COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

IN THE MATTER OF:

THE ELECTRONIC APPLICATION OF WEIRS CREEK SOLAR, LLC AND NEBO ENERGY STORAGE, LLC TO TRANSFER A CONSTRUCTION CERTIFICATE PURSUANT TO KRS 278.710(3)	))))))	CASE NO. 2026-00290

WEIRS CREEK SOLAR, LLC AND NEBO ENERGY STROAGE LLC'S VERIFIED APPLICATION TO TRANSFER A CONSTRUCTION CERTIFICATE

Comes now Weirs Creek Solar, LLC ("Weirs Creek") and Nebo Energy Storage, LLC ("Nebo"), and Hocket Energy Storage, LLC ("Hocket") (jointly "the Parties"), by counsel pursuant to KRS 278.710(3), and other applicable law, and does hereby tender an application requesting the Kentucky State Board on Electric Generation and Transmission Siting ("Siting Board") to allow the previously granted certificate of construction in Case No. 2024-00099 ("Construction Certificate") to be trifurcated and a partial transfer of rights and obligations and respectfully states as follows:

I. INTRODUCTION

1. Weirs Creek is an indirect subsidiary of NextEra Energy Resources, LLC ("NEER"), a leading wholesale power generator, operating power plants and offering a diverse fuel mix to utilities, retail electricity providers, power cooperatives, municipal electric providers, and large industrial companies. NEER is the world's largest generator of renewable energy from the wind and the sun, having invested billions of dollars – with plans to invest even more – in

energy infrastructure across North America. NEER entered the solar generation business in 1989 and has significantly expanded its solar development to approximately 3,629 MW of utility and small-scale operating assets.

2. On June 6, 2024, Weirs Creek filed an application to construct a solar electric generating facility that will be capable of generating approximately 150 MWs of electricity from a solar array within a total of approximately 2,260 leased acres located at 369 Russel Farms Road, Providence, Kentucky and spans Webster and Hopkins Counties ("Project"). Included in the application, on the preliminary site plan, was a battery energy storage system ("BESS").

3. On December 3, 2024, after reviewing the extensive record and holding a Formal Hearing, the Siting Board approved Weirs Creek's application for a certificate of construction for the Project. The Siting Board specifically found Weirs Creek, through its parent company, has a good environmental compliance history[1] and that Weirs Creek has the requisite expertise necessary to comply with the obligations imposed by the Construction Certificate.[2] A copy of the Siting Board's December 3, 2024 Order is attached as **Exhibit 1**.

4. On November 6, 2025, Weirs Creek filed an Application to bifurcate the Construction Certificate and allow Nebo to construct and operate the Battery Energy Storage System ("BESS").[3] Nebo is also an indirect subsidiary of NEER. The bifurcation was necessary because NEER had two contracts for energy generated from the Project: one for the solar energy and one for the stored BESS energy. On February 11, 2026, the Commission entered an Order

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[1] Case No. 2024-00099, *Electronic Application of Weirs Creek Solar, LLC for a Certificate to Construct an Approximately 150 Megawatt Merchant Solar Electric Generating Facility in Webster County and Hopkins County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:100*, December 3, 2024 Order (Ky. PSC December 3, 2024).

[2] Case No. 2024-00099, December 3, 2024 Order.

[3] Case No. 2025-00356, *Electronic Application of Weirs Creek Solar, LLC to Transfer a Portion of the Construction Certificate Pursuant to KRS 278.710(3)* (filed November 6, 2026).

bifurcating the construction certificate granted in Case No. 2024-0099.[4] A copy of the Siting Board's February 11, 2026 Order is attached as **Exhibit 2**.

5. When Nebo filed its Generation Interconnection Application ("GIA") with Midcontinent Independent System Operator ("MISO") it was approved for 75 megawatts ("MW") of BESS. However, the original parcels in the Weirs Creek application included an area that can support a larger BESS installation than 75 MW. Since Nebo's GIA with MISO is only for 75MW no additional BESS can be added under the Nebo project name. NEER would like to fully develop the property leased for Weirs Creek. Therefore, NEER through Weirs Creek and NEBO are now requesting the Siting Board allow a portion of the Certificate of Construction be transferred to Hocket so that the leased parcels can be fully developed and a larger BESS be installed.

II. FILING REQUIREMENTS AND LEGAL STANDARD

6. Pursuant to 807 KAR 5:120 and 807 KAR 5:0001, Section 14(1), Weirs Creek's business address is 700 Universe Boulevard, Juno Beach, Florida 33408. Weirs Creek's email address is lester.morales2@nexteraenergy.com and/or kalev.jaakson@nexteraenergy.com. Weirs Creek's phone number is (561) 365-5956. Weirs Creek does not have a fax number. Nebo's address is 700 Universe Boulevard, Juno Beach, Florida 33408. Nebo's email address is lester.morales2@nexteraenergy.com and/or kalev.jaakson@nexteraenergy.com. Nebo's phone number is (561) 365-5956. Hocket's address is 700 Universe Boulevard, Juno Beach, Florida 33408. Hocket's email address is lester.morales2@nexteraenergy.com and/or kalev.jaakson@nexteraenergy.com. Hocket's phone number is (561) 365-5956. The Parties request the following individuals be included on the service list:

Lester Morales, Senior Project Manger

[4] Case No. 2025-00356, Order (Ky. PSC. February 11, 2026).

Lester.morales2@nexteraenergy.com

Kalev Jaakson, Project Manager

Kalev.jaakson@nexteraenergy.com

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7. Pursuant to 807 KAR 5:001, Section 14(2), Weirs Creek is a foreign limited liability company organized under the laws of Delaware on December 8, 2022, that is registered, in good standing and authorized to conduct business within the Commonwealth of Kentucky. A copy of Weirs Creek's authorization to conduct business within the Commonwealth of Kentucky is attached as **Exhibit 3**. Nebo is a foreign limited liability company organized under the laws of Delaware on September 30, 2025, that is registered, in good standing and authorized to conduct business with the Commonwealth of Kentucky. A copy of Nebo's authorization to conduct business within the Commonwealth of Kentucky is attached as **Exhibit 4**. Hocket is a foreign limited liability company organized under the laws of Delaware on August 14, 2026, that is registered, in good standing and authorized to conduct business within the Commonwealth of Kentucky. A copy of Hocket's authorization to conduct business within the Commonwealth of Kentucky is attached as **Exhibit 5**.

8. As required by Mitigation Measure 29 in Case No. 2024-00099, notice was given to the Webster and Hopkins County Fiscal Court of the intention to trifurcate the ownership of the Project. Copies of the correspondence are attached as **Exhibit 6**.

