

**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

MOTION

Pursuant to KRS 278.704(4), Summer Shade Solar LLC (“Summer Shade”), by counsel, respectfully moves the Kentucky State Board on Electric Generation and Transmission Siting (the “Siting Board”) for an order confirming that the setback requirements of KRS 278.704(2) do not apply to the Summer Shade Project because there are no residential neighborhoods, schools, hospitals, or nursing home facilities within 2,000 feet of the Project or, in the alternative, to grant a deviation from the setback requirements of KRS 278.704(2).¹ As grounds for its motion, Summer Shade states as follows:

I. INTRODUCTION

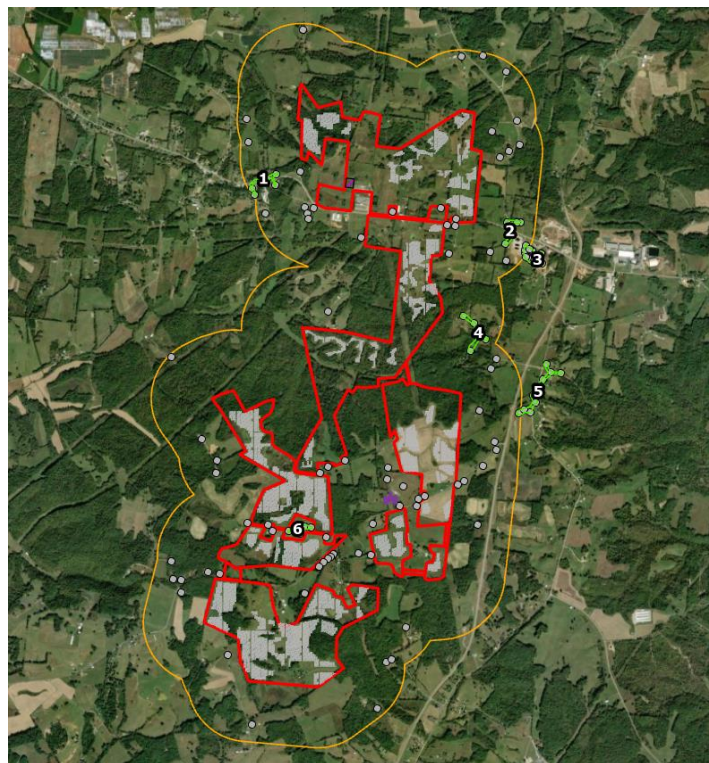
On April 29, 2025, Summer Shade filed its Application for a Certificate to Construct a Merchant Electric Generating Facility in Metcalfe County, Kentucky (the “Application”). Setback requirements for the merchant electric generating facilities are mentioned in Summer

¹ In its Notice of Intent, Summer Shade indicated that it would seek a deviation from the setbacks set forth in KRS 278.704(2). In addition, in Section 2 of the Application, it indicated that there were six residential neighborhoods within 2,000 feet of the Project’s radius. On further review, it appears that none of these areas would be considered residential neighborhoods requiring a deviation from the setback requirements of KRS 278.704, as discussed fully herein. Accordingly, Summer Shade corrects and clarifies its prior statements in the Notice of Intent and Application with the information contained in this motion.

Shade's Application. *See* Application, Section 5 and Attachment A. As indicated, KRS 278.704(2) provides in pertinent part:

Except as provided in subsections (3), (4), and (5) of this section, no construction certificate shall be issued to construct a merchant electric generating facility unless the exhaust stack of the proposed facility and any wind turbine is at least one thousand (1,000) feet from the property boundary of any adjoining property owner and all proposed structures or facilities used for generation of electricity are two thousand (2,000) feet from any residential neighborhood, school, hospital, or nursing home facility.

There are no schools, hospitals, or nursing homes within 2,000 feet from Summer Shade's proposed facilities. Summer Shade reviewed the area for potential residential neighborhoods (as defined by KRS 278.700(6)) within 2,000 feet of the project. On a cursory review, it determined that there were six areas that needed a more detailed evaluation to determine if they met the statutory definition of a residential neighborhood. Those six areas are identified in the context map below.



