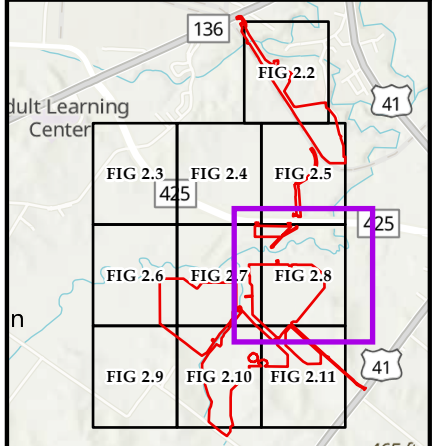
Legend

- Existing HMPL Substation
- Project Substation
- Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



Scale: 1 in = 500 ft

Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03



Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026



Identifier 2. Panels added here.



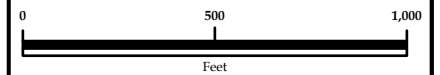
Prepared for:

Henderson County Solar LLC

FIGURE 2.9:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

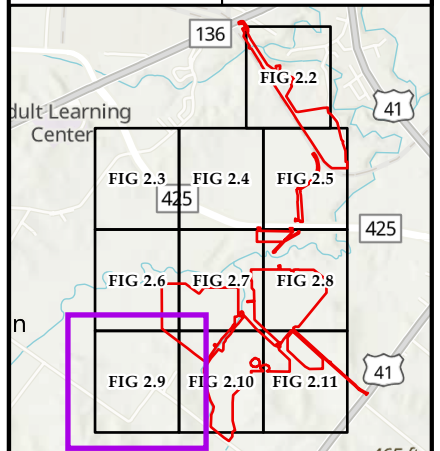
Legend

- Existing HMPL Substation
- Project Substation
- ⊕ Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- ▨ Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



Scale: 1 in = 500 ft

Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03



Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026

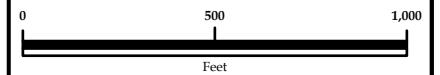
Prepared for:

Henderson County Solar LLC

FIGURE 2.10:
Project Site Plan
for the Henderson Solar Project
Henderson County, Kentucky

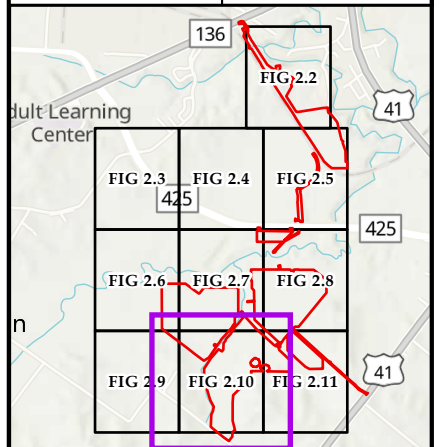
Legend

- Existing HMPL Substation
- Project Substation
- Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