9. An updated site development plan showing the boundaries of Weirs Creek Solar, Nebo, and the proposed Hocket location all on previously included Project parcels is attached as **Exhibit 7**.

10. KRS 278.710(3)(b) delineates the requirements for transferring a Certificate of Construction and the rights and obligations therein. KRS 278.710(3)(b) states in full:

> Not transfer rights and obligation under the certificate without having first applied for and received a board determination that:
> 1. The acquirer has a good environmental compliance history; and
> 2. The acquirer has the financial, technical, and managerial capacity to meet the obligations imposed by the terms of the approval or has the ability to contract to meet these obligations;

III. ENVIRONMENTAL COMPLIANCE

11. KRS 278.710(1)(i) requires the Siting Board to determine if the applicant has good environmental compliance history before awarding a certificate of construction.[5] As disclosed in Case No. 2024-00099,[6] NEER is the parent entity of many corporations that provide renewable energy. One of NEER's subsidiaries, that is the sole member of Weirs Creek, ESI Energy, LLC ("ESI") entered into a settlement agreement related to violations of the Migratory Bird Treaty Act. The settlement is related to western wind operations. In April 2022, ESI entered into an agreement with the United States Department of Fish and Wildlife Service and the United States Department of Justice to resolve a dispute involving alleged accidental eagle mortalities associated with two

[5] KRS 278.710(1)(i).

[6] Case No. 2024-00099, Application, Exhibit 11.

wind energy facilities in Wyoming and New Mexico. ESI pled guilty to three misdemeanor violations of the Migratory Bird Treaty Act and as a result paid fines and restitution. ESI also agreed to apply for fifty-one (51) eagle permits at certain wind energy facilities across the United States for a settlement of all past and future eagle mortalities for up to ten years.

12. After reviewing this information, the Siting Board reviewed this disclosure and found this environmental violation was not relevant to solar facilities and found Weirs Creek, and NEER, had good environmental compliance history.[7] Additionally, the Siting Board found Nebo, through NEER had demonstrated good environmental compliance required to transfer a portion of the construction certificate.[8]

13. While Weirs Creek is seeking to trifurcate the Construction Certificate to a different legal entity, the same findings the Siting Board made are still present because NEER is the parent company of Weirs Creek, Nebo, and Hocket. NEER, as the parent company, will be the entity ensuring the mitigation measures and other conditions are met. Since the same parent entity, NEER, will retain control over all portions of the trifurcated project, Hocket has sufficient environmental compliance that is necessary for the transfer.

IV. FINANCIAL, TECHNICAL, AND MANAGERIAL CAPACITY

14. Before approving the transfer of the Construction Certificate to another entity, the Siting Board must determine if the acquirer of the Construction Certificate has the appropriate financial, technical, and managerial capacity to meet the obligations that have been imposed by the Siting Board.[9]

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[7] Case No. 2024-00099, December 4, 2025 Order.

[8] Case No. 2025-00356, Order at 4.

[9] KRS 278.710(3)(2).

15. In its Order granting the Construction Certificate, the Siting Board stated it also thoroughly evaluates the developers and entities that have an ownership of the Project.[10] The Siting Board found that Weirs Creek has no resources or employees of its own and it depends on NEER to provide the persons responsible for compliance with the Construction Certificate.[11] The Siting Board specifically found, "Without NextEra, Weirs Creek Solar would not have the managerial, technical, or financial capability necessary to construct or operate the facility, nor to comply with the conditions required herein." This indicates the Siting Board believed NEER, as the parent entity of Weirs Creek, has the managerial, technical, and financial capability to comply with all the Siting Board requirements. Additionally, the Siting Board found Nebo had the managerial, technical, and financial capability to comply with the mitigation measures imposed.[12]

16. Hocket is an indirect subsidiary of NEER, the same as Weirs Creek and Nebo. Therefore, Hocket as such a subsidiary, has the managerial, technical, and financial capability to construct and operate a BESS portion of the Project.

17. NEER as a parent entity, has developed and constructed many solar and battery storage projects throughout the United States. Included in this list of projects are Green River

[10] Case No. 2024-00099, December 3, 2024 Order at 21.

[11] Case No. 2024-00099, December 3, 2024 Order at 21-22.

[12] Case No. 2025-00356, Order at 5.

Solar, LLC,[13] Sebree Solar, LLC,[14] and Sebree Solar II, LLC[15] in Kentucky. Three of these projects have already begun commercial operations.[16] Weirs Creek Solar LLC is under construction at this time. All these projects in Kentucky show that Hocket, through NEER, has the managerial and technical capabilities to construct, operate, and ensure compliance with all conditions imposed by the Construction Certificate.

18. As noted in Case No. 2024-00099 and Case No. 2025-00356, Weirs Creek and Nebo do not have employees. Hocket also does not have employees of its own. All individuals supporting the Project, including the BESS, will be employed by NEER, NextEra Energy Resources Operating Services, LLC or a related subsidiary. Please see **Exhibit 8** for a diagram of the organizational structure.

IV. CONCLUSION

19. The Applicants, Weirs Creek, Nebo and Hocket, have shown that Hocket has good environmental compliance history and possess the requisite financial, technical, and managerial capacities to meet the obligations imposed by the Siting Board in its December 6, 2024 Order. Since Hocket satisfies the criteria in KRS 278.710(3), Weirs Creek, Nebo, and Hocket request the

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[13] Case No. 2020-00387, *Electronic Application of Green River Solar, LLC for a Certificate to Construct an Approximately 200 Megawatt Merchant Solar Electric Generating Facility in Breckinridge County and Meade County, Kentucky Pursuant to 278.700 and 807 KAR 5:110*, December 22, 2021 Order (Ky. Siting Board December 22, 2021).

[14] Case No. 2021-00072, *Electronic Application of Sebree Solar, LLC for a Certificate to Construct an Approximately 250 Megawatt Merchant Solar Electric Generating Facility and An Approximately 4.5 Mile Nonregulated Electric Transmission Line in Henderson County, Kentucky and Webster County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110*, February 9, 2022 Order (Ky. Siting Board Feb. 9, 2022).

[15] Case No. 2022-00131, *Electronic Application of Sebree Solar II, LLC for a Certificate to Construct an Approximately 150 Megawatt Merchant Solar Electric Generating Facility in Henderson County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110*, October 12, 2023 Order (Ky. Siting Board Oct. 12, 2023).

[16] Case No. 2020-00387, Notice of Construction Completion (filed May 20, 2025) and Case No. 2021-00072, Notice of Operations (filed October 14, 2025).