In determining whether an area constitutes a “residential neighborhood,” one must consider the statutory definition of that term. A residential neighborhood is defined in KRS 278.700(6) as “a populated area of five (5) or more acres containing at least one (1) residential structure per acre.” Although not specifically included in the definition, there are at least two other parameters that should be considered. First, it is presumed that a “residential neighborhood” must be a collection of parcels that have an adjoining boundary with at least one of the other parcels in the neighborhood. Any other interpretation would lead to absurd results of having a neighborhood comprised of disconnected, isolated parcels. Second, it is presumed that public roads are not considered in determining whether parcels are adjoining. In other words, two parcels that would otherwise be adjoining properties but are separated by a public road would still potentially qualify as comprising part of a residential neighborhood.

In evaluating the six areas based on the aforementioned definition and parameters, there are no areas completely within 2,000 feet of structures or facilities used for generation of electricity (i.e., solar panels) that have a density greater than five residential structures in a five-acre area. Each area is discussed below in greater detail. In summary, none of the areas meet the definitions’ size requirement (minimum five acres) and the density requirements (at least one residential structure per acre) with the exception of Area 3, which meets these two standards but does not have five residential structures or parcels within 2,000 feet of the Project’s structures or facilities used for generation of electricity.

Accordingly, Summer Shade requests an order from the Siting Board confirming that a deviation from KRS 278.704(2) is not necessary.