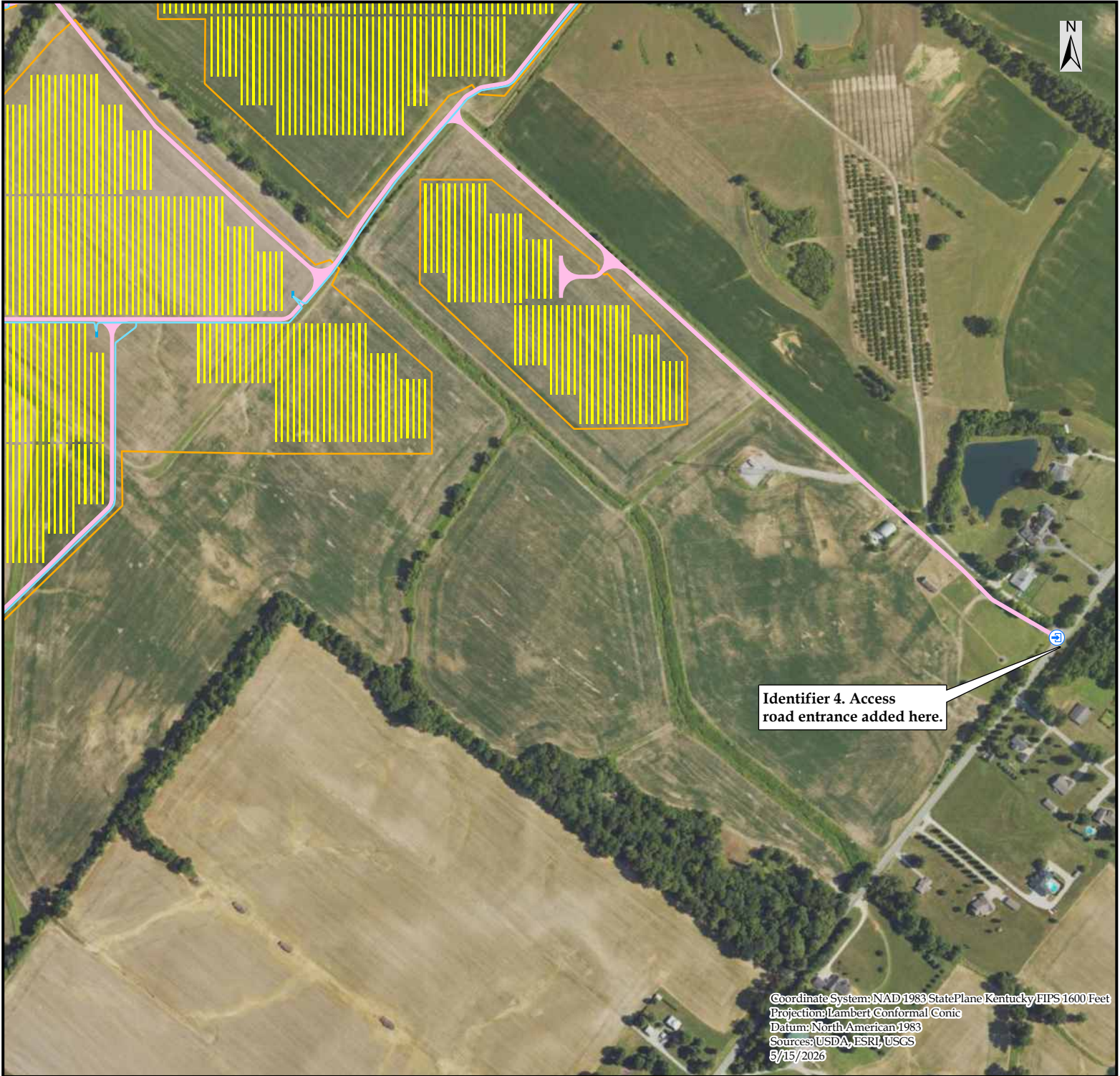
Scale: 1 in = 500 ft

Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03



Identifier 4. Access
Road Entrance Removed

Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026

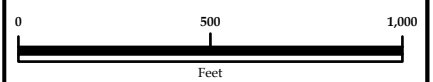


Prepared for:
Henderson County Solar LLC

FIGURE 2.11:
 Project Site Plan
 for the Henderson Solar Project
 Henderson County, Kentucky

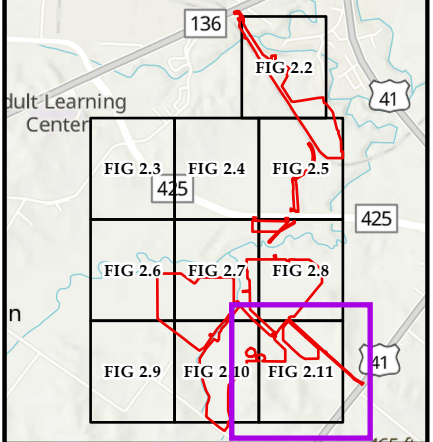
Legend

- Existing HMPL Substation
- Project Substation
- Access Point
- Vegetative Screening
- MV Line
- Inverter pad
- Internal Road
- External Road
- Solar Array
- Proposed Pollinator Area
- Site Fence
- Project Substation Fence



Scale: 1 in = 500 ft

Drawn by:	TC	Date:	5/15/2026
Checked by:	DH	Revision:	03



Identifier 4. Access road entrance added here.

Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Sources: USDA, ESRI, USGS
 5/15/2026