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

In the Matter of:

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| ELECTRONIC APPLICATION OF<br>CLOVER CREEK SOLAR PROJECT LLC<br>D/B/A NEW FRONTIERS SOLAR PARK<br>FOR A CERTIFICATE OF CONSTRUCTION<br>FOR AN APPROXIMATELY 100<br>MEGAWATT MERCHANT ELECTRIC<br>SOLAR GENERATING FACILITY AND<br>NONREGULATED ELECTRIC<br>TRANSMISSION LINE IN BRECKINRIDGE<br>COUNTY, KENTUCKY PURSUANT TO<br>KRS 278.700 AND 807 KAR 5:110 | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | Case No. 2024-00253 |

**Application for Certificate of Construction**

Clover Creek Solar Project LLC d/b/a New Frontiers Solar Park (the "Applicant" or "New Frontiers Solar Park") files this application requesting from the Kentucky State Board on Electric Generation and Transmission Siting (the "Siting Board" or "Board") a certificate of construction for an approximately 100-megawatt (MW) merchant electric solar generating facility and nonregulated electric transmission line pursuant to KRS 278.704 and 278.714 (the "Application"). The proposed generating facility and nonregulated transmission line will be located in Breckinridge County, Kentucky.

In support of the Application, the Applicant submits Exhibits A-J to assist the Board and interested persons in locating information required by the relevant statues and regulations. The Applicant also submits herewith the Table of Contents required by 807 KAR 5:110 § 3(2)(b) and an Index of Regulation Requirements, which lists the requirements for a generation application and nonregulated transmission line application and the principal place(s) within the Application where those requirements are met. The facts on which the Application is based are contained in

the concurrently filed exhibits, reports, and the statements further made by the Applicant as follows:

## I. Applicant Information

1. Pursuant to KRS 278.706(2)(a) and 278.714(2)(a), the name, address, and telephone number of the person proposing to construct and own the merchant electric generating facility and nonregulated transmission line is as follows: Clover Creek Solar Project LLC d/b/a New Frontiers Solar Park, 1501 McKinney Street, Suite 1300 Houston, TX 77010. The Applicant's phone number is (346) 439-0716; and its email address is: jesse.eick@edp.com.[1]

2. Pursuant to 807 KAR 5:100, Section 1, and the proof of delivery, attached as Exhibit A, the necessary filing fee of $110,000.00 has been delivered to the Board. This consists of $100,000.00 for the generation application and $10,000.00 for the nonregulated transmission line application.

## II. Description of Proposed Site

3. The proposed New Frontiers Solar Park (the "Project") is a 100 MW solar facility capable of providing enough clean, renewable electricity to power approximately 20,000 Kentucky homes. Photovoltaic (PV) solar modules are used to convert sunlight into direct current (DC) electricity which is then converted to alternating current (AC) electricity through inverters. Transformers step up the AC electricity to a higher voltage so that it can connect to the regional transmission grid.

4. Pursuant to KRS 278.706(2)(b), the Project is located on approximately 1,100 acres near Hardinsburg, Kentucky, in Breckinridge County. The Project footprint, which is generally the area within the fence line where the Project infrastructure will be located, includes approximately 890 acres within the larger Project site after site constraints and proposed setbacks are incorporated.

[1] Note that the Applicant's information differs from the Notice of Intent filed August 7, 2024, in order to provide the Siting Board a direct point of contact thereto.

The site consists of 22 parcels secured from 13 landowners pursuant to agreements with each landowner. The current uses for the Project parcels are mostly agricultural and residential, including row crop agriculture, harvested hay, and pastureland. Vegetation is sparse aside from forested riparian areas which are generally associated with intermittent streams and tributaries that cross through the Project and forested upland areas. Topography is gently sloping upland to rolling hills with well-draining, non-hydric soils, and geology is primarily comprised of limestone and shale. Exhibit B contains the Project site plan, parcel map, and a map showing the distance of the proposed site from residential neighborhoods, the nearest residential structures, schools, and public and private parks that are located within a two (2) mile radius of the proposed facility.

5. Pursuant to KRS 278.714(2)(b) and KRS 278.714(2)(c), the Project includes an approximately 460-foot nonregulated electric transmission line which will connect the Project's onsite substation to the pre-existing 161kV New Hardinsburg Substation, owned and operated by Big Rivers Electric Corporation (BREC). The Project's substation parcel adjoins the existing BREC switchyard, enabling the short length of this new transmission line. The transmission line will start at approximate coordinates 37.774843°, -86.485122° and head northeast before landing at a dead-end turning structure and then head southeast spanning approximately 460 feet terminating at approximate coordinates 37.775022°, -86.483649°. The initial and design voltage of the electric transmission line is 161 kV (maximum capacity of 240 MW) and will tie into the existing A-Frame structure at the Ring Bus within BREC's utility substation. The transmission line will be maintained within a proposed 50-foot right of way. The proposed right of way will be within a single parcel, APN 59-5 owned by BREC. The transmission line will be approximately 430 feet from the nearest participating residential structure and approximately 480 feet from the nearest nonparticipating residential structure. Exhibit B shows the distance of the proposed line

from residential neighborhoods, schools, and public and private parks within one (1) mile of the proposed facilities. Exhibit B also shows the existing property lines and the names of persons who own the property over which the line will cross.

6. Pursuant to KRS 278.714(2)(d), the transmission line and appurtenances will be constructed and maintained in accordance with accepted engineering practices and the National Electrical Safety Code.

7. Approximately 41,810 linear feet of private access roads will be utilized within the facility, which will be constructed of all-weather gravel. Roads will not exceed 20 feet (6.1 meters) in width, except for turning radii, which will not exceed 50 feet (15.2 meters) in radius. All entrances and driveways will comply with applicable design requirements for safe access and egress. The Project solar arrays will be secured with approximately 186,404 linear feet of perimeter fence, which will consist of seven-foot chain link fence. Fixed lighting at the perimeter will be limited to entry gates and the substation area and will be motion-activated to minimize light spillage. The Project will utilize construction methods that minimize large-scale grading and removal of native soil. Clearing and grubbing will occur where necessary. Minimal grading may be required to level rough or undulating areas of the site and to prepare soils for concrete foundations for substation equipment and inverters. Access roads will also be grubbed, graded, and compacted. Pursuant to the lease agreements, the Applicant has agreed not to move topsoil from the Project site area.

8. Project components will include a PV solar field consisting of PV solar panel modules mounted on metal structures and anchored to the ground with pilings. Panels will move to track the sun over the course of the day. Other components of the PV system include the following: an onsite substation, a DC collection system of underground cabling and combiner boxes, and inverter and transformer stations to convert the electricity from DC to AC. An underground and/or

overhead collection system will be used to convey electricity from the solar array field to the substation. The Project will include an onsite transmission line, fiber optic cable for communications underground or on overhead lines, a meteorological station, and interior access ways. In addition, the Project will include the following, as necessary: an operation and maintenance ("O&M") building, parking area, and other associated facilities such as security gates, signage, and flagpoles. During construction, the Project will include temporary construction mobilization and laydown areas for construction trailers, construction workforce parking, fuel tanks, materials receiving and materials storage.

