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

In the Matter of the Application of Horus Kentucky 1 LLC for a Construction Certificate to Construct a Merchant Electric Generating Facility

) Case No. 2020-00417

)

NOTICE OF FILING

COMES NOW Horus Kentucky 1 LLC (hereinafter, the "Applicant"), by counsel, and pursuant to the Siting Board's March 5, 2020, Order approving form of notice, hereby files the relevant documents. **Exhibit 1** to this Notice is a copy of the Notice of the Public Meeting as published in the *Franklin Favorite* on March 11, 2021. **Exhibit 2** to this Notice is a copy of the information sent to adjacent property owners that was mailed on March 10, 2021. The actual notice is page 5 of **Exhibit 2**.

As the *Franklin Favorite* inadvertently omitted a portion of the registration information from the Notice of Public meeting in its March 11, 2021 notice (See **Exhibit 1**), out of an abundance of caution, the Applicant has arranged for an additional notice be published on March 18, 2021 as attached hereto as **Exhibit 3**. Further, the Applicant has arranged for fliers to be posted at the location of the meeting as of March 12, 2021 with precise registration information, (a copy of which has been attached hereto as **Exhibit 4**), and the Applicant has further coordinated with the staff of the meeting location to ensure any individuals inquiring regarding the meeting will be instructed to contact the Applicant directly and have been provided with the necessary information to do so.

HORUS KENTUCKY 1 LLC

Respectfully submitted,

Randall L. Saunders (KY Bar No. 90911) NELSON MULLINS RILEY & SCARBOROUGH LLP 949 Third Avenue, Suite 200 Huntington, WV 25701 Telephone: (304) 526-3507 Facsimile: (304) 526-3599

Counsel for Horus Kentucky 1 LLC

Affidavit of Publication

STATE OF KY } COUNTY OF SIMPSON }

SS

Bobbie Fisher, being duly sworn, says:

That she is Accounting Clerk of the Franklin Favorite, a daily newspaper of general circulation, printed and published in Franklin, Simpson County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

March 11, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Accounting Clerk

Subscribed to and sworn to me this 18th day of March 2021.

Melanie Miller, , Simpson County, KY

My commission expires: September 26, 2023

00160353 00764641

Paige Looney



Horus Kentucky 1 LLC, (Horus Kentucky) is proposing to construct and operate a 69.3 MW solar energy project in Simpson County, Kentucky. The proposed Horus Kentucky project will be located within a project area of approximately 550 acres situated at Tyree Chapel Road, Franklin, Simpson County, Kentucky, with a latitude and longitude of 36° 40' 6.65" North and 86° 32' 37.86" West. A public meeting to inform the community about the project and to answer questions about the project will take place on March 25, 2021 between 6 p.m. and 8 p.m. in the Meeting Room of the Simpson County History Center located at 207 North College Street, Franklin, KY 42134. Due to the ongoing global pandemic, this meeting will be conducted in compliance with guidance from U.S. Centers for Disease Control and guidelines from the Office of the Governor intended to reduce the potential spread of COVID-19. Attendance at this meeting will be limited to allow social distancing, and preregistration will be required. Per the executive order of the Governor, all in-person attendees will be required to correctly wear masks that will potentially prevent the spread of illness. Seating in the room will be set up to allow social distancing for the duration of the meeting, and attendees will be asked to not move the seats, this due to the meeting being held indoors, in an enclosed space. Hand sanitizer and masks will be available on-site for attendees. Horus Kentucky will make a large-scale (24 inches by 36 inches or larger) layout map of the proposed solar facility, which otherwise would have been made available to the public for inspection at a public meeting, available to the public by displaying the map in the entrance to the History Center on the day of the public meeting. Due to the extraordinary circumstances of this time, the meeting also will be made available for public participation through a digital "virtual" meeting. The digital meeting will be available through a "live" virtual platform (such as Microsoft Teams), which can be accessed through a web browser, and will also be accessible through a call-in number. Given the on-going public health situation and limited attendance cap intended to limit the potential spread of COVID-19, Horus Kentucky strongly encourages participation in this meeting virtually and via the call-in option. Pre-registration will also be required for participation in the virtual meeting and the call-in meeting. Registration is free of charge.

