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

In the Matter of:

ELECTRONIC APPLICATION OF FRON BN, LLC (FRONTIER SOLAR) FOR A CERTIFICATE OF CONSTRUCTION FOR AN APPROXIMATELY 120 MEGAWATT MERCHANT SOLAR ELECTRIC GENERATING FACILITY AND NONREGULATED ELECTRIC TRANSMISSION LINE IN MARION AND WASHINGTON COUNTIES, KENTUCKY PURSUANT TO KRS 278.700 AND 807 KAR 5:110	))))))))	Case No. 2023-00360

APPLICATION FOR CERTIFICATE OF CONSTRUCTION

FRON bn, LLC (the "Applicant" or "Frontier Solar"), files this application requesting from the Kentucky State Board on Electric Generation and Transmission Siting (the "Siting Board" or "Board") certificates of construction for an up to 120-megawatt (MW) merchant electric solar generating facility and a nonregulated electric transmission line pursuant to KRS 278.704 and 278.714 (the "Application"). The generating facility and nonregulated transmission line for which the certificates are sought will be located in Marion and Washington Counties, Kentucky.

In support of this Application, the Applicant submits herewith Exhibits A-G. To assist the Board and interested persons in locating information required by various statutes and regulations, the Applicant also submits herewith the Table of Contents required by 807 KAR 5:110 §3(2)(b) and attaches hereto an Indexes of Regulation Requirements, listing respectively the requirements for a generation application, and the principal place(s) each requirement is addressed in these Application materials. The facts on which the Application is based are contained in the concurrently filed exhibits, reports, and the statements further made by the Applicant as follows:

I. Applicant Information

1. Pursuant to KRS 278.706(2)(a) and 278.714(2)(a), the name, address, and telephone number of the person proposing to construct and own the merchant electric generating facility and nonregulated electric transmission line is as follows: FRON bn, LLC; 515 N Flagler Dr. Suite P-200, West Palm Beach, FL, 33401; 850-963-7724. Communications should be directed to the attention of Joseph Albrecht, Director, Development and David Gil, Senior Vice President, Development. The Applicant's email addresses are: joseph.albrecht@brightnightpower.com and david.gil@brightnightpower.com.

II. Description of the Proposed Site

2. The proposed Frontier Solar Project (the "Project") is a 120 MW solar facility capable of providing clean, and renewable electricity to 28,000 homes. Photovoltaic (PV) solar modules are used to convert sunlight into direct current (DC) electricity which is then converted to alternating current (AC) electricity through inverters. Transformers step up AC electricity to a higher voltage so that it can connect to the regional transmission grid.

3. Pursuant to KRS 278.706(2)(b), the proposed Project is situated on approximately 1,411 acres in portions of unincorporated Marion and Washington Counties (Exhibit A). The Project footprint, generally the area within the fence line where Project infrastructure will be located, includes approximately 935 acres. The site consists of 21 parcels leased from 15 landowners. All parcels are located in areas without local zoning requirements. The properties include primarily pasture lands with some row crops; vegetation is sparse aside from forested riparian areas generally associated with Cartwright Creek and Jackson Branch with ephemeral and intermittent streams crossing the properties. Topography within the area is generally characterized by rolling hills. Many of the delineated onsite waters (streams and wetlands) do not fall under the jurisdiction of

the United States Army Corps of Engineers because they lack surface water connections to jurisdictional features.

4. Pursuant to KRS 278.714(2)(b) the nonregulated electric transmission line will start at approximate coordinates 37°37'02.65" N 85°16'07.74" W. The Project's generation equipment will connect to the Project's substation via underground electrical wiring. The Project substation will then interconnect to a proposed 138 kV transmission line that will connect with the existing 138 kV substation, owned and operated by Louisville Gas & Electric and Kentucky Utilities (LG&E/KU) located on Radio Station Road in Lebanon ("Lebanon Substation"). There will be one transformer onsite and an 8,739-foot (1.7-mile) overhead transmission line with one substation. The proposed 75-foot right-of-way for the transmission line will be within six parcels (Exhibit A). The nonregulated electric transmission line will be approximately 250 feet from the nearest non-participating residential structure and there are no participating structures near the proposed route.

