

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

In the Matter of:

ELECTRONIC APPLICATION OF STMO BN, LLC	)	
(STARFIRE) FOR A CERTIFICATE OF	)	
CONSTRUCTION FOR AN APPROXIMATELY	)	
200 MEGAWATT MERCHANT SOLAR ELECTRIC	)	Case No. 2026-00180
GENERATING FACILITY AND NONREGULATED	)	
ELECTRIC TRANSMISSION LINE IN KNOTT AND	)	
PERRY COUNTIES, KENTUCKY PURSUANT TO	)	
KRS 278.700 AND 807 KAR 5:110	)	

MOTION TO RESCHEDULE LOCAL PUBLIC HEARING

STMO Bn, LLC (the “Applicant” or “Starfire”), by and through counsel, hereby seeks an order from the Kentucky State Board on Electric Generation and Transmission Siting (the “Siting Board” or “Board”) rescheduling the local public hearing currently set for October 15, 2026. In support of its Motion, Starfire states as follows.

On August 25, 2026, the Applicant filed an application for a Certificate of Construction for an approximately 200 MW merchant solar electric generating facility and a nonregulated electric transmission line (the “Project” or “Starfire 2”). On September 22, 2026, local residents (all nonparties to the current proceeding) filed a request for a local public hearing. On September 22, 2026, undersigned counsel emailed the Board attorney requesting that if the Board decided to schedule a local public hearing, that it do so the week of October 19, 2026, due to scheduling conflicts for both the Applicant and the undersigned counsel. See Exhibit A, Email. The Board’s attorney did not respond. On Friday, October 2, 2026, following the close of business, the Board entered an order scheduling a local public hearing for October 15, 2026, a date on which the Applicant and its counsel continue to have scheduling conflicts. See 10/2/26 Order (“Order”).

807 KAR 5:110 Section 8 provides for the scheduling of local public hearings and also contains notice requirements for these hearings. This regulation explicitly states that Board is required to give notice at least fourteen (14) days prior to the hearing date to all parties to the proceeding as well as each county judge executive. *Id.*, Section 8 (3)(a)-(b). The Order was filed only thirteen (13) days prior to the local public hearing, and the only party to the proceeding – here the Applicant – had no notice the local public hearing would be held October 15 prior to the entry of the Order on October 2. Also, if entry of the Order was to constitute notice to each county judge executive as contemplated by the Order language on p. 2, the county judges executive at best had thirteen (13) days’ notice of the hearing’s date and time. Thus, the Board failed to follow its own regulations when providing notice of the local public hearing.

Applicant has worked to submit the newspaper notice required in 807 KAR 5:110 Section 9(2), but local papers have limited windows in which advertisements can run to achieve publication within the ordering deadlines contained in the regulation. If the local public hearing is rescheduled to comply with the notice requirements of 807 KAR 5:110 Section 8(3), Applicant respectfully requests that the Board enter an order as soon as possible so that Starfire can timely submit the newspaper notice to local papers for these to run in time to notify the general public of the rescheduled hearing and to also comply with the other notice requirements discussed above. Applicant’s availability for a local public hearing as submitted in its email to the Board remains unchanged at this time. See Exhibit A.

Wherefore, Applicant respectfully requests that the Siting Board enter an order granting its Motion and rescheduling the local public hearing for the week of October 19, 2026.

Respectfully submitted,

/s/ Gregory T. Dutton

Gregory T. Dutton

Pierce T. Stevenson

FBT GIBBONS LLP

400 West Market Street, Suite 3200

Louisville KY 40202

502-589-5400

502-581-1087 (Fax)

gdutton@fbtgibbons.com

pstevenson@fbtgibbons.com

and

Kathryn A. Eckert

FBT GIBBONS LLP

325 West Main Street, Suite 301

Lexington, KY 40507

(859) 231-0000

(859) 231-0011 (Fax)

keckert@fbtgibbons.com

Counsel for STMO Bn, LLC