

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

RESPONSES TO FAYETTE ALIANCE’S INITIAL INFORMATION REQUEST
TO EAST KENTUCKY POWER COOPERATIVE, INC.

DATED MAY 31, 2024

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CERTIFICATE

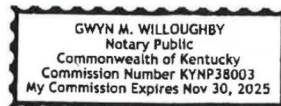
STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Julia J. Tucker, being duly sworn, states that she has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the First Request for Information from Fayette Alliance in the above-referenced case dated May 31, 2024, and that the matters and things set forth therein are true and accurate to the best of her knowledge, information and belief, formed after reasonable inquiry.

Julia J. Tucker

Subscribed and sworn before me on this 14th day of June 2024.

Gwyn M. Willoughby
Notary Public



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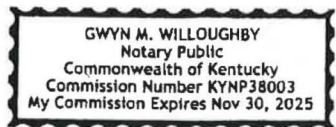
Josh Young, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the First Request for Information from Fayette Alliance in the above-referenced case dated May 31, 2024, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry

Joshua Young

Subscribed and sworn before me on this 18th day of June 2024.

Gwyn M. Willoughby

 Notary Public



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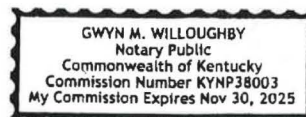
Tom Stachnik, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the First Request for Information from Fayette Alliance in the above-referenced case dated May 31, 2024, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry

Tom Stachnik

Subscribed and sworn before me on this 18th day of June 2024.

Gwyn M. Willoughby

Notary Public



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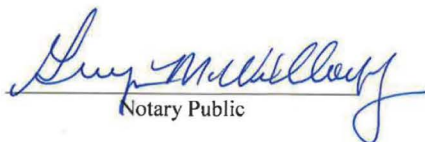
CERTIFICATE

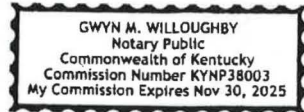
STATE OF KENTUCKY)
)
 COUNTY OF CLARK)

Nick Comer, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the First Request for Information from Fayette Alliance in the above-referenced case dated May 31, 2024, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry



Subscribed and sworn before me on this 19th day of June 2024.


Notary Public



**EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2024-00129
INITIAL REQUEST FOR INFORMATION RESPONSE**

FAYETTE ALIANCE’S REQUEST DATED MAY 31, 2024

REQUEST 1

RESPONSIBLE PARTY: Patrick Bischoff

Request 1. Please identify and provide any studies undertaken by the Company related to site location for these solar projects.

Response 1. A Site Assessment Report (“SAR”) was completed, see application Exhibit 3, Attachment PB-3. The Phase I Environmental Site Assessment for the Bluegrass Plains Solar project is being performed by the EKPC Environmental Affairs group.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FAYETTE ALIANCE'S REQUEST DATED MAY 31, 2024

REQUEST 2

RESPONSIBLE PARTY: Patrick Bischoff

Request 2. As it pertains to any consultant hired by the Company involving these solar projects, please: (i) identify the independent consultant hired by the Company and provide his or her CV; (ii) provide any studies relied upon by the independent consultant related to this request; (iii) provide any reports issued by the consultant; and (iv) provide any workpapers and documents, in excel format where available, provided by the independent consultant.

Response 2. Please see the following responses:

(i) EKPC engaged with developers and consultants to provide professional services related to the development of Site Assessment Reports and Environmental Assessments. For the Northern Bobwhite Solar project, all reports were executed by or subcontracted by EDF Renewables. EKPC was not involved in the selection of those consultants.

a. Northern Bobwhite Solar Site Assessment Report – EDF Renewables – see attachment

