

**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 Summer Shade Solar, LLC for a Certificate of Construction for an approximately 106-Megawatt Merchant Electric Solar Generating Facility in Metcalfe County, Kentucky pursuant to KRS 278.700, et seq., and 807 KAR 5:110)	Case No. 2025-00064

**APPLICATION TO CONSTRUCT
MERCHANT ELECTRIC GENERATING FACILITY**

Pursuant to KRS 278.700 et seq., and 807 KAR 5:110, Summer Shade Solar LLC (“Summer Shade”), by counsel, submits this application for a construction certificate to construct a merchant electric generating facility. In support of this application, Summer Shade states as follows:

1. Summer Shade is a limited liability company organized under the laws of Delaware on June 30, 2021, with a principal place of business of 500 Sansome Street, Suite 500, San Francisco, CA 94111. Summer Shade’s phone number is (270) 501-0552. Summer Shade is authorized to do business in Kentucky as of August 31, 2021.

2. The proposed Summer Shade Facility will be up to 106-megawatt alternating current (MWac) photovoltaic electricity generation facility with a battery storage system. The proposed Summer Shade Project will be located to the west of State Highway163 (KY-163) and near Summer Shade Road and Apple Grove Road. The latitude and longitude are approximately 36°51'25"N, 85°41'45"W.

3. Pursuant to KRS 278.706 and 807 KAR 5:100, Summer Shade has hand-delivered its application fee of with this filing.

4. Summer Shade, through its attorneys identified below, has the ability to receive electronic transmissions in this matter at the electronic mail addresses listed below.

5. Please refer to the attached Table of Contents and related information.

6. The Project will include a transmission line connecting the Project's substation to a substation owned by East Kentucky Power Cooperative. It is anticipated that the line will be less than 300 feet in length. This infrastructure is located within the parcels to be used for the Project, as identified in the Preliminary Site Layout, which is Appendix B to the Site Assessment Report. In prior cases, the Siting Board has confirmed that similar transmission lines do not require separate approval from the Siting Board under KRS 278.700, et seq. *See, e.g., Pine Grove Solar, LLC*, Case No. 2022-00262 (K.S.B. May 26, 2023).

WHEREFORE, Summer Shade respectfully requests that the Siting Board (a) accept for filling this Application in accordance with 807 KAR 5:100, Section 3(3), (b) approve a construction certificate for Summer Shade to construct its Project, (c) confirm that no separate approval for a transmission line is necessary or, in the alternative, approve a construction certificate for a transmission line between the project switchyard and utility substation and (d) grant a deviation from the setback requirements contained in KRS 278.704(2).

Respectfully submitted,



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ATTORNEYS FOR SUMMER SHADE SOLAR LLC

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Application has been served via e-mail on April 29, 2025, upon the following:

Metcalfe County Judge/Executive Larry Wilson

larry.wilson@metcalfecountyky.gov

A handwritten signature in black ink, appearing to read "M. Jon O'Neil", with a stylized, looped flourish at the end.

Counsel for the Summer Shade Solar LLC