

**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     ) Case No. 2020-00417  
Merchant Electric Generating Facility                     )**

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**RESPONSE TO REQUEST FOR PUBLIC HEARING**

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Horus Kentucky 1 LLC (“Horus” or “Applicant”), by counsel, submits this Response to Intervenor John Pitt and Steve Baldwin (“Intervenors”) Request for Public Hearing in this matter.

In response, Horus states as follows:

1. On July 28, 2021, the Kentucky State Board on Electric Generation and Transmission Siting (the “Board”) entered its Order setting the procedural schedule in this matter.

2. Pursuant to the Schedule Order, all requests for a public hearing were to be filed by August 5, 2021.

3. Pursuant to KRS 278.712(1), “the board may convene a local public hearing upon receipt of a request by **not less than three (3) interested persons that reside in a county or municipal corporation in which the facility is proposed to be constructed** to consider the application for a construction certificate.”

4. On August 5, 2021, only the two Intervenors requested that the board convene a local public hearing.

5. Further, while Intervenor Steve Baldwin is an admitted Simpson County property owner, it is unclear whether John Pitt resides within Simpson County.

6. Regardless, as KRS 278.712(1) has not been satisfied since the statutory number of individuals requesting a hearing has not been met, Horus respectfully requests that this Board deny Intervenor’s request.

**WHEREFORE**, Horus respectfully requests that the Siting Board reject Intervenor's request for a public hearing and for any other relief as this Board deems appropriate and proper.

/s/ Randall L. Saunders  
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**CERTIFICATE OF SERVICE**

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I certify that a true and correct copy of the foregoing “*Response to Request for Public Hearing*” has been served upon the following counsel of record via the PSC’s e-filing system:

David F. Broderick, Esq.  
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/s/ Randall L. Saunders