Siting Board approve this application to trifurcate the Construction Certificate and transfer a portion of the BESS along with the related rights and obligations granted under the Construction Certificate to Hocket.

WHEREFORE, on the basis of the foregoing, Weirs Creek, Nebo, and Hocket respectfully request the Siting Board to:

1. Grant the request to transfer a portion of the Construction Certificate for a portion of the BESS development and its rights and obligations to Hocket Energy Storage, LLC; and

2. Award any and all other relief to which Weirs Creek Solar, LLC, Nebo Energy Storage LLC, and Hocket Energy Storage, LLC might be entitled.

On this the 16th day of October 2026.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that the electronic filing was transmitted to the Commission on October 16, 2026, and that there are currently no parties that the Siting Board has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made.

Heather Temple

Counsel for Weirs Creek Solar, LLC,
Nebo Energy Storage, LLC, and
Hocket Energy Storage, LLC

Exhibit 1

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF WEIRS CREEK SOLAR, LLC FOR A CERTIFICATE TO CONSTRUCT AN APPROXIMATELY 150 MEGAWATT MERCHANT SOLAR ELECTRIC GENERATING FACILITY IN WEBSTER COUNTY AND HOPKINS COUNTY, KENTUCKY PURSUANT TO KRS 278.700 AND 807 KAR 5:110	)	CASE NO. 2024-00099

O R D E R

On June 6, 2024, Weirs Creek Solar, LLC (Weirs Creek Solar) filed an application with the Kentucky State Board on Electric Generation and Transmission Siting (Siting Board) seeking a Construction Certificate to construct an approximately 150-megawatt ground-mounted solar photovoltaic electric generating facility (Project) comprising approximately 2,260 acres of land in Webster and Hopkins counties, Kentucky and an approximately 0.85-mile nonregulated transmission line.

There are no intervenors in this matter. Pursuant to a procedural schedule established on June 21, 2024, Weirs Creek Solar responded to two rounds of discovery. A site visit was held on August 14, 2024. Siting Board consultant, Elliot Engineering (Elliot), filed its report on September 23, 2024 (Elliot Report). Weirs Creek Solar submitted its response to the Elliot Report on October 2, 2024. A local public hearing was held in Madisonville, Kentucky, on October 9, 2024. A formal hearing was held on

October 15, 2024. Weirs Creek Solar filed its responses to post-hearing requests for information on November 1, 2024. The matter now stands submitted for a decision.

LEGAL STANDARD

The filing requirements and standard of review for requests to construct a merchant generating facility are set forth in KRS 278.700–.718. KRS 278.704(1) requires that an application be filed with and approved by the Siting Board before the construction of a merchant electric generating facility can commence. KRS 278.706 requires that the application include evidence of public notice and compliance with local planning and zoning ordinances.

KRS 278.708(2) requires Weirs Creek Solar to prepare a site assessment report (SAR) that includes (1) a detailed description of the proposed site; (2) an evaluation of the compatibility of the facility with scenic surroundings; (3) potential changes in property values and land use resulting from the siting, construction, and operation of the proposed facility for property owners adjacent to the site; (4) evaluation of anticipated peak and average noise levels associated with the facility's construction and operation at the property boundary; (5) the impact of the facility's operation on road and rail traffic to and within the facility, including anticipated levels of fugitive dust created by the traffic and any anticipated degradation of roads and lands in the vicinity of the facility; and (6) any mitigating measures to be suggested by Weirs Creek Solar to minimize or avoid adverse effects identified in the SAR.

KRS 278.710(1) delineates the criteria on which the Siting Board will grant or deny the certificate, which include (1) impact on scenic surroundings, property values, and surrounding roads; (2) anticipated noise levels during construction and operation of the

facility; (3) economic impact on the region and state; (4) whether the proposed facility meets all local planning and zoning requirements existing on the date the application was filed; (5) impact of the additional load on the reliability of jurisdictional utilities; (6) setback requirements; (7) efficacy of mitigation measures proposed by Weirs Creek Solar; and (8) whether the applicant has a good environmental compliance history.

PROPOSED FACILITY

The Project will be located on 2,260 leased acres and 810 acres within the fence line in Webster and Hopkins counties, Kentucky.[1] The Project includes approximately 384,128 photovoltaic solar panels, associated ground-mounted racking, 41 inverters, and a main transformer that will connect to the Reid-Hopkins 161 kV transmission line owned by Big Rivers Electric Corporation (BREC) via the approximately 0.85-mile, 161 kV nonregulated transmission line.[2]

DISCUSSION AND FINDINGS

I. KRS 278.708: SAR Filing Requirements and Mitigation Measures

Mitigation Measures Proposed by Weirs Creek Solar and Siting Board Consultant

As required by KRS 278.708(4), Weirs Creek Solar proposed various mitigation measures consistent with the statutes regarding traffic, noise, roadway preservation, permitting, setbacks, public safety, scenic preservation, and decommissioning.[3]

In accordance with KRS 278.708(5), Elliot recommended mitigation measures in the following areas: site development, compatibility with scenic surroundings, fugitive dust

[1] Application at 2.

[2] Application at 2.

[3] Application, Exhibit 12, SAR, Attachment A at 10–11.

plans, and notice and communication with adjacent landowners.[4] Weirs Creek Solar generally agreed with the mitigation measures recommended in the Elliot report.[5]

The Siting Board has reviewed the mitigation measures proposed by Weirs Creek Solar and Elliot and finds that, in addition to those Weirs Creek Solar has initially proposed, the mitigation measures set forth in Appendix A to this Order and discussed throughout this Order are appropriate and reasonable because they achieve the statutory purpose of mitigating the adverse effects identified in the SAR and the Elliot Report in accordance with KRS 278.708.

Detailed Site Description

KRS 278.708(3)(a)(1–6) requires that the detailed site description in the SAR include a description of (1) surrounding land uses for residential, commercial, agricultural, and recreational purposes; (2) the legal boundaries of the proposed site; (3) proposed access control to the site; (4) the location of facility buildings, transmission lines, and other structures; (5) location and use of access ways, internal roads, and railways; and (6) existing or proposed utilities to service the facility.

Weirs Creek Solar submitted the required SAR with its application.[6] The application contained a preliminary site plan.[7] The site plan included the project boundary, parcel boundaries, existing transmission line locations, proposed transmission line location, proposed point of interconnection, existing pipeline locations, wetland

[4] Elliot Engineering Solar Generation Siting Final Report – Weirs Creek Solar (Elliot Report) (filed Sep. 23, 2024), Section 4 at 51.

