

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

In the Matter of:

| | | |
|-------------------------------------|---|---------------------|
| ELECTRONIC APPLICATION OF |) | |
| STONEFIELD SOLAR, LLC FOR A |) | |
| CERTIFICATE OF CONSTRUCTION FOR |) | |
| AN APPROXIMATELY 120 MEGAWATT |) | Case No. 2022-00011 |
| MERCHANT ELECTRIC SOLAR GENERATING |) | |
| FACILITY AND NONREGULATED |) | |
| TRANSMISSION LINE IN HARDIN COUNTY, |) | |
| KENTUCKY PURSUANT TO KRS 278.700 |) | |
| ET SEQ. AND 807 KAR 5:110. |) | |

**STONEFIELD SOLAR, LLC MOTION FOR INFORMAL CONFERENCE TO DISCUSS
THIRD NOTICE OF DEFICIENCY**

The Applicant, Stonefield Solar, LLC (“Stonefield Solar” or “Applicant”), by and through counsel, moves the Kentucky State Board on Electric Generation and Transmission Siting (the “Board”) to meet for an informal conference to discuss the Board’s Third Notice of Deficiency (NOD) issued on October 10, 2022, in response to the application for a construction certificate for a merchant solar electric generating facility submitted by the Applicant on August 19, 2022 (the “Application”).

The NOD alleged the Application was deficient pursuant to KRS 278.704(3), stating:

“Setback Requirements: Pursuant to KRS 278.704(3), an application requires the applicant state whether there is a local ordinance that applies to setbacks. If there are no local ordinances, the applicant must file a request for a deviation from the statutory setback requirements pursuant to KRS 278.704(4).”

The Board then requested Applicant to “submit the information necessary to cure the deficiencies within 10 days of the date of this letter.” Stonefield Solar requests clarification regarding what further information is necessary to cure the alleged deficiencies. The Applicant in the Response of Stonefield Solar, LLC, to Second Notice of Deficiency filed September 22,

2022, provided the Board with information regarding the applicability of Hardin County’s local planning and zoning ordinance on the Applicant’s project. Specifically, Hardin County’s Development Guidance System Zoning Ordinance (the “Ordinance”) has designated setbacks for property zoned I-2, and the Applicant intends to file a zoning application with the Hardin County Planning and Development Commission seeking to rezone the project properties to I-2 for the purpose of building and operating the project.

Therefore, Applicant respectfully requests that the Siting Board agree to meet for an informal conference to discuss its October 10, 2022, NOD and what additional information is needed to cure the alleged deficiencies. Pursuant to this request, and consistent with the Siting Board’s policy, Stonefield Solar intends to submit to the Siting Board via email a meeting request form.

Dated this 31st day of October 2022.

Respectfully submitted,



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