Response 2ia – CVs.pdf

i. Acoustic Assessment – Stantec – Jacob Poling

- ii. Property Value Impact Report – Kirkland Appraisals, LLC – Richard Kirkland
 - iii. Traffic Impact Study – Stantec – Dan O’Dea
 - iv. Glare Analysis Report – Capitol Airspace Group – Company Statement of Qualification
 - v. Phase I Environmental Site Assessment – Stantec – Lucas Downs
- b. Bluegrass Plains Solar Site Assessment Report – Tetra Tech - see attachment *Response 2ib – CVs.pdf*
- i. Property Value Impact Report – Kirkland Appraisals, LLC – Richard Kirkland
 - ii. Acoustic Study – Tetra Tech – Aditi Tripathy, Sierra Marrs, and Tricia Pellerin
 - iii. Traffic and Dust Study – Tetra Tech – Courtney Sudak, and Linde Thatcher
- c. Phase I Environmental Site Assessment – Tetra Tech – see attachment *Response 2ic – CVs.pdf* - Greg Rickabough, Justin Zeigler, Herbert Lemaster, Douglas Morris, Lucy Pacholik, and Jacob Salomonsky.

(ii) Please reference Application Exhibit 3 – Attachment PB-2, for the Northern Bobwhite Solar Site Assessment Report and associated studies. Please reference Application Exhibit 3 – Attachment PB-3, for the Bluegrass Plains Solar Site Assessment Report and associated studies.

(iii) Please reference Application Exhibit 3 – Attachment PB-2, for the Northern Bobwhite Solar Site Assessment Report and associated studies. Please reference Application Exhibit 3 - Attachment PB-3, for the Bluegrass Plains Solar Site Assessment Report and associated studies.

(iv) Please reference Application Exhibit 3 – Attachment PB-2, for the Northern Bobwhite Solar Site Assessment Report and associated studies. Please reference Application Exhibit 3 – Attachment PB-3, for the Bluegrass Plains Solar Site Assessment Report and associated studies.

**EAST KENTUCKY POWER COOPERATIVE, INC.
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FAYETTE ALIANCE'S REQUEST DATED MAY 31, 2024

REQUEST 3

RESPONSIBLE PARTY: Julia J. Tucker

Request 3. Did the Company identify any other possible locations for these solar projects, if so, please identify the locations and why the Company deemed these other locations unsuitable?

Response 3. The comparison was made between the costs of various projects. The developers went through the site selection process. Based on their determination, the costs for projects at those chosen sites were compared. The projects considered in this evaluation are defined in Exhibit 2, Attachment JJT-1.

**EAST KENTUCKY POWER COOPERATIVE, INC.
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FAYETTE ALIANCE'S REQUEST DATED MAY 31, 2024

REQUEST 4

RESPONSIBLE PARTY: Julia J. Tucker

Request 4. Please address all of the reasons why the Company deems the location of the Fayette County project suitable?

Response 4. The location is near existing transmission facilities that will be used to interconnect the solar project on to the PJM transmission system. The developer had started the up front work for the project and secured a position in the PJM transmission study queue. This position in the study queue makes this location highly desirable for a timely project, since it is very difficult to get a transmission queue position at this time. These are primary benefits of the location. With this project being located in Kentucky, it will help meet Kentucky customer demands for renewable energy.

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FAYETTE ALIANCE'S REQUEST DATED MAY 31, 2024

REQUEST 5

RESPONSIBLE PARTY: Josh Young

Request 5. As it pertains to the proposed solar projects please provide the environmental assessments and/or compliance reports pursuant to the national environmental policy act (NEPA)?

Response 5. EKPC plans to seek financing assistance from the U.S. Department of Agriculture (USDA) Rural Utilities Service (RUS) to construct the proposed Bluegrass Plains Solar Project in Fayette County, Kentucky, and the Northern Bobwhite Solar Project in Marion County, Kentucky. Prior to taking a federal action (i.e., providing financial assistance), RUS is required to complete an analysis of the potential environmental effects of the proposed action in accordance with the National Environmental Policy Act of 1969 (NEPA [42 U.S.C. 4321 et seq.]), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and Rural Development's (RD) NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). In addition, RUS considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. 300101 et seq., and its implementing regulations,

“Protection of Historic Properties” (36 CFR Part 800), and Section 7 of the Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.).

