



405 S 8th St, Ste 331, Boise, ID 83702 / P 208.472.8837 / F 678.441.9978 / trinityconsultants.com

May 20, 2024

Mr. Philip Imber
Louisville Gas & Electric Company
1920 Louisville Rd.
Harrodsburg, KY 40330
philip.imber@lge-ku.com

RE: Setback Clarification/Correction for the Site Assessment Report and Cumulative Environmental Assessment Prepared for the Battery Energy Storage System Project

Dear Mr. Imber:

This letter outlines a minor clarification/correction to be incorporated into the Site Assessment Report (SAR) and Cumulative Environmental Assessment (CEA) dated March 11, 2024, which was prepared for Louisville Gas & Electric Company's (LG&E's) proposed Battery Energy Storage System (BESS) Project. In order to ensure the SAR/CEA is consistent with the applicable Kentucky Revised Statutes (KRS), we request that Section 2.8 ("Compliance with Setback Requirements (KRS 278.704 (2-5))") be revised to state the following:

2.8 Compliance with Setback Requirements (KRS 278.704 (2-5))

There are no setback requirements identified for the proposed BESS Facility. The Mercer County Fiscal Court has not adopted any setback requirements applicable to battery projects. Even if there were such local requirements, LG&E, as a public utility under KRS 278.010(3)(a), is exempt from local planning and zoning laws pursuant to KRS 100.324 and KRS 278.216(5). Furthermore, the setback requirements contained in KRS 278.704 do not apply to battery projects.

We request that this errata letter be appended to the existing SAR/CEA report dated March 11, 2024, and that the language presented above supersedes the information previously presented in Section 2.8 of the document. Thank you for your time and consideration in this matter.

Sincerely,

TRINITY CONSULTANTS

A handwritten signature in black ink, appearing to read "David E.B. Strohm II". The signature is written in a cursive, somewhat stylized font with a long horizontal stroke extending to the right.

David E.B. Strohm II
Principal Consultant

HEADQUARTERS

12700 Park Central Dr, Ste 600, Dallas, TX 75251 / P 800.229.6655 / P 972.661.8100 / F 972.385.9203