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

In the Matter of:

THE ELECTRONIC APPLICATION OF	**)**	
WEIRS CREEK SOLAR, LLC FOR A	**)**	
CERTIFICATE TO CONSTRUCT AN	**)**	
APPROXIMATELY 150 MEGAWATT	**)**	
MERCHANT SOLAR ELECTRIC	**)**	**CASE NO.**
GENERATING FACILITY IN WEBSTER	**)**	**2024-00099**
COUNTYAND HOPKINS COUNTY,	**)**	
KENTUCKY PURSUANT TO KRS 278.700	**)**	
ET SEQ. AND 807 KAR 5:110	**)**	

WEIRS CREEK SOLAR'S NOTICE OF COMPLIANCE WITH MITIGATION MEASURES

Comes now Weirs Creek Solar, LLC ("Weirs Creek"), by and through counsel, and does hereby provide Notice of Compliance with Mitigation Measures as required by the December 3, 2024 Order of the Kentucky State Board on Electric Generation and Transmission Siting ("Siting Board"). Respectfully, Weirs Creek states as follows:

1. On June 6, 2024, Weirs Creek filed its Application in the above-styled proceeding seeking a Construction Certificate to construct an approximately 150 megawatt ground-mounted solar photovoltaic electric generating facility (the "Facility") covering approximately 2,260 acres of land in Webster and Hopkins County, Kentucky and an approximately 0.85-mile nonregulated transmission line. The Siting Board issued an Order on December 3, 2024 granting a Construction Certificate that contained forty-one (41) Mitigation Measures and that Weirs Creek must comply with during the construction and operation of the Facility. Weirs Creek is planning for construction to begin on January 17, 2025.

2. Mitigation Measure 5 of the December 3, 2024 Order states:

> Weirs Creek Solar shall notify residents and businesses within 2,400 feet of the Project boundary about the construction plan, the noise potential, any mitigation plans, and its Complaint Resolution Program referred to in Item 35 of this Appendix, at least one month prior to the start of construction.

3. Weirs Creek provided a notice to landowners within 2,400 feet of the project boundary on December 10, 2025. A copy of the mailing is provided as Attachment A.

4. Mitigation Measure 31 of the December 3, 2024 Order states:

> Weirs Creek Solar shall file a complete and explicit decommissioning plan with the Siting Board at least 30 days prior to the start of the construction. This plan shall commit Weirs Creek Solar to remove all facility components, above ground and below ground, regardless of depth, from the Project site. Upon its completion, this plan shall be filed with the Siting Board or its successors. The decommissioning plan shall be completed at least one month before the construction of the Project.

5. Weirs Creek is providing an updated decommissioning plan as Attachment B.

6. Mitigation Measure 39 of the December 3, 2024 Order states:

> Weirs Creek Solar shall file a plan outlining how solar panels and related equipment will be installed to minimize the risks associated with strong winds and other inclement weather. This plan shall be filed with the Siting Board at least 30 days prior to the start of construction.

7. Weirs Creek is providing a document from the manufacturer of the racking system that outlines studies done to ensure the safety of the racking system in extreme weather. Weirs Creek is filing this document under seal pursuant to a motion for confidential treatment.

WHEREFORE, on the basis of the foregoing, Weirs Creek respectfully provides this notice of compliance with mitigation measures and hereby notifies the Siting Board of its intent to start construction on or about January 18, 2025.

This 18th day of December 2025.

Respectfully submitted,

Heather S. Temple

L. Allyson Honaker
Heather S. Temple
Meredith L. Cave
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, KY 40509
(859) 368-8803
allyson@hloky.com
heather@hloky.com
meredith@hloky.com
Counsel for Weirs Creek Solar, LCC

CERTIFICATE OF SERVICE

This is to certify that the electronic filing was transmitted to the Commission on December 18, 2025, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made.

Heather S. Temple

Counsel for Weirs Creek Solar, LLC

ATTACHMENT A

WEIRS CREEK SOLAR, LLC
NOTICE OF CONSTRUCTION

On behalf of Weirs Creek Solar, LLC (Weirs Creek Solar), please take notice that construction on the project approved in Kentucky State Board on Electric Generation and Transmission Siting (Siting Board) Case No. 2024-00099 will begin on or after January 15, 2025. Notice of Construction is provided in compliance with Mitigation Measure 18 of the Order entered December 3, 2024.