Exhibit 1

CHAMPS

FROM PAGE A7

the number one seed in the district," Miller said. "We got to do a better job in closing games out. We to cover," Spencer said. need to keep putting our foot on their next to come away with wins."

"I really like that we don't give up. We keep playing," Kadyn Lowe said. "I've been on teams that we would get down and not be able to get going, get it back. When we get hit with adversity, we respond well."

Landon Larson scored a game high of 14 points with Anthony Woodard adding 13 points and Blake Wood with 10.

"We contained (Anthony) Woodard pretty well but at the end of the day, we didn't play like a team. We left everybody else

Briscoe said. "Rebounding is what got us back in the game. We will have to work on that if we play them again in the district tournament."

"When he gets the ball, he does a good job in attacking. Give his other players credit as they made shots to keep them in the game."

F-S 60

Todd County Central 48

The Rebels jumped out to a hot start as junior Mareke Johnson, who scored 10 straight points, accounted for 12 of the team's 14 1st Quarter points. Seniors Isaac Marshall and Andreyas Miller each drained a 3-pointer for the Wildcats. Junior Jalen Briscoe scored a basket along with two free throws from sophomore Connor Vincent as

pint deficit to trail by two. 14-12 at the end of one.

did cause us some problems early on," Wildcats head coach Dee Spen-"Woodard is tough cer said. "He didn't play the first time against us but give our guys credit. They didn't quit and stayed focused especially on our defense. Our focus has to be defending and rebounding and with that, that gets our offense going."

Sophomore Preston Rager's 3-pointer along with a basket from freshman Anthony Johnson kept the lead for Todd County central. But it didn't last long as Miller, who knocked down his second 3-pointer of the game, scored 13 points in a row. Sophomore DeMarcus Hogan made two free throws in the 2nd Quarter as Franklin-Simp-

with open shots," Jalen they cut their early seven son took a 27-25 lead into Rebels 60-48. halftime.

> Just like he did to start ied his second 3-pointer of the game to get the Wildcats going in the 3rd Quarter. Hogan also made a 3-pointer for a 37-30 lead. The Rebels had four different players score a basket for an 8-0 run to lead 38-37. Hogan's basket at the end of the 3rd quarter gave Franklin-Simpson a 39-38 lead.

> Johnson's basket gave Todd County Central the lead temporarily as Briscoe and Stutzman's 3-pointers ignited an 11-0 run for the Wildcats to lead 50-40. With great team defense during the sequence, Franklin-Simpson went on a 10-4 run that put the game and the perfect district regular season record in hand as they defeated the

four years that we have a good job of packing it "(Mareke) Johnson the game, Marshall bur- finished undefeated in in and making us shoot the district and we are jumpers. Felt like we the top seed," Marshall didn't make any said. "Winning the district until the 2nd Half. tournament is always nice but to win it on our home play either the Logan floor makes it even more special."

"Came in with energy to help the team out,' DeMarcus Hogan said. "Todd County Central played really well but we just had to step it up and play better. Winning this game and now being the number one seed in the district tournament is really big.'

with a game high of 28 points with Hogan adding 10 points for the Wildcats. Johnson led the Rebels with 15 points with Amari Andrews adding 10.

ty Central credit," Spen- press the play button.

cer said. "They frustrated "That's the first time in us a little bit. They did didn't make any shots

Franklin-Simpson will County Cougars or the Todd County Central Rebels in the opening round of the 13th District Tournament that begins on Sunday at the F-S Gym. Tip-off times will be announced later this week.

