

Amended Response to October 19, 2023 Data Request

Bright Mountain Solar Project

Perry County, Kentucky

Case No. 2022-000274

Prepared by:



Bright Mountain Solar, LLC

a subsidiary of Avangrid Renewables, Inc.

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February 19, 2024

BRIGHT MOUNTAIN SOLAR, LLC'S AMENDED RESPONSE TO STAFF'S October 19, 2023, DATA REQUEST

- 1. Submit a copy of leases or purchase agreements, including options, separate agreements, or deeds which Bright Mountain has entered into in connection with the proposed solar facility, including the agreements for each of the parcels of the project.**

Copies of lease agreements and other related documents for parcels associated with the generation facility, with sensitive information redacted, are included as Attachment A. A solar energy lease is forthcoming for the only parcel in the Project Area not reflected in the attached lease agreements (21.87 Acres on Fish Trap Branch), pursuant to the letter agreement contained in Attachment A, which is between the Project and that property's owner, Ronald Deaton. This letter agreement, signed by Mr. Deaton, expresses his intention to enter into a lease with the Project. Said lease is currently expected to be executed prior to the evidentiary hearing in this matter, as Mr. Deaton is presently out of the country.

Copies of easement agreements for the transmission line with sensitive information redacted are included as Attachment B.

Responding Witness: Andrew House

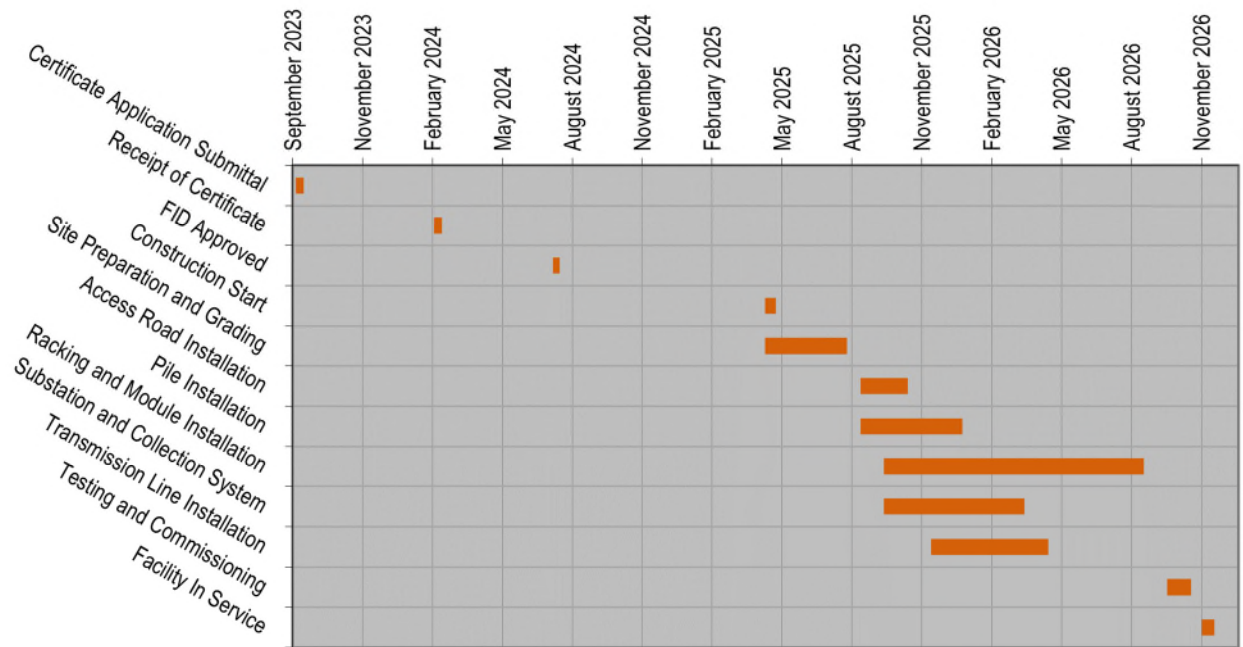
- 2. Detail any contracts by which Bright Mountain has paid, has negotiated to pay, or any compensation paid to non-participating landowners, whether cash or otherwise, near the project. Include the terms of the agreements and which properties are involved in terms of distance to the project boundaries.**

Bright Mountain has not entered into agreements for compensation with any non-participating landowners.

