

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

**In the Matter of:**

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

**RESPONSES TO COMMISSION STAFF’S POST-HEARING REQUEST**  
**INFORMATION REQUEST TO EAST KENTUCKY POWER COOPERATIVE, INC.**

**DATED NOVEMBER 1, 2024**

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 )
AND NECESSITY AND SITE COMPATIBILITY )
CERTIFICATES FOR THE CONSTRUCTION OF )
A 96MW (NOMINAL) SOLAR FACILITY IN )
MARION COUNTY, KENTUCKY AND A 40MW )
(NOMINAL) SOLAR FACILITY IN FAYETTE )
COUNTY, KENTUCKY AND APPROVAL OF )
CERTAIN ASSUMPTIONS OF EVIDENCE OF )
INDEBTEDNESS RELATED TO THE SOLAR )
FACILITIES AND OTHER RELIEF )

CASE NO.
2024-00129

CERTIFICATE

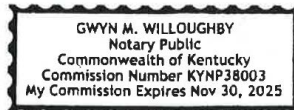
STATE OF KENTUCKY )
)
COUNTY OF CLARK )

Patrick Bischoff, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the Commission Staff's Post Hearing Request for Information in the above-referenced case dated November 1, 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.

Patrick Bischoff

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

Gwyn M. Willoughby
Notary Public



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 )
AND NECESSITY AND SITE COMPATIBILITY )
CERTIFICATES FOR THE CONSTRUCTION OF )
A 96MW (NOMINAL) SOLAR FACILITY IN )
MARION COUNTY, KENTUCKY AND A 40MW )
(NOMINAL) SOLAR FACILITY IN FAYETTE )
COUNTY, KENTUCKY AND APPROVAL OF )
CERTAIN ASSUMPTIONS OF EVIDENCE OF )
INDEBTEDNESS RELATED TO THE SOLAR )
FACILITIES AND OTHER RELIEF )

CASE NO.
2024-00129

CERTIFICATE

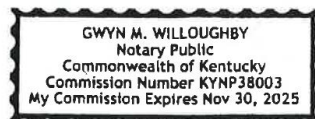
STATE OF KENTUCKY )
)
COUNTY OF CLARK )

Julia J. Tucker, being duly sworn, states that she has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the Commission Staff's Post Hearing Request for Information in the above-referenced case dated November 1, 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 November 2024.

Gwyn M. Willoughby
Notary Public



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

**COMMISSION STAFF’S REQUEST DATED NOVEMBER 1, 2024**

**REQUEST 1**

**RESPONSIBLE PARTY:**                    **Patrick Bischoff and Julia J. Tucker**

**Request 1.**                    Refer to filed Direct Testimony of Julia Tucker, page 18, line 18, referencing proposed solar projects cost “in the low to mid \$60/MWh cost range” and EKPC’s response to Commission Staff’s Second Request for Information (Staff’s Second Request), Item 5, referencing proposed solar projects cost “in the \$52/MWh range.”

- a. Provide updated separate cost per MWh calculations for the Northern Bobwhite and Bluegrass Plains projects. Include line items for depreciation of plant and land cost, operations and maintenance, debt cost, tax credits, loan forgiveness or grants, and any other factors affecting cost.
- b. State the useful life EKPC will use to determine depreciation for each project element and state why that useful life was used.
- c. Provide a calculation of the expected annual fuel cost savings expected to be realized by constructing the Northern Bobwhite facility.

**Response 1.**

- a.            Please see attached Excel spreadsheet, *20241114 Solar Proforma 2024.xlsx*.

- b. The expected useful life for all assets related to both projects is 30 years.
- c. Northern Bobwhite is expected to generate an average of 215,229 MWh annually. PJM energy market forwards indicate an annual average of \$55/MWh. Northern Bobwhite is expected to offset \$11.9 million (216,229 MWh per year x \$55 per MWh) in fuel and/or market purchase costs annually that would have otherwise been passed to the end-use consumer through the FAC.

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

**COMMISSION STAFF'S REQUEST DATED NOVEMBER 1, 2024**

**REQUEST 2**

**RESPONSIBLE PARTY:            Julia J. Tucker**

**Request 2.**            State how EKPC will ensure compliance with KRS 278.214 during the construction and operation phase of the projects.