9. The PV solar modules will be supported by steel piles driven into the soil. Piles are spaced approximately 10 to 20 feet apart, and the maximum height of the PV modules will be 15 feet. Modules will be oriented in rows running from north to south utilizing a single-axis tracking system. The modules will be connected using DC cables that can either be buried in a trench or attached to the racking system. The DC cables gather at the end of racking systems to combiner boxes which are connected to cables routing to an inverter. The racking system will be supported by approximately 41,680 steel posts installed with a combination of pile-driving machines and augers. The center height of the racking structures will be approximately 4 feet (1.2 meters) to 6.8 feet (2.1 meters) above the ground. The spacing between array rows is estimated to be approximately 8 to 15 feet.

10. Approximately 35 inverters will be installed throughout the Project to convert the DC power from the 1,500 volt DC collection system to AC power, which will then be transmitted to a Project substation via the 34.5-kilovolt (kV) AC collection system. The AC collection system will include underground and/or overhead segments. Underground segments of the AC collection system will be buried a minimum of 3 feet (0.9 meters) below grade; and overhead portions will

not exceed a maximum height of 45 feet (13.7 meters) above grade. The AC collection system will be comprised of medium voltage (MV) cable that will transfer electricity to the Project substation. Collection cables are congregated into common trenches and run adjacent to one another. All electrical inverters and the transformer will be placed on concrete foundations or gravel pads.

11. The Project will require one substation that will include one 115-mega volt ampere (MVA) transformer equipment, control building foundation, and oil containment area. Concrete pads will be constructed as foundations for substation equipment, and the remaining area will be graveled. Concrete for foundations will be brought on-site from an external batching plant. The substation area will serve as the general parking area for permanent employees and contain all necessary equipment to step up incoming MV electricity to the high voltage electricity necessary to interconnect into the existing New Hardinsburg Substation owned and operated by Big Rivers Electric Corporation (BREC). The proposed transmission line will be approximately 460 feet in length, will be located entirely within the Project footprint, and will be constructed by the Applicant. BREC will be responsible for any additional transmission equipment located within the switchyard for the Project. It is anticipated that the transmission line poles and substation components will not exceed 100 feet (30.5 meters) above grade.

## III. Public Notice of Application

12. Pursuant to KRS 278.706(2)(c) and KRS 278.714(2)(e), notice of the pending Application was provided to landowners whose property borders the proposed site on October 30, 2024. The notice was mailed to each landowner by U.S. Certified Mail; see Exhibit C for the adjacent landowner form letter and certified mail receipts. Public notice of the pending Application was published in the Breckinridge Herald-News on October 30, 2024. Proof of public notice is contained in Exhibit C.

## IV. Compliance with Local Ordinance and Regulations

13. Pursuant to KRS 278.706(2)(d), the Applicant has provided its statement of compliance regarding applicable planning and zoning ordinances, which is contained in Exhibit D. Breckinridge County Fiscal Court enacted Ordinance 2022-032 (the "Ordinance"), which applies to solar energy systems and solar panel installation. The Project has been designed to be and currently is in compliance, to the extent possible at this time, with all local ordinances and regulations concerning noise control and with any applicable local planning and zoning ordinances. Breckinridge County is still finalizing procedures for obtaining full approval pursuant to its Ordinance and the Applicant has been in close contact with the county authorities to ensure current and ongoing compliance with the Ordinance.

## V. Setback Requirements

14. Pursuant to KRS 278.706(2)(e), the Project is not located on the site of a former coal processing plant, will not use any onsite waste coal as a fuel source, and will not include any exhaust stacks or wind turbines as part of the facility. The Project site does not have any existing electricity generating facilities. Breckinridge County has not adopted a comprehensive plan or established a planning and zoning commission, thus there are no applicable planning commission-established setback requirements. However, the Breckinridge County Fiscal Court on June 27, 2022, enacted the Ordinance which regulates solar facilities, and granted itself authority over the siting and development of solar facilities within the county's unincorporated areas. The Ordinance requires that all components of the facility be at least 50 feet from perimeter property lines and 300 feet from any residential structure, nursing home, church, or school. Interconnection facilities

can be located within the setback lines. No interior property line setbacks are required if the project spans multiple contiguous properties. The Project as designed is in compliance with these setbacks.

## VI. Public Notice Report

15. Pursuant to KRS 278.706(2)(f), the Applicant has made a substantial effort to engage the public in numerous ways regarding the Project. The Applicant created a Project website to publish information about the Project, to answer frequently asked questions, and to provide an email and telephone number for feedback. In all communications, New Frontiers Solar Park has endeavored to be transparent regarding the specifics of the proposed Project.

16. As part of the Application process, a public information meeting for the Project was held on October 12, 2022, at the Hardinsburg Main Library. The open house invitation flyer and attendance sheet are enclosed as Exhibit C. On September 27 and September 28, 2022, packets containing information about the Project were mailed to adjacent property owners (Exhibit C). On September 28, 2022, the Applicant published public notice for its public information meeting in the Breckinridge Herald-News (Exhibit C). In addition, the Applicant created a Project website (https://www.edpr.com/north-america/new-frontiers-solar-park) for the general community to easily access Project details and pertinent contact information.

17. During the public information meeting, Project representatives displayed informational boards demonstrating various aspects of the Project, including enlarged satellite images of the Project layout and discussion of topics such as environmental health and safety of PV, how solar projects generate electricity, landscape and screening plans, protection of wildlife and the environment, and expected construction.. These presentation materials are enclosed in Exhibit C. Project representatives present at the public meeting and available to answer questions from attendees regarding the presentation materials included:

- Amy Kurt – Director of Development
- Mason Daumas - Associate Director of Development
- Bridget Chia – Project Manager
- Sarah Greenberg – Project Manager
- Matthew Lorentz – Project Developer
- Chase Glotfelty – Project Developer
- Stephen Sponcil – Project Manager
- Madeline Berry – Civil Engineer
- Michael Delloma – Civil Engineer
- Kelsey Baird-Campos – Environmental Lead
- Isaac Meyer – Government Affairs

18. Table 1 below contains the listing of all public involvement activities undertaken to date including the public information meeting and various outreach activities and meetings with local stakeholders. New Frontiers Solar Park will continue these efforts and will participate in any public notice, comment, and hearings which may be initiated as part of ongoing permitting activities.