[5] Weirs Creek Solar's Response to the Siting Board Consultant's Report (filed Oct. 2, 2024) at 1–3.

[6] Application, Exhibit 12, SAR.

[7] Application, Exhibit 12, SAR, Attachment A, Exhibit 3 – Preliminary Site Layout.

features, proposed vegetative screening, security fence location, solar array areas, proposed substation location, collection lines, inverter locations, access roads and existing roads, cultural sites, cemeteries, and existing structures.[8] Supplemental maps were provided which depicted wetland features,[9] oil and gas infrastructure,[10] and road use/site access.[11] There are no rail lines located within the project corridor.[12] There are no plans to remove or demolish existing structures.[13] Approximately 10.9 acres of trees will be cleared in the Project.[14] A proposed vegetative screening, approximately 11,023 feet in total length, will be planted in areas adjacent to non-participating residential properties around the Project boundary where one does not already exist.[15] Vegetative screening will include a naturalized mix of native and/or non-invasive trees and shrubs suitable for the specific site conditions.[16] The legal boundaries of the proposed site are contained in the application.[17]

An approximately seven-foot security fence with one foot of barbed wire will be constructed around the Project's facilities in compliance with the National Electrical Safety

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[8] Application, Exhibit 12, SAR, Attachment A, Exhibit 3 – Preliminary Site Layout.

[9] Weirs Creek Solar's Response to Siting Board Staff's First Request for Information (Staff's First Request) (filed August 5, 2024), Item 40.

[10] Weirs Creek Solar's Response to Staff's First Request, Item 33.

[11] Application, Exhibit 12, SAR, Attachment A, Exhibit 6 – Traffic and Dust Study, Exhibit 1.

[12] Application, Exhibit 12, SAR, Attachment A, Exhibit 6 – Traffic and Dust Study, 4.0.

[13] Weirs Creek Solar's Response to Staff's First Request, Item 6.

[14] Weirs Creek Solar's Response to Staff's First Request, Item 7.

[15] Application, Exhibit 12, SAR, Attachment A at 4.

[16] Application, Exhibit 12, SAR at 4.

[17] Application, Exhibit 12, SAR, Attachment A, Exhibit 2 – Legal Property Descriptions.

Code (NESC).[18] The substation will have its own separate fencing, and it will comply with NESC standards.[19] Weirs Creek Solar proposed to construct the Project, a solar electric generating facility that will be capable of generating approximately 150 MW of electricity from a solar array within a total of approximately 2,260 leased acres and 810 acres within the fence line.[20] The Project includes approximately 384,128 photovoltaic solar panels, associated racking, 41 inverters, and a project substation transformer.[21] The Project will interconnect with the BREC Reid-Hopkins 161 kV transmission line via the approximately 0.85-mile 161 kV nonregulated transmission line.[22] The Engineering, Procurement, and Construction (EPA or Contractor), in conjunction with Weirs Creek Solar, will control site access.[23] The construction and operational entrances will be locked outside of working hours.[24] Electricity will be supplied by Kenergy and water will be supplied by Webster County Water District.[25]

A battery energy storage system will be considered as part of the proposed solar facility.[26] The expected life of the batteries is 20 years.[27] The Project will be designed

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[18] Application, Exhibit 12, SAR at 1.

[19] Weirs Creek Solar's Response to Staff's First Request, Item 25.

[20] Application at 2.

[21] Application at 2.

[22] Application at 2.

[23] Weirs Creek Solar's Response to Staff's First Request, Item 26.

[24] Weirs Creek Solar's Response to Staff's First Request, Item 42.

[25] Weirs Creek Solar's Response to Siting Board Staff's Second Request for Information (Staff's Second Request) (filed Sept. 9, 2024), Item 16.

[26] Weirs Creek Solar's Response to Staff's First Request, Item 46.

[27] Weirs Creek Solar's Response to Staff's Second Request, Item 7c.

and constructed in accordance with the National Fire Protection Association (NFPA) 855 standard. The Engineering, Procurement, and Construction Contractor (EPC) and Weirs Creek Solar will ensure the construction meets the requirements in this standard.[28] At the end of the Project's operational life, the batteries will be disposed of at an EPA approved facility or recycled.[29] Each lithium-ion battery container will be equipped with fire prevention and detection systems that comply with applicable NFPA standards.[30] The Project will comply with the Federal Energy Regulatory Commission's (FERC) interconnection standards.[31] All components of the Project have been designed to comply with the NESC or Institute of Electrical and Electronics Engineers (IEEE) standards or guidelines.[32]

Weirs Creek Solar's Project is not proposed to be located on the site of a former coal processing facility, nor will the Project use on-site waste coal as a resource. The Project site also does not have any existing electricity generating facilities.[33] A Phase I Environmental Site Assessment (ESA) was completed in April 2023 for the Project Area which identified three (3) Recognized Environmental Conditions (REC) in connection with oil and gas infrastructure, farm dumps, and coal mining.[34] In February of 2024, another ESA was performed after previously excluded area was included in the project and the

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[28] Weirs Creek Solar's Response to Staff's Second Request, Item 7d.

[29] Weirs Creek Solar's Response to Staff's Second Request, Item 8.

[30] Weirs Creek Solar's Response to Staff's Second Request, Item 9.

[31] Weirs Creek Solar's Response to Staff's Second Request, Item 9.

[32] Weirs Creek Solar's Response to Staff's Second Request, Item 9.

[33] Application, Exhibit 5.

[34] Application, Exhibit 12, SAR at 3.

analysis results were the same.[35] Oil and gas infrastructure, farm dumps, and underground and surface coal mining sites will be avoided as part of development activities.[36] Due to the presence of the underground mines, the site carries the risk of subsidence related settlement and sinkhole development.[37] The Project site consists of primarily active agricultural fields, areas of successional woods, and upland shrub thicket.[38] The site is mostly undeveloped parcels used for agriculture with some residential dwellings.[39] The ground surface elevations across the site generally increase to the east, with ground surface elevations ranging from approximately 370 feet to 420 feet above Mean Sea Level.[40] There are two churches within a two-mile radius of the project.[41]

Compatibility with Scenic Surroundings

Weirs Creek Solar indicated that the Project site is primarily agricultural land with sparse farmsteads and associated outbuildings between the cities of Nebo and Providence, in Webster and Hopkins counties, Kentucky.[42] Weirs Creek Solar stated that it will mitigate the visual impact of the facility by installing vegetative buffers and leaving

[35] Application, Exhibit 12, SAR at 3.