**Response 2.**            An interruption to the output of either solar facility will not result in the curtailment of retail service as both facilities are directly connected to the EKPC transmission system and, therefore, are not directly connected to the owner-member retail distribution system at all. Energy will continue to be sourced from either EKPC-owned generation or the PJM energy market and delivered to the owner-members, assuming there are no transmission or distribution outages. In other words, adding the solar facilities will not change the current curtailment procedures of EKPC.

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

**COMMISSION STAFF'S REQUEST DATED NOVEMBER 1, 2024**

**REQUEST 3**

**RESPONSIBLE PARTY: Patrick Bischoff**

**Request 3.** Refer to EKPC's response to Commission Staff's First Request for Information Item 12b. EKPC stated that it is willing to adhere to the mitigation measures listed on pages 15, 16, and 17 of the Siting Board Case No. 2020-00208 final Order.

a. State whether EKPC is unwilling to adhere to the other mitigation measures ordered in that case, see specifically Appendix A of the final Order in Case No. 2020-00208 regarding the prior Northern Bobwhite project entered on June 18, 2024, and the subsequent orders modifying the mitigation measures. Please identify them separately by mitigation measure and explain why EKPC is unwilling to adhere to that specific mitigation measure.

b. State whether EKPC is willing to adhere to those mitigation measures for both the Northern Bobwhite Project, and the Bluegrass Plains project.

**Response 3.**

a. From Appendix A from the Order of the Kentucky State Board on Electric Generation and Transmission Siting in Case No. 2020-00208 and subsequent Orders, EKPC has identified

the following mitigation measures as not applicable or measures EKPC is unwilling to adhere to:

1. EKPC will have site layout changes differing from the preliminary site layout plan submitted by Northern Bobwhite LLC. When the final site layout plan is complete, EKPC will submit a copy to the Commission as a post-case reference filing in this proceeding.
2. “Any change in Project boundaries from the information which formed this evaluation should be submitted to the Siting Board for review.” EKPC will inform the Commission of any material changes to the project boundaries contained in this Application. This project is no longer under the jurisdiction of the Kentucky State Board on Electric Generation and Transmission Siting (“Siting Board”) since EKPC is a regulated utility under the jurisdiction of the Commission.
3. Same as 2
4. Same as 1, 2, and 3
5. Same as 4
6. No exception
7. No exception
8. No exception
9. Stricken in the July 19, 2021 *nunc pro tunc*
10. No exception
11. Stricken in the July 19, 2021 *nunc pro tunc*
12. No exception



13. Consistent with Response 12b in the PSC's first Data Request, EKPC proposes to cultivate two (2) total acres of native pollinator-friendly plant species versus four (4) as originally stated. This is reduction in impacted acreage from 1,700 acres to 635 acres.
14. No exception
15. No exception
16. No exception. EKPC will perform a pre-construction survey of the roadways utilized for hauling activities to document pre-construction conditions.
17. No exception
18. No exception
19. No exception
20. No exception
21. Stricken in Order issued 9/27/2021
22. No exception
23. No exception
24. No exception. EKPC will perform a pre-construction survey of the road or bridges utilized for hauling activities to document pre-construction activities.
25. No exception
26. No exception
27. No exception
28. No exception
29. No exception

30. Stricken in Order issued 9/27/2021
31. Stricken in Order issued 9/27/2021
32. No exception
33. No exception
34. EKPC takes exception to Mitigation Measure 34. Consistent with the first LFUCG Request for Information, Request 59, EKPC's Communications and Engineering & Construction staffs will work closely together to address any questions or concerns from the public that arise during construction. EKPC has provided contact information, including phone number and web address to all neighboring property owners in a mailing that also included an information packet about the project.
35. No exception
36. Stricken in Order issued 9/27/2021
37. No exception
38. No exception
39. No exception
40. No exception
41. No exception
42. No exception
43. No exception
44. No exception – any information required to be filed will be filed with the Commission as a post-case reference filing in this proceeding.

