

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

In the Matter of:

ELECTRONIC APPLICATION OF EAST)	
KENTUCKY POWER COOPERATIVE, INC. FOR)	
A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY AND SITE COMPATABILITY)	
CERTIFICATES FOR THE CONSTRUCTION OF)	
A 96 MW (NOMINAL) SOLAR FACILITY IN)	
MARION COUNTY, KENTUCKY AND A 40 MW)	CASE NO. 2024-00129
(NOMINAL) SOLAR FACILITY IN FAYETTE)	
COUNTY, KENTUCKY AND APPROVAL OF)	
CERTAIN ASSUMPTIONS OF EVIDENCES OF)	
INDEBTEDNESS RELATED TO THE SOLAR)	
FACILITIES AND OTHER RELIEF)	

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT AND FAYETTE
ALLIANCE, INC.'S MOTION FOR HEARING**

Lexington-Fayette Urban County Government (“LFUCG”), by counsel, and Fayette Alliance (“Alliance”), by counsel, pursuant to the May 14, 2024 Order (“May 14th Order”) (collectively “Intervenors”) of the Kentucky Public Service Commission (“Commission”) and other applicable law, and for their Motion for Hearing in this case and respectfully state as follows:

The Commission’s May 14th Order set forth the procedural schedule for this proceeding. The Commission Staff issued its initial set of information requests on May 30, 2024, which was answered by East Kentucky Power Cooperative, Inc. (“EKPC”) on June 12, 2024. Both LFUCG and Alliance sought timely intervention on May 22, 2024. LFUCG was granted intervention in this proceeding on May 28, 2024, and Alliance was granted intervention on June 6, 2024. EKPC responded to initial requests for information requests from LFUCG on June 12, 2024, as well as initial requests for information from

Alliance on June 18, 2024. On July 19, 2024, EKPC filed its responses to the second round of discovery requests from Commission Staff, LFUCG, and Alliance. EKPC is expected to file its responses to the Commission Staff's third set of requests for information on August 16, 2024. Now, based on the explicit language of the May 14th Order, Intervenors respectfully request a hearing in this matter.

East Kentucky Power Cooperative, Inc. proposes to build a massive \$102 million, 40 MW solar generation facility on 387 acres of land in Fayette County, of which more than 65% is designated by the United States Department of Agriculture as "prime farmland", or the best land to grow food and fiber, and an additional 37% of which is designated as "soils of statewide significance". In total, more than 99% of the proposed site is made up of state and nationally recognized soils as the best for agricultural production.

Aside from the company displacing this land in the heart of Kentucky and on land that is known as the Horse Capital of the World, EKPC attempts to do so with as little transparency as possible and with as little input possible from the local stakeholders, inclusive of the Intervenors. Furthermore, the location of this project is on the US-60 - Winchester Road corridor, which has been designated as a Kentucky State Scenic Byway since 2011. According to the Kentucky Transportation Cabinet, a scenic byway "is considered to have...viewsheds with scenic, natural, cultural, historical...and/or recreational value worth of preservation, protection, and enhancement." There are significant concerns about the need for this solar project and where it will be located as well as whether there is any wasteful duplication.

Intervenors contend that this project will not spur appropriate economic gain for Fayette County compared to the loss of the prime agricultural land along with failing to prioritize recommended placement for solar projects such as on built environments, contaminated lands and land not well suited for farming. Moreover, public comments generally do not support this project. Additionally, issues arise as to the impact of the project on Lexington's land use policies and, even more fundamentally, the physical landscape anchoring Fayette County's identity and billion-dollar agricultural economy. Intervenors believe a hearing is appropriate to fully address these issues.

WHEREFORE, on the basis of the foregoing, Intervenors move the Commission to schedule a hearing in this matter.

This 16th day of August 2024.

Respectfully submitted,

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Certificate of Service

Pursuant to the Commission's Orders in Case No. 2020-00085, and in accordance with all other applicable law, Counsel certifies that an electronic copy of the foregoing was served and filed by e-mail to the parties of record on this 16th of August 2024.

/s/ Dennis G. Howard II
Dennis G. Howard, II