

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

IN THE MATTER OF:

ELECTRONIC APPLICATION OF LOST CITY)	
RENEWABLES LLC FOR A CERTIFICATE OF)	
CONSTRUCTION FOR AN APPROXIMATELY)	CASE NO.
250 MEGAWATT MERCHANT ELECTRIC SOLAR)	2024-00406
GENERATING FACILITY IN MUHLENBERG)	
COUNTY, KENTUCKY PURSUANT TO KRS)	
278.710 AND 807 KAR 5:110)	

MOTION TO INTERVENE

Brad Reed, Sherrie Reed, Aaron Cobb, Amy Cobb, Shelia Richards, Frank Richards, Jay Mcelwain, Sudith Whitney, Tim Johnson, Lisa Johnson, Daniel Elitzer, and Keira Elitzer (hereinafter referred to as “Movants”), by and through counsel, hereby move to intervene in this matter pursuant to 807 KAR 5:001(11).

Lost City Renewables, LLC seeks to construct a solar energy generating facility in Muhlenberg County, Kentucky. Movants are adjoining and nearby landowners who will be impacted by the proposed construction.

Movants seek to intervene to protect their substantial property rights and raise environmental and conservation issues that will be associated with the proposed construction, which otherwise may not be adequately protected. Currently, there appears to be no person or entity which is a party to these proceedings to assert these interests and raise these issues. Pursuant to 807 KAR 5:001(11)(a), “a person who wishes to become a party to a case before the commission, may by timely motion, request leave to intervene ... and shall state his or her interest in the case and how intervention is likely to present issues or develop facts that

will assist the commission in full in considering the matter without unduly complicating or disrupting the proceedings.” 807 KAR 5:001(11)(a). Additionally, “the commission shall grant a person leave to intervene if the commission finds that ... he or she has a special interest in the case that is not otherwise adequately represented or that his or her intervention is likely to present issues or develop facts that assist the commission in considering the matter without unduly complicating or disrupting the proceedings.” 807 KAR 5:001(11)(b).

Here, Movants satisfy the aforementioned criteria because they have a substantial interest in Lost City Renewables, LLC’s construction of a solar energy generating facility adjacent to or near their real property. Movants assert Lost River Renewables, LLC proposed construction that will destroy approximately 900 acres of standing timber and as currently proposed, appears to seek a deviation from the requirements of subsection 2 of KRS 278.704. If granted, this deviation will place a substantial burden on Movants and other similarly situated landowners. Absent intervention, no party to these proceedings will adequately protect the Movants’ interests. The applicant does not represent those interests.

Accordingly, Movants request the Kentucky State Board on Electric Generation and Transmission Siting enter the attached proposed Order allowing them to intervene in this matter.

NOTICE FOR HEARING

The foregoing Motion will come on for hearing before the Kentucky State Board on Electric Generation and Transmission Siting at the convenience of the Board.

Respectfully submitted this 20th day of February, 2025.

/s/ Harold Mac Johns

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CERTIFICATE OF SERVICE

This is to certify that on February 20, 2025, a true and accurate copy of the foregoing document was electronically mailed to the following:

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