**Table 1**. **Public Involvement Activities**

| DATE | ORGANIZATION | ACTIVITY/INVOLVEMENT |
|---|---|---|
| March 21, 2022 | Breckinridge County Fiscal Court | Attended Fiscal Court meeting where Mason Daumas and colleagues presented the project to the Magistrates |
| June 11t,2022 | Breckinridge County Chamber of Commerce | Attended the Breckinridge County People's Choice Car Show and donated as the Title Sponsor |
| October 12, 2022 | Clover Creek Solar Project D\B\A New Frontiers Solar Park | Hosted an Open House/Public Information Meeting for community members to learn and ask questions about the project at the County Library |
| February 20, 2023 | Breckinridge County Fiscal Court | Attended Fiscal Court meeting where Bridget Chia and colleagues presented the project to the new Magistrates |
| June 10, 2023 | Breckinridge County Chamber of Commerce | Attended the Breckinridge County People's Choice Car Show and donated as the Title Sponsor |
| July 15, 2024 | Breckinridge County Fiscal Court | Attended Fiscal Court meeting and was added to the agenda to introduce the newest project team and give project updates to the Magistrates. |
| August 19, 2024 | Clover Creek Solar Project D\B\A New Frontiers Solar Park | Hosted a landowner dinner for the landowners who are participating in this project at a Landowners House |
| August 19, 2024 | Breckinridge County Fiscal Court | Attended Fiscal Court meeting |
| September 16, 2024 | Breckinridge County Fiscal Court | Attended Fiscal Court meeting |

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| October 21, 2024 | Breckinridge County Fiscal Court | Attended Fiscal Court meeting |
| October 28, 2024 | Breckinridge County Fiscal Court | Attended Special Session Fiscal Court meeting |

**VII. Efforts to Locate Near Existing Electric Generation**

19. Consistent with KRS 278.706(2)(g), New Frontiers Solar Park made efforts to locate the Project on a site with or near existing electric generating facilities. No existing electric generating facilities are (or have been) located on the proposed site for the solar generating facility. For solar projects like New Frontiers Solar Park, key factors for site selection are favorable geography, willing landowner participation, and access to transmission lines with available capacity for additional power injection rights. New Frontiers Solar Park selected a location in proximity to an existing transmission line and electrical substation.

**VIII. Proof of Service to County and Municipality Officials**

20. Pursuant to KRS 278.706(2)(h), and KRS 278.714(2)(f), a copy of the Siting Board application for Clover Creek Solar Project LLC d/b/a New Frontiers Solar Park and the associated nonregulated electric transmission line was electronically transmitted to Breckenridge County Judge Executive Maurice Lucas on the date of electronic filing of this application (November 1, 2024). A courtesy copy was also hand-delivered to Judge Lucas. Proof of service is enclosed as Exhibit E.

**IX. Effect on Kentucky Electricity Generation System**

21. Pursuant to KRS 278.706(2)(i), the Project's point of interconnection at the proposed Hardinsburg Substation, which is located adjacent to the Project boundary, allows the Project to interconnect at the preferred voltage of 138kV and utilize an existing transmission line owned and operated by BREC. Information on BREC's studies of the interconnection cost and infrastructure are included in Appendices A and C to the Project’s Generator Interconnection Agreement (GIA)

with BREC and the Midcontinent Independent System Operator, Inc. (MISO). The GIA is enclosed here as Exhibit F.

**X. Effect on Local and Regional Economies**

22. Pursuant to KRS 278.706(2)(j), an Economic Impact Study was completed for the Project by Paul A. Coomes, Ph.D., and is included as Exhibit G. As the report demonstrates, utility-scale solar energy projects provide numerous economic benefits to the surrounding community. Solar installations create job opportunities locally during both the short-term construction phase and the long-term operational phase. In addition to the workers directly involved in the construction and maintenance of the Project, numerous other jobs are supported through indirect supply chain purchases and the higher spending that is induced by these workers. Solar projects generally strengthen the local tax base and help improve county services and local infrastructure, such as public roads.

23. Construction and operations of the Project would provide a net economic contribution to Breckenridge County of 419 job-years and $29.9 million in labor income over three decades. During the construction period, the Project is estimated to support (direct and spinoff) 305 jobs and $17.7 million in total labor income. The Project's direct construction jobs are expected to increase county-wide construction employment by one-third. Operational support each year will require 3.2 direct jobs and 6.4 indirect and induced jobs with an associated labor income of $326,400, and a total economic output of $613,000.

24. The Applicant retained Kirkland Appraisals, LLC to prepare a Property Value Impact Study to assess potential effects of the Project on nearby property values, and it is enclosed as Exhibit H. The matched pair analysis shows no impact on home values due to abutting or adjoining a solar farm as well as no impact to abutting or adjacent vacant residential or agricultural land

where the solar farm is properly screened and buffered. The adjoining properties have sufficient setbacks from the proposed solar panels and supplemental vegetation is proposed to enhance the areas where the existing trees are insufficient to provide proper screening.

**XI. Record of Environmental Violations**

25. Pursuant to KRS 278.706(2)(k), neither the Applicant, nor any entity with ownership interest in the Project, has violated any state or federal environmental laws or regulations. There are no pending actions, judicial or administrative, against the Applicant nor any entity with ownership interest in the Project.

**XII. Site Assessment Report**

26. Pursuant to KRS 278.706(2)(1), the site assessment report is being contemporaneously filed herewith as Exhibit I; please see the separate document titled "Clover Creek Solar Project LLC d/b/a New Frontiers Solar Park, Kentucky State Board on Electric Generation and Transmission Application, Site Assessment Report, and enclosed as Exhibit I.

**XIII. Decommissioning Plan**

27. Pursuant to KRS 278.704(3)(a), Breckinridge County Ordinance 2022-032 has established decommissioning planning and bonding procedures, which have primacy over statutory decommissioning requirements pursuant to KRS 278.704(3) and KRS 278.718.

28. Pursuant to Ordinance Section 4.3.7.3.g(2), a decommissioning plan is being contemporaneously filed herewith; please see the separate document titled "Decommissioning Plan New Frontiers Solar Park Project Breckinridge County, Kentucky", enclosed as Exhibit J.

29. Pursuant to Ordinance Section 4.3.7.3.g(2)(a), the decommissioning plan outlines the events triggering Project decommissioning and removal of the Project's above-ground facilities

including, among others, solar panels, trackers, piles, wiring, inverters, and fencing (see Exhibit J, pp. 1-6).

30. Pursuant to Ordinance Section 4.3.7.3.g(2)(b), the decommissioning plan outlines the removal of the Project's underground facilities up to a depth of three feet, including underground wiring and conduits (see Exhibit J, p. 4).

31. Pursuant to Ordinance Section 4.3.7.3.g(2)(c), the land will be restored to a substantially similar state as it was prior to construction of the Project. Specific tasks include backfilling of pile and foundation sites, decompaction of subsoils, grading of surfaces to pre-construction land contours, and revegetation of disturbed areas. Topsoil will be replaced, as needed, and seeded with appropriate vegetation in coordination with landowners (see Exhibit J, pp. 7-8).

32. Pursuant to Ordinance Section 4.3.7.3.g(2)(d), the timeframe for completion of decommissioning activities is within 18 months of the date that the facility ceases to produce electricity for sale and no extensions granted by county or state authorities.

33. Pursuant to Ordinance Section 4.3.7.3.g(2)(e), New Frontiers is the party currently responsible for decommissioning the Project (see Exhibit J, p. 2).

34. Pursuant to Ordinance Section 4.3.7.3.g(2)(f), the decommissioning plan will include plans to file updates thereto every five years (see Exhibit J at p. 9).

35. Pursuant to Ordinance Section 4.3.7.3.g(1), New Frontiers will secure a decommissioning bond or similar security to assure financial performance of its decommissioning obligations. The amount of the proposed bond shall be the net present value of the total estimated cost of completing the decommissioning plan, less the salvage value of the facility's components (see Exhibit J, p. 11).