1220 WFKN Franklin radio will broadcast all games featuring the Lady Cats and Wildcats during Miller led all scorers the postseason. The games will be streamed on the internet by going to www.franklinfavorite.com and click on the WFKN link in the blue toolbar. Then click on "Got to give Todd Coun- the WFKN sports tab and



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the clerk of this Court at 800 E. TWIGGS STREET. TAMPA, FLORIDA 33602, before service on Petitioner or immediately thereafter. If you fail to do so, a default may be entered against you for the relief demanded in



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PUBLIC NOTICE

The Franklin-Simpson Planning and Zoning Board of Adjustments has sched led a public hearing during a meeting on March 22, 2021 at 5:30 pm in the Fiscal Court Meeting Room, 2nd Floor of Historic Courthouse, Courthouse Equare, Franklin, KY. Tim & Jackie Summers are requesting a variance of five eet of the required ten-foot side setback on the left side of Lot 17, Vonda View Blvd in Quail Ridge Subdivision, Franklin, KY. Anyone interested may at tend this public hearing

Julie Freeman, Administrative Assistant Franklin-Simpson Planning and Zoning

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request. You must keep the Clerk of the Cir-

cuit Court's office notified of your current address. (You may file Designation of Current Mailing and E-Mail Address Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be mailed or e-mailed to the addresses on records at the clerk's office. WARNING: Rule 12.285, Florida Familv Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions including dismissal or striking of pleadings.

Dated: 02/05/2021. Cindy Stuart Clerk of The Circuit Court By: s/ Sherika Virgil Deputy Clerk



V

V

INVITATION TO BID FOR CONSTRUCTION OF EXPANSION AT WORLDWIDE TECHNOLOGIES FOR FRANKLIN-SIMPSON INDUSTRIAL AUTHORITY BIDDING Sealed bids will be received by the Franklin-Simpson Industrial Authority attn: Dennis Griffin, Executive Director) either at the Authority's business ocation at 109 South Main Street, Franklin, Kentucky, or by mail at P.O. Box 876, Franklin, Kentucky, until 2 P.M. on Tuesday, March 16, 2021, for the construction of a 42,000 square foot expansion to the existing building occupied by Worldwide Technologies on Reasonover Drive in the Wilkey North Industrial Park in Franklin, Kentucky. Interested bidders should contact Denhis Griffin for building

BID TERMS

1. The bid should include the total cost of preparation of the 42,000 square foot addition to the east end of the existing Worldwide Technologies building to match the existing building, inside and out, with two overhead doors and nan door, with lighting, sprinkler, and HVAC to match existing building. The floor shall be 4" of stone and 6" of concrete. The asphalt drive shall be rerouted around the addition, disturbed areas will need to be strawed and seeded.

The successful bidder will be required to start construction within 20 days of bid acceptance by the Authority and shall complete construction by Decem ber 15, 2021.

3. Payment in full will be made within ten (10) days after successful comple tion of project.

4. Contractor shall have proof of and provide certificate for liability and workers compensation insurance.

5. Contractor shall comply with all local, state, and federal building codes and requirements and hold all necessary permits

REJECTION/NEGOTIATION

The Authority reserves the right to reject any and all bids and to waive any informality in bids. The Authority reserves the right to negotiate with a responsible bidder on terms and conditions of the construction. The construction project shall be embodied in a written construction agreement between the Authority and the successful bidder.

For detailed information visit the following website: www.simpsoncountymc.com

NOTICE THE CHANGE OF LOCATION:

SIMPSON COUNTY JUSTICE CENTER IS CLOSED TO PUBLIC

(Kentucky Supreme Court has ordered all Master Commissioner sales to be

conducted outdoors or online)

SPECIAL NOTICE CONCERNING COVID-19 RULES:

HEALTH AND SAFETY MEASURES MANDATED BY THE KENTUCKY SUPREME COURT WILL REQUIRE ALL PERSONS AT MASTER COMMISSIONER SALES TO OBSERVE SOCIAL DISTANCING. AND THE USE OF FACIAL COVERINGS OVER THE NOSE AND MOUTH WILL BE REQUIRED AT MASTER COMMISSIONER SALES

BY VIRTUE OF A DECREE AND ORDER OF SALE OF THE SIMPSON CIRCUIT COURT, the Master Commissioner will sell at public auction the real property in the following actions on Friday, March 26, 2021, at the hour of 2:00 p.m at the Historic Courthouse on the city square, 100 Courthouse Square, Frank lin, Kentucky. Said property shall be sold to collect the amounts hereinafter set forth, together with interest and the costs of the action, and upon the following terms and conditions (unless otherwise stated).

TERMS OF SALE.