Responding Witness: Andrew House

- 3. Provide a schedule for the project, starting from the receipt of the proposed certificate for construction to the completion of the project, including the length of each construction phase. Include in the response when Bright Mountain believes peak construction will occur within the timeline.**

A chart showing the anticipated Project schedule is below. Peak construction would likely be when pile driving activities begin through the installation of PV modules, anticipated to be approximately August 2025 to August 2026.



Responding Witnesses: Andrew House, Nautasha Gupta

4. Refer to the Application, Tab 11, Record of Environmental Violations. Provide the entities with a direct ownership interest in Bright Mountain and if any of these entities have an interest in the subsidiaries that violated the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

As described in Tab 11 of the Application, Bright Mountain Solar, LLC is a wholly-owned subsidiary of Avangrid Renewables, LLC, which has one item to list in an abundance of caution. To that end, Avangrid Renewables, LLC and six of its wholly-owned, project-company subsidiaries entered into a Settlement Agreement with the U.S. Fish and Wildlife Service in 2016, in a matter that involved alleged violations of the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. None of the parties admitted the alleged violations, but agreed to a compromise civil penalty of \$25,000. The parties performed their obligations under the Settlement Agreement, and the matter is fully resolved. None of these six wholly-owned subsidiaries of Avangrid Renewables, LLC have an ownership interest in Bright Mountain Solar, LLC.

Responding Witness: Andrew House

5. Provide the company that will employ the individuals that are or will be responsible for ensuring compliance with the statements in the application any conditions imposed by the Siting Board during construction and operations of the project.

Bright Mountain Solar, LLC is the owner of the Project, and is ultimately responsible for Application and condition compliance. Bright Mountain Solar, LLC intends to also utilize employees of Avangrid Renewables, LLC and may contract with individuals employed by other companies to support the Project.

Responding Witness: Andrew House

6. Verify if a power purchase agreement has been made. If so, provide.

At this time no power purchase agreement has been made for the Project.

Responding Witness: Andrew House

7. Provide a narrative description of the location of each of the following site features:

a. Each Construction entrance.

There is anticipated to be one wide gravel construction entrance for the site, located at the northernmost end of the Facility Area along an existing site access road left from previous mining operations. The entrance will be comprised of a base of compacted soil and smaller aggregate then a layer of larger aggregate to prevent tracking of sediment onto public roadways.

b. Each entrance to be used in operations.

The entrance to be used during operations will be the same as the entrance used during construction.

c. Operations and maintenance (O&M) area.

The operations and maintenance (O&M) area will be located just east of the Facility substation, near the eastern edge of the Facility Area. The location of the O&M area is depicted on SAR Exhibit C, the Preliminary Facility Layout.

d. Meteorological station

Meteorological stations would be attached to the racking which supports the PV panels in multiple locations across the site.

Responding Witnesses: Andrew House, Nautasha Gupta

8. Refer to Application, Tab 2, Site Assessment Report (SAR), Attachment A, Preliminary Site Layout. Provide a one-page site map that contains the locations water features, including rivers, streams, lakes, and ponds. Also include any known or suspected karst features.

A map displaying the preliminary site layout and water features including delineated wetlands and streams is included as Attachment C. As stated on Page 4 of the SAR, there are no known or suspected karst features within the Facility Area. Delineated wetlands and streams are described in the Cumulative Environmental Assessment (CEA) on pages 5 and 6.

Responding Witnesses: Andrew House, Sean Hollowell

9. Refer to the SAR, Part 3, Exhibit B.

a. Provide the number of individual participating parcels for the project

There are 14 individual participating parcels within the Facility Area. One of these parcels is not leased for the purpose of hosting Facility components. This parcel is owned by Matthew and Lois Duff, who hold an easement agreement to allow use of an existing access road located on that parcel.

- b. Provide a map of the participating parcels, consistent with the narrative description included in Exhibit B.

A map displaying the participating parcels within the Project Area is included as Attachment D.

Responding Witnesses: Andrew House, Sean Hollowell

10. Explain whether construction activities will occur sequentially, or concurrently across the Project site.

Construction activities will occur concurrently when and where possible across the Project Site. The nature of construction is such that some activities must occur sequentially on the site. An anticipated schedule of construction phases is included in the response to Question 3.