WHEREFORE, the Applicant respectfully requests that the Board issue a final Order regarding this Application: 1) Approving a KRS 278.704 certificate of construction for the proposed solar merchant generating facility; 2) approving a KRS 278.714 certificate of construction for the proposed nonregulated electric transmission line, and, 3) Granting all other relief to which Applicant may be entitled.

Dated this 1st day of November 2024.

Respectfully submitted,

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**Statutory/Regulation Requirements**
**Merchant Electric Generation Facility Certificate**

| KRS 278. | Description | Filing |
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| **278.706(2)(a)** | The name, address, and telephone number of the person proposing to construct and own the merchant generating facility. | Application ¶1 |
| **(2)(b)** | A full description of the proposed site, including a map showing the distance of the proposed site from residential neighborhoods, the nearest residential structures, schools, and public and private parks that are located within a two (2) mile radius of the proposed facility | Application ¶¶ 3-11, Exh. B |
| **(2)(c)** | Evidence of public notice that shall include the location of the proposed site and a general description of the project, state that the proposed line is subject to approval by the board, and provide the telephone number and address of the Public Service Commission. Public notice shall be given within thirty (30) days immediately preceding the application filing to:<br><br>Landowners whose property borders the proposed site; and The general public in a newspaper of general circulation in the county or municipality in which the facility is proposed to be located. | Application ¶ 12, Exh. C |
| **(2)(d)** | A statement certifying that the proposed plant will be in compliance with all local ordinances and regulations concerning noise control and with any local planning and zoning ordinances. The statement shall also disclose set back requirements established by the planning and zoning Commission as provided under KRS 278.704(3). | Application ¶ 13, Exh. D |
| **(2)(e) [1st]** | If the facility is not proposed to be located on a site … in an area where a planning and zoning commission has established a setback requirement pursuant to KRS 278.704(3), a statement that…all proposed structures or facilities used for generation of electricity are two thousand (2,000) feet from any residential neighborhood, school, hospital, or nursing home facility… | Application ¶ 14 |
| **(2)(e) [2nd]** | If the facility is proposed to be located on a site of a former coal processing plant and the facility will use on-site waste coal as a fuel source, a statement that the proposed site is compatible with the setback requirements provided under KRS 278.704(5). | Application ¶ 14 |

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| **(2)(e) [3rd]** | If the facility is proposed to be located in a jurisdiction that has established setback requirements pursuant to KRS 278.704(3), a statement that the proposed site is in compliance with those established setback requirements. | Application ¶ 14 |
| **(2)(f)(1)** | A complete report of the applicant's public involvement program activities undertaken prior to the filing of the application, including:<br><br>The scheduling and conducting of a public meeting in the county or counties in which the proposed facility will be constructed at least ninety (90) days prior to the filing of an application, for the purpose of informing the public of the project being considered and receiving comment on it. | Application ¶¶ 15-18, Exh. C |
| **(2)(f)(2)** | Evidence that notice of the time, subject, and location of the meeting was published in the newspaper of general circulation in the county, and that individual notice was mailed to all owners of property adjoining the proposed project at least two (2) weeks prior to the meeting. | Application ¶ 16, Exh. C |
| **(2)(f)(3)** | Any use of media coverage, direct mailing, fliers, newsletters, additional public meetings, establishment of a community advisory group, and any other efforts to obtain local involvement in the siting process. | Application ¶¶ 17-18, Exh. C |
| **(2)(g)** | A summary of the efforts made by the applicant to locate the proposed facility on a site where existing electric generating facilities are located. | Application ¶ 19 |
| **(2)(h)** | Proof of service of a copy of the application upon the chief executive officer of each county and municipal corporation in which the proposed line is to be located, and upon the chief officer of each public agency charged with the duty of planning land use in the general area in which the line is proposed to be located. | Application ¶ 20, Exh. E |
| **(2)(i)** | An analysis of the proposed facility's projected effect on the electricity transmission system in Kentucky. | Application ¶ 21, Exh. F |
| **(2)(j)** | An analysis of the proposed facility's economic impact on the affected region and the state. | Application ¶¶ 22-24, Exh. G and H |
| **(2)(k)** | A detailed listing of all violations by it, or any person with an ownership interest, of federal or state environmental laws, rules, or administrative regulations, whether judicial or administrative, where violations have resulted in criminal convictions or civil or administrative fines exceeding five thousand dollars ($5,000). The status of any pending action, whether judicial or administrative, shall also be submitted. | Application ¶ 25 |

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| **(2)(l)** | A site assessment report as specified in KRS 278.708. | Application ¶ 26, Exh. I |
| **(2)(m)** | A decommissioning plan as specified in KRS 278.706(2)(m)(1) – (7). | Application ¶¶ 27-35, Exh. J |
| **(2)(m)(1)** | Unless otherwise requested by the landowner, remove all above-ground facilities; | Application ¶ 27 |
| **(2)(m)(2)** | Unless otherwise requested by the landowner, remove any underground components and foundations of above-ground facilities. Facilities removed under this subparagraph shall be removed to a depth of three (3) feet below the surface grade of the land in or on which the component was installed, unless the landowner and the applicant otherwise agree to a different depth; | Application ¶ 27 |
| **(2)(m)(3)** | Return the land to a substantially similar state as it was prior to the commencement of construction; | Application ¶ 27 |
| **(2)(m)(4)** | Unless otherwise requested by the landowner, leave any interconnection or other facilities in place for future use at the completion of the decommissioning process; | Application ¶ 27 |
| **(2)(m)(5)** | Secure a bond or other similar security for the project to assure financial performance of the decommissioning obligation, provided that: | Application ¶ 27 |
| **(2)(m)(5)(a)** | The amount of the proposed 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 merchant electric generating facility is located. The proposed amount of the bond or similar security shall be either:<br><br>The net present value of the total estimated cost of completing the decommissioning plan, less the current net salvage value of the merchant electric generating facility's components; or<br><br>The bond amount required by a county or municipal government that has established a decommissioning bond requirement or similar security obligation in the county or municipality where the merchant electric generating facility will be located. If the facility will be located in more than one (1) county or municipality that has established a decommissioning bond or similar security obligation, then the higher amount shall be required for the facility; | Application ¶ 27 |

