

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

**LOST CITY RENEWABLES MOTION FOR EXCUSAL OR
VIRTUAL PARTICIPATION FOR RICHARD KIRKLAND**

Lost City Renewables LLC (“Lost City”) respectfully moves the Siting Board to allow its witness Richard Kirkland to be excused from the June 13, 2025 hearing, or, in the alternative, to participate virtually in the hearing. In support of its motion, Lost City states as follows:

On January 30, 2025, the Siting Board accepted Lost City’s Application for a certificate of construction for an approximately 250-megawatt merchant electric solar generating facility in Muhlenberg County, Kentucky (the “Application”). On February 12, 2025, the Siting Board issued a scheduling order setting a hearing on Lost City’s application on June 11, 2025, which was later revised to June 13, 2025.

Richard Kirkland, MAI, employed by Kirkland Appraisals, LLC prepared a Property Value Impact Analysis that was submitted as a component of Lost City’s Application. Mr. Kirkland’s report revealed that the adjoining properties to the project are “well set back from the proposed solar panels” and that with proper vegetative screening or buffering there would be “no impact on

home values” for the adjacent properties.¹ Mr. Kirkland concluded that “the solar farm proposed at the subject property will have no impact on the value of adjoining or abutting properties and that the proposed use is in harmony with the area in which it is located.”²

The Siting Board engaged Elliot Engineering to review Lost City’s Application. Elliot Engineering concurred with Mr. Kirkland’s assessment of the Lost City project’s impact on surrounding property values in the report it issued on May 12, 2025. Elliot Engineering found:

...the [Property Value Impact Analysis] is credible and representative of the market conditions that would exist should the Lost City Solar Project be constructed based on the market evidence and interpretation of the data contained in the Impact Study.³

The Siting Board issued Lost City two sets of Requests for Information for additional information regarding the proposed project. The Siting Board never issued Lost City a Request for Information regarding property value impact or Mr. Kirkland’s report that required Mr. Kirkland to sponsor a response. The Intervenors never issued Lost City any Requests for Information.

Lost City respectfully requests that Mr. Kirkland be excused from attending the formal hearing. Mr. Kirkland and his associate, Nicholas Kirkland, will be travelling internationally on June 13, 2025, the date of the evidentiary hearing. Mr. Kirkland would be happy to provide the Siting Board with a written response to a post-hearing Request for Information should any question arise during the hearing that other Lost City witnesses cannot answer.

Regardless of his excusal, Mr. Kirkland may or may not provide substantive testimony at the hearing on this matter. Mr. Kirkland⁴ and his associate, Nicholas Kirkland, have previously

¹ Kirkland Appraisals Property Value Impact Analysis at 1.

² *Id.* at 2.

³ Elliot Engineering Solar Generation Siting Final Report – Lost City Solar, at 48.

⁴ Mr. Kirkland also works with his son, Nicholas Kirkland, at Kirkland Appraisals, LLC. Both Mr. Kirkland and Nicholas Kirkland have testified before the Siting Board regarding Kirkland Appraisals, LLC’s review of proposed projects’ property value impacts.

appeared before the Siting Board as experts on property value analysis in other matters. In many of those matters, the Siting Board has had either no questions for either expert or had very few questions that both addressed in their live testimony and submitted reports.⁵ Based on the lack of Requests for Information Mr. Kirkland received and Elliot Engineering's agreement with his Property Value Impact Analysis, Mr. Kirkland's attendance at the hearing is likely unnecessary. Mr. Kirkland may provide any follow-up information through a response to a post-hearing Request for Information. No party will be prejudiced by excusing him from the hearing.


In the event the Siting Board does not allow Mr. Kirkland excusal from attending the hearing, Lost City respectfully requests the Siting Board allow Mr. Kirkland virtual attendance at the hearing for the reasons stated above. Mr. Kirkland will have the technical capability for virtual appearance. No party will be prejudiced by permitting him virtual attendance at the hearing.

WHEREFORE, Lost City respectfully requests the Siting Board to excuse Mr. Kirkland from attending the June 13, 2025 hearing, or, in the alternative, to allow him to participate virtually.

⁵ See *Application of Kentucky Municipal Energy Agency for a Certificate of Construction for an Approximately 75 Megawatt Merchant Electric Generating KYMEA Energy Center 1 and Transmission Line in Madisonville, Kentucky Pursuant TO KRS 278.700 and 807 KAR 5:110*, 2024-00290, VR at 2:15:53 (February 19, 2025); *Application of Pine Grove Solar, LLC for a Certificate of Construction for an Approximately 50 Megawatt Merchant Electric Solar Generating Facility in Madison County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110*, 2022-002262, VR 2:16:02 (April 25, 2023); *Application of Banjo Creek Solar LLC for a Certificate of Construction for an Approximately 120 Megawatt Electric Generating Facility in Graves County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110*, 2023-00263, VR at 2:54:33 (January 23, 2024); *Application of Song Sparrow Solar LLC for a Certificate of Construction for an Approximately 104 Megawatt Merchant Electric Solar Generating Facility in Ballard County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110*, 2023-00256, VR at 10:14 (January 23, 2024).

RESPECTFULLY SUBMITTED,

STURGILL, TURNER, BARKER & MOLONEY, PLLC



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