Per RUS Environmental Policies and Procedures, each of the proposed actions require the preparation of Environmental Assessments (EA) in accordance with Section 1970.101 and RD Instruction 1970-C. At this time, EKPC and its consultants are conducting the required field assessments, environmental analyses, interagency coordination, and drafting the reports that will summarize the results of those efforts for each project, which will be submitted for review and approval by RUS. Upon such approval, RUS may adopt the reports as the EAs to meet their NEPA compliance obligations. Based on the anticipated environmental review schedules for these projects, the final EAs and RUS decision documents are anticipated to be completed by Q1 2025.

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REQUEST 6

RESPONSIBLE PARTY: Patrick Bischoff

Request 6. Please provide all documentation and work papers created for the solar projects related to KRS § 278.216 (site compatibility)?

Response 6. Please see the Response 2 in this data request.

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FAYETTE ALIANCE'S REQUEST DATED MAY 31, 2024

REQUEST 7

RESPONSIBLE PARTY: Patrick Bischoff

Request 7. With regard to any option to purchase the solar project real property in Fayette County, please provide any real estate or lease contracts associated with the location of the real property?

Response 7. Please see Response 46 to LFUCG's Initial Request for Information.

**EAST KENTUCKY POWER COOPERATIVE, INC.
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FAYETTE ALIANCE'S REQUEST DATED MAY 31, 2024

REQUEST 8

**RESPONSIBLE PARTY: Patrick Bischoff
Legal (Objection)**

Request 8. Considering the high price of acreage in Fayette County please identify other locations considered by the Company as it pertains to the proposed Fayette County solar project?

Response 8. Objection. This request is based on a subjective conclusion regarding the price of acreage. Without waving said objection, EKPC has not considered alternate locations for the Bluegrass Plains Solar project due to the nature of the PJM interconnection process. Requests for interconnection are made with a Point of Interconnection (POI) defined. Any change to the POI would result in the project losing its position in the queue, causing multi-year delays to the advancement of the project.

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REQUEST 9

RESPONSIBLE PARTY: Julia J. Tucker

Request 9. Did the Company consider the Commonwealth’s desire to transform strip mines into solar farms, including the tax incentives, and consider such sites as an option to locate these solar projects if not, why not?

Response 9. EKPC’s 2022 Integrated Resource Plan (IRP) defines its need for up to 1,000 MW of solar energy during the next fifteen years. The development of this project does not preclude the ability to place future solar generation on strip mines. The ability to connect to the transmission system is a main driver on siting solar generation. EKPC is not currently aware of any projects on the strip mines that have active PJM transmission studies.

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REQUEST 10

RESPONSIBLE PARTY: Patrick Bischoff

Request 10. Please identify the solar irradiation numbers associated with the proposed location of the Fayette County farm compared to other sites considered for locating this project?

Response 10. Application Exhibit 3, Attachment PB-1, page 29 of 69 shows an annual production (yr. 1, GWh) of 84.701. As discussed in Response 8 of this data request, EKPC has not evaluated other sites for this project.

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FAYETTE ALIANCE'S REQUEST DATED MAY 31, 2024

REQUEST 11

RESPONSIBLE PARTY: Patrick Bischoff

Request 11. Please provide any work papers, including any soil analysis, if any, of the proposed site in Fayette County, prepared by the Company related to site location for these solar projects.

Response 11. EKPC has not conducted soil analysis of the proposed site in Fayette County. EKPC has conducted all required studies and investigations on the site to obtain a Site Compatibility Certification and RUS Environmental approval.

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REQUEST 12

RESPONSIBLE PARTY: Thomas J. Stachnik

Request 12. Please address how the Company is financing these solar projects (e.g. sources and borrowing costs along with any incentives, grants or bonds) and provide any financial studies undertaken by the Company articulating the cost and benefit analysis (including the cost of any decommissioning at the end of the useful life of the project).

Response 12. In addition to being eligible for a direct-pay Investment Tax Credit, EKPC will receive financing for these projects in the form of grants or low-interest loans from the RUS New ERA program, and / or core RUS/FFB loans (at treasury rate or treasury rate plus 1/8%). However, there is a lag between expending the cash for projects and receiving the funds from RUS/FFB, which is why we initially fund with general corporate cash and credit facility availability. As part of the Inflation Reduction Act, Congress authorized \$9.7 billion in grants and low-interest loans specifically for electric cooperatives for the purpose of funding projects which will result in the greatest reduction in greenhouse gas emissions. A notice of funding opportunity (NOFO) was issued in May 2023 by RUS. EKPC responded with a letter of interest (LOI) in

September 2023 and was invited to proceed with a full application in April 2024. This application is still in progress but is expected to be filed in late July.