A. The purchasers will be required to pay ten percent (10%) down the day of sale in the form of cash or personal check and post bond on the remainde with the balance due in thirty (30) days. Said bond will bear interest at the rate specified in the summary of judgment which is set forth with each respective sale. If the purchaser elects to post bond, he/she will be required to provide sufficient surety, ALL PROSPECTIVE PURCHASERS SHOULD PLAN ON HAVING THE PERSON OR ENTITY WHO WILL ACT AS SURETY TO BE IN ATTENDANCE AT THE SALE. Please contact the Master Commissioner's Office prior to the sale with questions regarding approved surety at 270-586-3283. Occasion ally, additional announcements are published on our webpage a www.simpsoncountymc.com. It is the intention of the office of the Maste Commissioner to close within thirty (30) days, but if a holiday falls within the thirty days, or if there are other circumstances beyond our control, the closing may take extra time

B. The property is sold subject to the following:

a. State, county, and city property taxes payable for the entire year of 2021 and all taxes due thereafter.

b. Easements, restrictions, and covenants of record.

. Assessments for public improvements levied against the property.

d. Any facts which an inspection or accurate survey of the property may disclose.

C. The property shall otherwise be sold free and clear of any and all right, title and interest of all parties to this action and of their liens and encumbrances thereon. The Master Commissioner does not obtain a title search or investig ate for further liens on the properties listed below. No survey of the subject properties is available. The purchaser is responsible for obtaining a title search if desired.

D. All properties are sold "As Is". There are no warranties of any kind.

E. The Master Commissioner does not have access or keys to the properties listed below.

PROPERTY TO BE SOLD:

Held at The Rotary Pavilion at the Historic Courthouse on city square. (see exact location at the top of this notice)

U.S. Bank National Association, as Trustee vs. Joe Palma, et al, pending in impson Circuit Court, Division I, 19-CI-00076, to collect \$166,796.79, with interest on the sum of \$71,713.00 from and after August 1, 2018, at the rate of 7.10% per annum, plus attorney fees and Court costs

> House and Lot: 704 Broadway Avenue Franklin, Simpson County, Kentucky 42134 PVA map number: 041-04-00-047.00

ROBERT YOUNG LINK Master Commissioner, Simpson Circuit Court 205 West Kentucky Ave., P. O. Box 474, Franklin, KY 42135 telephone (270)-586-3283



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CLASSIFIEDS

pecifications.

Horus Kentucky 1, LLC

March 10, 2021

Dear Simpson County Property Owner,

My name is Braden Houston, and I am writing to provide you with some information about the Horus Kentucky 1 Solar Project. The Horus Kentucky 1 Solar Project is a 69.3 MW solar project to be developed by Horus Renewables, a division of Opdenergy, in Simpson County.

We are excited to bring this project to Simpson County and believe the project will have a positive impact on the Simpson County community. The project is an estimated \$80 million dollar project that will create approximately 100 jobs during construction. We will also hire several technicians and maintenance employees for the project's regular operation and maintenance for the life of the project, which we expect to extend for 30 to 40 years, once construction is complete. The Horus Kentucky 1 Project will pay local taxes, which will go to Simpson County to support local schools, first responders and roads.

We have an experienced team that has developed renewable energy projects all over the world. Enclosed is a brochure that provides more information about the project and our company. I am also enclosing a map showing the project area, and an announcement for a public meeting about the project that will be happening on March 25, 2021 from 6-8 p.m.

We are excited to invest in your community and look forward to meeting many of you.

If you have any questions about the Horus Kentucky 1 Project, I encourage you to email me at bhouston@opdenergy.com or to call me at (617) 530-0029.

