

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

IN THE MATTER OF:

THE ELECTRONIC APPLICATION OF	)	
SEBREE SOLAR II, LLC FOR A CERTIFICATE	)	
TO CONSTRUCT AN APPROXIMATELY 150	)	
MEGAWATT MERCHANT SOLAR ELECTRIC	)	CASE NO. 2022-00131
GENERATING FACILITY IN HENDERSON	)	
COUNTY, KENTUCKY PURSUANT TO	)	
KRS 278.700, ET SEQ. AND 807 KAR 5:110	)	

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**AMENDED AND RESTATED NOTICE OF INTENT**

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Comes now Sebree Solar II, LLC, by counsel, pursuant to KRS 278.700, *et seq.*, 807 KAR 5:110, Section 2 and other applicable law, and does hereby tender its **AMENDED AND RESTATED NOTICE OF INTENT** to file an application, on or before April 18, 2023, for a Certificate to Construct an approximately 150 megawatt (“MW”) merchant solar electric generating facility in Henderson County, Kentucky (the “Sebree Solar II Project”), respectfully stating as follows:

1. On April 29, 2022 Sebree Solar II, LLC filed its Notice of Intent in the above-styled case to file an application, on or before October 26, 2022, to construct the Sebree Solar II Project.
2. Sebree Solar II, LLC has determined that the Application for the Sebree Solar II Project will not be filed on or before October 26, 2022 as stated in the initial Notice of Intent filed on April 29, 2022.
3. Since Sebree Solar II, LLC has determined that the application will be filed after October 26, 2022, Sebree Solar II, LLC hereby submits this Amended and Restated Notice of Intent to file the application for the Sebree Solar II Project, no later than April 18, 2023.

4. Pursuant to 807 KAR 5:110, Section 2(2)(a), the forthcoming application will be filed by:

Sebree Solar II, LLC  
Attn: Lina Jensen  
700 Universe Boulevard  
Juno Beach, FL 33408  
Email: Lina.Jensen@nexteraenergy.com  
Phone: 832-613-7247

5. Pursuant to 807 KAR 5:110, Section 2(2)(b), the Sebree Solar II Project will be capable of generating approximately 150 MWs of electricity from a solar array covering a total of approximately 900 acres. The project includes approximately 500,500 photovoltaic solar panels, associated racking, 52 inverters and a project substation transformer that will connect to the existing Reid EHV Substation owned by Big Rivers Electric Corporation in Webster County. The transmission line that will connect the Sebree Solar II Project to the Reid EHV Substation was approved in Case No. 2021-00072.<sup>1</sup>

6. Pursuant to 807 KAR 5:110, Section 2(2)(c), the Sebree Solar II Project is located in Henderson County, Kentucky. The street address for the Sebree Solar II Project is 8200 W N Royster Rd, Kentucky, and its approximate coordinates are: 37.6718 latitude and -87.5847 longitude. No portion of the Sebree Solar II Project is located within the boundaries of any municipality.

7. Pursuant to 807 KAR 5:110, Section 2(2)(d), the Sebree Solar II Project will be located within the jurisdictional boundaries of the Henderson City-County Planning Commission.

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<sup>1</sup> See *In the Matter of the Electronic Application of Sebree Solar, LLC for a Certificate to Construct an Approximately 250 Megawatt Merchant Electric 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 and 807 KAR 5:110*, Order, Case No. 2021-00072 (Feb. 9, 2022 Ky. St. Bd. Elec. Gen. & Trans. Siting).

The address of the Henderson City-County Planning Commission is 1990 Barret Court, Suite C, Henderson, Kentucky 42420.

8. Pursuant to 807 KAR 5:110, Section 2(2)(e), the Henderson City-County Planning Commission has adopted the following setback requirement that is applicable to the proposed facility:

Setback requirements for Level 3 SES shall be as follows:

- (1) All equipment shall be at least twenty-five (25) feet from the perimeter property lines of the project area;
- (2) No interior property line setbacks shall be required if the project spans multiple contiguous properties;
- (3) All equipment shall be located at least one hundred (100) feet from any residential structure and; the maximum height of any individual component will be 25 feet measured from the local ground level of the component.

9. Pursuant to 807 KAR 5:110, Section 2(2)(f), the applicable setback requirements for the Sebree Solar II Project, as prescribed by the Henderson City-County Planning Commission, are less stringent than the setback requirement set forth in KRS 278.704(2). Therefore, it is not anticipated at this time any deviation from the statute will be required or sought.

Done this 20<sup>th</sup> day of October, 2022.

Respectfully submitted,



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