

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

In the Matter of:

ELECTRONIC APPLICATION OF EE PARADISE)	
SOLAR, LLC FOR A CERTIFICATE OF)	
CONSTRUCTION FOR AN APPROXIMATELY 80)	
MEGAWATT MERCHANT SOLAR ELECTRIC)	Case No. 2025-00381
GENERATING FACILITY IN MUHLENBERG)	
COUNTY, KENTUCKY PURSUANT TO KRS 278.700)	
AND 807 KAR 5:110)	

NOTICE OF WITHDRAWAL

EE Paradise Solar, LLC (“Applicant” or “Paradise Solar”), by counsel, files this Notice of Withdrawal of its previously filed Notice of Intent to submit an application to the Kentucky State Board on Electric Generation and Transmission Siting (“Siting Board”) for a Certificate of Construction for an approximately 80 megawatt (“MW”) merchant solar electric generating facility in Muhlenberg County, Kentucky (the “Project”), because no construction certificate is required for the Project. In connection with this Notice, Paradise Solar also respectfully requests a full refund of its application fees previously submitted to the Siting Board. For its Notice, Paradise Solar respectfully states as follows:

1. Siting Board approval is necessary to construct merchant electric generating facilities (“MEGF”) pursuant to KRS 278.700 *et seq.*¹ On November 24, 2025, Paradise Solar filed a Notice of Intent (“NOI”) to file an application for Siting Board approval of the Project. This NOI will expire on or about May 24, 2026, if the application is not filed prior to that date.

¹ Merchant electric generating facilities are defined in KRS 278.700(2) as follows: “...[A]n electricity generating facility or facilities that, together with all associated structures and facilities: (a) Are capable of operating at an aggregate capacity of ten megawatts (10MW) or more; and (b) Sell the electricity they produce in the wholesale market, at rates and charges not regulated by the Public Service Commission.”

2. After additional review, Paradise Solar has determined that the Project will not constitute an MEGF as defined at KRS 278.700(2). Paradise Solar will not sell the electricity that is produced in the wholesale market at rates and charges which are not regulated by the Kentucky Public Service Commission (“PSC”).

3. The Project will sell one hundred percent (100%) of its output to Kentucky Utilities (“KU”), which is a jurisdictional utility regulated by the PSC, pursuant to KU’s tariff and pursuant to a PSC-regulated power purchase agreement (“PPA”). This arrangement provides that Paradise Solar will not sell the electricity produced by the Project “in the wholesale market, at rates and charges not regulated by the Public Service Commission.”² Instead, the agreement between KU and Paradise Solar must comply with KU’s tariff and PSC approval will be required thereunder. Because Paradise Solar will sell 100% of its output to KU, the PSC therefore regulates the rates and charges for all the electricity sold by the Project to KU.

4. Because it will not sell its produced electricity in the wholesale market, and its PPA with jurisdictional utility KU will be regulated by the PSC, Paradise Solar does not meet the statutory definition of an MEGF. Therefore, the Project is not required to obtain Siting Board approval or go through the permitting process outlined in KRS 278.700 *et seq.*³

5. As acknowledged and accepted by the Siting Board on December 24, 2025, Paradise Solar previously provided \$80,000.00 for application fees as required by 807 KAR 5:100 Section 1. To date, no application has been filed. As this Notice of Withdrawal closes this matter prior to the filing of any application, Paradise Solar respectfully requests that the Siting Board arrange with its counsel to return the fees via wire transfer.

² See KRS 278.700(2).

³ Of note, any nonregulated electric transmission line connecting the Project and KU will require a construction certificate from the Siting Board. See KRS 278.714.

Dated this 16th day of April 2026.

/s/Pierce T. Stevenson

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