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| **(2)(m)(5)(b)** | The bond or other similar security names:<br><br>For property that is leased by the applicant, each landowner from whom the applicant leases land and the Energy and Environment Cabinet as the primary co-beneficiaries; or<br><br>For property that is owned by the applicant, the Energy and Environment Cabinet as the primary beneficiary; | Application ¶ 27 |
| **(2)(m)(5)(c)** | If the merchant electric generating facility is to be located in a county or municipality that has not established a decommissioning bond or other similar security obligation, the bond or other similar security shall name the county or municipality as a secondary beneficiary with the county's or municipality's consent; | Application ¶ 27 |
| **(2)(m)(5)(d)** | The bond or other similar security shall be provided by an insurance company or surety that shall at all times maintain at least an "Excellent" rating as measured by the AM Best rating agency or an investment grade credit rating by any national credit rating agency and, if available, shall be noncancelable by the provider or the customer until completion of the decommissioning plan or until a replacement bond is secured; and | Application ¶ 27 |
| **(2)(m)(5)(e)** | The bond or other similar security shall provide that at least thirty (30) days prior to its cancellation or lapse, the surety shall notify the applicant, its successor or assign, each landowner, the Energy and Environment Cabinet, and the county or city in which the facility is located of the impending cancellation or lapse. The notice shall specify the reason for the cancellation or lapse and provide any of the parties, either jointly or separately, the opportunity to cure the cancellation or lapse prior to it becoming effective. The applicant, its successor, or its assign, shall be responsible for all costs incurred by all parties to cure the cancellation or lapse of the bond. Each landowner, or the Energy and Environment Cabinet with the prior approval of each landowner, may make a demand on the bond and initiate and complete the decommissioning plan. | Application ¶ 27 |
| **(2)(m)(6)** | Communicate with each affected landowner at the end of the merchant electric generating facility's useful life so that any requests of the landowner that are in addition to the minimum requirements set forth in this paragraph and in addition to any other requirements specified in the lease with the landowner may, in the sole discretion of the applicant or its successor or assign, be accommodated; and | Application ¶ 27 |

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|---|---|---|
| **(2)(m)(7)** | Incorporate the requirements of paragraphs (m)1. to 6. of this subsection into the applicant's leases with landowners | Application ¶ 27 |
| **278.704(2)** | Except as provided [by locally-established setback requirements or through a deviation granted pursuant to KRS 278.704(4)] ... all proposed structures or facilities used for generation of electricity are two thousand (2,000) feet from any residential neighborhood, school, hospital, or nursing home facility. | Application ¶ 14 |
| **.704(3)** | If the merchant electric generating facility is proposed to be located in a county or a municipality with planning and zoning, then decommissioning and setback requirements from a property boundary, residential neighborhood, school, hospital, or nursing home facility may be established by the planning and zoning commission. | Application ¶ 13-14, 27-35, Exh. D, J |
| **278.708(1)** | A site assessment report ... as required under KRS 278.706(2)(l) | Exh. I |
| **(2)** | A site assessment report ... prepared by the applicant or its designee. | Exh. I |
| **.708(3)(a)** | A description of the proposed facility that shall include a proposed site development plan that describes: | SAR ¶¶ 1-15, Att. A-D |
| **(3)(a)(1)** | Surrounding land uses for residential, commercial, agricultural, and recreational purposes; | SAR ¶ 7, Att. B |
| **(3)(a)(2)** | The legal boundaries of the proposed site; | SAR ¶ 8, Att. C |
| **(3)(a)(3)** | Proposed access control to the site; | SAR ¶ 9, Att. A |
| **(3)(a)(4)** | The location of facility buildings, transmission lines, and other structures; | SAR ¶ 10, Att. A |
| **(3)(a)(5)** | Location and use of access ways, internal roads, and railways; | SAR ¶ 11, Att. A |
| **(3)(a)(6)** | Existing or proposed utilities to service the facility; | SAR ¶ 12 |
| **(3)(a)(7)** | Compliance with applicable setback requirements as provided under KRS 278.704(2), (3), (4), or (5); and | SAR ¶ 13 |
| **(3)(a)(8)** | Evaluation of the noise levels expected to be produced by the facility. | SAR ¶¶ 14-15, Att. D |
| **(3)(b)** | An evaluation of the compatibility of the facility with scenic surroundings; | SAR ¶¶ 16-19, Att. E-G |

| | | |
|---|---|---|
| **(3)(c)** | The potential changes in property values and land use resulting from the siting, construction, and operation of the proposed facility for property owners adjacent to the facility; | SAR ¶ 20, Att. B |
| **(3)(d)** | Evaluation of anticipated peak and average noise levels associated with the facility's construction and operation at the property boundary; and | SAR ¶¶ 21-31, Att. D |
| **(3)(e)** | The impact of the facility's operation on road and rail traffic to and within the facility, including anticipated levels of fugitive dust created by the traffic and any anticipated degradation of roads and lands in the vicinity of the facility. | SAR ¶¶ 32-34, Att. E |
| **(4)** | The site assessment report shall also suggest any mitigating measures to be implemented by the applicant to minimize or avoid adverse effects identified in the site assessment report. | SAR ¶¶ 35-46 |

**Statutory/Regulation Requirements**
**Nonregulated Electric Transmission Line Certificate**

| KRS 278.714 | Description | Filing |
|---|---|---|
| **(2)(a)** | The name, address, and telephone number of the person proposing construction of the nonregulated electric transmission line or the carbon dioxide transmission pipeline. | Application ¶ 1 |
| **(2)(b)** | A full description of the proposed route of the electric transmission line or the carbon dioxide transmission pipeline and its appurtenances. The description shall include a map or maps showing:<br>1. The location of the proposed line or pipeline and all proposed structures that will support it;<br>2. The proposed right-of-way limits;<br>3. Existing property lines and the names of persons who own the property over which the line or pipeline will cross; and<br>4. The distance of the proposed electric transmission line from residential neighborhoods, schools, and public and private parks within one (1) mile of the proposed facilities. | Application ¶ 5, Exh. B |
| **(2)(c)** | With respect to electric transmission lines, a full description of the proposed line and appurtenances, including the following:<br>1. Initial and design voltages and capacities;<br>2. Length of line;<br>3. Terminal points; and<br>4. Substation connections. | Application ¶ 5, Exh. B |
| **(2)(d)** | A statement that the proposed electric transmission line and appurtenances will be constructed and maintained in accordance with accepted engineering practices and the National Electric Safety Code. | Application ¶ 6 |
| **(2)(e)** | Evidence that public notice has been given by publication in a newspaper of general circulation in the general area concerned. Public notice shall include the location of the proposed electric transmission line or carbon dioxide pipeline, shall state that the proposed line or pipeline is subject to approval by the board, and shall provide the telephone number and address of the Public Service Commission. | Application ¶ 12, Exh. C |
| **(2)(f)** | Proof of service of a copy of the application upon the chief executive officer of each county and municipal corporation in which the proposed electric transmission line or carbon dioxide transmission pipeline is to be located, and upon the chief officer of each public agency charged with the duty of planning land use in the general area in which the line or pipeline is proposed to be located. | Application ¶ 20, Exh. E |

# EXHIBIT A

November 01, 2024

Dear Customer,

The following is the proof-of-delivery for tracking number: 779502508964

**Delivery Information:**

| | | | |
|---|---|---|---|
| **Status:** | Delivered | **Delivered To:** | Receptionist/Front Desk |
| **Signed for by:** | A.JACKSON | **Delivery Location:** | |
| **Service type:** | FedEx Priority Overnight | | |
| **Special Handling:** | Deliver Weekday | | FRANKFORT, KY, |
| | | **Delivery date:** | Oct 31, 2024 11:48 |

**Shipping Information:**

| | | | |
|---|---|---|---|
| **Tracking number:** | 779502508964 | **Ship Date:** | Oct 30, 2024 |
| | | **Weight:** | 0.5 LB/0.23 KG |