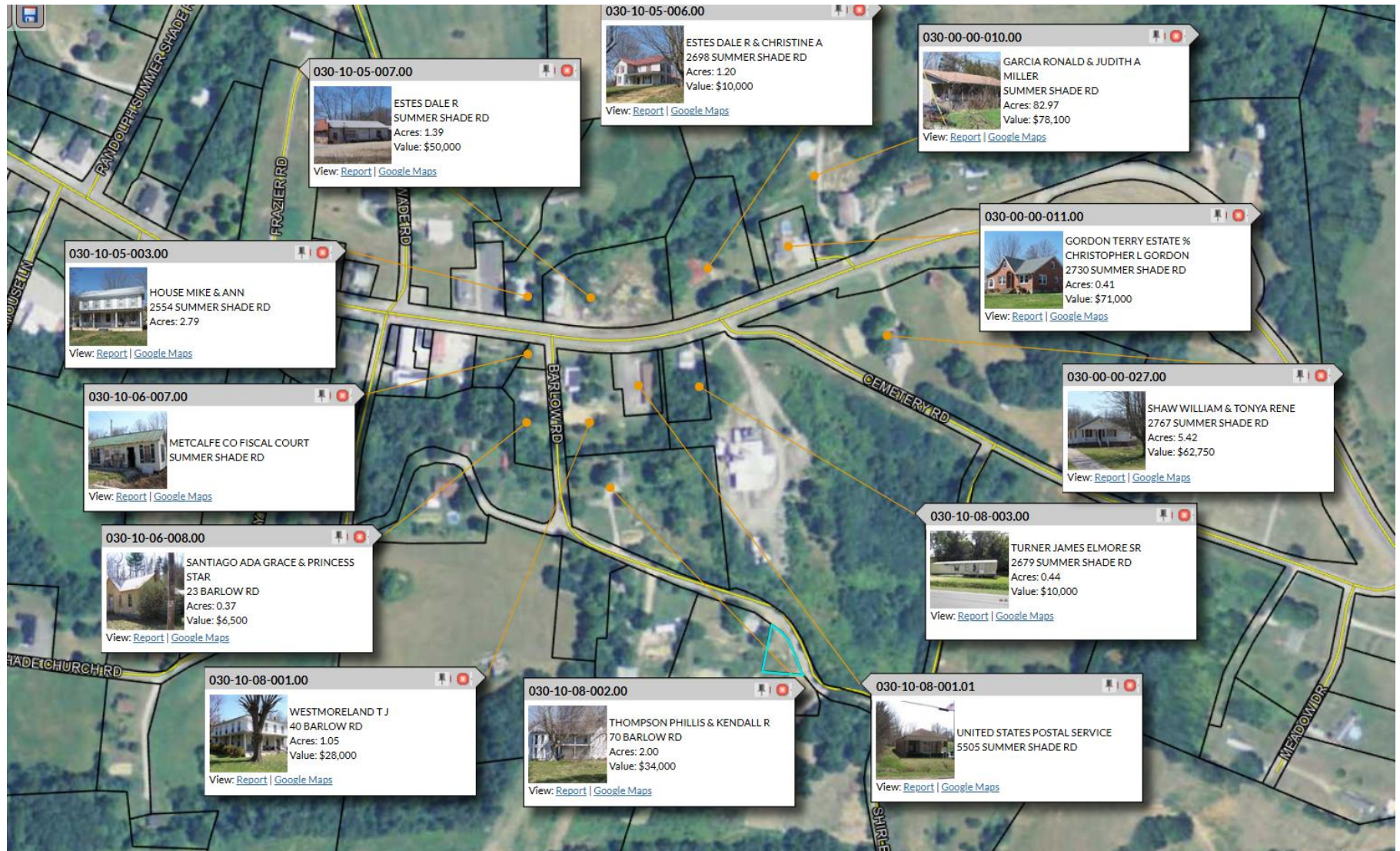
Area 1

Area 1 is located to the west of the project along Highway 90 and near the Summer Shade U.S. Postal Service office. With the understanding of the parameters mentioned above, there is not a populated area of five or more acres containing at least one (1) residential structure per acre within 2,000 feet. In addition, some of the evaluated parcels in Area 1 are further than 2,000 feet from the anticipated location of the electric-generating infrastructure. As a point of reference, the intersection of Barlow Road and Highway 90 is approximately 2,150 feet from the anticipated location of the nearest solar panel. Accordingly, Parcel Nos. 030-10-06-008.00 and 030-10-08-001.00 are outside the 2,000-foot radius.

Parcel Number	Acreage	Reason for not including
030-10-05-006.00	1.20	Structure is not habitable (see image below)
030-10-05-007.00	1.39	
030-10-05-003.00	2.79	
030-10-06-007.00		Fiscal Court (non-residential) & more than 2,000 feet away
030-10-06-008.00	0.37	More than 2,000 feet from panels
030-10-08-001.00	1.05	
030-10-08-002.00	2.00	More than 2,000 feet from panels
030-10-08-001.01		U.S.P.S. (non-residential)
030-10-08-003.00	0.44	
030-00-00-027.00	5.42	
030-00-00-011.00	0.41	Not adjacent to other parcels

A map from the Metcalfe County Property Value Administrator (“PVA”) on the following page depicts these parcels. The nearest parcel (030-10-05-006.00) is approximately 1,500 feet and the residential structure on that parcel is approximately 1,650 feet from the anticipated location of the electric-generating infrastructure.

Area 1



Parcel 030-10-05-006.00



Area 2

Area 2 was identified because there are five residences near the intersection of Highway 90 and Mt. Moriah Road to the east of the project. Data from the PVA, however, demonstrates that the acreage of parcels disqualifies the area as a residential neighborhood based on density requirements.

Parcel Number	Acreage
041-00-00-047.00	1.00
041-00-00-027.00	0.50
041-00-00-028.00	147.00
041-00-00-027.04	18.84
041-00-00-027.02	1.42
Total:	168.76

A map from the Metcalfe County PVA on the following page depicts these parcels.

Area 2



Area 3

Area 3 is located to the east of the project near Highway 90 and along Brandstetter Park Road and Summermount Drive. Although the PVA website does not identify the acreage for each of the parcels, there appears to be approximately 10 parcels ranging from a third of an acre to two-thirds of an acre with the *closest* parcel being within 2,000 feet from the anticipated location of the electric-generating infrastructure. It appears that this area has a density of greater than five residential structures on parcels comprising less than five acres.

However, most of the residential parcels in Area 3 are further than 2,000 feet from the anticipated location of the electric-generating infrastructure.² The nearest residence (Parcel No. 041-00-00-029.02) is approximately 1,975 feet from the anticipated location of solar panels. There may be one other parcel (Parcel No. 041-00-00-029.03) with an edge that will be closer than 2,000 feet. The boundaries of Parcel Nos. 041-00-00-029.12 and 041-00-00-029.04 are more than 2,000 feet from the anticipated location of solar panels. Because there are not at least five residential parcels within 2,000 feet, Area 3 does not fall within the statutory definition of a residential neighborhood.

A map from the Metcalfe County PVA on the following page depicts these parcels.

² The intersection of Barlow Road and Highway 90 is approximately 2,150 feet from the anticipated location of the nearest solar panel.

Area 3



Area 4

Area 4 is located to the east of the project along at the end of Roy Lee Humes Road. Data from the PVA, however, demonstrates that the acreage of parcels disqualifies area as a residential neighborhood based on density requirements.