45. As a regulated utility, EKPC is unwilling to adhere to the mitigation measure to maintain a bond for the decommissioning of the project. EKPC believes that this measure is specifically applicable for merchant electric generating facilities and would add unnecessary cost that would be borne by ratepayers. EKPC is a regulated utility under the jurisdiction of the Commission and is not subject the Siting Board statutes and regulations which are intended for merchant electric facilities.
- b. EKPC holds the same position for Bluegrass Plains for the mitigation measures identified above, with the following exceptions:
- Mitigation Measure 13, EKPC proposes 1 acre of pollinator habitat due to the reduction in impacted acreage, and
  - Mitigation Measure 15 as outlined in Appendix A for case 2020-00208 is specific to the site and layout for Northern Bobwhite and the roadway distance for Bluegrass Plains will vary.
  - Mitigation Measure 39 – EKPC conducted a unique Phase I Environmental Site Assessment for Bluegrass Plains and will utilize that report for a baseline in decommissioning efforts.
  - Mitigation Measure 40 – EKPC conducted unique delineation efforts for Bluegrass Plains. All jurisdictional waters will be avoided with a 50-ft buffer for Bluegrass Plains.

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

**COMMISSION STAFF'S REQUEST DATED NOVEMBER 1, 2024**

**REQUEST 4**

**RESPONSIBLE PARTY: Patrick Bischoff**

**Request 4.** Regarding the Bluegrass Plains Project, state, in feet, the setback deviation EKPC is requesting from the property boundaries of adjoining property owners.

**Response 4.** Consistent with setback deviations provided to other solar projects, EKPC requests the following setback deviations based on distances from noise receptors/residential structures to the solar equipment, as opposed to property boundaries of adjoining property owners:

- 300-ft setback from all residential structures – applies to fencing and PV panels
- 450-ft setback from all residential structures – applies to central inverters

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

**COMMISSION STAFF'S REQUEST DATED NOVEMBER 1, 2024**

**REQUEST 5**

**RESPONSIBLE PARTY: Patrick Bischoff**

**Request 5.** Regarding the Bluegrass Plains project state, in feet, the setback deviation EKPC is requesting from residential neighborhoods, schools, hospitals, or nursing facilities.

**Response 5.** EKPC requests the following setback deviation from residential neighborhoods, schools, hospitals, or nursing facilities:

- 300-ft setback from all residential neighborhoods – applies to fencing, PV panels, and central inverters

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

**COMMISSION STAFF'S REQUEST DATED NOVEMBER 1, 2024**

**REQUEST 6**

**RESPONSIBLE PARTY: Patrick Bischoff**

**Request 6.** Regarding the Northern Bobwhite Project, state, in feet, the setback deviation EKPC is requesting from the property boundaries of adjoining property owners.

**Response 6.** Consistent with setback deviations provided to other solar projects, EKPC requests the following setback deviation based on distances from noise receptors/residential structures to the solar equipment, as opposed to property boundaries of adjoining property owners:

- 300-ft setback from all residential structures – applies to inverters

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

**COMMISSION STAFF'S REQUEST DATED NOVEMBER 1, 2024**

**REQUEST 7**

**RESPONSIBLE PARTY: Patrick Bischoff**

**Request 7.** Regarding the Northern Bobwhite project state, in feet, the setback deviation EKPC is requesting from residential neighborhoods, schools, hospitals, or nursing facilities.

**Response 7.** EKPC requests the following setback deviation from residential neighborhoods, schools, hospitals, or nursing facilities:

- 625-ft setback from all residential neighborhoods – applies to fencing, PV panels, and central inverters

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

**COMMISSION STAFF'S REQUEST DATED NOVEMBER 1, 2024**

**REQUEST 8**

**RESPONSIBLE PARTY: Patrick Bischoff**

**Request 8.** Explain the effect of the Bluegrass Plains project on the viewshed of the residential homes located directly across Winchester Road from the project, and state how the currently proposed mitigation measures will mitigate that impact.

**Response 8.** Per the Site Assessment Report for Bluegrass Plains, Section 3.0 Site Compatibility with Scenic Surroundings:

*“The Project is located between US 60 and I-64 on generally low-rolling, pen terrain with steeper areas near streams and wetlands that will not be part of the buildable area. Large portions of the site are not visible from surrounding roads or residential properties, and most of the site boundaries have existing vegetation (trees and/or brush) that ranges from 5 feet to 40 feet in height. Existing tree lines along the site boundaries will remain; where tree screening is scant or composed of deciduous species, a 15-ft vegetative buffer will be installed to provide visual screening throughout the year.”*

EKPC will integrate the vegetative buffer and will locate equipment in final design to minimize visual impacts from US 60. EKPC will utilize natural topography to minimize visual impacts from



US 60 and final equipment selection may allow for land usage economy that can reduce the impacted acreage in the area north of the homes located along US 60.