[36] Application, Exhibit 12, SAR at 3.

[37] Weirs Creek Solar's Response to Staff's First Request, Item 32, Geotechnical Report at 19.

[38] Application, Exhibit 13 – Cumulative Environmental Assessment.

[39] Weirs Creek Solar's Response to Staff's First Request, Item 32, Geotechnical Report at 4.

[40] Weirs Creek Solar's Response to Staff's First Request, Item 32, Geotechnical Report at 4.

[41] Weirs Creek Solar's Response to Staff's First Request, Item 19.

[42] Application, Exhibit 12, SAR, Exhibit 7, Part 1, Attachment A at 9.

existing vegetation in place where practicable.[43] Vegetative buffers would be planted primarily in areas where residential parcels adjacent to the project do not have existing vegetation.[44] Elliot reviewed and evaluated the SAR and stated that data and conclusions contained in the SAR complied with the statutory requirements for compatibility with scenic surroundings required by KRS 278.708.[45]

Having reviewed the record, the Siting Board finds that, while there will always be an impact on the scenery of neighboring properties, the impact of this Project will be minimal. The proposed vegetative buffer, along with other mitigation measures proposed by Weirs Creek Solar and Elliot, will minimize the effect that the proposed facility will have on the scenic surroundings of the site. However, the Siting Board will require mitigation measures in addition to those proposed by Weirs Creek Solar. Those are set forth in Appendix A to this Order.

Impact on Property Values

Weirs Creek Solar submitted a property value impact report conducted by CohnReznick, LLP (CohnReznick Report), a certified real estate appraiser.[46] The CohnReznick Report found that no consistent negative impact has occurred to adjacent property values that could be attributed to proximity to the adjacent solar facility.[47] The

[43] Application, Exhibit 12, SAR, Attachment A at 10–11.

[44] Application, Exhibit 12, SAR, Attachment A at 10–11.

[45] Elliot Report, Attachment A at 7.

[46] Application, Exhibit 12, SAR, Exhibit 1, Property Value Impact Studies.

[47] Application, Exhibit 12, SAR, Exhibit 1, Property Value Impact Studies at 135.

CohnReznick Report evaluated 24 properties adjacent to solar facilities and 244 control group properties not adjacent to solar facilities.[48]

The Elliot Report provided a review and analysis by Clark Toleman, MAI, on the CohnReznick Report and its findings.[49] Mr. Toleman analyzed the paired sales analysis prepared by the CohnReznick Report to determine that there is a strong indicator that proximity to a solar facility has a neutral impact on adjoining property values with proper setbacks and landscaped buffers.[50]

Having reviewed the record, the Siting Board finds sufficient evidence to conclude that the proposed Weirs Creek Solar facility will not have any significant adverse impact on nearby property values so long as proper mitigation measures are implemented. The characteristics of the solar facility's operations are passive, and the facility will be temporary, with the land returned to its natural state after a few decades of operation. The facility does not produce any air, noise, waste, or water pollution, nor does it create any traffic issues during operation.

Anticipated Noise Level

Weirs Creek Solar's Sound Assessment Report was completed by DNV Energy USA, Inc. (DNV).[51] DNV used representative noise levels from the U.S. Federal Highway Administration's Roadway Construction Noise Handbook and the U.K. Department for Environment's Noise Database for Prediction of Noise on Construction and Open Sites.[52]

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[48] Application, Exhibit 12, SAR, Exhibit 1, Property Value Impact Studies at 135.

[49] Elliot Report, Attachment B.

[50] Elliot Report, Attachment B at 9.

[51] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report at 1.

[52] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report at 13.

DNV stated the estimated maximum noise levels during construction will occur during pile driving.[53] DNV stated the loudest noise level for a participating receptor, 133 feet from the nearest panel, would have noise levels of 86 decibels A-weighted scale (dBA) and 93 unweighted decibels (dB) during pile driving activities.[54] For non-participating receptors, DNV stated the loudest noise level, from 297 feet from the nearest panel, is estimated to reach 76 dBA and 86 dB.[55]

DNV found operational noise will emanate from inverters and transformers.[56] Based on DNV's operational sound modeling, the highest sound level for participating receptors was 51.6 dBA.[57] For non-participating receptors, DNV found the highest sound level was 49.2 dBA.[58] DNV stated that the Project generated noise levels are expected to be similar to or less than typical farming equipment at most receptors.[59] DNV concluded that sound emitted by construction equipment should be familiar to what is currently experienced by the community's existing sound environment.[60] Elliot evaluated the Sound Assessment Report conducted by DNV and concluded that the Project's

[53] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report at 6.

[54] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report at 6.

[55] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report at 6.

[56] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report at 8.

[57] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report, Attachment B at 2.

[58] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report, Attachment B at 3.

[59] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report at 12.

[60] Application, Exhibit 12, SAR, Exhibit 4, Sound Assessment Report at 12.

construction phase will produce the highest noise levels, especially during pile-driving activity.[61]

The Siting Board finds that noise from the construction phase will be intermittent and temporary but will not be significant to the nearest residences. As indicated by DNV and Elliot, the noise will be loudest during the construction phase but will not be permanent to nearby residents. The Siting Board further finds that the operational noise from inverters and the main transformer should have little to no effect on residences in the area.

Based on the case record, the Siting Board finds that Weirs Creek Solar's application is in compliance with the statutory requirements for disclosing noise levels. However, the Siting Board further finds that, based on the entire record, Weirs Creek Solar will be required to implement specific mitigation measures to ensure the impact of construction noise does not unduly impact nearby residents. The mitigation measures implemented by the Siting Board are designed to limit the effects of construction noise by controlling the hours of construction in general, as well as the time and manner pile driving can occur. The Siting Board will require Weirs Creek Solar to mitigate construction noise up to 1,500 feet to ensure the surrounding community is not negatively impacted by the construction noise. Weirs Creek Solar may forego noise suppression if it employs a panel installation method that does not involve pile driving, so long as the method does not produce noise levels similar to pile driving. These mitigation measures are outlined in Appendix A to this Order, specifically mitigation measures 16 through 18.

[61] Elliot Report, Attachment A at 9–10.