Parcel Number	Acreage
030-00-00-035.03	32.25
030-00-00-035.01	4.19
030-00-00-035.04	5.42
030-00-00-035.00	3.91
030-00-00-035.02	31.61
Total:	77.38

A map from the Metcalfe County PVA on the following page depicts these parcels.

Area 4



Area 5

Area 5 is located to the east of the project along Highway 163 and Apple Grove Road. Of the identified parcels, only the parcel labeled by the PVA as “No information is available” is within 2,000 feet from the anticipated location of solar panels. For example, Parcel No. 042-00-00-006.01 is approximately 2,100 feet from the anticipated location of solar panels. In addition, no five or more contiguous parcels contain five or more acres with a density of at least one residential structure per acre.

A map from the Metcalfe County PVA on the following page depicts this area.

Area 5



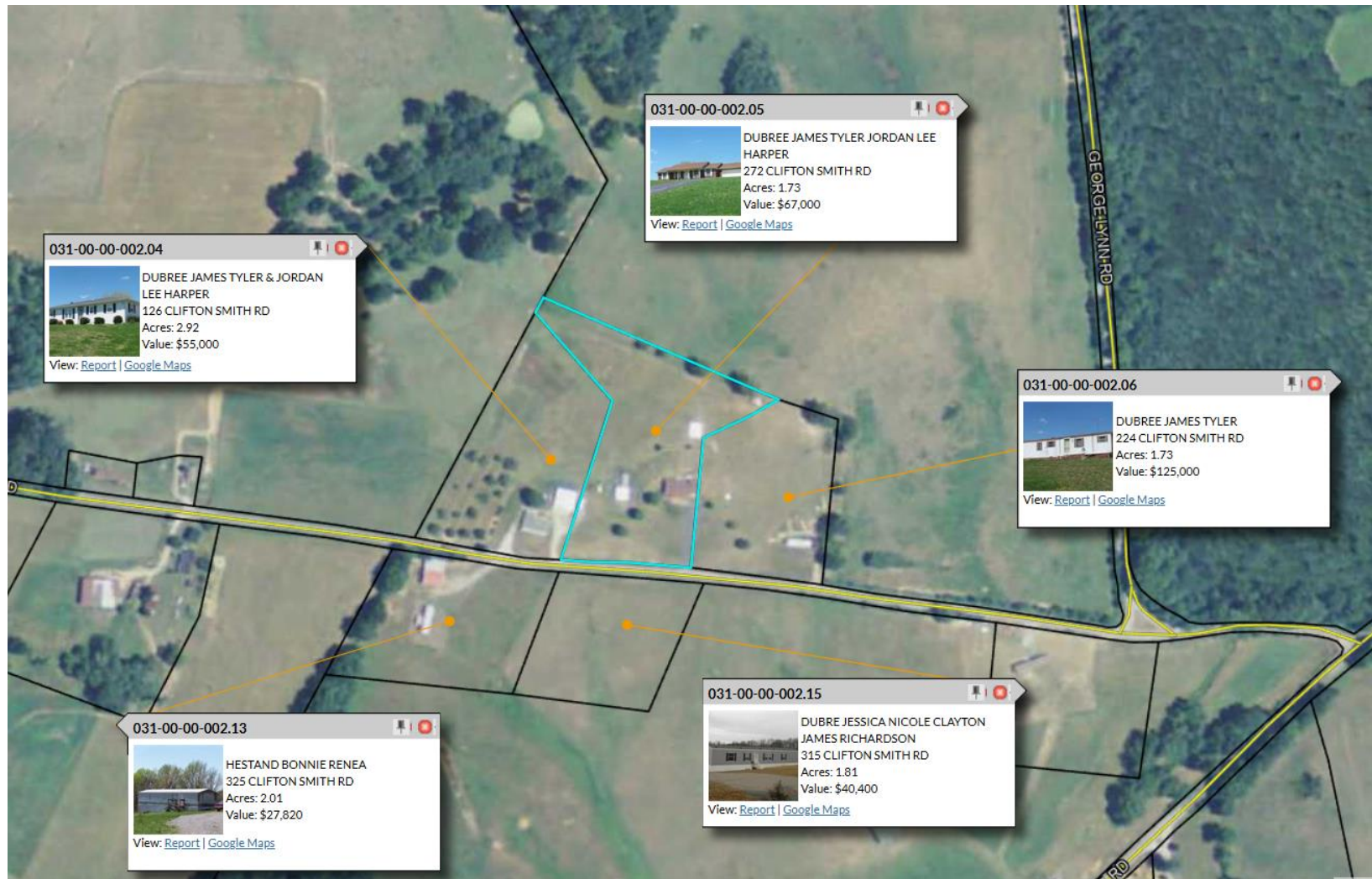
Area 6

Area 6 is located along Clifton Smith Road. Data from the PVA, however, demonstrates that the acreage of parcels disqualifies the area as a residential neighborhood based on density requirements.