Responding Witnesses: Andrew House, Nautasha Gupta

11. Provide a detailed table listing all residential structures located within 2,000 feet of the Project boundary line. For each structure, provide:

There are 119 residential structures located within 2,000 feet of the Facility Area (Project boundary). A table containing the distances between these 119 structures and the requested Facility components is included in Attachment E.

- a. The distance to the boundary line.
- b. The distance to the closest solar panel.
- c. The distance to the nearest inverter
- d. The distance to the substation

Responding Witnesses: Andrew House, Sean Hollowell

12. Provide a detailed table listing all non-residential structures located within 2,000 feet of the Project boundary line. For each structure, provide:

There are two non-residential structures located within 2,000 feet of the Facility Area. A table containing the distances between these two structures and the requested Facility components is included in Attachment E.

- a. The distance to the boundary line.
- b. The distance to the closest solar panel.
- c. The distance to the nearest inverter.
- d. The distance to the substation.

Responding Witnesses: Andrew House, Sean Hollowell

13. Describe any utilities that will be required during construction or operations and what utility will provide the service.

Electric utility service is the only utility service that is anticipated to be necessary during construction or operation. Kentucky Power is the utility which would provide this service and any necessary permits would be obtained prior to initializing this service.

Responding Witness: Andrew House

14. Refer to the Application, Tab 5. Provide the requested setbacks for the project. Explain the reasons a deviation from the statutory 2,000-foot setback will be requested.

Bright Mountain Solar expects to submit a motion for deviation from setback requirement on Monday, November 6, 2023. Please refer to that motion for the requested deviation and the reasons it has been requested.

Responding Witnesses: Andrew House, Sean Hollowell

15. Explain whether the solar panels and other structures could be re-configured within the site boundaries to meet the 2,000-foot setback requirement.

The mountaintop site of the Project has limited space suitable for hosting solar panels and other components. The design of the Facility effectively utilizes the suitable space within the Facility Area, and the Facility could not viably be reconfigured to meet the 2,000-foot setback.

Responding Witnesses: Andrew House, Nautasha Gupta

16. Refer to the SAR, Description of Proposed Facility, at 3.

a. Describe the agricultural-style perimeter fence

The design of the agricultural-style perimeter fence has not yet been finalized but is expected to be comprised of wire-mesh fencing supported by evenly-spaced posts.

b. Confirm that an agricultural-style perimeter fence meets the National Electric Safety Code (NESC) standards.

Yes, the agricultural-style perimeter fence will be designed to meet the NESC standards.

c. Explain whether a separate fence enclose the Substation and related facilities.

A separate fence, different from the agricultural-style perimeter fence, will enclose the substation area. The fence surrounding the substation area will be chain link and topped with barbed wire.

d. Explain whether there will be appropriate signage be utilized around the facility to warn trespassers of prohibited entry.

Yes, "No Trespassing" and "High Voltage Equipment" signs will be placed at locations along the fence, warning the public of the potential hazards within the fenceline.

Responding Witnesses: Andrew House, Nautasha Gupta

17. Provide who will control access to the site during construction and operations.

The site manager, an individual employed by Bright Mountain Solar, LLC or Avangrid Renewables, LLC will control access to the site through construction and operation.

Responding Witness: Andrew House

18. Refer to the SAR, Description of Proposed Facility, at 4. Explain the strategies to ensure effective drainage during construction.

Prior to the commencement of construction activities, a Stormwater Pollution Prevention Plan (SWPPP) will be developed pursuant to the requirements of Kentucky Pollutant Discharge Elimination System (KPDES) general construction permit KYR10. Adherence to the SWPPP will minimize any construction-related impacts to surface waters.

Responding Witnesses: Andrew House, Nautasha Gupta

19. Refer to the SAR, Description of Proposed Facility, at 3. Explain when the decision to build or repurpose an O&M building will be made. Include in the response the location of the potential repurposed building.

The decision to build or repurpose an O&M building will be made in the pre-construction phase. At this time, there is not a specific location for a potential repurposed O&M building under consideration.

Responding Witnesses: Andrew House, Nautasha Gupta

20. Refer to the SAR, Compatibility with Scenic Surroundings, at 6. Provide a one-page map detailing the location of vegetative screening that will be utilized for the project. Include in the response, a list of the species of vegetation to be used.

