

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

In the Matter of:

ELECTRONIC APPLICATION OF WOOD)	
DUCK SOLAR LLC FOR A CERTIFICATE OF)	
OF CONSTRUCTION FOR AN APPROXIMATELY)	
100 MEGAWATT MERCHANT ELECTRIC)	
SOLAR GENERATING FACILITY AND)	Case No. 2024-00337
NONREGULATED ELECTRIC TRANSMISSION)	
LINE IN BARREN COUNTY, KENTUCKY)	
PURSUANT TO KRS 278.700 AND 807 KAR)	
5:110.)	

MOTION TO SUBSTITUTE APPLICANT WITNESS

Comes now Wood Duck Solar LLC (the “Applicant” or “Wood Duck”), and hereby moves the Kentucky State Board on Electric Generation and Transmission Siting (the “Siting Board” or “Board”) pursuant to the Siting Board’s order issued on June 3, 2025, to allow Wood Duck to substitute Aerin Garczyk as a witness for Kelley Pope in the above-captioned matter. In support hereof, the Applicant respectfully states as follows.

I. Background

On May 19, 2025, Wood Duck filed its application for certificates of construction for an approximately 100 MW merchant electric generating facility and nonregulated transmission line in Barren County Kentucky (“Application”). On June 3, 2025, the Siting Board issued its scheduling order in Wood Duck’s construction certificate case (“Scheduling Order”). The Scheduling Order includes certain directives for the Applicant including participation of sponsoring witnesses in the case’s evidentiary hearing, which is scheduled for October 2, 2025. Regarding substitution of a witness, paragraph 13 of the Scheduling Order provides:

“The Siting Board does not look favorably upon motions to substitute witnesses or excuse witnesses from testifying at Siting Board hearings. Accordingly, motions to

substitute witnesses or excuse a witness from testifying at a Siting Board hearing or from testifying in person at a Siting Board hearing shall be made in writing at least 14 days prior to the hearing and will be granted only upon a showing of good cause.”

II. Request for Substitution

The Applicant respectfully requests the Board grant its requested substitution of Aerin Garczyk for Kelley Pope in connection with Wood Duck’s pending construction certificate Application. Good cause exists for the requested substitution, as Ms. Pope is no longer employed by Wood Duck Solar LLC’s parent company and thus is no longer available to provide testimony on behalf of Wood Duck. Ms. Garczyk is Senior Director of Development with Geenex Solar LLC, the parent company of Wood Duck Solar LLC, and is prepared to adopt Ms. Pope’s prior discovery responses, sponsor relevant responses to data requests moving forward, and testify at the evidentiary hearing in this matter.

Additionally, the Applicant’s request to substitute a witness is timely, as there are still seven weeks before the Board’s hearing.

WHEREFORE, Wood Duck Solar LLC respectfully requests the Siting Board

- 1) Grant the Applicant’s request to substitute Aerin Garczyk for Kelley Pope as a witness;
- 2) Allow Aerin Garczyk to adopt discovery responses previously sponsored by Kelley Pope; and
- 3) Excuse Kelley Pope from participating in the October 2, 2025 evidentiary hearing in the above-styled case.

Respectfully submitted,



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