5. As required by KRS 278.714(2)(c), the nonregulated electric transmission line from the Project substation is a 138 kV (120 MW capacity line) that extends 8,739 feet (1.7-miles) to interconnect to the Lebanon Substation. The nonregulated electric transmission line will be interconnected to the existing substation via a 138 kV circuit breaker.

6. As required by KRS 278.714(2)(d), the nonregulated electric transmission line will be constructed and maintained in accordance with accepted engineering practices and the National Electric Safety Code.

7. The Project will include approximately 47,241 linear feet (9 miles) of internal roads accessed by approximately six gates providing openings through the 76,461 linear feet (14 miles) of perimeter fence. The array access roads will not exceed 16 feet in width, except for turning

radii, which will not exceed 40 feet in radius. Two-foot shoulders will be constructed on all access roads. The substation access road will not exceed 25 feet in width.

8. The Project's solar arrays will be secured by a perimeter fence in compliance with the National Electric Safety Code. The fence will not exceed seven feet in height. Fixed lighting at the perimeter will be limited to gates and the substation area will be down-lit, and/or motion-activated to minimize light spillage. Clearing and grubbing will occur where necessary. Grading may be required to level rough or undulating areas of the site and to prepare soil for limited concrete foundations for inverters or other accessory structures and substation equipment. Access roads will also be grubbed (if needed), graded, and compacted. The site cut and fill will be appropriately balanced, with no anticipation of import/export necessary.

9. Project components will include PV solar modules mounted on single axis tracker systems supported by steel posts. Panels will move to track the sun over the course of the day. Other components of the PV system include combiner boxes, inverters, high voltage transformers, junction boxes, DC and AC electrical collection systems, a Project substation, and nonregulated electric transmission line. The Project's approximately 266,274 PV solar modules will be supported by racking systems and oriented in rows running north to south. The racking system will be supported by approximately 37,736 steel posts installed with a combination of piledrivers and augers. The center height of the racking structures will be approximately eight feet to ten feet above the ground. The highest point of each module will be up to 17 feet above the ground. The modules will be connected using DC cables that can either be buried in a trench or attached to the racking system. The DC cables gather at the end of racking systems to combiner boxes which are connected to cables routing to an inverter.

10. Additionally, the Project will include an onsite transmission line, fiber optic cable for communications either underground or on overhead lines, a meteorological station mounted on a concrete foundation, interior access ways, and a facility perimeter road. The Project will also include, as necessary, an operation and maintenance ("O&M") building, parking area, and other associated facilities. During construction, the Project will include temporary facilities, such as construction mobilization and laydown areas for construction trailers, construction workforce parking, above ground water and fuel tanks, materials receiving, and materials storage.

11. Multiple inverters will be installed throughout the Project to convert the DC power from the DC collection system to AC power, which will then be transmitted to the Project substation via the AC collection system. The AC collection system will include underground and/or overhead segments. Underground segments of the AC collection system will be buried a minimum of three feet below grade; and AC collection overhead portions will not exceed a maximum height of 45 feet above grade. The AC collection system will be comprised of medium voltage (MV) cable that will transfer electricity to the Project substation. Collection cables are congregated into common trenches and run adjacent to one another. All electrical inverters and medium voltage transformers will be placed on concrete foundations or steel piles.

12. The Project will require one onsite substation that will include one 150-megavolt ampere (MVA) transformer and all necessary equipment to convert and boost incoming MV electricity to the high voltage electricity necessary to interconnect via an approximately 8,739-foot (1.7-mile) nonregulated electric transmission line to be constructed between the Project footprint and the existing 138kV Lebanon Substation. It is anticipated that the nonregulated electric transmission poles and substation components will not exceed 110 feet above grade.

III. Public Notice Evidence

13. As required by to KRS 278.706(2)(c) and KRS 278.714(2)(e), public notice of the filing of this application was provided to adjacent landowners (Exhibit B-1) on December 27, 2023, and to the general public via publication in both The Lebanon Enterprise and Springfield Sun, which are the newspapers of general circulation in Marion and Washington Counties, on December 27, 2023. (Exhibit B-2).