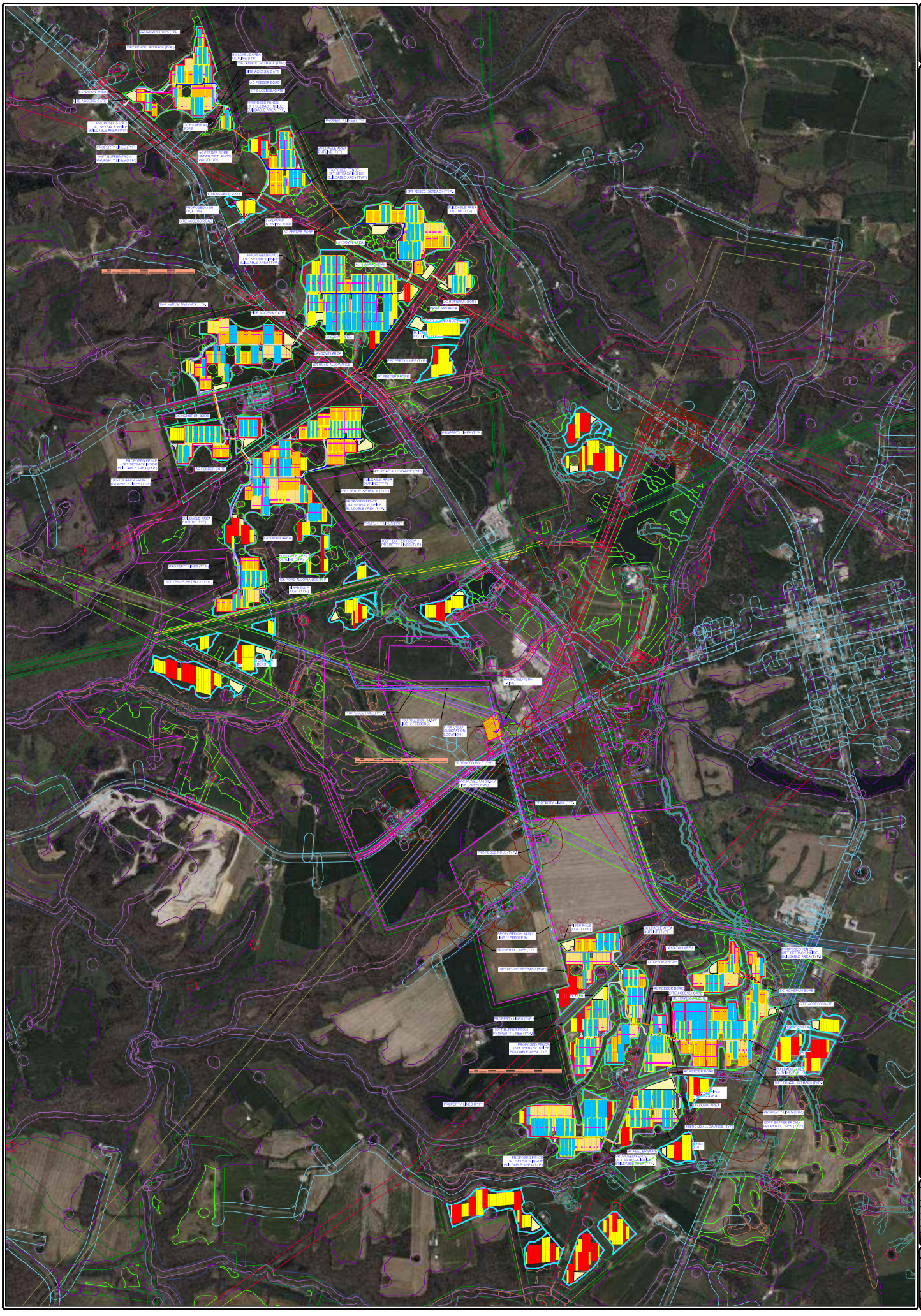
| **Recipient:** | **Shipper:** |
|---|---|
| FRANKFORT, KY, US, | HOUSTON, TX, US, |

| | |
|---|---|
| **Reference** | Clover Creek Solar |

FedEx Express proof-of-delivery details appear below; however, no signature is currently available for this shipment. Please check again later for a signature.

Thank you for choosing FedEx

# EXHIBIT B

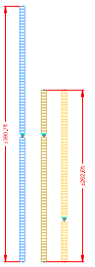



PCL CONSTRUCTION

TORONTO DISTRICT
2271 Fairview St., Suite 500
Oakville, Ontario, L6L 0L8
Phone: 905-754-1600

**LEGEND**

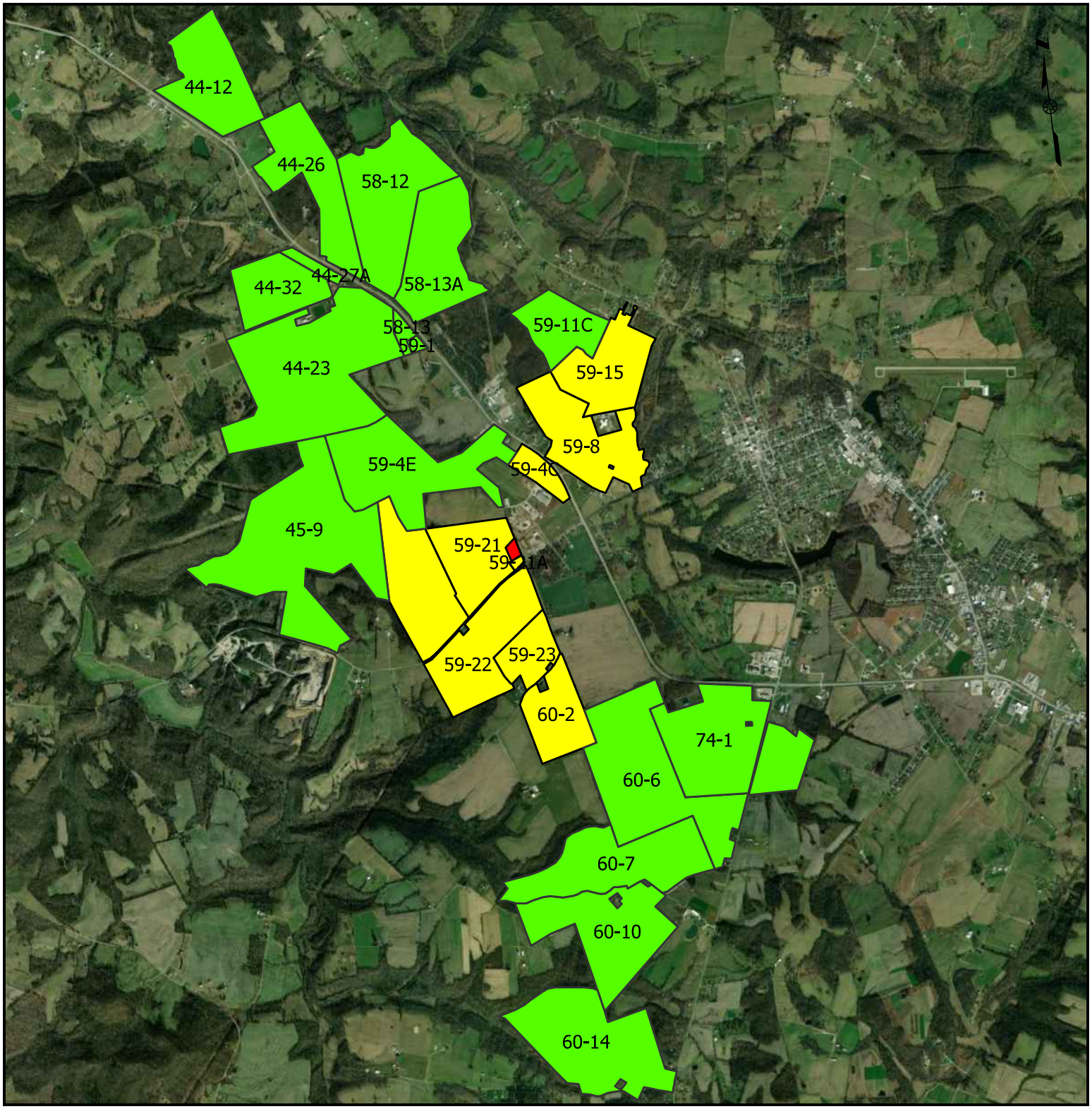
- 4.2 MVA INVERTER STATION
- 4.2 MVA TRANSFORMER
- BLOCK OUTLINE
- DC DISCONNECT SWITCH BOUNDARY OUTLINE
- DC DISCONNECT SWITCH
- DC UNDERGROUND TRENCH
- DC ABOVE GROUND
- SECURITY FENCE
- 10' FENCE SETBACK LINE
- 16' SITE ACCESS ROAD
- BORE & SPLICE LOCATION FOR ACCD CABLE RUNS
- 3-WAY SPLICE MT
- 1-WAY SPLICE MT
- 34.5kV AC COLLECTOR FEEDER 1
- 34.5kV AC COLLECTOR FEEDER 2
- 34.5kV AC COLLECTOR FEEDER 3
- 34.5kV AC OVERHEAD FEEDER 1
- 34.5kV AC OVERHEAD FEEDER 2
- 34.5kV AC OVERHEAD FEEDER 3
- PROPOSED 161kV T-LINE