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REQUEST 13

**RESPONSIBLE PARTY: Patrick Bischoff
Legal (Objection)**

Request 13. Please provide all analysis prepared by the Company associated with the Fayette County solar project, including other pending or known projects such as the Silicon Ranch proposal, addressing the cumulative impacts of this proposed solar project in Fayette County (e.g. on the availability of farmland for agricultural production, the Fayette County tax base and any related impacts).

Response 13. Objection. This request is outside of EKPC's scope of knowledge. EKPC can only comment and provide information about the projects it is developing. Without waiving said objection, please see Response 2 above for the analysis of the Bluegrass Plains Solar project.

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REQUEST 14

RESPONSIBLE PARTY: Patrick Bischoff

Request 14. Please identify whether the Company considered any zoning ordinances from Fayette County in choosing the site location of the proposed solar project in Fayette County, if not, why not?

Response 14. Objection. The request calls for a legal conclusion. Without waiving said objection, EKPC states that a response to this question was provided in EKPC's Response to LFUCG's First Request for Information, Item 71. Additionally, see KRS 100.324.

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REQUEST 15

RESPONSIBLE PARTY: Julia J. Tucker

Request 15. Approximately how many Fayette County residents (or accounts if resident numbers are not available) are provided electricity by the Company by any Rural Electric Utilities?

Response 15. Fayette County has approximately 6,277 cooperative end-use retail members served by two EKPC Owner-Member Cooperatives; Blue Grass Energy, and Clark Energy.

EAST KENTUCKY POWER COOPERATIVE, INC.
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REQUEST 16

RESPONSIBLE PARTY: Nick Comer

Request 16. Please provide a copy of any written communications you have provided to Lexington residents regarding this proposed Fayette County solar project.

Response 16. On April 26, owners of properties immediately adjacent to the Fayette County solar farm property were mailed packets of information regarding the proposed project along with an invitation to attend the May 16, 2024, public meeting regarding the project hosted by EKPC. Copies of the information packet and cover letter were submitted in response to LFUCG's first data request as attachments titled *Fayette_Solar_Information_packet.pdf* and *Fayette_solar_Neighbor_invitation_letter.pdf*.

The public meeting also was advertised in the Lexington Herald-Leader, in the May 9, 2024 and May 14, 2024 editions. Copies of these ads were submitted as part of EKPC's response to LFUCG's first data request as attachments titled *2024-05-09_HL_Fayette_Solar_OH_ad.pdf* and *2024-05-14_HL_Fayette_Solar_OH_ad.pdf*.

Beginning April 29, 2024, EKPC's web site included a page with information about the Fayette County and Marion County solar projects. The web page is located at

FA REQUEST 16

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<https://www.ekpc.coop/cooperative-solar-farms> and is linked from EKPC's web site home page.

A copy of the web site page is attached as *Response 16 - EKPC Web Site.pdf*.

Also on April 29, 2024, EKPC provided a press release to regional media about the Fayette County and Marion County solar farm projects. A copy of the press release is attached as *Response 16 - 2024-04-29 EKPC Press Release.pdf*.

This press release is posted on EKPC's web site at <https://www.ekpc.coop/news-releases>.

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REQUEST 17

RESPONSIBLE PARTY: Patrick Bischoff

Request 17. Please provide the number of non-construction jobs and corresponding salaries created by the proposed solar project in Fayette County and the duration of the jobs.

Response 17. EKPC plans to add two to three full time employees (“FTEs”) by the completion of the Bluegrass Plains Solar and Northern Bobwhite Solar projects. These employees will work at multiple facilities and their reporting location at this time has not been defined. The salary range for craft employees for these positions will be \$90,000 to \$140,000 including benefits. FTEs will start after the solar farm comes online and will last for the duration of the farm’s life (estimated 30 years).