IV. Compliance with Local Ordinances and Regulations

14. Pursuant to KRS 278.706(2)(d), neither Marion County nor Washington County have enacted zoning ordinances. The Project will comply with all local ordinances and regulations concerning noise control and with any applicable local planning and zoning ordinances. A statement certifying these facts is submitted as Exhibit C.

V. Setback Requirements

15. Pursuant to KRS 278.706(2)(e), the Project is not located on the site of a former coal processing plant, will not use any onsite waste coal as a fuel source, and will not include any exhaust stacks or wind turbines as part of the facility, nor does the Project site contain any existing electricity-generating facilities.

16. Marion and Washington Counties have not established local planning and zoning, and thus do not have a local planning and zoning ordinances applicable to the Project per the information provided above in Section IV.

17. The Project will not be required to follow setback requirements set forth in KRS 278.704(3), as no local zoning is present.

18. Pursuant to KRS 278.704(4), a motion to deviate from the Board's setback requirements is forthcoming. There are eight residential neighborhoods (as defined by KRS 278.700(6)) within two thousand (2,000) feet of the Project's facilities (Exhibit A).

VI. Public Notice Report

19. Pursuant to KRS 278.706(2)(f), the Applicant has made a substantial effort to engage the public in numerous ways regarding the Project. Frontier Solar has created a Project website (https://brightnightpower.com/frontier) to publish information about the Project and to provide an email and telephone number for feedback. It has held in-person public meetings, in-person meetings with media, county officials, and neighboring residents. In all communications, Frontier Solar has endeavored to be transparent regarding the specifics of the proposed Project.

20. The Applicant held two publicly noticed information meetings, one in each of the two counties in which the Project will be located. The first meeting was held in Marion County on September 28, 2023, at the Rosewood Golf and Country Club; and the second was held in Washington County on October 17, 2023, at Mordecai's. Notices announcing the public meeting were published in The Lebanon Enterprise and Springfield Sun on September 13, 2023, and September 27, 2023, respectively (Exhibit B-4). Additionally, notices were mailed to the Project's adjacent property owners on September 13, 2023, and September 21, 2023 (Exhibit B-3).

21. The September 28, 2023, meeting was attended by the following members or representatives of BrightNight, LLC, the parent company of the Applicant:

- Lindsey Hesch, Director, Permitting
- Joseph Albrecht, Director, Development
- David Gil, Senior Vice President, Development
- Kara Price, Director, Development
- Garrett Runge, Director, Land Acquisition
- Damien McCormick, Lease Acquisition Agent
- Rickie Wiley, Lease Acquisition Agent
- Praneeth Chiguluri, Director, Project Engineering

- Francesca Metcalf, Manager, Development
- Michael Tincher, Principal Consultant at ERM
- S. Brandon Coan at Applied Civics

The October 17, 2023, meeting was attended by the following members or representatives of BrightNight, LLC, the parent company of the Applicant:

- Lindsey Hesch, Director, Permitting
- Joseph Albrecht, Director, Development
- Garrett Runge, Director, Land Acquisition
- Damien McCormick, Lease Acquisition Agent
- Rickie Wiley, Lease Acquisition Agent
- S. Brandon Coan at Applied Civics

22. Approximately 30 members of the public attended the first meeting while the second meeting had approximately 10 attendees. An open house format was used with informational poster boards spaced around the room. Stationed next to each poster board were 1-2 Project representatives who were available to answer questions from the community. The contents of the poster boards presented at the meeting included information about the Applicant, an overview of utility-scale solar development, a map of the Project showing a preliminary layout plan, the anticipated permitting timeline and construction schedule, the Applicant's active development portfolio, property tax benefits, and a visual simulation of the Project. Project representatives took note of questions and concerns raised by attendees. Adjacent landowners asked questions about the permitting process, visual impacts of the Project during construction and operation, and potential impacts to local wildlife. In addition, several attendees inquired if there were still opportunities to get involved with the Project as a participating landowner. The presentation materials and attendance lists from the public information meetings are included in Exhibit B-5.

