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**M. Todd Osterloh**  
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August 28, 2025

Linda Bridwell, Executive Director  
Public Service Commission of Kentucky  
P.O. Box 615  
Frankfort, KY 40602-0615

Re: **Case No. 2024-00050**  
*Mantle Rock Solar LLC*

Dear Ms. Bridwell:

Mantle Rock Solar LLC (“Mantle Rock”), by and through counsel, hereby submits its response to the Commission Staff’s letter dated August 27, 2025, regarding a potential filing deficiency in Mantle Rock’s application filed on August 25, 2025. In the letter, Commission Staff noted that “[p]roof of service was not provided with application.” It also referenced KRS 278.706(2)(h) that requires the application to include the following: “Proof of service of a copy of the application upon the chief executive officer of each county and municipal corporation in which the proposed facility is to be located, and upon the chief officer of each public agency charged with the duty of planning land use in the jurisdiction in which the facility is proposed to be located.”

Mantle Rock respectfully submits that it complied with this statutory requirement by submitting a Certificate of Service with its “Pleading,” certifying that it is served on the Judge/Executive (the chief executive officer of the county). Counsel for Mantle Rock has submitted approximately 20 applications for a construction certificate over the last five years with a similar Certificate, all of which have been accepted as “proof of service.” We do not believe any applications with this certification have not been accepted based on this issue.

Mantle Rock submits that this certification should be sufficient to meet the requirements of KRS 278.706. This certification is consistent with the Kentucky Rules of Civil Procedure that authorize certification by “a member of the bar of the court” that includes “electronic service must state the electronic notification address of the person served and that the document was served electronically.” CR 5.03. A similar mechanism is provided in Section 6 of 807 KAR 5:001—regulations promulgated by the Public Service Commission, which is the sister agency of the Siting Board—and allows proof of service to be provided “by certificate of the filer’s attorney.”

In addition to this “proof,” Mantle Rock is providing a copy of the email to the Livingston County Judge/Executive with electronic access to the application and a response indicating receipt of the email.

Based on the foregoing information, Mantle Rock respectfully requests the Siting Board accept its application as of **August 25, 2025**.

The undersigned counsel certifies that the document filed electronically is a true, accurate and complete representation of the original document and has been transmitted to the Commission. No party to this case has been excused from participation by electronic means.

Please contact me if you have any questions.

Sincerely,  
STURGILL, TURNER, BARKER & MOLONEY, PLLC

  
M. Todd Osterloh

cc: livcojudge@livingstonco.ky.gov

**From:** [livcojudge@livingstonco.ky.gov](mailto:livcojudge@livingstonco.ky.gov)  
**To:** [Todd Osterloh](#)  
**Subject:** RE: Mantle Rock Solar - KSB Application  
**Date:** Monday, August 25, 2025 9:59:26 PM

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Thank you for sharing.

**From:** Todd Osterloh <tosterloh@sturgillturner.com>  
**Sent:** Monday, August 25, 2025 6:35 PM  
**To:** livcojudge@livingstonco.ky.gov  
**Cc:** Jade Cessna <jade.cessna@atlantica.com>; Rebecca C. Price <rprice@sturgillturner.com>  
**Subject:** Mantle Rock Solar - KSB Application

This message was sent securely using Zix<sup>®</sup>

Judge Williams:

I represent Mantle Rock Solar, LLC. I believe that Jade Cessna informed you that we would be filing an application with the Kentucky Siting Board for approval of a construction certificate. That application was electronically filed this evening. As a part of the statutory requirements, we must provide you notice of and access to the application.

You may view the application materials on the Public Service Commission's website (which also functions as administrative staffing for the Siting Board). Here is a link to the online case file: <https://psc.ky.gov/Case/ViewCaseFilings/2024-00050>

**M. Todd Osterloh**

Member

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