As stated in the SAR "... the Facility is not anticipated to result in any adverse visual impacts or any glare impacts to identified receptors, no impact avoidance or mitigation measures are necessary". The Project site is surrounded by forest vegetation. Within two miles of the Facility Area, forested land makes up approximately 76% of the land cover, as stated in the Visibility Assessment. Refer to Exhibit C of the SAR for a map which includes aerial imagery showing the forested area surrounding the Facility.

Responding Witnesses: Andrew House, Sean Hollowell

21. Explain whether Bright Mountain will utilize a single-axis, tracking-style racking system (tracking layout), or a fixed-tilt racking system (fixed-tilt layout) for the solar array layout.

At this time, both a single-axis tracking system and a fixed-tilt system are still under consideration for solar array racking. Under either racking system alternative, the footprint of the PV arrays would be similar. The decision on racking system will be made as design of the Facility progresses.

Responding Witnesses: Andrew House, Nautasha Gupta

22. Provide any written comments, or a summary of oral comments, offered by the public or government agencies related to the project.

Individuals can provide comments or ask questions through the Project website, and Project representatives have answered less than a dozen general inquiries about the Project received via the contact form. Many of the inquiries received were regarding proposals to provide work for the Project. Discussions with local officials regarding the Project have been positive. Bright Mountain is not aware of any public comments made orally or in written form by public officials or government agencies regarding the Project.

Responding Witness: Andrew House

23. Explain any plans to coordinate with local landowners or others in case of complaints or other issues that might arise during construction or operation of the project.

Bright Mountain Solar will develop a complaint resolution plan prior to the commencement of construction activities outlining the process by which individuals may submit complaints during construction and operation and how Bright Mountain Solar will address any complaints received.

Responding Witness: Andrew House

24. Provide a list of permits from other local, state, or federal agencies that have been or will be obtained prior to construction or operations.

Bright Mountain Solar intends to comply with all applicable permitting requirements. The following is a list of permits known to be required prior to either construction or operation of the Facility:

- An approved Jurisdictional Determination from the U.S. Army Corps of Engineers (USACE) for isolated wetlands within the Facility Area will be obtained. Depending on the results of the Jurisdictional Determination, the appropriate permit for impacts to jurisdictional features would be obtained, if applicable.
- Kentucky Pollutant Discharge Elimination System (KPDES) permit for stormwater discharges associated with construction activities (KYR10) and associated notice of intent-stormwater construction activities (NOI-SWCA), stormwater pollution protection plan (SWPPP), and notice of termination (NOT).
- Class 21 vehicle permits, as needed, for transportation on state roads to site (see SAR Exhibit F, Traffic and Dust Study, page 6)
- Kentucky Transportation Cabinet, Department of Highways permits for the use of any vehicles that surpass the normally allowable dimensions and weight limits for highway vehicles, if applicable.
- Perry County electrical service permit, required for any facility being constructed that requires electric service.

Responding Witnesses: Andrew House, Nautasha Gupta

25. Explain any commitments regarding infrastructure removal or land restoration during decommissioning included in the landowner lease agreements.

Commitments regarding the decommissioning process from the landowner lease agreements include the removal of all Facility components up to a depth of three feet. Underground Facility components at a depth of greater than 3 feet may be left in place. Facility access roads may be left in place if agreed upon by the landowner and Bright Mountain Solar. Additionally, Bright Mountain Solar shall restore the soil surface to a condition reasonably similar to its original condition.

Responding Witness: Andrew House

26. Provide any communications, or summary of conversations, with representatives of the Butterfly Church of the Living God, or other churches or religious facilities in the area. Describe any concerns and the resolution.

No communications or conversations with any churches or other religious facilities in the area have occurred.

Responding Witness: Andrew House

27. Explain whether Bright Mountain Solar has consulted with any state agency about any limitations on the use of prior coal mines.

Bright Mountain contracted with Associated Engineers, Inc., who communicated with the Kentucky Energy and Environment Cabinet on behalf of the Project. The Energy and Environment Cabinet did not identify any limitations on the use of prior coal mines to Associated Engineers, Inc.

Responding Witness: Andrew House

28. Provide the number of residential structures that may have a view of any portion of the project.

Based on the viewshed analysis described in the Viewshed Analysis Technical Memorandum, 69 of the 1,042 residential structures within the Visual Study Area could have a view of some portion of the generation facility. It should be noted that, as described in the Viewshed Analysis Technical Memorandum, field review suggested that areas with potential Project visibility will be substantially fewer and smaller than indicated by the viewshed analysis.