23. Prior to the official public information meetings described above, Project representatives have been actively engaged in the local communities over the last year. The engagements and meetings noted below informed the community on the Project itself and provided opportunities to

consult with local leaders on ways in which the Project could best invest in the community and support economic growth. The Applicant is a member of both the Marion County Chamber of Commerce and the Springfield-Washington County Chamber of Commerce. Engaging with Chamber leadership and local business owners provided additional opportunities to share Project details and answer questions around the Project's proposed development and future operations.

24. In March 2023, on behalf of the Project, Directors of Development, Joseph Albrecht and Kara Price, met with Brooklyn Leep, Executive Director of the Marion County Industrial Foundation ("Foundation"), to discuss the Project's role in supporting regional economic development opportunities. From that meeting, the Project team was invited to present to its entire membership at the Foundation's First Friday luncheon on April 14, 2023. Approximately 50 area leaders from the business and education sectors were on hand to hear details on the Project and learn more about its economic and community benefits.

25. The Project has also been in contact with Daniel Carney, Director of the Springfield-Washington County Economic Development Authority to provide project benefit information and continued updates.

26. The Applicant has recently met with the Washington County School Board to identify additional local opportunities for support.

VII. Efforts to Locate Near Existing Electric Generation

27. Pursuant to KRS 278.706(2)(g), Frontier Solar considered whether the proposed Project could be located on, adjoining, or in proximity to the location of existing electric generating facilities. For solar projects like Frontier Solar, key factors for site selection are favorable geography, willing landowner participation, and access to existing substations with available capacity. The land needed to site Frontier Solar was not available on or adjoining to an existing

electric generation facility. Frontier Solar selected a location in proximity to a utility substation with available capacity.

28. The onsite Project substation will connect to the existing electric grid via an approximately 8,739-foot (1.7-mile) nonregulated electric transmission line to be constructed between the Project and the existing 138 kV Lebanon Substation. Information on interconnection cost and infrastructure is included in the System Impact Study, Feasibility Study, and Facility Study Reports enclosed as Exhibit D.

VIII. Proof of Service to County Officials

29. Pursuant to KRS 278.706(2)(h) and KRS 278.714(2)(f), on December 28, 2023, a copy of the Siting Board application for Frontier Solar, LLC, was electronically transmitted to the Judge-Executives of Marion and Washington Counties, David Daugherty and Timothy Graves, the chief executive officers of the counties in which the proposed generating facility is to be located.

IX. Effect on Kentucky Electricity Generation System

30. Pursuant to KRS 278.706(2)(i), the Project is within LG&E/KU's service territory, and therefore, the interconnection of the Project will be on the LG&E/KU system. An analysis of the proposed solar generating facility's projected effect on the electricity transmission system is provided in Exhibit D.

X. Effect on Local and Regional Economies

31. Pursuant to KRS 278.706(2)(j), an Economic Impact Study was completed for the Project by Magnum Economics and is enclosed as Exhibit E. As the study demonstrates, utility-scale solar energy projects have numerous economic benefits. Solar installations create job opportunities in the local area during both the short-term construction phase and the long-term operational phase. In addition to the workers directly involved in the construction and maintenance of the solar energy

project, numerous other jobs are supported through indirect supply chain purchases and the higher spending that is induced by these workers. Solar projects strengthen the local tax base and help improve county services, and local infrastructure such as public roads.

32. During construction, according to the Economic Impact Study, Frontier Solar is projected to employ approximately 150 total full-time equivalent construction workers during construction. To the extent feasible, jobs will be sourced locally. Statewide, project construction is anticipated to support approximately 151 direct, indirect, and included jobs, generate approximately $7.3 million in labor income, $32.8 million in total economic output (economic activity including purchases of goods and services), and $1.2 million in state and local tax revenue.

