

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.	)	

PETITION FOR CONFIDENTIAL TREATMENT

Comes now Wood Duck Solar, LLC (“Applicant” or “Wood Duck”), by and through counsel, pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, and seeks confidential treatment for certain information filed in response to the Kentucky Electric Generation and Transmission Siting Board (“Siting Board”) Staff’s October 6, 2025 Post-Hearing Request for Information.

Siting Board Staff’s post-hearing request number 2 asks for copies of the leases for all participating landowners, for all components. Wood Duck is seeking protection of personal information contained in the leases of participating landowners.

Specifically, Wood Duck is seeking protection of phone numbers and email addresses for landowners that have executed lease agreements and other agreements with Wood Duck. Per 807 KAR 5:001, Section 4(10)(a)(7), the address, phone number, or email address of an individual who is not a party and has not requested to be a party should be redacted and kept confidential. Wood Duck has redacted the address and email address for the landowners, but not the physical address. The physical addresses have already been made public through the nature of requesting siting approval.

Wood Duck also requests confidential protection of the material terms contained in the leases and other agreements, specifically the payments made to these counterparties. Material terms include information such as the lease amounts; escalation of lease payments; remedies available to the parties for nonperformance of terms; economic terms other than leases rates and related escalations such as signing payments, crop damage calculations, construction rent amounts, extension fees, and holdover rent amounts; the structure of the lease term including the outside date for rent commencement; and treatment of taxes related to the transaction. Per KRS 61.878(1)(c)(1) records confidentially disclosed to the Siting Board that are generally recognized as confidential or proprietary, which if disclosed would permit an unfair competitive advantage, should be deemed as confidential and protected from public disclosure. Wood Duck's leases reveal commercially sensitive information regarding the internal ability and workings of Wood Duck and its affiliates — in particular, how they evaluate certain land areas for projects, evaluate potential networks, and respond to various issues that arise in merchant solar projects, including negotiated prices and terms for property rights. The price terms negotiated and form provisions, and related acquisition strategy then demonstrate innovative and proprietary processes developed through experience and used by Wood Duck and its affiliates to develop these facilities and networks. If the material terms of the leases and other agreements were divulged, it would cause competitive injury by placing Wood Duck at a competitive disadvantage.

In compliance with 807 KAR 5:110, Section 5 and 807 KAR 5:001, Section 13(2)(a)(3), Wood Duck is filing with the Siting Board one copy of the identified documents entirely unredacted and with highlighting of the material for which confidential treatment is sought. Unredacted copies are filed under seal pursuant to the instructions regarding confidential filings in the March 24, 202 Order issued in KY. PSC Case No. 2020-00085. Redacted pages have been

publicly filed with the electronic copy of Wood Duck's Responses to Siting Board Staff's Post-Hearing Request for Information.

Per 807 KAR 5:001, Section 13(2)(a)(2), requests that this information be kept confidential for a period of thirty (30) years, the anticipated lifetime of the Project, from the date of the order granting this motion.

Wherefore, Wood Duck Solar, LLC respectfully requests the above-referenced information be granted the appropriate status and protections due for such confidential information.

Respectfully submitted,



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