Parcel Number	Acreage
031-00-00-002.04	2.92
031-00-00-002.05	1.73
031-00-00-002.06	1.73
031-00-00-002.15	1.81
031-00-00-002.13	2.01
Total:	10.20

A map from the Metcalfe County PVA on the following page depicts these parcels.

Area 6



II. ANALYSIS

A. The Areas identified by Summer Shade do not qualify as residential neighborhoods.

As mentioned above, KRS 278.704(2) provides in pertinent part:

Except as provided in subsections (3), (4), and (5) of this section, no construction certificate shall be issued to construct a merchant electric generating facility unless the exhaust stack of the proposed facility and any wind turbine is at least one thousand (1,000) feet from the property boundary of any adjoining property owner and all proposed structures or facilities used for generation of electricity are two thousand (2,000) feet from any residential neighborhood, school, hospital, or nursing home facility.

The Siting Board may grant a deviation from these setbacks to a merchant electric generating facility, pursuant to KRS 278.704(4).

A residential neighborhood is defined in KRS 278.700(6) as “a populated area of five (5) or more acres containing at least one (1) residential structure per acre.” As discussed above, there are no areas completely within 2,000 feet of solar panels (i.e., “structures or facilities used for generation of electricity”) that have a density greater than five residential structures in a five-acre area. Accordingly, Summer Shade requests an order from the Siting Board confirming that a deviation from KRS 278.704(2) is necessary.

Summer Shade acknowledges that Area 3 identified above would otherwise meet the definition of residential neighborhood based on size and density requirements, but there are not five parcels in Area 3 within 2,000 feet of the anticipated location of solar panels. Accordingly, Summer Shades believes that the default setback of 2,000 feet identified in KRS 278.704(2) would not apply to Area 3. If, however, the Siting Board determines that the default 2,000-foot setback applies to Area 3 (or any other areas), Summer Shade respectfully requests a deviation from that setback.

- B. Alternatively, the Siting Board should grant a deviation from KRS 278.704(2) if there are any areas that would qualify as residential neighborhoods within 2,000 feet of the structures or facilities used for generation of electricity.**

1. Requirements of KRS 278.704(2)

If there are any areas that would qualify as residential neighborhoods within 2,000 feet of the structures or facilities used for generation of electricity, the Siting Board should grant a deviation from the applicable setbacks identified in KRS 278.704(2). We begin our analysis by reviewing which default setbacks in KRS 278.704(2) could be applicable.

a. The 1,000-Foot Setback Requirement

As noted in the Application, the Project's sources of generation are solar panels and associated infrastructure, such as inverters. Because the statutory language in KRS 278.704(2) for the 1,000-foot setback is limited to those sources of generation with an exhaust stack or a wind turbine, the 1,000-foot setback is not applicable to a solar project.

b. The 2,000-Foot Setback Requirement

In addition to the 1,000-foot setback, KRS 278.704(2) sets a default all proposed structures or facilities used for generation of electricity must be located more than 2,000 feet from any residential neighborhood, school, hospital, or nursing home facility. As defined by KRS 278.700(6), a "residential neighborhood" is "a populated area of five (5) or more acres containing at least one (1) residential structure per acre." As discussed above, there are no residential neighborhoods completely within 2,000 feet of the proposed "structures or facilities used for generation of electricity." There is one Area, however, that would qualify as a

residential neighborhood if the definition of a residential neighborhood includes areas that have the size and density requirements and at least one parcel within 2,000 feet of the project (but not five parcels within 2,000 feet).

