

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

In the Matter of:)
)
APPLICATION OF RUSSELLVILLE SOLAR LLC)
FOR CERTIFICATE OF CONSTRUCTION FOR: AN)
APPROXIMATELY 173-MEGAWATT MERCHANT) **Case No. 2021-00235**
ELECTRIC SOLAR GENERATING FACILITY IN)
LOGAN COUNTY, KENTUCKY PURSUANT TO)
KRS 278.700, ET SEQ., AND 807 KAR 5:110)

MOTION TO EXPEDITE ISSUANCE OF FINAL ORDER

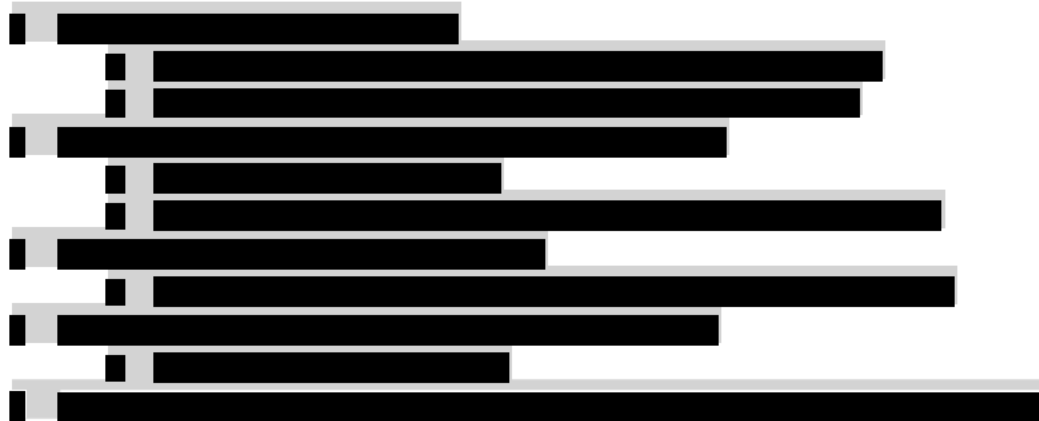
Russellville Solar LLC (“Russellville Solar”), by counsel, respectfully moves the Siting Board to issue its final Order by June 29, 2022 (120 days after the filing on March 1, 2022) and not extend that date by an additional 60 days. In support of this Motion, Russellville Solar states as follows:

1. Russellville Solar, a Kentucky limited liability company, is owned by Silicon Ranch Corporation (“Silicon Ranch”), a Nashville-based company. Russellville Solar will be the owner and operator of the 173-megawatt Solar Generating facility (“Facility”). Silicon Ranch also owns SR Turkey Creek, LLC that received a construction certificate in Case No. 2020-00040 and which is nearing initiating construction.

2. The purchase power agreement affiliated with the Facility is with the Tennessee Valley Authority (“TVA”), which will in turn provide the renewable power to Facebook, General Motors, and Warren RECC. In order to meet those offtake obligations, [REDACTED]

[REDACTED]

3. The anticipated timeline for the Project based on the Final Order of June 29, 2022 is as follows:



4. The standard timeline from Notice to Proceed to Commercial Operation Date for a solar facility larger than 150MW is generally 16 to 18 months. Russellville Solar anticipates completing this project in 13 months. If the Siting Board issues a final order in this matter 180 days after the application was filed (as opposed to 120 days), the construction window would be reduced to only 11 months, which is unattainable even under ideal circumstances.

5. Accordingly, in order to avoid cascading missed deadlines, Russellville Solar respectfully requests that the 120-day deadline to issue a final order not be extended.

6. The narrow deadlines resulted from delays that occurred at local level through no fault of Russellville Solar.

7. Russellville Solar believes that the Siting Board will have sufficient time to thoroughly vet the application and issue a decision within 120 days. In fact, all Siting Board cases filed prior to the influx of solar-generating-facility applications starting in March 2020 were decided within 120 days, absent major modifications made to the project, thus triggering the need for additional time to review.¹

¹ In 2014, KRS 278.712 was amended to allow the final order deadlines to be extended from 90/120 days to 120/180 days.

8. The first two solar Siting Board cases, SR Turkey Creek, LLC (Case No. 2020-00040) and Glover Creek Solar LLC (Case No. 2020-00043), were filed in the early stages of the COVID -19 pandemic. Relying on the Governor's state of emergency, the directive by the Secretary of the Energy and Environment Cabinet, and the uncertainty of interstate travel for parties, witnesses and consultants, the Siting Board extended the statutory deadline by which it had to issue a final order. Although subsequent cases mentioned requiring a hearing to enable it to extend the order deadline, none expressly mentioned COVID-19.

9. Additionally, there are significantly fewer active construction-certificate cases pending before the Siting Board as there were 12-18 months ago.

10. The COVID emergency is nearing its end in Kentucky as cases continue to drop and the legislature is likely to end it during this session.

11. Because Russellville Solar has a compressed deadline for the Commercial Operations Date, because the number of pending Siting Board cases are down, and because the need to continue to maintain COVID related emergency measures is unnecessary, Russellville Solar requests that the final order deadline of 120 days remain in effect and not be extended.

12. Russellville Solar supports an expedited procedural schedule in comparison to recent Siting Board cases. It proposes that the following measures be considered to reduce the processing of this matter: (1) first requests for information due on or about April 6 (one week after requests for intervention are due); (2) a reduction in response period for requests for information from 14 to 10 days; and (3) submission of the case on the written materials without an evidentiary hearing.

WHEREFORE, Russellville Solar respectfully requests the Siting Board issue its final Order by June 29, 2022 (120 days after the filing on March 1, 2022) and not extend that date by an additional 60 days.

Respectfully submitted,



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