

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

**In the Matter of:**

**Electronic Application on behalf of Banjo Creek Solar )  
LLC for a Certificate of Construction for: A 161kV )  
Nonregulated Electric Transmission Line up to ) Case No. 2023-00320  
approximately 2,000 Feet in Length in Graves )  
County, Kentucky Pursuant to KRS 278.700, et seq. )  
and 807 KAR 5:110 )**

---

**APPLICATION TO CONSTRUCT  
A NON-REGULATED TRANSMISSION LINE**

---

Pursuant to KRS 278.714 and 807 KAR 5:110, Banjo Creek Solar LLC (“Banjo Creek Solar”), by counsel, submits this application for a construction certificate to construct a non-regulated transmission line. In support of this application, Banjo Creek Solar states as follows:

1. Banjo Creek Solar is a limited liability company organized under the laws of Kentucky with a principal place of business of 1900 South Blvd., Suite 306 Charlotte, North Carolina 28203. Banjo Creek Solar’s phone number is (704) 712-4916.

2. The proposed Banjo Creek Solar nonregulated electric transmission line is proposed to be constructed in Graves County to support the Banjo Creek Solar’s 120 MW solar and battery storage facility, which is the subject of Case No. 2023-00263. The 161kV transmission line would connect the proposed solar and battery storage generation substation to TVA’s existing 161kV transmission system via future tap and installation of a TVA owned switching station which will be located in the same vicinity. The transmission line will be up to approximately 2,000 feet in length.

3. As described in the application materials in Case No. 2023-00263, the proposed transmission is located within the parcels to be used for the Project. In prior cases, the Siting Board has confirmed that similar transmission lines do not require separate approval from the Siting Board under KRS 278.700, et seq. *See, e.g., Pine Grove Solar, LLC*, Case No. 2022-00262 (K.S.B. May 26, 2023).

4. Out of an abundance of caution, Banjo Creek Solar is filing this application. It specifically seeks an order confirming that a construction certificate is not required for this project, or in the alternative, approve a construction certificate for Banjo Creek Solar to construct its proposed non-regulated transmission line.

5. Pursuant to 278.714, and 807 KAR 5:100, Banjo Creek Solar has submitted its application fee for this filing.

6. Banjo Creek Solar, through its attorneys identified below, has the ability to receive electronic transmissions in this matter at the electronic mail addresses listed below.

7. Information required to be filed by statutes and regulation is attached hereto. Please refer to the attached Table of Contents and related information.

WHEREFORE, Banjo Creek Solar respectfully requests that the Siting Board (a) accept for filing this Application in accordance with 807 KAR 5:100, Section 3(3) and (b) confirm that no separate approval for a transmission line is necessary or, in the alternative, approve a construction certificate for a transmission line between the project switchyard and utility substation and for a transmission line between the utility substation and the utility's existing transmission line.

Respectfully submitted,



---

STURGILL, TURNER, BARKER & MOLONEY, PLLC  
JAMES W. GARDNER  
M. TODD OSTERLOH  
333 W. Vine Street, Suite 1500  
Lexington, Kentucky 40507  
Telephone No.: (859) 255-8581  
Fax No. (859) 231-0851  
tosterloh@sturgillturner.com  
jgardner@sturgillturner.com

ATTORNEYS FOR BANJO CREEK SOLAR LLC

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Application has been served via e-mail on October 25, 2023, upon the following:

Graves County Judge/Executive  
[jperry@gravescountyky.gov](mailto:jperry@gravescountyky.gov)



---

Counsel for the Banjo Creek Solar, LLC