33. During the operations phase, the Project would employ one technician and spend approximately $1.3 million each year for salaries, vegetative control, maintenance and repair, and other operational expenditures. The Project would support an estimated four local long-term jobs and a total of eight long-term jobs statewide during operation, with annual labor income of approximately $0.4 million and a total economic output of approximately $1.3 million annually. Additionally, the Project is projected to generate approximately $4.8 million in total tax revenue to the Commonwealth of Kentucky and approximately $8.6 million in total tax revenue to the local jurisdictions (Marion and Washington Counties) during its operating life.

XI. Record of Environmental Violations

34. Pursuant to KRS 278.706(2)(k), neither the Applicant, nor any entity with ownership interest in the Project, has violated any state or federal environmental laws or regulations. There are no pending actions, judicial or administrative, against the Applicant nor any entity with ownership interest in the Project.

XII. Site Assessment Report

35. Pursuant to KRS 278.706(2)(l), the Site Assessment Report (SAR) is being contemporaneously filed herewith; please see the separate document titled "Frontier Solar, LLC, Kentucky State Board on Electric Generation and Transmission Application, Site Assessment Report, Case No. 2023-00360", and labeled as Exhibit F to this application.

XIII. Decommissioning

36. Pursuant to KRS 278.706(2)(m), the decommissioning plan is being contemporaneously filed herewith; please see the separate document titled "FRON bn, LLC, Kentucky State Board on Electric Generation and Transmission Application, Decommissioning Plan, Case No. 2023-00360", and enclosed as Exhibit G.

37. Pursuant to KRS 278.706(2)(m)(1), the decommissioning plan outlines the removal of the Project's above-ground facilities including, among others, solar panels, trackers, piles, wiring, inverters, and fencing (see Exhibit G, pp. 5-6).

38. Pursuant to KRS 278.706(2)(m)(2), the decommissioning plan outlines the removal of the Project's underground facilities up to a depth of three feet, including underground wiring and conduits. Project components at greater depth will be removed upon agreement with the landowner (see Exhibit G, p. 6).

39. Pursuant to KRS 278.706(2)(m)(3), the land will be restored to a substantially similar state as it was prior to construction of the Project. Specific tasks include backfilling of pile and foundation sites, decompaction of subsoils, grading of surfaces to pre-construction land contours, and revegetation of disturbed areas. Topsoil will be replaced, as needed, and seeded with appropriate vegetation in coordination with landowners (see Exhibit G, p. 8).

40. Pursuant to KRS 278.706(2)(m)(4), the Project's substation and transmission line will remain in place for future use unless otherwise requested by the landowner. If the landowner requests that the interconnection facilities be removed, the underlying land will be restored to a substantially similar state as it was prior to construction of the Project (see Exhibit G, p. 7).

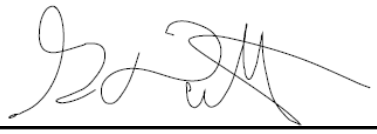
41. Pursuant to KRS 278.706(2)(m)(5), Frontier Solar will secure a decommissioning bond or similar security to assure financial performance of its decommissioning obligations. The amount of the proposed bond shall be thew net present value of the total estimated cost of completing the decommissioning plan, less the salvage value of the facility's components. For lands leased by the Applicant, the bond or similar security will name the landowner and Energy and Environment Cabinet ("Cabinet") as co-beneficiaries, with Marion and Washington Counties named as secondary beneficiaries once consent is secured. For land owned by the Applicant, the bond or similar security will name the Cabinet as the primary beneficiary. The bond or similar security will be provided by an insurance company or surety that shall maintain at all times at least an "Excellent" rating as measured by the AM Best rating agency or an investment grade credit rating by any national credit rating agency, and, if available, shall be non-cancelable by the provider or customer until the completion of the decommissioning plan or until a replacement bond is secured (See Exhibit G, pp. 10-11).

42. Pursuant to KRS 278.706(2)(m)(6), Frontier Solar will communicate with each affected landowner at the end of the Project's useful life so that any requests of the landowner for the decommissioning phase in addition to minimal requirements under KRS 278.706(2)(m) may, in the sole discretion of the Applicant or its successor or assign, may be accommodated (see Exhibit G, p. 11).

43. Pursuant to KRS 278.706(2)(m)(7), the Project's lease agreements shall be amended to incorporate the requirements of 278.706(2)(m)(1)-(6) therein.