Responding Witnesses: Andrew House, Sean Hollowell

29. Refer to the SAR, Part 5, Exhibit F, Table 1. Provide weight limit ratings for each local roadway to be used by Project construction traffic.

There are no weight restrictions posted on any roadways in the vicinity of the Facility on the anticipated routes to the site.

Responding Witness: Andrew House

30. Provide any communication with the Perry County Road Department relating to traffic plans and mitigation measures. If no communication has been initiated, explain when that contact will occur.

The Perry County Judge Executive and the Fiscal Court have been engaged regarding traffic plans, mitigation measures, and any necessary road use agreements. Bright Mountain Solar intends to contact the Perry County Road Department in 2024 to further these discussions on any necessary easements or permits.

Responding Witness: Andrew House

31. Refer to SAR, Traffic, Roads, and Fugitive Dust, at 10. Provide any communication with the CSX Railroad regarding deliveries to the project site. If no communication has been initiated explain when Bright Mountain will determine if the railway will be used for deliveries.

Bright Mountain has not corresponded with CSX regarding the possibility of deliveries to the Project site. The decision whether to use the railway for deliveries will be made as design of the Facility progresses.

Responding Witness: Andrew House

32. Provide an estimate of the number of workers per vehicle traveling to the Project site during an average construction day.

The estimated number of workers per vehicle traveling to the Project site is two people per vehicle.

Responding Witness: Andrew House

33. Provide an estimate of how many monthly trips for each type of delivery truck will be needed on average over the project construction period and during the peak construction period.

Per Table 4 in the Traffic and Dust Study, it is anticipated that 5 heavy-duty vehicle trips and 4 water trucks trips would be made on average per day. Over a month, that would be approximately 100 heavy-duty vehicle trips and 80 water truck trips.

Responding Witnesses: Andrew House, Nautasha Gupta

34. Provide the maximum expected load weights for each type of delivery truck, including cement and water trucks, heavy equipment, gravel for access roads, panels, inverters, and the transformer.

The following list includes approximate maximum expected load weights for various vehicles involved with construction delivery:

- Light Duty Vehicle for passenger commute –7,500 lbs.
- Gravel Semi trailer Sump trucks – approximate gross vehicle weight of 40,000 pounds.
- Concrete trucks – 69,000 pounds gross vehicle weight and 40,000 pounds load weight.
- Semi-trailer flat bed for steel piles, racking, wire/cable delivery – approximate gross weight of 80,000 pounds and load weight of 45,000 pounds.
- 40-foot shipping containers for PV module delivery – approximate gross weight of 62,000 pounds and load weight of approximately 27,000 pounds.
- Water trucks – gross vehicle weight of 52,000 pounds and load weight of 33,000 pounds.
- Low boy multi-axle trailer for main power transformer – approximate gross vehicle weight of 313,000 pounds and load weight of approximately 238,000 pounds.

Responding Witnesses: Andrew House, Nautasha Gupta

35. Provide the peak daily number of construction vehicles accessing the site, by vehicle type, i.e., worker vehicles, delivery trucks, water trucks (if utilized), other.

Table 4 in the Traffic and Dust Study, gives an average of 300 passenger vehicle trips, 5 heavy-duty vehicle trips and 4 water truck trips per day. The maximum daily number of vehicles accessing the site may be higher than this average value depending on construction activities occurring at the time.

Responding Witnesses: Andrew House, Nautasha Gupta

36. Explain whether any traffic stoppages will be necessary to accommodate large truck deliveries. If yes, provide the expected locations, frequency, and length of those stoppages.

It is anticipated that heavy-duty, Class 21 vehicles, similar to a moving van or gooseneck trailer, will be needed during construction. Bright Mountain Solar, LLC will inform and obtain permits from State and local road authorities as needed for Class 21 vehicles transport to the site. Bright Mountain Solar will coordinate with the Perry County Road Department on the necessity of any traffic stoppages to minimize impacts to the local transportation system.

Responding Witnesses: Andrew House, Nautasha Gupta

37. Refer to the SAR, Part 5, Exhibit G. Provide a chart with the expected noise levels during construction and operation at each noise receptor within 1,500 feet of the project boundaries.

