

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

In the Matter of:

ELECTRONIC APPLICATION OF STMO BN, LLC	)	
(STARFIRE) FOR A CERTIFICATE OF	)	
CONSTRUCTION FOR AN APPROXIMATELY	)	
210 MEGAWATT MERCHANT SOLAR ELECTRIC	)	Case No. 2024-00255
GENERATING FACILITY IN KNOTT, BREATHITT,	)	
AND PERRY COUNTIES, KENTUCKY PURSUANT	)	
TO KRS 278.700 AND 807 KAR 5:110	)	

**RESPONSE TO CONSULTANT’S REPORT**

STMO bN, LLC (the “Applicant” or “Starfire”) provides the following response to the Review and Evaluation of STMO Bn, LLC (Starfire) Site Assessment Report Case Number: 2024-00255 by BBC Research & Consulting (“BBC Report” or “Report”). Starfire appreciates the thorough review and analysis of its proposed generation facility (“Project”). The Report’s recommendations are generally agreed to with minor recommended clarifications as described below.<sup>1</sup> These address those mitigation recommendations included on Page B-6 of the Report.

**Recommendation:**

*1. Starfire should limit noise-generating construction activity from the hours of 8 AM to 7 PM, Monday through Sunday, and pile driving only between 9 AM and 5 PM, Monday through Saturday.*

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<sup>1</sup> The Applicant notes that Report Section C, Pages 7-8 appear to include a reference to a different application because there is no Attachment A to the Applicant’s site assessment report and the Siting Board did not find that Starfire’s site layout map possessed inadequate resolution for examining the Project’s components or locations. Although this does not substantively change the Report’s findings or Starfire’s response thereto, the Applicant sought to clarify this discrepancy prior to commencing the evidentiary hearing scheduled for June 18, 2025.

Response:

Due to the area's existing topography and vegetation, and the Project's designed setbacks and distances from the nearest noise receptors, Starfire recommends limiting noise-generating construction activity, including pile driving, to the hours of 6 AM to 7 PM, Monday through Saturday. Construction will not be conducted on Sundays unless necessary to make up for delays or to meet deadlines. This site is already subject to constant mining activity and noise, which will exceed that of construction and operation for this Project. Any sensitive noise receptor is located at such a distance that this will have minimal impact. The Report acknowledges that due to the distance and variable topography between the nearest NSRs and the Starfire project boundary, the projected maximum construction noise levels are lower than the noise levels that BBC has observed for most other applications submitted to the Siting Board. *See Report page C-38.*

Recommendation:

2. *Starfire should implement a Customer Resolution Program to address any complaints from surrounding landowners. Starfire should submit an annual status report on the Customer Resolution Program to the Siting Board, identifying any complaints, the steps taken to resolve those complaints, and whether the complaint was resolved to the satisfaction of the affected landowner.*

Response:

Given that the Board no longer has authority over the Project once operations commence, Starfire recommends any reporting be made to the Kentucky Energy and Environment Cabinet. Further, Starfire requests that reporting only be required for years in which a complaint is received or addressed.

Recommendation:

3. *Starfire should develop and implement a robust traffic management plan for the construction phase of the project to minimize impacts on traffic flow and keep traffic safe. As part of this plan, Starfire should implement ridesharing between construction workers; use appropriate traffic controls; or allow flexible working hours outside of peak hours to minimize any potential delays during AM and PM peak hours.*

Response:

Starfire can encourage ride sharing amongst the construction workers but cannot require workers to ride share. Additionally, the nature of construction work will in almost all situations prevent implementation of flexible work hours for the construction workers.

Recommendation:

4. *Starfire should commit to rectifying any damage to public roads by fixing or fully compensating the appropriate transportation authorities for any damage or degradation to the existing road network that it causes or to which it materially contributes.*

Response:

Starfire will commit to fixing or fully compensating the local transportation authorities for any damage caused by the trucks used for construction of Starfire.

Respectfully submitted,



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