| No. | Initials | Date | Description |
|---|---|---|---|
| 5 | WJL | 19/01/24 | ACME LOCATION ADDED |
| 4 | WJL | 19/09/24 | MAIN BUILDING LOCATION ADDED |
| 3 | WJL | 19/07/24 | PERMITTING SET ISSUED TO CLIENTS |

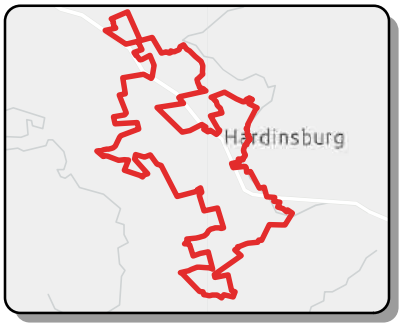
For Client
For Review — Date: May 31, 2024
Drawn By: WJL — Checked By: MA
Sheet Title: EDPR - Clover Creek PERMITTING LAYOUT
PCL Job No.
Sheet No.: PCL-1.3




edp Renewables

# New Frontiers Project Parcels

Date: 10/29/2024

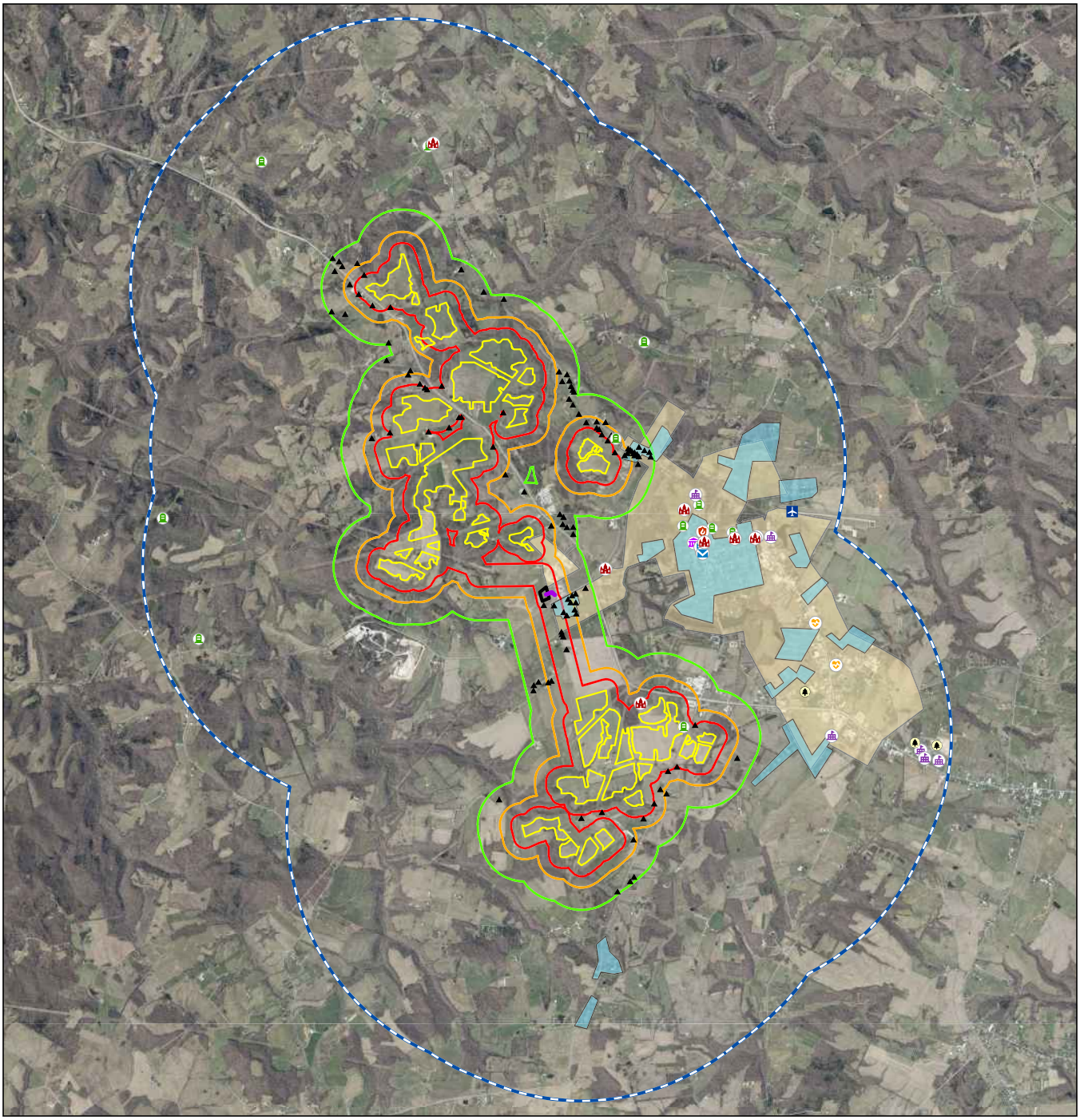


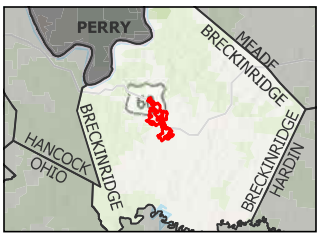

Area Shown

- New Frontiers Solar Park Infrastructure Parcels
- New Frontiers Solar Park Collection Parcels
- New Frontiers Solar Park Substation Purchase Option Area