A chart with expected noise levels during construction and operation for each noise-sensitive receptor within 1,500 feet of the Facility Area is included as Table 1 in Attachment F.

Responding Witnesses: Andrew House, Mark Bastasch

38. Refer to the SAR, Part 5, Figure 2-1. Explain the basis or methodology for the inclusion of the specific sensitive noise receptors included in Figure 2-1.

The Sound Assessment considered all noise-sensitive receptors located within 0.5 mile of the Facility Area. The noise-sensitive receptors specifically included on Figure 2-1 of the Sound Assessment are all the noise-sensitive receptors present in the extent of area covered by Figure 2-1.

Responding Witnesses: Andrew House, Mark Bastasch

39. Refer to the SAR, Part 5, Exhibit G. Provide a list of each sensitive noise receptor included in Figure 2-1, indicating:

a. The type of receptor (i.e., residential, church, etc.).

Refer to Attachment E, which contains tables listing the distances between the requested Facility components and all residential and non-residential structures within 2,000 feet of the Facility Area. The receptor IDs listed in Attachment E are the same as the noise-sensitive receptor IDs from the Sound Assessment.

b. The distance from, the project boundary, the closest solar panel, the closest inverter, and the project substation.

Refer to Attachment E, which contains tables listing the distances between the requested Facility components and all residential and non-residential structures within 2,000 feet of the Facility Area. The receptor IDs listed in Attachment E are the same as the noise-sensitive receptor IDs from the Sound Assessment.

Responding Witnesses: Andrew House, Mark Bastasch

40. Refer to the SAR, Part 5, Exhibit G. Explain any specific restrictions to be placed on the time of day or days of the week during which pile driving or other loud construction activities may take place. Include in the response the estimated length of time pile driving will occur during construction.

As stated on page 6 of the Sound Assessment, noisy construction activities shall be limited to the hours of 7:00am to 9:00pm, Monday through Saturday. Pile driving activities during construction of the Project are anticipated to last approximately 6-7 months, though pile driving would not occur every workday during this period.

Responding Witnesses: Andrew House, Mark Bastasch

41. Refer to the SAR, Part 5, Exhibit G. Confirm that the results of the Sound Assessment assume use of the small hydraulic driver specifically designed for solar panel installation, as described in the report.

The results of the Sound Assessment assume the use of a small hydraulic driver specifically designed for solar panel installation as described in the report. While these solar-specific drivers may use a hammering action, they should not be confused with pile drivers used in general or heavy construction; such pile drivers are substantially larger and louder. The sound levels of solar-specific drivers are expected to be similar to other general construction equipment with a nominal sound level of approximately 85 dBA at 50 feet (e.g., dozer, grader, and pneumatic tools). The evaluation of construction noise in the report considers equipment generating reference noise levels of 85 dBA at 50 feet.

Responding Witnesses: Andrew House, Mark Bastasch

42. Refer to the SAR, Part 5, Exhibit G. Describe any additional specific measures to be taken to reduce noise impacts for nearby residents during construction.

In addition to the limitations on the time and day of noisy construction activities described in the response to Question 40, typical construction noise minimization measures are anticipated to be implemented, such as ensuring construction equipment and associated mufflers are in good working order, as described on page 6 of the Sound Assessment. Also, Bright Mountain will establish a complaint resolution plan that will provide a process for nearby residents to have their concerns about the construction process to be addressed.

Responding Witnesses: Andrew House, Mark Bastasch

43. Refer to the SAR, Part 5, Exhibit G, Figure 2-1. For each residential receptor, provide a table indicating maximum construction sound pressure levels and the duration (number of days) at that level.

A table listing expected construction sound levels and potential maximum sound levels is included in Attachment F as Table 2. The construction activity anticipated to produce the maximum sound levels is pile driving, which is expected to last 6-7 months across the site. However, because pile driving activities will be completed in sections across the site and the maximum sound level at any given receptor would only occur when pile driving is happening in the portion of the site closest to that receptor, the duration that any receptor would experience the maximum sound level would be significantly less than 6-7 months. Depending on the progress of pile driving activities, any given receptor would be expected to experience sound levels up to the maximum sound level during construction hours for approximately two months or less.

