

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

**In the Matter of:** )  
 )  
**In the Matter of the Application of Lost City** )  
**Renewables LLC for a Certificate of Construction for an** ) **Case No. 2024-00406**  
**Approximately 250 Megawatt Merchant Electric Solar** )  
**Generating Facility in Muhlenberg County, Kentucky** )  
**Pursuant to KRS 278.700 and 807 KAR 5:110** )

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**STATEMENT REGARDING HEARING PROCEDURE**

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Lost City Renewables LLC, by counsel, hereby provides the following statement regarding hearing procedures.

Lost City appreciates the Siting Board’s agreement to allow Richard Kirkland to appear virtually for the hearing. Given the fact that he will be in Germany, which is six hours ahead of Eastern Daylight Time, Lost City anticipates that it will present Mr. Kirkland first in the order of witnesses. In addition, it may request that Mr. Kirkland be permitted to testify at the outset of the hearing so that he may have a time certain to appear, particularly if there appears to be several members of the public providing oral comments.

Following Mr. Kirkland’s testimony and public comment, Lost City anticipates calling the witnesses listed in its witness list in the following order: Paul Coomes, Sean Joshi, Shane Kelley, and Marty Marcheterre. Lost City does not anticipate any other witnesses to be called for any party, as no other party identified any witnesses to be called at the hearing prior to the mandatory deadline of June 6, 2025, set by 807 KAR 5:110, Section 6(2) and (3).<sup>1</sup>

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<sup>1</sup> The Intervenor’s filed a subpoena form on June 9, 2025, which was after the witness list deadline. It does not appear that the Siting Board has issued a subpoena, nor does it appear that the Siting Board has statutory authority to issue a subpoena.

Lost City further notes its objection if any Intervenors attempt to provide public comments. In the April 1, 2025, Order, the Siting Board noted that the Intervenors “would not unduly complicate the proceeding.”<sup>2</sup> Further, it specifically stated: “The Siting Board reminds all Movants [now Intervenors] that counsel represents them in this matter, and they should speak and participate in this matter through their attorney.” At least half of the individual Intervenors have violated the Siting Board’s Order by filing written public comments after the Siting Board’s Order was issued, requiring them to work through their attorney. The Intervenors should not be permitted to violate the Siting Board’s Order.

Respectfully submitted,



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ATTORNEYS FOR LOST CITY RENEWABLES LLC

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<sup>2</sup> The Intervenors are Brad Reed, Sherrie Reed, Aaron Cobb, Amy Cobb, Shelia Richards, Frank Richards, Jay Mcelwain, Sudith Whitney, Tim Johnson, Lisa Johnson, Daniel Elitzer, Keira Elitzer, Mike Saye, Brian Cottongim, Danny Mitchell, Dana Mitchell, Stephen Wood, and Rhonda Wood.