Dated this 28th day of December 2023.

Respectfully submitted,



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Statutory/Regulation Requirements
General ESB Certificate

KRS 278.	Description	Filing
278.706(2)(a)	The name, address, and telephone number of the person proposing to construct and own the merchant generating facility.	Application ¶1
(2)(b)	A full description of the proposed site, including a map showing the distance of the proposed site from residential neighborhoods, the nearest residential structures, schools, and public and private parks that are located within a two (2) mile radius of the proposed facility.	Application ¶¶2-12, Exhibit A
(2)(c)	Evidence of public notice that shall include the location of the proposed site and a general description of the project, state that the proposed line is subject to approval by the board, and provide the telephone number and address of the Public Service Commission. Public notice shall be given within thirty (30) days immediately preceding the application filing to: 1. Landowners whose property borders the proposed site; and 2. The general public in a newspaper of general circulation in the county or municipality in which the facility is to be located.	Application ¶13, Exhibits B-1, B- 2, B-3
(2)(d)	A statement certifying that the proposed plant will be in compliance with all local ordinances and regulations concerning noise control and with any local planning and zoning ordinances. The statement shall also disclose set back requirements established by the planning and zoning Commission as provided under KRS 278.704(3).	Application ¶14, Exhibit C
(2)(e) [1st]	If the facility is not proposed to be located on a site ... in an area where a planning and zoning commission has established a setback requirement pursuant to KRS 278.704(3), a statement that ... all proposed structures or facilities used for generation of electricity are two thousand (2,000) feet from any residential neighborhood, school, hospital, or nursing home facility....	N/A
(2)(e) [2nd]	If the facility is proposed to be located on a site of a former coal processing plant and the facility will use on-site waste coal as a fuel source, a statement that the proposed site is compatible with the setback requirements provided under KRS 278.704(5).	N/A
(2)(e) [3rd]	If the facility is proposed to be located in a jurisdiction that has established setback requirements pursuant to KRS 278.704(3), a statement that the proposed site is in compliance with those established setback requirements.	Application ¶¶15-18, Exhibit C

(2)(f)(1)	A complete report of the applicant's public involvement program activities undertaken prior to the filing of the application, including: The scheduling and conducting of a public meeting in the county or counties in which the proposed facility will be constructed at least ninety (90) days prior to the filing of an application, for the purpose of informing the public of the project being considered and receiving comment on it.	Application ¶¶19-26, Exhibits B-3, B-4, B-5
(2)(f)(2)	Evidence that notice of the time, subject, and location of the meeting was published in the newspaper of general circulation in the county, and that individual notice was mailed to all owners of property adjoining the proposed project at least two (2) weeks prior to the meeting.	Application ¶¶19-26, Exhibits B-3, B- 4
(2)(f)(3)	Any use of media coverage, direct mailing, fliers, newsletters, additional public meetings, establishment of a community advisory group, and any other efforts to obtain local involvement in the siting process.	Application ¶¶19-26, Exhibit B-5
(2)(g)	A summary of the efforts made by the applicant to locate the proposed facility on a site where existing electric generating facilities are located.	Application ¶¶27-28, Exhibit D
(2)(h)	Proof of service of a copy of the application upon the chief executive officer of each county and municipal corporation in which the proposed line is to be located, and upon the chief officer of each public agency charged with the duty of planning land use in the general area in which the line is proposed to be located.	Application ¶29,
(2)(i)	An analysis of the proposed facility's projected effect on the electricity transmission system in Kentucky.	Application ¶30, Exhibit D
(2)(j)	An analysis of the proposed facility's economic impact on the affected region and the state.	Application ¶31-33, Exhibit E
(2)(k)	A detailed listing of all violations by it, or any person with an ownership interest, of federal or state environmental laws, rules, or administrative regulations, whether judicial or administrative, where violations have resulted in criminal convictions or civil or administrative fines exceeding five thousand dollars ($5,000). The status of any pending action, whether judicial or administrative, shall also be submitted.	Application ¶34
(2)(l)	A site assessment report as specified in KRS 278.708.	Application ¶35, Exhibit F
(2)(m)	A decommissioning plan as specified in KRS 278.706(2)(m)(1) – (7).	Application ¶¶36-43, Exhibit G
(2)(m)(1)	Unless otherwise requested by the landowner, remove all above-ground facilities;	Application ¶¶36-43, Exhibit G