Responding Witnesses: Andrew House, Nautasha Gupta Mark Bastasch

44. Refer to the SAR, Part 5, Exhibit G. For each residential receptor, provide tables indicating operational sound pressure levels, accounting for existing ambient sound, for the fixed-tilt layout and the single axis layout.

Given the low level of sound emitted from the equipment selected for the Facility as well as the distance between sound emitting equipment (inverters and transformers) and residences, predicted Facility sound levels only exceed the estimated ambient levels of 40 dBA at a couple of locations. The highest combined sound level accounting for Facility and ambient sounds is realized at NSR 232, which is a participant with the Project. The sound level at this participating receptor is predicted to be 44 dBA for the fixed-tilt layout and 43 dBA for the single-axis layout. The next highest sound level is predicted at NSR 259 where it is expected that combined sound level accounting for facility and ambient sounds facility will yield 42 dBA for the fixed-tilt layout and 41 dBA for the single-axis layout.

Responding Witnesses: Andrew House, Mark Bastasch

45. Refer to the SAR, Part 5, Exhibit H. Explain whether the results of the visibility assessment apply to both alternative array layout options.

The two layout options are similar in PV panel location and the visibility assessment assumed PV panel height such that the results of the visibility assessment apply to both alternative array layout options.

Responding Witnesses: Andrew House, Sean Hollowell

46. Refer to the SAR, Part 5, Exhibit H. Explain whether any vegetative screening will be added upon request or complaint from local property owners.

As described in the Visibility Assessment Technical Memorandum, there is significant existing vegetative screening in the vicinity of the Facility and any views toward the proposed Facility would likely only be of a very small portion of the Facility. Prior to the commencement of construction activities, Bright Mountain Solar will develop a complaint resolution plan outlining the process by which individuals may submit complaints during construction and operation and how Bright Mountain Solar will address any complaints received.

Responding Witness: Andrew House

47. Refer to the SAR, Part 5, Exhibit H. Provide a topographic map of the Visual Study Area.

A map showing the topography of the Visual Study Area is included as Attachment G.

Responding Witnesses: Andrew House, Sean Hollowell

48. Explain whether any existing trees or existing vegetation will be removed or cleared for any reason.

Tree and vegetation clearing is anticipated along sections of the transmission line. At this time, tree clearing is anticipated to be minimal for the generation Facility but clearing of some shrubs or isolated pockets of low-growing vegetation may be necessary.

Responding Witness: Andrew House

49. State whether the project panels will be coated with an anti-reflective coating.

The PV panels utilized for the Project will have an anti-reflective coating.

Responding Witnesses: Andrew House, Nautasha Gupta

50. Refer to the SAR, Part 5, Exhibit I, Figure 3, at 7. Explain the numbers included with the receptors in Figure 3.

The numbers that label the receptors on Figure 3 of the Solar Glare Analysis Report are unique receptor ID numbers that have been assigned to all receptors in the vicinity of the Project. These receptor ID numbers are identical to those listed and depicted in the Sound Assessment and are the same ID numbers utilized in the response to Question 11 and Question 12.

Responding Witnesses: Andrew House, Nautasha Gupta

51. Refer to the SAR, Part 5, Exhibit I, Figure 3, at 7. Provide the distances from each receptor identified in Figure 3 to the closest solar panel. Include in the response if the receptors in Figure 3 are residences or other structures.

This information is provided for all receptors within 2,000 feet of the Project boundary in the responses to Question 11 and Question 12. The receptor ID numbers labelled in Figure 3 of the Solar Glare Analysis Report are the same as the receptor ID numbers listed in the responses to Question 11 and Question 12.

Responding Witnesses: Andrew House, Nautasha Gupta

52. Refer to the SAR, Part 5, Exhibit I. Explain why additional models were not developed to determine potential glare impacts in other areas of the project.

The model described in the Solar Glare Analysis Report analyzed glare potential for the 40 habitable structures nearest to Facility components. There is significant topographic variation and dense existing vegetation in the vicinity of the Facility which screens nearby residences from views of the Facility. There are no residences in close proximity to the western edge of the Facility and given the lack of visibility no relevant features warranted modeling. The potential for glare impacts is greatest closest to the Facility components, thus the analysis described in the Solar Glare Analysis Report is sufficient to determine that no glare impacts to residences are anticipated as a result of development of the Facility.