Pursuant to KRS 278.704(4), the Siting Board may grant a deviation from the 2,000-foot setback requirements in KRS 278.704(2) if “the proposed facility is designed to and, as located, would meet the goals of KRS 224.10-280, 278.010, 278.212, 278.24, 278.216, 278.218, and 278.700 to 278.716 at a distance closer than those provided in subsection (2) of this section.” The Siting Board has also interpreted this standard to require consideration of the effect of the property on adjacent landowners. *See In re ecoPower Generation-Hazard, LLC*, Case No. 2009-00530 (hereinafter “*ecoPower*”), For the reasons set forth below, and applying guidance from prior Siting Board actions interpreting KRS 278.704(4), Summer Shade believes the proposed facility would meet the goals of KRS 278.700 *et seq.*, and respectfully requests, if necessary, the Siting Board to grant a deviation from the setback requirements of KRS 278.704(2).

2. Effects on Adjacent Landowners

In *ecoPower*, the Siting Board enunciated the standards applicable to merchant generating facilities seeking a deviation from the setback requirements found in KRS 278.704(2). It stated, “The setback provisions of KRS 278.704(2) were enacted to afford some level of protection for persons occupying a property adjacent to a property where a merchant generating plant is to be constructed and operated.” *ecoPower* at 31. The Siting Board concluded that it must consider the effects of the planned facility on the adjacent residents when determining whether to grant a deviation pursuant to KRS 278.704(4). *See id.* at 32. The Siting Board followed the *ecoPower* deviation procedure in approving the application in *SunCoke Energy South Shore, LLC*, Case No. 2014-00162.

Following the guidance of the Siting Board in *ecoPower* and beginning in 2020, when applications for construction certificates for solar facilities began to be filed, the Siting Board has routinely permitted deviations from the setback requirements like the Project, subject to certain mitigation measures. *See, e.g., Turkey Creek Solar, LLC*, Case No. 2020-00149 (K.S.B. Sept. 23, 2020); *Thoroughbred Solar, LLC*, Case No. 2022-00115 (K.S.B. Apr. 10, 2023).

Each of these factors are discussed in more detail below and in the Site Assessment Report included in the Application.

a. Noise

The Site Assessment Report thoroughly evaluates the expected noise levels from the proposed Project and the surrounding properties. *See* Application, Site Assessment Report at Appendix D. The closest residence in Area 3 is identified in the Noise Report as R-35, which is anticipated to be 608 meters or 1,994 feet from the nearest solar panel. It is estimated to have a sound level of 24 dBA L_{eq} during operations. Therefore, based on the Report, it is clear that noise levels will be minimal and will not have a negative contributing effect if a deviation to the default setbacks is necessary and granted.

b. Visual Obstruction of Scenic Views

The Application provides an in-depth analysis of the compatibility of the facility with the scenic surroundings *See* Application, Site Assessment Report at Section 2 and Appendix E. The closest residences in Area 3 were not included in the Visual Impact Assessment because of the distance from the project and inability to see the facility. The following image further demonstrates the non-existent visual impact that the project will have on these residences.

Area 3



The picture looks west down Highway 90 and shows the residential structure on Parcel No. 041-00-00-029.03 on the south (left) side of Highway 90. The home will be visually blocked from the project by the existing trees to the north of Highway 90 (as shown, above the white vehicle).

c. Traffic

The Application analyzes the traffic impact during both the construction and operation phases of the proposed facility. *See* Application, Site Assessment Report at Section 5 and Appendix F. As mentioned in those materials, the construction period will not produce significant operational changes to existing roadways. All roadways within the Project area will continue to operate at an acceptable level of service during peak construction traffic. Although no significant adverse traffic impacts are expected during Project construction or operation, using mitigation measures such as ridesharing between construction workers, using appropriate traffic controls, or allowing flexible working hours outside of peak hours could be implemented to minimize any potential for delays during the morning and afternoon peak hours.

d. Summer Shade' Mitigation Efforts

Summer Shade has had an extensive outreach program to the community generally and the neighbors specifically, which went above and beyond the statutory and regulatory requirements. *See* Application, Volume 1, Section 6.

The Siting Board should grant this motion for deviation because Summer Shade has made every effort to protect property owners from all adverse impacts that might result from the construction and operation of the facility. The proposed merchant generating facility will not produce any emissions, will produce a negligible amount of noise, and will have vegetative screening. Moreover, specific mitigation measures for this Area are not necessary because they will not be impacted by the project.