The Siting Board entered an Order in Case No. 2024-00099, granting a construction certificate to develop and construct an approximately 150 megawatt (MW) solar photovoltaic electric generating facility on approximately 2,260 acres to be located in Webster and Hopkins Counties. The proposed Weirs Creek Solar project will consist of solar photovoltaic panels and associated appurtenant facilities, including racking, inverters, substation transformer and other necessary equipment to support the project. In addition, the application will include an approximately 1-mile 161 kV electric transmission line connecting the solar facility to the Reid Hopkins 161 kV transmission line owned by Big Rivers Electric Corporation.

Weirs Creek Solar's construction certificate was conditionally granted upon Weirs Creek Solar complying with the Siting Board Order requirements. Previously, in accordance with Mitigation Measure 41, Weirs Creek Solar provided a copy of the Siting Board's December 3, 2024 Order. In compliance with Mitigation Measure 18, Weirs Creek Solar gives notice that construction is set to begin on or after January 15, 2026. In January, Weirs Creek Solar's construction contractor will begin initial project set up and preparations within the project boundary. After completion of that step, the civil site preparation will be progressed. Following the civil work, the installation of the solar panel racking system and the solar panels themselves will begin summer 2026. Finally, in mid-year 2027, the site will be commissioned and begin generating electricity. Weirs Creek Solar will comply with the mitigation measures contained in the orders to mitigate the effects of construction traffic, dust, and heavy equipment.

There is a potential for construction noise in the area as this project progresses. To mitigate the effects of excess noise related to construction, be advised that Weirs Creek Solar will comply with Mitigation Measure 16, as stated in the December 3, 2024 Order, "Weirs Creek Solar is required to limit the construction activity, process, and deliveries to the hours between 8 a.m. and 6 p.m., Monday through Saturday. The Siting Board directs that construction activities that create a higher level of noise, such as pile-diving, will be limited to 9 a.m. to 5 p.m. local time, Monday through Friday. Non-noise causing and non-construction activities can take place on the site between 7 a.m. and 10 p.m. Monday through Sunday, including field visits, arrival, departure, planning meetings, mowing, surveying, etc."

In accordance with Mitigation Measure 17, if pile driving activity occurs within 1,500 feet of a noise sensitive receptor, Weirs Creek Solar shall implement a construction method that will suppress the noise generated during the pile driving process (i.e., semi-tractor and canvas method; sound blankets on fencing surrounding the solar site; or any other comparable method). Should Weirs Creek Solar employ the proposed alternative racking system of ground mounting, such noise suppression measures will not be required when utilizing that method.

Weirs Creek Solar has developed a Complaint Resolution Program in order to communicate and address concerns during the pendency of this construction project, should you have any concerns or questions, please contact Lester Morales at (561) 329-8620 or lester.morales2@nexteraenergy.com.

ATTACHMENT B

DECOMMISSIONING PLAN
REVISION 01
Weirs Creek Solar Project

Prepared for:

Weirs Creek Solar, LLC
Juno Beach, FL

Prepared by:

161 E. Aurora Road
Northfield, OH 44067

December 2025

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1.0 INTRODUCTION

Weirs Creek Solar, LLC ("Applicant") contracted Environmental Consulting & Technology, Inc. ("ECT") to revise the May 2024 Decommissioning Plan ("Plan") for the Weirs Creek Solar Project ("Project") in Hopkins and Webster Counties, Kentucky. This Plan was prepared to document the Applicant's intent to decommission the Project. As of the date of this report, neither Hopkins County nor Webster County has a zoning ordinance that dictates the requirements of a decommissioning plan. Therefore, the Applicant has chosen to prepare the decommissioning plan utilizing the same requirements that have been previously approved through the Kentucky State Siting Board (KYSB). These requirements include the following (1) defining the conditions upon which the decommissioning will be initiated; (2) removal of all non-utility-owned equipment, conduit structures, fencing, roads, and foundations; (3) restoration of the property to a substantially similar physical condition that existed immediately prior to construction; (4) the time frame for completion of decommissioning activities; (5) the party currently responsible for decommissioning, and; (6) Plans for updating the decommissioning plan (May 2024/revised December 2025).

The Project is a proposed 150-megawatt alternating current (MW AC) photovoltaic energy generating facility located within Hopkins and Webster Counties. The final design Project Facilities (i.e., fenced-in array areas with PV solar panels and access roads) will be constructed within a 2,200-acre site, mapped approximately two (2) miles east of the City of Providence, directly west of the City of Nebo, north of US-41 ALT, and south of Kentucky Route 120 (KY 120). More specifically, the final Project design footprint of the Project Facilities (i.e., fenced-in array areas with solar panels and access roads) will be constructed within an approximately 766-acre site contained within the larger Project Area.