Responding Witnesses: Andrew House, Nautasha Gupta

53. Refer to the Application, Tab 3 and the Application, Tab 6. Provide any documents presented to the public that were not included in Tab 3 or Tab 6.

Bright Mountain Solar is not aware of any other documents presented to the public other than those included in Tab 3 and Tab 6.

Responding Witness: Andrew House

54. Refer to the Application, Tab 10, Table 5 and Table 6. Explain whether the jobs, earnings, and output presented in Table 6 are based on the Jobs and Economic Development Impact (JEDI) default values presented in Table 5, or the redacted Adjusted Value specific to the Project.

The results of the economic impact analysis presented in Table 6 and Table 7 of the Socioeconomic Report are based on the values shown in the "Adjusted Value" column of Table 5. Bright Mountain reviewed the default values and made adjustments to customize the values for the Project to improve accuracy of the model results, as described on Page 9 of the Socioeconomic Report.

Responding Witnesses: Andrew House, Nautasha Gupta

55. Refer to the Application, Tab 10, Table 7. Confirm that the jobs, earning, and output in Table 7 for Perry County are a portion of the data in Table 6, and not additional benefits.

Confirmed, the economic impact analysis results presented in Table 6 of the Socioeconomic Report are the estimated impacts for all of Kentucky, including Perry County. The economic impact results presented in Table 7 are the estimated impacts for Perry County only, and are not additional impacts separate from those presented in Table 6.

Responding Witnesses: Andrew House, Nautasha Gupta

56. Refer to the Application, Tab 10. Provide estimates of annual tax payments and total tax payments made to Perry County and to Kentucky over the life of the project.

Bright Mountain anticipates executing a payment in lieu of taxes (PILOT) agreement with Perry County (see response to Question 57). Annual PILOT payments would be made to Perry County for the lifetime of the Project, estimated to be approximately 40 years. Final approval of a PILOT agreement with Perry County cannot occur until Bright Mountain has obtained the proposed certificate for construction. Discussions with Perry County on a PILOT agreement are ongoing, and as such a specific estimate of annual PILOT payments is not yet available.

Responding Witness: Andrew House

57. Explain whether Bright Mountain will pursue an Industrial Revenue Bond or Payment in Lieu of Taxes agreement with Perry County. If so, explain how that might change the cumulative tax revenues of the Project.

Bright Mountain is pursuing an Industrial Revenue Bond and PILOT agreement with Perry County. Bright Mountain has already met with Perry County officials to start discussions on a PILOT agreement. As described in the response to Question 56, discussions with Perry County on a PILOT agreement are ongoing and final approval of a PILOT agreement with Perry County cannot occur until Bright Mountain has obtained the proposed certificate for construction.

Responding Witness: Andrew House

58. Refer to Application, Tab 13, Attachment K. Explain the transmission line structures on the map that depicted by yellow squares. Include in the response the total number of transmission line structures.

Transmission line structures depicted on Application Attachment K (Tab 13) represent above-ground structures to support the transmission line, there are 64 proposed structures depicted in Attachment K.

Responding Witness: Andrew House

59. Refer to the Application, Tab 13, Attachment K. Explain whether vegetative clearing be required to accommodate the transmission line structure. If so, provide the number of acres that will be cleared.

Vegetative clearing is anticipated to be required to accommodate the transmission line. Approximately 43 acres of clearing are anticipated, but the proposed transmission line route and the extent of required vegetative clearing are subject to further engineering design.

Responding Witnesses: Andrew House, Sean Hollowell

60. Explain whether the transmission line structures are going to be above ground poles. Describe the height of those poles from ground level.

Transmission line structures will be above-ground poles anticipated to have an approximate height of 80 feet. Some structures, such those supporting corners in the transmission line route, may require a height up to approximately 120 feet.

Responding Witness: Andrew House

61. If the transmission line structures are going to be above ground poles, provide the total number of residential structures that may have a view of one or more poles. Include in the response, if there is a right of way agreement with the landowners.

A viewshed analysis was conducted for the area within one mile of the transmission line route. Based on this viewshed analysis, 203 residential structures could have a view of some portion of the transmission line structures. Visibility of the transmission line will depend on final engineering of the transmission line and associated structures, including the height of each specific structure. Copies of easement agreements for the transmission line are included in the response to Question 1.

Responding Witnesses: Andrew House, Sean Hollowell