Impact on Roads, Railways, and Fugitive Dust

Construction is anticipated to take 16 months to complete.[62] Five access points would be located on Donaldson Road, two on Corinth Church Road, one on Hoket Nebo Road, and one on Greenwood Road.[63] PRIME AE Group, Inc. (PRIME) concluded that the locations of the access points along Donaldson Road (KY 1089) will not have a significant impact on traffic, as the current traffic on Donaldson Road is below capacity.[64] PRIME determined that the access points on Corinth Church Road and Greenwood Road would likewise not result in congestion or traffic delays, as current traffic is well below the roads' capacities.[65] Hoketo Nebo Road is surfaced with gravel and has been designated a country road.[66] Despite low traffic along Hoketo Nebo Road, PRIME recommended appropriate signage and traffic guidance to mitigate the risk of congestion or vehicle collisions.[67] No significant damage to existing roadway infrastructure is expected.[68]

During the operational phase of the Project, there will be no significant increase in traffic and little, if any, impact on the existing road system according to the PRIME report.[69]

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[62] Weirs Creek Solar's Response to Staff's First Request, Item 47.

[63] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 2.

[64] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 5.

[65] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 5.

[66] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 6.

[67] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 6.

[68] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 6.

[69] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 6.

The Siting Board finds that traffic and road congestion issues can be addressed with Weirs Creek Solar's mitigation measures and mitigation measures set forth in Appendix A to this Order and in particular, mitigation measures 20 through 28.

The Siting Board anticipates some fugitive dust from the construction phase. PRIME proposed a number of mitigation measures for dust from the construction phase by utilizing best management practices that include applying water to the internal road system, covering open-bodied trucks transporting dirt, and vegetative buffers.[70] Dust will not be a factor during the operations phase. The project will not use railways during construction or operation.[71]

The Siting Board requires additional mitigation measures to reduce any potentially harmful effects on the area, which are outlined in Appendix A to this Order. The Siting Board will require Weirs Creek Solar to inform the Siting Board and the Energy and Environment Cabinet (EEC) of the date construction will commence, 30 days prior, to ensure the proper permits have been obtained and whether proper steps have been taken to comply with the mitigation measures set forth in Appendix A to this Order.

II. KRS 278.710(1) Criteria

In addition to the evaluation of the factors addressed in the SAR, the Siting Board considered the below described factors set forth in KRS 278.710(1) in rendering its decision.

[70] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 6.

[71] Application, Exhibit 12, SAR, Exhibit 6, Traffic Study and Dust Study at 6.

Economic Impact on Affected Region and the State

According to Weirs Creek Solar's economic impact report, the proposed solar facility will invest over $254 million in Hopkins and Webster counties, Kentucky.[72] The Project is expected to generate significant positive economic and fiscal impacts to Hopkins and Webster counties. Such impacts include the creation of hundreds of construction jobs and expansion of the local tax base. The project has an expected life of 30 years and will be conducted in two phases: a construction phase and an operation phase.[73]

The IMPLAN model used for the economic impact analysis focused on Hopkins and Webster counties as well as the Commonwealth of Kentucky as a whole.[74] There are three distinct types of economic impact for the project: direct impact, indirect impact, and induced impact; for conciseness and clarity, the report equated the numbers outlined in the construction and operation phase sections refer to the total impact which is the sum of all three types.[75]

The largest economic impact will occur during the Project's construction phase which will be a one-time boost that will last over the construction phase's 12 to 18 month duration.[76] Weirs Creek Solar estimates that approximately 273 temporary, full-time jobs will be created over the construction period in Hopkins County with total earnings of

[72] Application, Exhibit 10, Attachment A at 1 and 10.

[73] Application, Exhibit 10, Attachment A at 37 and 42.

[74] Application, Exhibit 10, Attachment A at 35.

[75] Application, Exhibit 10, Attachment A at 35.

[76] Application, Exhibit 10, Attachment A at 37.

approximately $16.3 million and total economic output of an estimated $39.0 million.[77] For Webster County, 50 such jobs will be created with total earnings of approximately $5.0 million and total economic impact estimated of over $61.0 million.[78] For the Commonwealth of Kentucky, 784 such jobs will be created with total earnings of $9.1 million and total economic impact of $151 million.[79]

The ongoing economic impact from the Project's operational phase is estimated to be very small relative to the one-time impacts from the construction phase. Weirs Creek Solar estimates that approximately 16.5 full time jobs will be created over the construction period in Hopkins County with total earnings of approximately $951,000 and total economic output estimated of over $4 million.[80] For Webster County, 4.5 such jobs will be created with total earnings of approximately $372,000 and total economic impact estimated to be over $2.2 million.[81] For the Commonwealth of Kentucky, 26.9 such jobs will be created with total earnings of approximately $1.8 million and total economic impact estimated to be $7.7 million.[82]

Weirs Creek Solar intends to hire as many local workers as permitted by the sub-contractors it chooses for the project.[83]

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[77] Application, Exhibit 10, Attachment A, Table 9 at 36, Table 10 at 38 and Table 11 at 39.

[78] Application, Exhibit 10, Attachment A, Table 9 at 36, Table 10 at 38 and Table 11 at 39.

[79] Application, Exhibit 10, Attachment A, Table 9 at 36, Table 10 at 38 and Table 11 at 39.

[80] Application, Exhibit 10, Attachment A, Table 9 at 36, Table 10 at 38 and Table 11 at 39.

[81] Application, Exhibit 10, Attachment A, Table 9 at 36, Table 10 at 38 and Table 11 at 39.

[82] Application, Exhibit 10, Attachment A, Table 9 at 36, Table 10 at 38 and Table 11 at 39.

[83] Weirs Creek Solar's Response to Staff's First Request, Item 66.

Weirs Creek Solar and Hopkins County Fiscal Court are in the process of negotiating an Industrial Revenue Bond (IRB) and a Payment in Lieu of Taxes (PILOT) Agreement.[84] The numbers below are representative of the tax impacts for the Project if an IRB is reached.

Weirs Creek Solar estimates that it will pay property taxes of approximately $29.2 million over the 30-year project life, which averages to about $975,000 annually.[85] Weirs Creek Solar estimates that it will pay the following to various state and Hopkins County taxing bodies: over $2.2 million for the Commonwealth of Kentucky, over $362,000 for the Extension Services, over $1.5 million for General Fiscal Court, and over $410,000 for the Health Department over the life of the Project.[86] Weirs Creek Solar estimates that it will pay the following to various other Hopkins County taxing bodies: $7.8 million for General Dawson Springs Dependent, over $7.1 million for Hopkins County General, over $362,000 for Earlington Fire Protection District, and over $1.1 million for Floodplain Average over the life of the Project.[87]

Weirs Creek Solar estimates that it will pay the following to various Webster County taxing bodies: over $3.9 million for Webster County General, over $549,000 for Ambulance, over $791,000 for Lower Tradewater River Floodplain, over $230,000 for Pittman Creek Watershed, over $458,000 for Extension Service, over $1.2 million for

[84] Weirs Creek Solar's Response to Staff's First Request, Item 65.

