

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

IN THE MATTER OF:

THE ELECTRONIC APPLICATION OF)	
SEBREE SOLAR, LLC FOR A CERTIFICATE)	
TO CONSTRUCT AN APPROXIMATELY 250)	
MEGAWATT MERCHANT SOLAR ELECTRIC)	CASE NO. 2021-00072
GENERATING FACILITY AND AN)	
APPROXIMATELY 4.5 MILE)	
NONREGULATED ELECTRIC TRANSMISSION)	
LINE IN HENDERSON COUNTY, KENTUCKY)	
AND WEBSTER COUNTY, KENTUCKY)	
PURSUANT TO KRS 278.700, ET SEQ. AND)	
807 KAR 5:110, ET SEQ.)	

SEBREE SOLAR LLC’S MOTION FOR
APPROVAL OF PUBLIC MEETING FORMAT

Comes now Sebree Solar LLC (“Sebree Solar” or “Applicant”), by counsel, and moves the Kentucky State Board on Electric Generation and Transmission Siting (“Board”) for approval of the form of public meeting required by KRS 278.706(2)(f), respectfully stating as follows:

Sebree Solar is filing concurrently with this motion a Notice of Intent to File Application for Certificate of Construction for an approximately 250 megawatt solar electric merchant generating facility and an approximately 4.5 mile 161 kV nonregulated electric transmission line in Henderson County, Kentucky, and Webster County, Kentucky (the “Project”). KRS 278.706(2)(f) requires applicants for construction certificates to include in their applications reports of their public involvement program activities including a public meeting in the county or counties where the Project will be constructed “for the purpose of informing the public of the

project being considered and receiving comment on it....”¹ To meet this requirement, Sebree Solar would normally conduct public meetings in both Henderson County and Webster County to inform the public of the Project and receive comment on the same.

However, on March 16, 2020, in response to the COVID-19 pandemic, the Public Service Commission of Kentucky (“Commission”) issued an order in Case No. 2020-00085 limiting in-person activities at the Commission and encouraging use of teleconferences to conduct official business. The Commission relied on Governor Beshear’s Executive Order 2020-215 declaring a State of Emergency. The Commonwealth of Kentucky has subsequently issued restrictions on public gatherings that impact the ability of Sebree Solar to conduct in-person meetings.

In light of the restrictions on public gatherings arising from the COVID-19 pandemic, and to date, the increasing rates of infection throughout Kentucky, Sebree Solar proposes to utilize the following approach to inform the public of the Project and receive comments:

1. Project Website - The Applicant has already launched a Project website accessible to the public at <https://www.nexteraenergyresources.com/sebree-solar.html>. In addition to the information already included, the website will contain key Project information including the following:

- a. The date and time of the virtual public information meeting described below and information on how to access and participate;
- b. Contact information for the Applicant and instructions for submitting questions and comments to the Applicant regarding the Project; and

¹ KRS 278.706(2)(f)1.

- c. Summary of frequently asked questions (“FAQ”) and responses from the Applicant’s subject matter experts.

Information about the website (including the web address) will be included in the notice to neighboring landowners and the newspaper advertisement for the Project.

2. Virtual Public Information Meeting – Sebree Solar and its subject matter experts will host a live virtual presentation and question and answer (“Q&A”) session through a third-party platform with options for attendees to join by either web or telephone. The virtual public information meeting will begin with an introduction of the Applicant’s subject matter experts and a brief description of the Project as detailed in the PowerPoint presentation. Participants joining the virtual public information meeting via the Project website will have access to the PowerPoint presentation described above, as well as a map of the Project. In addition, the Applicant will make a large-scale (24 inches by 36 inches) 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 at the Henderson County Fiscal Court and the Webster County Fiscal Court for the three business days prior to the public meeting, and will include this information in the notices of and advertisements for the public meeting.

The virtual public information meeting will be hosted through a platform that will allow participants to connect by telephone or a web link and will function across desktop, browser, and mobile devices. The meeting can also be saved so that it can be available at a later time for viewing. For the Q&A portion of the virtual public information meeting:

- a. Participants will be able to interact with the subject matter experts;

- b. Questions will be addressed on a first-come, first-served basis, either by providing them in writing or asking orally; and
- c. Any questions that the Applicant is not able to address during the virtual public information meeting will be addressed after the presentation via telephone, email, mail, and/or updates to the FAQ section of the project website.

Sebree Solar is still confirming the date and time of the virtual public information meeting, but is targeting the week of March 29, 2021. The date and time of the virtual public information meeting as well as information on how to access and participate in the meeting will be included in the notice to neighboring landowners and the newspaper advertisement for the Project. Accordingly, and to ensure that the two-week advance notice requirement in KRS 278.706(2)(f)(2) can be met, Sebree Solar respectfully requests an order prior to **March 3, 2021**. Sebree Solar understands that the requested time period for an order is short. The Applicant had hoped that conditions would have progressed such that a normal in-person public information meeting was possible, but that is unfortunately not the case.

The methods proposed by Sebree Solar allow persons interested in the Project options for obtaining information and submitting comments: via the Project website or by participating in the virtual public information meeting. This approach allows Sebree Solar to provide information and receive comments on the Project while doing so in a manner accounting for the public gathering limitations and social distancing requirements imposed by the COVID-19 State of Emergency in Kentucky.

WHEREFORE, Sebree Solar respectfully requests an order declaring that methods described above for providing information and receiving comments on the Project satisfy the requirement of a public meetings in Henderson County and Webster County established by KRS 278.706(2)(f).

This 17th day of February 2021.

Respectfully submitted,



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