The Project components consist of photovoltaic (PV) modules mounted on a fixed tilt racking system, central electric inverters and transformers, underground electrical collection systems, solar meteorological stations, supervisory control and data acquisition (SCADA) hardware, control house and associated facilities, private gravel access roads with gated ingress/egress points, and security fencing. Temporary facilities associated with construction will include a laydown yard that will serve as facilities for construction office trailers and delivery points for major equipment. Collectively, the facilities listed in this paragraph comprise the "Project Facilities."

The site restoration will remove all above ground equipment associated with the Project. All below grade structures, including solar module support posts, will be completely removed. Gravel access roads will be removed unless the landowner requests that they remain in place.

As previously stated, the purpose of this Plan is to outline the procedures to decommission the facility and to restore the properties to be substantially similar to their pre-construction state to the extent practicable upon expiration of the operational life of the Project. Estimated costs are provided based on the array design and associated Project Facilities proposed to be installed for the Project. The Applicant plans to reevaluate these decommissioning costs every five (5) years throughout the life of the Project and will adjust the financial assurance accordingly.

2.0 SOLAR FACILITY COMPONENTS

The primary components of the Project include the following solar components and associated infrastructure. These amounts of equipment are preliminary and subject to change as a detailed design is not yet complete.

- Photovoltaic modules: 347,906
- Collector substation and associated equipment: inverters (see specifics below), one GSU transformer, one control house with associated data monitoring equipment, telecommunications equipment, electrical breakers, miscellaneous steel structures
- 4.105 MVA Inverter PE HEM F54105M: 41
- Underground collection system: 407,500 linear feet of cable
- Private gravel access roads: 42,204 linear feet of 12-foot wide and 1,587 linear feet of 20-foot wide
- Security fencing: 92,703 linear feet

The Applicant, or its successors and assignees, will be responsible for the decommissioning of the Project. Utility-scale solar facilities have a mechanical life expectancy of 30 years.

3.0 DECOMMISSIONING TASKS AND SEQUENCE

The Applicant acknowledges that all solar components including Project Facilities constructed above ground and any structures below-grade will be removed offsite for disposal except for: (i) access roads or driveways on private property if the property owner requests in writing to the Applicant for such to remain, (ii) any infrastructure the subsequent landowner at the time of decommissioning may wish to retain as it may be beneficial to post-solar agricultural land use; infrastructure such as, but not limited to, fencing and stormwater basins (iii) switchyard, interconnection facilities and other similar utility facilities not owned by the Applicant, and (iv) non-recoverable underground cables.

The Applicant estimates decommissioning will occur over a period of one (1) year, unless, external circumstances prohibit site work, such as weather delays. All applicable local and state approvals and permits for the removal of the Project Facilities will be obtained prior to the start of decommissioning.

The anticipated sequence of decommissioning and removal is described below. However, an overlap of activities is expected.

- De-energize solar arrays and other facilities, if not already de-energized.
- Dismantle panels, racking, and frames.
- Remove inverters, transformers, and electrical cables and conduits (as recoverable).
- Remove fencing and miscellaneous equipment.
- Remove structural foundations.
- Remove access and internal roads, if not retained by the property owner.
- De-compact soils (if needed) and restore disturbed land to pre-construction conditions to the extent practicable.

- Revegetate any exposed soil that was disturbed during decommissioning.

The restoration efforts will return the land to substantially its original condition to the extent practicable, leaving any desirable infrastructure as requested by the subsequent landowner. It is unlikely that a significant amount of earthwork will be required due to the limited disturbance associated with construction and operations of the Project. Nonetheless, restoration activities may include regrading to restore land contours to the extent practicable, seeding to revegetate disturbed areas, de-compacting of soils determined to be compacted, and back-filling with native subsoil or topsoil as needed.

4.0 DECOMMISSIONING BOND

The Applicant will secure a bond or similar security to assure the financial performance of the decommissioning obligations. The bond amount will equal the (1) percent of the total cost of the installed solar energy system (SES). The decommissioning bond will be issued prior to the start of construction. The amount will be established based on the Estimated Decommissioning Costs Less Salvage Value illustrated on **Table 1**.

Upon completion of all issued-for-construction engineering documents, the amount of the 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 Applicant facility is located. The bond or other similar security will then be changed to this updated determined amount prior to start of Project operations.

The beneficiary of the bond will be in accordance with KRS 278.706(2)(m).

5.0 DECOMMISSIONING COST ESTIMATE SUMMARY

The decommissioning costs detailed in **Table 1** include labor and material expenses for removal of solar modules, steel posts, transformers and inverters, access roads, perimeter fencing, cabling below-grade, and other Project Facilities at the estimated end of Project operations. The estimates provided include both the cost of decommissioning and removal (including site restoration) and the salvage value from the recovered materials. Solar components anticipated to have a resale or salvage value that can offset the cost of decommissioning include solar modules, steel piles, inverters, and transformers. The materials recovered include the insulated copper wire, bare copper, aluminum, and steel that constitute raw materials making up the Project Facilities. Reselling these valuable materials is a common practice in demolition and decommissioning of facilities because of the high value of these components.