3. The Proposed Facility is Designed and Located to Meet the Goals of KRS 278.700, *et seq.*

In order to demonstrate a deviation is appropriate, the Applicant must satisfy the goals of certain statutes identified in KRS 278.704(4) as follows:

a. KRS 224.10-280 Cumulative Environmental Assessment

KRS 224.10-280 provides that no person shall commence to construct a facility to be used for the generation of electricity unless that person has submitted a cumulative environmental assessment (“CEA”) to the Energy and Environment Cabinet (“Cabinet”) with its permit application, and remits a fee which has been set pursuant to KRS 224.10-100(20).

Upon researching the statute and accompanying regulations, there do not appear to be any regulations that have been promulgated regarding CEAs. At the time of the *ecoPower* Order, the Siting Board concluded that there were no regulations involving CEAs (*see ecoPower* at 34) and it does not appear that any additional regulations have been promulgated since that order. Consequently, no fee has been established for Summer Shade to pay “to defray the cost of processing the cumulative environmental assessment.” KRS 224.10-280.

Nevertheless, to satisfy the goals of KRS 224.10-280, Summer Shade submitted the CEA to the Cabinet. The CEA provides an in-depth analysis of the potential air pollutants, water pollutants, wastes, and water withdrawal associated with the proposed merchant solar facility. *See* Application, Attachment H.

i. Air Evaluation - KRS 224.10-280(2)(a)

As required by KRS 224.10-280(3)(a), the CEA evaluates the air pollutants to be emitted by the facility and the associated control measures. *See* Application, Attachment H at 2-3. Once constructed, the Project will not produce any emissions during operation, including any of the criteria pollutants (PM, CO, SO₂ NO_x, VOCs, or Pb). In addition, no hazardous air pollutants are expected to be emitted from the facility during operation. During operation, the only anticipated emissions associated with the facility are those from maintenance vehicles and personal transportation vehicles of workers used when performing routine operations.

ii. Water Evaluation – KRS 224.10-280(3)(b)

As required by KRS 224.10-280(3)(b), the CEA evaluates the water pollutants that could be emitted by the facility and the associated control measures. *See* Application, Attachment H at 3-4. Once construction is complete, the Project will have little to no impacts on surface water during operations and maintenance. Best Management Practices will be utilized during any activities that may cause runoff of any sediments or pollutants.

During construction and operation, it is possible that limited use of fertilizer and herbicides will be used at the Project site. Any chemical use will be conducted in accordance with manufacturer's recommendations, EPA regulations, and Kentucky licensing requirements to reduce the risk of groundwater contamination. It is anticipated that impacts to groundwater will be beneficial by removing the site from agricultural use which will reduce overall chemical use on the site.

iii. Waste Evaluation – KRS 224.10-280(3)(c)

As required by KRS 224.10-280(3)(c), the CEA evaluates the waste to be generated by the facility and the associated control measures. *See* Application, Attachment H at 4-5. Once construction is complete and the Project is in the operation phase, no waste is expected to be generated from the site. Any waste generated during maintenance activities will be removed from the site and disposed of in accordance with state and federal regulations. Based on review of the potential waste generation activities, adverse effects are not anticipated from general waste or wastewater treatment and disposal.

iv. Water Withdrawal Evaluation – KRS 224.10(3)(d)

As required by KRS 224.10-280(3)(d), the CEA identifies the source and volume of anticipated water withdrawal needed to support facility construction and operations, and the CEA describes the methods to be used for managing water usage and withdrawal. (*See* Application, Attachment H at 5-6. As described in the CEA, the proposed facility would

primarily utilize groundwater from onsite wells or transport water to provide water needed for construction activities. Construction-related water use would support site preparation (including dust control) and grading activities.

Operation of solar facilities is not water intensive. Precipitation in the region is adequate to remove dust and other debris from the PV panels while maintaining energy production; therefore, manual panel washing with water or other substance is not part of regular solar project maintenance.

v. Summary of the CEA

In summary, the Project is designed and located to meet the goals of KRS 224.10-280. Summer Shade has submitted a CEA to the Cabinet which contains a description and analysis of anticipated air pollutants, water pollutants, wastes, and water withdrawal needs. The CEA also references the substantial amount of planning, permitting, and assessments which have been completed for the facility and which are ongoing. The Project development team shall continue permitting as required to comply with all applicable regulations.

b. KRS 278.010.

