

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

In the Matter of:)	
)	
ELECTRONIC APPLICATION OF MANTLE ROCK)	
SOLAR, LLC FOR A CERTIFICATE OF)	Case No. 2024-00050
CONSTRUCTION FOR AN APPROXIMATELY 42-)	
MEGAWATT MERCHANT ELECTRIC SOLAR)	
GENERATING FACILITY IN LIVINGSTON)	
COUNTY, KENTUCKY, PURSUANT TO KRS)	
278.700 AND 807 KAR 5:110)	

POST-HEARING BRIEF

Mantle Rock Solar, LLC (“Mantle Rock”), by counsel, and pursuant to 807 KAR 5:110, Section 7 and Kentucky State Board on Electric Generation and Transmission Siting (“Siting Board”) order dated January 13, 2026, submits this Post-Hearing Brief. The record in this matter demonstrates that the Siting Board should approve a construction certificate for its application to construct a 42-megawatt merchant electric solar generating, battery energy storage facility, and associated transmission line with reasonable conditions as discussed throughout the record.

Mantle Rock’s project is proposed to be located in a rural, low-population density area of Livingston County. Harvey Economics (“HE”) mentioned, “The area immediately surrounding the Project site can be generally described as rural, including forestland, agricultural operations and a small number of individual residences.”¹ The project only has 6 residences within 2,000 feet of the project.²

¹ Harvey Economics Review and Evaluation of the Mantle Rock Solar, LLC Site Assessment Report filed December 10, 2025 (“HE Review”), page 2-2.

² *Id.* at 2-3.

Questions were raised at the evidentiary hearing regarding setbacks proposed by the project. Mantle Rock submits that its proposed setbacks are reasonable. HE clarified its original Site Assessment Report previously filed with the Siting Board, and its updated recommendation on setbacks is “consistent with the PSC’s final orders for multiple previous solar facility applications,” and specifies solar panels to be no closer than “**150 feet from a residence, church or school, 25 feet from non-participating adjoining parcels, or 50 feet from adjacent roadways**” and central inverters to be no closer than **450 feet** to residences or churches.³

The initial HE Review suggested a mitigation measure mandating Mantle Rock to “not place solar panels or inverters closer than 400 feet from a residence, church or school, 20 feet from non-participating adjoining parcels, and 50 feet from adjacent roadways” and to not place central inverters closer than 890 feet. As Mantle Rock responded to the initial HE Review, the Project’s preliminary design might allow for 400-foot setbacks from solar panels to residences or 890-foot setbacks from central inverters to residences but would not accommodate flexibility for final design changes near the few residences. Mantle Rock also explained that the preliminary design could not accommodate a 400-foot setback from solar panels to the Good Hope Church without substantial design revisions possibly negatively affecting generating capacity.

HE’s subsequent filing, which Mantle Rock finds reasonable, demonstrates that the commonly required setbacks of 150 feet from a residence, church or school, 25 feet from non-participating adjoining parcels, or 50 feet from adjacent roadways are acceptable for this project. Further, as support for the reasonability of the setback proposals, no opposition comments were submitted in the case record. The lack of public opposition to the Project or the proposed setbacks

³ Harvey Economics Comments on the Mantle Rock Solar, LLC Response to Harvey Economics’ Consultant’s Report filed December 30, 2025 (emphasis added).

indicates community and neighboring support of the Project. Mantle Rock believes this community support for the Project is reflective of the extended community outreach it has done.

Mantle Rock requests that the Siting Board implement these setbacks recommended by HE because they would provide flexibility in finalizing the site layout. As an alternative, however, Mantle Rock would agree to a setback between solar panels and residences to be 300 feet and the setback between solar panels and the Good Hope Church to be 275 feet. Mantle Rock would also recommend the 450-foot setback from central inverter to residences and churches that HE recommended. Mantle Rock has proposed an extensive landscape plan to screen or buffer residences and the Good Hope Church with the commitment to plant approximately 14,639 linear feet (2.7 miles) of trees and bushes, approximately 10 acres. This is an additional reason why Mantle Rock considers the recommended setbacks appropriate.

As was acknowledged at the evidentiary hearing, following the filing of Mantle Rock's Siting Board application, Livingston County adopted an ordinance with 500-foot setbacks. The project's preliminary design proposes solar panels to two residences and a church within 500 feet.⁴ This ordinance is not applicable to the project, pursuant to KRS 278.710(1)(e); nevertheless, Mantle Rock is willing to communicate with the County officials about concerns that they may have regarding specific properties and potentially modify plans where feasible. Ultimately, however, for the purposes of the Siting Board's decision in this case, Mantle Rock encourages the Siting Board to establish setbacks as otherwise discussed in this Brief.

Mantle Rock submits that the record of the case supports its request for a certificate of construction for the project. It respectfully requests that the Siting Board (a) approve a construction certificate for Mantle Rock to construct its Project with appropriate conditions including the

⁴ Based on the preliminary design, these two residences are 409 and 445 feet to the closest solar panel. The Good Hope Church is currently planned to be approximately 290 feet to the closest solar panel.

setback distances discussed herein and (b) confirm that no separate approval for an approximately 210-foot interconnection transmission line is necessary or, in the alternative, approve a construction certificate for a transmission line between the project switchyard and utility substation.

Respectfully submitted,



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