[85] Application, Exhibit 10, Attachment A, Table 12 at 42.

[86] Application, Exhibit 10, Attachment A at 42 and Table 13 at 43.

[87] Application, Exhibit 10, Attachment A at 42 and Table 14 at 44.

General Fiscal Court, over $341,000 for the Health Department, and over $622,000 for the library over the life of the Project.[88]

Mark Watters of Watters Unclaimed Property Consulting LLC as contracted by Elliot Engineering, evaluated the economic impact of the project.[89] Watters concluded that, based upon the information presented by the economic impact report, the project will provide a positive, significant, economic impact for the Commonwealth of Kentucky and Hopkins and Webster counties.[90]

Having reviewed the record, the Siting Board finds that the Weir Creek Solar facility will have a positive economic impact on the region.

Existence of Other Generating Facilities

Weirs Creek Solar stated that the Project was sited in a location with proximity to existing transmission infrastructure,[91] and that the Project will interconnect to an existing 161 kV transmission line located east of U.S. 41A-Stanhope Road.[92]

Local Planning and Zoning Requirements

Hopkins County has a planning and zoning commission, but Webster County does not.[93] However, neither county has adopted local setback requirements that would be applicable to the site of the Project.[94] The statutory requirements of KRS 278.706(2)(e)

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[88] Application, Exhibit 10, Attachment A at 45, Table 15 at 46 and Table 16 at 47.

[89] Elliot Report, Attachment C, page 1.

[90] Elliot Report, Attachment C, page 6.

[91] Application, Exhibit 7.

[92] Application, Exhibit 7.

[93] Weirs Creek Solar's Notice of Intent (filed Apr. 15, 2024).

[94] Weirs Creek Solar's Notice of Intent (filed Apr. 15, 2024).

apply unless a deviation is applied for and granted by the Siting Board. KRS 278.706(2)(e) requires that all proposed structures or facilities used for generation of electricity must be 2,000 feet from any residential neighborhood, school, hospital, or nursing home facility. This Project will not be closer than 2,000 to any residential neighborhood, school, hospital, or nursing home facility, and therefore, Weirs Creek Solar is not seeking a deviation from the setback requirements of KRS 278.706(2)(e).[95]

Impact on Transmission System

Weirs Creek Solar plans to build an approximately 0.85-mile 161 kV nonregulated transmission line to interconnect with the BREC Reid-Hopkins 161 kV transmission line.[96] Weirs Creek Solar will be responsible for any costs associated with interconnection.[97]

Compliance with Setback Requirements

Hopkins County has a joint planning commission, but Webster County does not.[98] However, neither county has enacted any zoning ordinances or setback requirements applicable to the Project.[99] The statutory requirements of KRS 278.704(2) require that all proposed structures or facilities used for electric generation be setback by at least 2,000 feet from any residential neighborhood, school, hospital, or nursing home facility.[100] KRS 278.700(6) defines "residential neighborhood" as a populated area of five or more

[95] Application at 5.

[96] Application at 2.

[97] Hearing Video Testimony (HVT) of the October 15, 2024, hearing, Lester Morales Testimony (Morales Testimony) at 20:50–21:10.

[98] Weirs Creek Solar's Notice of Intent (filed Apr. 15, 2024).

[99] Weirs Creek Solar's Notice of Intent (filed Apr. 15, 2024).

[100] KRS 278.704(2).

acres containing at least one residential structure per acre.[101] KRS 278.704(4) authorizes the Siting Board to grant a deviation from the setback requirements in KRS 278.704(2) if requested.[102] However, Weirs Creek Solar has stated that it is not proposing to build any project components within 2,000 feet of any residential neighborhood, school, hospital, or nursing home facility so no deviation is required.[103]

In addition to compliance with the statutory setback requirements in KRS 278.704(2), Weirs Creek Solar has committed to minimum setbacks of 100 feet from all occupied structures, 25 feet from non-participating parcels, 450-foot setback for central inverters from all occupied structures, and a 50-foot edge of road pavement setback.[104]

The Siting Board finds, given the totality of the mitigation measures proposed by Weirs Creek Solar, the nature of the surrounding property, and the mitigation measures the Siting Board has imposed in Appendix A, the statutory purposes are met by the Project.

History of Environmental Compliance

In the application, Weirs Creek Solar stated that its 100% sole member, ESI Energy, LLC, has entered into a settlement agreement related to violations of the Migratory Bird Treaty Act.[105] In April 2022, ESI Energy, LLC entered into a Plea Agreement with the U.S. Fish and Wildlife Services and the U.S. Department of Justice to resolve a dispute regarding liability for alleged accidental eagle mortalities associated

[101] KRS 278.700(6).

[102] KRS 278.704(4).

[103] Weirs Creek Solar's Response to Staff's First Request, Item 53.

[104] Application, Exhibit 4.

[105] Application, Exhibit 11.

with two wind energy facilities in Wyoming and one wind energy facility in New Mexico.[106] ESI Energy, LLC pled guilty to three misdemeanor violations of the Migratory Bird Treaty Act and agreed to pay fines and restitution.[107]

The Siting Board finds that the disclosed violations are not relevant to the production of solar facilities, as they concern the production of wind facilities. Further, the mitigation measures outlined in Appendix A to this Order will ensure that Weirs Creek Solar is compliant with all statutes and regulations.

Transfer of Ownership

Solar developments are often sold to other companies during the planning, construction, and operation of projects. When a construction certificate for a solar facility is sought, the project and the developers are thoroughly evaluated to ensure that the project will comply with all statutory and regulatory requirements. After review, the construction certificate is conditionally granted on the condition of full compliance with all mitigation measures, some of which continue into the operation of the project. As noted, in the preceding section, the Siting Board not only reviews the history and abilities of the Person[108] seeking the certificate, but also the entities that have an ownership interest in the Project.

Here, Weirs Creek Solar has no resources or employees of its own, and instead depends on the resources and employees of affiliates or entities with an ownership

[106] Application, Exhibit 11.

[107] Application, Exhibit 11.