(2)(m)(2)	Unless otherwise requested by the landowner, remove any underground components and foundations of above-ground facilities. Facilities removed under this subparagraph shall be removed to a depth of three (3) feet below the surface grade of the land in or on which the component was installed, unless the landowner and the applicant otherwise agree to a different depth;	Application ¶¶36-43, Exhibit G
(2)(m)(3)	Return the land to a substantially similar state as it was prior to the commencement of construction;	Application ¶¶36-43, Exhibit G
(2)(m)(4)	Unless otherwise requested by the landowner, leave any interconnection or other facilities in place for future use at the completion of the decommissioning process;	Application ¶¶36-43, Exhibit G
(2)(m)(5)	Secure a bond or other similar security for the project to assure financial performance of the decommissioning obligation, provided that:	Application ¶¶36-43, Exhibit G
(2)(m)(5)(a)	The amount of the proposed bond or similar security shall be determined by an independent, licensed engineer who is experienced in the decommissioning of solar electric generating facilities and has no financial interest in either the merchant electric generating facility or any parcel of land upon which the merchant electric generating facility is located. The proposed amount of the bond or similar security shall be either: The net present value of the total estimated cost of completing the decommissioning plan, less the current net salvage value of the merchant electric generating facility's components; or The bond amount required by a county or municipal government that has established a decommissioning bond requirement or similar security obligation in the county or municipality where the merchant electric generating facility will be located. If the facility will be located in more than one (1) county or municipality that has established a decommissioning bond or similar security obligation, then the higher amount shall be required for the facility;	Application ¶¶36-43, Exhibit G
(2)(m)(5)(b)	The bond or other similar security names: For property that is leased by the applicant, each landowner from whom the applicant leases land and the Energy and Environment Cabinet as the primary co-beneficiaries; or	Application ¶¶36-43, Exhibit G

	For property that is owned by the applicant, the Energy and Environment Cabinet as the primary beneficiary;	
(2)(m)(5)(c)	If the merchant electric generating facility is to be located in a county or municipality that has not established a decommissioning bond or other similar security obligation, the bond or other similar security shall name the county or municipality as a secondary beneficiary with the county's or municipality's consent;	Application ¶¶36-43, Exhibit G
(2)(m)(5)(d)	The bond or other similar security shall be provided by an insurance company or surety that shall at all times maintain at least an "Excellent" rating as measured by the AM Best rating agency or an investment grade credit rating by any national credit rating agency and, if available, shall be noncancelable by the provider or the customer until completion of the decommissioning plan or until a replacement bond is secured; and	Application ¶¶36-43, Exhibit G
(2)(m)(5)(e)	The bond or other similar security shall provide that at least thirty (30) days prior to its cancellation or lapse, the surety shall notify the applicant, its successor or assign, each landowner, the Energy and Environment Cabinet, and the county or city in which the facility is located of the impending cancellation or lapse. The notice shall specify the reason for the cancellation or lapse and provide any of the parties, either jointly or separately, the opportunity to cure the cancellation or lapse prior to it becoming effective. The applicant, its successor, or its assign, shall be responsible for all costs incurred by all parties to cure the cancellation or lapse of the bond. Each landowner, or the Energy and Environment Cabinet with the prior approval of each landowner, may make a demand on the bond and initiate and complete the decommissioning plan.	Application ¶¶36-43, Exhibit G
(2)(m)(6)	Communicate with each affected landowner at the end of the merchant electric generating facility's useful life so that any requests of the landowner that are in addition to the minimum requirements set forth in this paragraph and in addition to any other requirements specified in the lease with the landowner may, in the sole discretion of the applicant or its successor or assign, be accommodated; and	Application ¶¶36-43, Exhibit G
(2)(m)(7)	Incorporate the requirements of paragraphs (m)1. to 6. of this subsection into the applicant's leases with landowners	Application ¶¶36-43, Exhibit G