0 0.75 1.5

Miles






**Notes**
1. Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
2. Data Sources: New Frontiers/Clover Creek Layout Rev 2
3. Background: KyFromAbove Orthoimagery (2021)

Legend

- Project Fenceline
- Gentie Line
- Substation
- 500 ft Buffer
- 1,000 ft Buffer
- 2,000 ft Buffer
- Two Mile Buffer
- Hardinsburg City Limits
- Residences within 2,000 ft
- Neighborhoods within Two Miles
- Cemetery
- Fire Department
- Government Building
- Hospital
- Police
- Post Office
- School
- Church
- Park
- Airport

0 2,500 5,000 Feet
(At original document size of 8.5x11)
1:82,500

N

Stantec

*Project Location*
Hardinsburg
Breckenridge County, Kentucky

Prepared by CRH on 2024-10-23

*Client/Project* 235300918

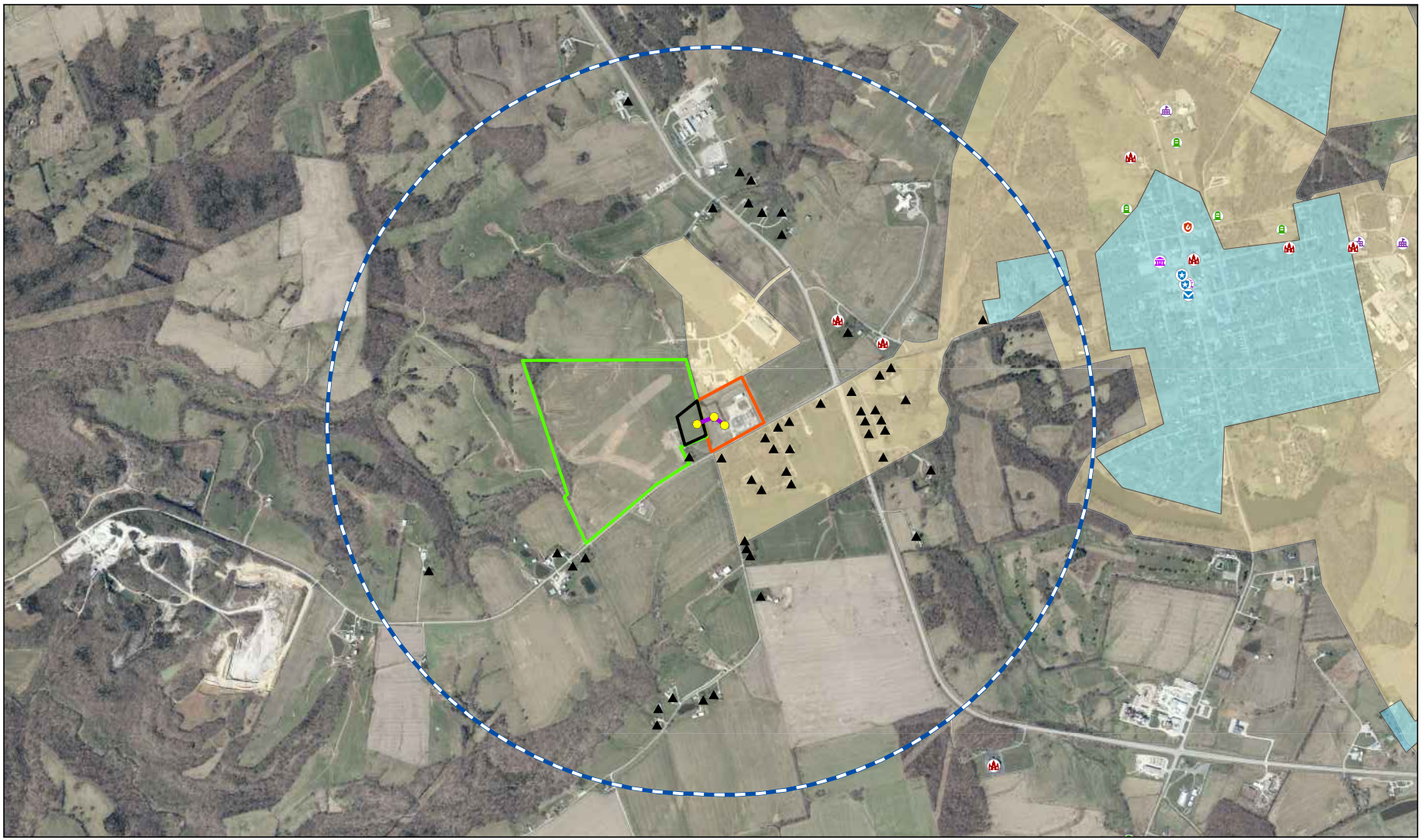
Client: EDP Renewables
Project: New Frontiers Solar Park
Report: SAR

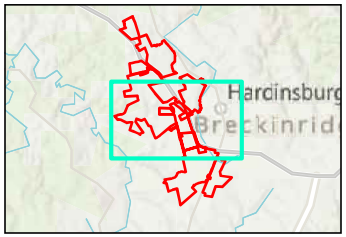
*Exhibit:*
**1-a**

*Title*
**Sensitive Resources within Two Miles of the Project**



U:\235323530118403_data\gis_cad\ProjectsWithoutPNC\Clover Creek\Clover Creek.aprx Revised: 2024-10-24 By: cohoffmann






Legend

- One Mile Buffer
- Big Rivers Electric Company (Parcel 59-5)
- JLB Real Estate (Parcel 59-21)
- Gentie Line
- Gentie Line Power Poles
- Substation
- Residences within 1 mile
- Neighborhoods within Two Miles
- Hardinsburg City Limits
- Cemetery
- Fire Department
- Governmnet Building
- Hospital
- Police
- Post Office
- School
- Church
- Park
- Airport

N

0 1,000 2,000 Feet

(At original document size of 8.5x11)
1:25,489

***Notes***

**1.** Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet

**2.** Data Sources: EDP Clover Creek Solar Layout, USGS National Structures Dataset

**3.** Background: KyFromAbove Orthoimagery (2021)

Stantec

*Project Location*
Hardinsburg
Breckenridge County, Kentucky

Prepared by CRH on 2024-10-23

*Client/Project Number* 235300918
Client EDP Renewables
Project New Frontiers Solar Park
Report SAR

*Exhibit:*
**1-b**

*Title*
**Sensitive Resources within One Mile of the Gentie Line**

U:\235323530\01184\03_data\gis_cad\ProjectsWithoutPN\Clover Creek\Clover Creek.aprx Revised: 2024-10-30 By: cohoffmann