KRS 278.010 provides a list of definitions to be used in conjunction with KRS 278.010 to 278.450, 278.541 to 278.544, 278.546 to 278.5462, and 278.990. The Siting Board's authority begins with KRS 278.700 and extends through KRS 278.716 and any applicable provision of KRS 278.990. In filing a complete Application pursuant to the applicable statutes in this proceeding, Summer Shade has satisfied the goal of providing the required information utilizing the definition of any applicable term defined in KRS 278.010.

c. KRS 278.212. Filing of plans for electrical interconnection with merchant electric generating facility; costs of upgrading existing grid

Summer Shade has met the goals of KRS 278.212 because Summer Shade will comply with all applicable conditions relating to electrical interconnection with transmission lines by

following the interconnection process. Additionally, Summer Shade will accept responsibility for applicable costs which may result from its interconnecting with the electricity transmission grid. With Summer Shade's commitment to comply with KRS 278.212, the proposed facility has been designed and located to meet the goals of KRS 278.212.

d. KRS 278.214. Curtailment of service by utility or generation and transmission cooperative

The goal of this statute is to establish the progression of entities whose service may be interrupted or curtailed pursuant to an emergency or other event. Summer Shade will abide by the requirements of this provision to the extent that these requirements are applicable. By committing to comply with these requirements Summer Shade has met the goals anticipated by the statute.

e. KRS 278.216. Site compatibility certificate; site assessment report; commission action on application

KRS 278.216 requires a jurisdictional utility, as defined by KRS 278.010(3), which seeks to construct an electric generating facility to comply with many of the requirements that are included within KRS 278.700 to 278.716, including the submission of a site assessment report. However, KRS 278.216 specifically applies to jurisdictional utilities, as defined in KRS 278.010(3), and Summer Shade is not such a defined utility. Therefore, by complying with the requirements of KRS 278.700 *et seq.*, Summer Shade has met the requirements and goals of KRS 278.216.

f. KRS 278.218. Approval of commission for change in ownership or control of assets owned by utility

This statute specifically applies to utilities as those defined pursuant to KRS 278.010(3). The statute prohibits acquisition or transfer without prior approval of the Commission. Summer Shade is not a utility as described in 278.010(3), and therefore, this statute does not apply to Summer Shade. However, to the extent Siting Board or Energy and Environment Cabinet

approval may at some time be required for change of ownership or control of assets owned by Summer Shade, Summer Shade will abide by the applicable statutes and regulations that govern its operation.

g. KRS 278.700 - 278.716. Electric Generation and Transmission Siting.

These provisions of the Kentucky Revised Statutes govern the application of a merchant electric generating facility such as the one proposed by Summer Shade in its Application to the Siting Board. According to the Siting Board itself, the goals of these provisions include the following: to provide for the location of merchant electric generating facilities in a fashion which will not intrude upon or unnecessarily disrupt surrounding land uses including hospitals, nursing homes, residential areas, schools, parks or otherwise have adverse environmental impacts which are not otherwise regulated; to include an evaluation of the economic impact of the proposed facility (KRS 278.710(l)(c)); to determine whether the facility is to be located at a site where existing generating facilities are located (KRS 278.710(l)(d)); to determine whether the facility will meet all applicable local planning and zoning requirements (KRS 278.710(l)(e)); to determine whether the facility will adversely impact the reliability of electrical service for retail customers of utilities regulated by the Public Service Commission (KRS 278.710(l)(f)); to determine the efficacy of any proposed mitigation measures (KRS 278.710(l)(h)); and to provide the applicant's history of environmental compliance (KRS 278.710(l)(i)). *See ecoPower* at 39.

Thus, Summer Shade has met the goals set forth in these provisions as evidenced by the Application in its entirety. Summer Shade has provided a comprehensive application with a detailed discussion of all of the criteria applicable to its proposed facility under KRS 278.700-278.716.

Summer Shade has engaged in public education and public notification, has held a public meeting and other meetings to respond to inquiries concerning the project, and has specifically

discussed and made itself available for questioning by adjoining landowners concerning the property.

Summer Shade has clearly met the goals of KRS 278.700 *et seq.* in locating its proposed facility in an environmentally compatible location, disclosing the facts surrounding its proposed operation, responding to inquiries, and obtaining the proper permits for the facility.

III. CONCLUSION

WHEREFORE, Summer Shade LLC requests an order from the Siting Board confirming that the setback requirements of KRS 278.704(2) do not apply to the Summer Shade Project or, in the alternative, to grant a deviation from the setback requirements of KRS 278.704(2).

Respectfully submitted,

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