.704(3)	If the merchant electric generating facility is proposed to be located in a county or a municipality with planning and zoning, then setback requirements from a property boundary, residential neighborhood, school, hospital, or nursing home facility may be established by the planning and zoning commission.	Application ¶¶15-18, Exhibit C
278.708(1)	A site assessment report...as required under KRS 278.706(2)(1).	Application ¶35, Exhibit F
.708(2)	A site assessment report...prepared by the applicant or its designee.	Application Exhibit F
.708(3)(a)	A description of the proposed facility that shall include a proposed site development plan that describes: 1. Surrounding land uses for residential, commercial, agricultural, and recreational purposes; 2. The legal boundaries of the proposed site; 3. Proposed access control to the site; 4. The location of facility buildings, transmission lines, and other structures; 5. Location and use of access ways, internal roads, and railways; 6. Existing or proposed utilities to service the facility; 7. Compliance with applicable setback requirements as provided under KRS 278.704(2), (3), (4), or (5); and 8. Evaluation of the noise levels expected to be produced by the facility.	SAR ¶¶1-13, Exhibit A, SAR Exhibits A, C, D, F
(3)(b)	An evaluation of the compatibility of the facility with scenic surroundings;	SAR ¶¶14-16, SAR Exhibit B
(3)(c)	The potential changes in property values and land use resulting from the siting, construction, and operation of the proposed facility for property owners adjacent to the facility.	SAR ¶17, SAR Exhibit B
(3)(d)	Evaluation of anticipated peak and average noise levels associated with the facility's construction and operation at the property boundary; and	SAR ¶¶18-21, SAR Exhibit D
(3)(e)	The impact of the facility's operation on road and rail traffic to and within the facility, including anticipated levels of fugitive dust created by the traffic and any anticipated degradation of roads and lands in the vicinity of the facility.	SAR ¶¶ 22-25, SAR Exhibits E, G
.708(4)	The site assessment report shall also suggest any mitigating measures to be implemented by the applicant to minimize or avoid adverse effects identified in the site assessment report.	SAR ¶¶26-32

Statutory/Regulation Requirements
Nonregulated Electric Transmission Line Certificate

KRS 278.714	Description	Filing
(2)(a)	The name, address, and telephone number of the person proposing construction of the nonregulated electric transmission line or the carbon dioxide transmission pipeline.	¶ 1
(2)(b)	A full description of the proposed route of the electric transmission line or the carbon dioxide transmission pipeline and its appurtenances. The description shall include a map or maps showing: 1. The location of the proposed line or pipeline and all proposed structures that will support it; 2. The proposed right-of-way limits; 3. Existing property lines and the names of persons who own the property over which the line or pipeline will cross; and 4. The distance of the proposed electric transmission line from residential neighborhoods, schools, and public and private parks within one (1) mile of the proposed facilities.	¶¶ 4-6, Exhibit A
(2)(c)	With respect to electric transmission lines, a full description of the proposed line and appurtenances, including the following: 1. Initial and design voltages and capacities; 2. Length of line; 3. Terminal points; and 4. Substation connections.	¶¶ 4-6, Exhibit A
(2)(d)	A statement that the proposed electric transmission line and appurtenances will be constructed and maintained in accordance with accepted engineering practices and the National Electric Safety Code.	¶ 6, Exhibit A
(2)(e)	Evidence that public notice has been given by publication in a newspaper of general circulation in the general area concerned. Public notice shall include the location of the proposed electric transmission line or carbon dioxide pipeline, shall state that the proposed line or pipeline is subject to approval by the board, and shall provide the telephone number and address of the Public Service Commission.	¶13, Exhibit B
(2)(f)	Proof of service of a copy of the application upon the chief executive officer of each county and municipal corporation in which the proposed electric transmission line or carbon dioxide transmission pipeline is to be located, and upon the chief officer of each public agency charged with the duty of planning land use in the general area in which the line or pipeline is proposed to be located.	¶29