Sincerely,

Burden Uristas

Braden Houston Managing Director - Solar Development opdenergy | Horus Renewables

Enclosures

Exhibit 2

Horus Kentucky 1 LLC

Project Description





Horus Kentucky 1 "Franklin"

Project Overview

- Located near the town of Franklin, Kentucky, Horus Kentucky 1, LLC is a 90 MW DC/69.3 MW
 AC Solar Project ("the Project") being developed by Horus Renewables Corporation ("Horus")
- Horus is a division of **Opdenergy**, a Spanish multinational company with a 15-year track record in the development, construction and investment in renewable energy assets
- The Project has been awarded a fifteen-year Power Purchase Agreement ("**PPA**") in December of 2019 through a Request for Proposals initiated by the **Tennessee Valley Authority** ("TVA")
- Very few other solar investments of this scale available in **Kentucky**

Technical Details

- Location: Simpson County, Kentucky
- Total Capacity: 90.0 MW DC/ 69.3 MW AC
- Annual Production: 160,725 MWh (P50)
- PV Technology: Single Axis Trackers
- Environmental: Environmental (NEPA) Studies in progress
- **Permitting:** Conditional Use Permit in progress; Project complies with all local ordinance.
- Land: Two land lease agreements of 307 acres & 250 acres, secured for 41 years

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NOTICE OF PUBLIC MEETING

Horus Kentucky 1 LLC, (Horus Kentucky) is proposing to construct and operate a 69.3 MW solar energy project in Simpson County, Kentucky. The proposed Horus Kentucky project will be located within a project area of approximately 550 acres situated at Tyree Chapel Road, Franklin, Simpson County, Kentucky, with a latitude and longitude of 36° 40' 6.65" North and 86° 32' 37.86" West. A public meeting to inform the community about the project and to answer questions about the project will take place on March 25, 2021 between 6 p.m. and 8 p.m. in the Meeting Room of the Simpson County History Center located at 207 North College Street, Franklin, KY 42134. Due to the ongoing global pandemic, this meeting will be conducted in compliance with guidance from U.S. Centers for Disease Control and guidelines from the Office of the Governor intended to reduce the potential spread of COVID-19. Attendance at this meeting will be limited to allow social distancing, and preregistration will be required. Per the executive order of the Governor, all in-person attendees will be required to correctly wear masks that will potentially prevent the spread of illness. Seating in the room will be set up to allow social distancing for the duration of the meeting, and attendees will be asked to not move the seats, this due to the meeting being held indoors, in an enclosed space. Hand sanitizer and masks will be available on-site for attendees. Horus Kentucky will make a large-scale (24 inches by 36 inches or larger) layout map of the proposed solar facility, which otherwise would have been made available to the public for inspection at a public meeting, available to the public by displaying the map in the entrance to the History Center on the day of the public meeting. Due to the extraordinary circumstances of this time, the meeting also will be made available for public participation through a digital "virtual" meeting. The digital meeting will be available through a "live" virtual platform (such as Microsoft Teams), which can be accessed through a web browser, and will also be accessible through a call-in number. Given the on-going public health situation and limited attendance cap intended to limit the potential spread of COVID-19, Horus Kentucky strongly encourages participation in this meeting virtually and via the call-in option. Pre-registration will also be required for participation in the virtual meeting and the call-in meeting. Registration is free of charge.

To register, please email bhouston@opdenergy.com or call Braden Houston, Senior Director of Solar Development, at 617-530-0029. The proposed photovoltaic solar project will consist of 550 acres of solar photovoltaic panels and associated racking, 22 inverters, associated wiring and balance of system, and a substation transformer. The power generated by the project will be linked to the electric transmission grid via the Tennessee Valley Authority's L5402 – 161kv transmission line near the City of Franklin in Simpson County, Kentucky. Anyone with questions about the March 25, 2021 public meeting or Horus Kentucky may request information by emailing Braden Houston at bhouston@opdenergy.com or calling 617-530-0029.

The proposed solar farm is proposed to be constructed on approximately 547.60-acre portion of a 592.06-acre assemblage of land located on Tyree Chapel Road, Franklin, Simpson County, Kentucky, shown on the tax parcel map below. **Tax Parcel Map**



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Exhibit 3

NOTICE OF PUBLIC MEETING

Regarding the construction of a solar farm in Franklin, Kentucky

Simpson County Historical Society Event Room 207 North College Street March 25th, 2021 6:00 – 8:00 PM

or

REGISTER TO PARTICIPATE ONLINE: Email <u>bhouston@opdenergy.com</u> or Call Braden Houston at 617-530-0029