Materials that have no value at the time of decommissioning will be recycled when possible or hauled offsite to a licensed solid waste disposal facility. The costs of removal, transportation, and disposal are included in these estimates. Furthermore, with the growth and development of solar technologies, there are secondary market opportunities to reuse and/or repurpose solar modules. These opportunities are not accounted for in the current estimates.

Table 1. Estimated Decommissioning Costs and Salvage Values

Decommissioning Task Description	Decommissioning Cost	Salvage Value
De-energize the facility	$50,315.00	--
Dismantle panels and PV frames	$6,211,978.35	$3,733,950.00
Remove inverters, electrical cables and conduits	$402,798.20	$629,000.00
Remove fencing and miscellaneous equipment/ Grading	$350,822.50	$12,450.00
Remove structural foundations and access roads (if not retained by owner)	$583,876.20	$429,670.20*
Earthwork and stabilization (de-compact, restore, revegetate as needed)	$477,384.60	$477,384.60*
Total Decommissioning Cost	**$8,077,174.85**	
Total Estimated Material Recovery (Salvage) Value	**$4,375,400.00**	
Total Estimated Decommissioning Costs Less Salvage Value	**$ 3,701,774.85**	
Total Estimated Decommissioning Costs with Reductions Applied	**$2,794,720.05***	

*Value derived from optional owner retention of components or not requesting soil restoration; not material salvage.

Summary of changes between May 2024 plan cost estimates and December 2025 plan cost estimates:

- PV panel count decreased from 384,154 to 347,906
- Land disturbance decreased from 806 to 766 acres
- Amount of access road gravel increased from 19,215 to 21,050 tons

Cost Review:	2024	2025	Difference	% Change
De-energize solar arrays, if not already de-energized:	$51,302.40	$50,315.00	-$987.40	-1.92%
Dismantle Panels and Racking & Frame:	$6,489,154.50	$6,211,978.35	-$277,176.15	-4.27%
Remove inverters, electrical cables and conduits:	$229,895.00	$402,798.20	$172,903.20	75.21%
Remove Fencing & Misc. Equipment/Grading Mods.:	$304,033.50	$350,822.50	$46,789.00	15.39%
Remove Structural Founds/ *Access-Internal Roads & Misc. Controls:*	$477,895.00	$583,876.20	$105,981.20	22.18%
De-compact subsoils/restoration:	$451,232.11	$477,384.60	$26,152.49	5.80%
Total Estimated Decommission Cost:	**$8,003,512.51**	**$8,077,174.85**		
Total Material Cost Recovery:	**$3,957,805.00**	**$4,375,400.00**		
Total Estimated Decommission Cost - Less Recovery (Net Cost):	**$4,045,707.51**	**$3,701,774.85**		

The decrease in total decommissioning cost from $8,003,512.51 in 2024 to $8,077,174.85 in 2025 is primarily based upon a decrease in number of PV panels (-9.34%) and land disturbance (-4.96%). The costing update also accounted for an approximately 2.90% inflation rate. Note that the cost per PV unit removal/recycling increased from $10.53 to $10.64.

6.0 RESTORATION

It is unlikely that a significant amount of earthwork would be required, as the construction, operations, and maintenance of the Project involves limited earth disturbance. Nevertheless, if necessary, the Applicant or the assigned responsible party would regrade and contour the area to establish proper stormwater and sediment controls until the area is established. Other initiatives will be taken as needed to restore vegetative cover to its original or an improved condition, such as through soil decompaction and reseeding, as it was prior to development.

7.0 TIMELINE AND PARTIES RESPONSIBLE TO COMPLETE DECOMMISSIONING

Decommissioning will begin no later than 12 months (365 days) after the Project has ceased to generate electricity, the land lease has ended, or succession of use of abandoned facility, etc. Decommissioning would be completed no later than 12 months (365 days) after commencement of

decommissioning. The Applicant or a designated party will assume responsibility to conduct decommissioning activities within the posted time frame.

8.0 DECOMMISSIONING PLAN UPDATES

The Applicant has prepared this December 2025 revision (Revision 01) of the Decommissioning Plan based on the 60% Project design. This final Decommissioning Plan will be provided to Hopkins and Webster Counties prior to the commencement of construction along with a surety bond or other form of financial security. Applicant agrees to update this Decommissioning Plan every five (5) years during the life of the Project.