

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>ELECTRONIC APPLICATION OF KENTUCKY</b>	)	
<b>UTILITIES COMPANY AND LOUISVILLE GAS</b>	)	
<b>AND ELECTRIC COMPANY FOR A SITE</b>	)	<b>CASE NO.</b>
<b>COMPATIBILITY CERTIFICATE FOR THE</b>	)	<b>2023-00361</b>
<b>CONSTRUCTION OF A SOLAR FACILITY IN</b>	)	
<b>MERCER COUNTY, KENTUCKY</b>	)	

**VERIFIED JOINT APPLICATION**

Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU”) (collectively the “Companies” or “Applicants”) pursuant to KRS 278.216 and 807 KAR 5:001, Section 14, hereby jointly apply to the Public Service Commission (“Commission”) for A Site Compatibility Certificate for the construction of an approximately 120 MW ac solar photovoltaic facility in Mercer County, Kentucky (“Mercer County Solar Facility”). In support of this Joint Application, the Companies state as follows:

1. Addresses: Applicant LG&E’s full name and post office address is: Louisville Gas and Electric Company, 220 West Main Street, Post Office Box 32010, Louisville, Kentucky 40202. Applicant KU’s full name and business address is: Kentucky Utilities Company, One Quality Street, Lexington, Kentucky 40507. KU’s mailing address is Kentucky Utilities Company c/o Louisville Gas and Electric Company, 220 West Main Street, Post Office Box 32010, Louisville, Kentucky 40202.

The Companies may be reached by electronic mail at the electronic mail addresses of their counsel set forth below.

2. Corporate Status. LG&E is incorporated in the Commonwealth of Kentucky, and attests it is in good corporate standing. LG&E was incorporated in Kentucky on July 2,

1913. KU is incorporated in the Commonwealth of Kentucky and the Commonwealth of Virginia, and attests it is in good corporate standing in both states. KU was incorporated in Kentucky on August 17, 1912, and in Virginia on November 26, 1991. LG&E is a public utility, as defined in KRS 278.010(3)(a), engaged in the electric and gas business. LG&E generates and purchases electricity, and distributes and sells electricity at retail in Jefferson County and portions of Bullitt, Hardin, Henry, Meade, Oldham, Shelby, Spencer, and Trimble Counties. LG&E also purchases, stores, and transports natural gas, and distributes and sells natural gas at retail in Jefferson County and portions of Barren, Bullitt, Green, Hardin, Hart, Henry, Larue, Marion, Meade, Metcalfe, Nelson, Oldham, Shelby, Spencer, Trimble, and Washington Counties. KU is a public utility, as defined in KRS 278.010(3)(a), engaged in the electric business. KU generates and purchases electricity, and distributes and sells electricity at retail in the following counties in Central, Northern, Southeastern, and Western Kentucky:

Adair	Edmonson	Jessamine	Ohio
Anderson	Estill	Knox	Oldham
Ballard	Fayette	Larue	Owen
Barren	Fleming	Laurel	Pendleton
Bath	Franklin	Lee	Pulaski
Bell	Fulton	Lincoln	Robertson
Bourbon	Gallatin	Livingston	Rockcastle
Boyle	Garrard	Lyon	Rowan
Bracken	Grant	Madison	Russell
Bullitt	Grayson	Marion	Scott
Caldwell	Green	Mason	Shelby
Campbell	Hardin	McCracken	Spencer
Carlisle	Harlan	McCreary	Taylor
Carroll	Harrison	McLean	Trimble
Casey	Hart	Mercer	Union
Christian	Henderson	Montgomery	Washington
Clark	Henry	Muhlenberg	Webster
Clay	Hickman	Nelson	Whitley
Crittenden	Hopkins	Nicholas	Woodford
Daviess			

3. Notice of Election. Pursuant to 807 KAR 5:001 Section 8, on November 8, 2023, the Companies filed with the Commission notice of their intent to use electronic filing

procedures in this proceeding. Copies of all orders, pleadings and other communications related to this proceeding should be directed to:

Robert M. Conroy  
Vice President, State Regulation and Rates  
LG&E and KU Services Company  
220 West Main Street  
Louisville, Kentucky 40202  
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Allyson K. Sturgeon  
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4. Facilities to be Constructed. In Case No. 2022-00402,<sup>1</sup> the Companies sought, among other things and pursuant to KRS 278.020, a Certificate of Public Convenience and Necessity (“CPCN”) authorizing the construction of the Mercer County Solar Facility. The Mercer County Fiscal Court moved to intervene in Case No. 2022-00402 and the Commission granted that motion.<sup>2</sup> When the Companies filed that case, they were uncertain as to the precise location of the facilities in Mercer County. As that case progressed and in accordance with discussions the Companies had with the Mercer County Fiscal Court, the Companies were able

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<sup>1</sup> Case No. 2022-00402, *Electronic Joint Application of Louisville Gas and Electric Company and Louisville Gas and Electric Company for Certificates of Public Convenience and Necessity and Site Compatibility Certificates and Approval of a Demand Side Management Plan and Approval of Fossil Fuel-Fired Generating Unit Retirements.*

<sup>2</sup> Case No. 2022-00402, Order, February 7, 2023.

to obtain the land necessary for Mercer County Solar Facility and are now able to identify the location on that land for the facility. Additionally, the Companies were able to reach an agreement with the Mercer County Fiscal Court by which it withdrew its previous opposition to the Mercer County Solar Facility.<sup>3</sup> That location is described in more detail in the Site Assessment Report referenced below. By Order of November 6, 2023 in Case No. 2022-00402, the Commission granted a CPCN for the Mercer County Solar Facility. Thus, the Companies now seek a Site Compatibility Certificate pursuant to KRS 278.216.

5. Site Assessment Report (KRS 278.216 and 278.708(3)(4)). KRS 278.216(1) requires a utility to obtain a Site Compatibility Certificate before it begins construction of a facility for the generation of electricity capable of generating in aggregate more than ten megawatts (10 MW). The Mercer County Solar Facility will be constructed for the generation of electricity equal to or greater than 10 MW, and, therefore, a Site Compatibility Certificate is required. Additionally, KRS 278.216(2) requires the submission of a Site Assessment Report as prescribed by KRS 278.708(3) and (4). The required Site Assessment Report is attached as Exhibit 1. The Site Assessment Report demonstrates that the Companies' plans for the Mercer County Solar Facility satisfy the requirements for a Site Compatibility Certificate. Specifically, the construction of the facility will not cause a negative impact to local property values, unduly increase traffic or noise, nor change the visual impacts of the facility from what already exists.

**WHEREFORE**, the Companies respectfully request the Commission to issue an Order granting a Site Compatibility Certificates for the Mercer County Solar Facility and for any and all other relief to which the Companies may appear entitled.

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<sup>3</sup> Case No. 2022-00420, August 14, 2023 *Stipulation and Recommendation*, p. 3. (The August 14, 2023 *Stipulation and Recommendation* was filed in Case No. 2022-00402 on August 15, 2023.)

Dated: November 13, 2023

Respectfully submitted,



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*Counsel for Kentucky Utilities Company and  
Louisville Gas and Electric Company*

VERIFICATION

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF JEFFERSON )

The undersigned, **Philip A. Imber**, being duly sworn, deposes and says that he is Director – Environmental and Federal Regulatory Compliance for LG&E and KU Services Company, 220 West Main Street, Louisville, KY 40202, and that he has personal knowledge of the matters set forth in the foregoing Joint Application, and that the content thereof is true and correct to the best of his information, knowledge, and belief.

*Philip A Imber*  
\_\_\_\_\_  
**Philip A. Imber**

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 9 day of November 2023.

*Caroline J. Davison*  
\_\_\_\_\_  
Notary Public

Notary Public ID No. KYNP63286

My Commission Expires:

January 22, 2027



**CERTIFICATE OF COMPLIANCE**

In accordance with the Commission's Order of July 22, 2021 in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), this is to certify that the electronic filing has been transmitted to the Commission on November 13, 2023; and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



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*Counsel for Kentucky Utilities Company and  
Louisville Gas and Electric Company*