[108] KRS 278.700(3) defines a person as any individual, corporation, public corporation, political subdivision, governmental agency, municipality, partnership, cooperative association, trust, estate, two (2) or more persons having a joint or common interest, or any other entity.

interest in it. NextEra Energy Resources, LLC (NextEra) will employ the persons responsible for compliance with the construction certificate during construction and the persons responsible for the continued compliance during operations.[109] Without NextEra, Weirs Creek Solar would not have the managerial, technical, or financial capability necessary to construct or operate the facility, nor to comply with the conditions required herein. As such, the Siting Board will require approval of the transfer of ownership or control of Weirs Creek Solar, to the Person seeking the construction certificate in this matter. Without knowledge of who is providing the resources and employees to Weirs Creek Solar to ensure ongoing compliance with the measures required herein, there is no way to ensure the requirements are adhered to throughout the life of the Project. To be clear, this condition does not apply to the actual transfer of the facility, but rather the transfer of ownership or control of the Person holding the certificate to construct. The measures related to the transfer of ownership or control of the Person holding the construction certificate are set forth more fully in Appendix A, mitigation measure 29.

Decommissioning

Weirs Creek Solar submitted a decommissioning plan with the application.[110] The decommissioning plan includes provisions to remove all underground components.[111] Weirs Creek Solar indicated it will secure a bond to assure financial performance of the decommissioning obligation.[112]

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[109] HVT of the October 15, 2024 hearing, Morales Testimony at 17:10–17:40.

[110] Application, Exhibit 12, Attachment A, Exhibit 8, Decommissioning Plan.

[111] HVT of the October 15, 2024, hearing, Morales Testimony at 09:31:55–09:32:15.

[112] Application, Exhibit 12, Attachment A, Exhibit 8, Decommissioning Plan at 3.

The Siting Board finds that Weirs Creek Solar must return the land to its original use, to the extent possible, at the end of the Project's life. Returning the land back to its original state and use after decades of operation is an important part of the Siting Board's finding regarding the impact of the facilities on scenic surroundings, property values, and the economy. The relatively "temporary" nature of the facilities compared to other types of more permanent development, such as thermal merchant generation facilities, industrial operations, or housing, is a prime consideration of the Siting Board in granting a certificate, with conditions, in this matter. An inability or unwillingness to return the land back to its prior state after the life of the facility, including leaving underground facilities in excess of three feet, increases the permanence of the facility. As such, the Siting Board requires the removal of all components above and below ground. Removal of all underground components and regrading or recompacting the soil for agricultural use will mitigate any damage to the land, thus returning the land to a state that provides at least as great of an economic impact as it does today. The Siting Board will also require additional mitigation measures related to decommissioning, which are outlined in Appendix A to this Order, mitigation measures 30 through 34.

III. Requirements under KRS 278.714

KRS 278.714(2) directs the Siting Board to consider the following criteria in considering an application for the construction of the unregulated transmission line as proposed by Weirs Creek Solar:

- Location of proposed line and structures to support it;
- Proposed right-of-way limits;
- Existing property lines that will be crossed and names of owners;
- Distance from neighborhoods, schools, public and private parks;
- Voltage and capacities;
- Length of line;

- Terminal points;
- Substation connection; and
- Statement of compliance for construction and maintenance with engineering practices and the NESC.

Full Description of the Proposed Route of Transmission Line

The Project's 0.85-mile nonregulated transmission line will interconnect from a collector substation on the north side of Corinth Church Road, to the point of interconnection (POI) on the north side of U.S. Highway 41A.[113] The POI will connect to the Hopkins-Reid 161 kV line, owned and operated by BREC.[114] Weirs Creek Solar has filed several maps for the proposed transmission line route.[115]

Detailed Description of the Proposed Transmission Line and Appurtenances

KRS 278.714(2)(c) states that a full description of the proposed electric transmission line and appurtenances is requires, including the following: initial and design voltages and capacities; length of the line; terminal points; and substation connections.

Weirs Creek Solar submitted a map showing the existing property lines that the proposed transmission line is proposed to cross.[116] Weirs Creek Solar submitted copies of the leases currently procured for the route of the transmission line.[117]

The Siting Board finds additional requirements are necessary to ensure protections exist in case the transmission line route is different than the route supported by the record of this matter. This will be set forth more fully in Appendix A to this Order, specifically

[113] Application, Exhibit 2.

[114] Application, Exhibit 2.

[115] Application, Exhibit 13, Attachment A, Figure 1.

[116] Application, Exhibit 13, Attachment A, Figure 1.

[117] Weirs Creek Solar's Response to Staff's First Request, Item 38.

mitigation measures 37 and 38.

Compliance with National Electrical Safety Code (NESC)

KRS 278.714(2)(d) requires that the Applicant provide a statement that the proposed electric transmission line and appurtenances will be constructed and maintained in accordance with accepted engineering practices and the NESC. Weirs Creek Solar confirmed that the proposed electric transmission line would be built and maintained in accordance with accepted engineering practices and the NESC.[118]

Requirements under KRS 278.714(3)

The Siting Board is also tasked with examining the following additional criteria in rendering its decision regarding construction of the proposed transmission line.

Scenic Impact

For the proposed non-regulated transmission line, the Project features under consideration for scenic compatibility include towers to support the transmission line, and the approximately 0.85-mile route of the transmission line from the Project's substation location within the proposed Weirs Creek Solar generating facility to the Hopkins-Reid 161 kV line owned by BREC.

Weirs Creek Solar stated that the Project's visual impact will be reduced by 11,023 feet of vegetative screening.[119] Weirs Creek Solar stated that it will construct and maintain the transmission line according to accepted engineering practices and the NESC.[120]

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[118] Application, Exhibit 16.

[119] Application, Exhibit 12, SAR, Attachment A at 4.

[120] Application, Exhibit 16.

The Siting Board finds, given the totality of the mitigation measures proposed by Weirs Creek Solar, the nature of the surrounding property, and the mitigation measures the Siting Board has imposed in Appendix A, the statutory purposes are met by the Project.

Compliance with all Legal Requirements

KRS 278.714(3) frames the decision to be made by the Siting Board for proposed nonregulated transmission lines:

> Action to grant the certificate shall be based on the board's determination that the proposed route of the line will minimize significant adverse impacts on the scenic assets of Kentucky and that the Applicant will construct and maintain the line according to all applicable legal requirements. In addition, the board may consider the interstate benefits expected to be achieved by the proposed construction or modification of electric transmission facilities in the Commonwealth. If the board determines that locating the transmission line will result in significant degradation of scenic factors or if the board determines that the construction and maintenance of the line will be in violation of applicable legal requirements, the board may deny the application or condition the application's approval upon relocation of the route of the line, or changes in design or configuration of the line.

As previously discussed, the Siting Board finds that, overall, the proposed transmission line would not have a significant adverse impact on the scenic assets of Webster and Hopkins counties, Kentucky. Weirs Creek Solar has complied, to date, with all applicable conditions relating to electrical interconnection with utilities by following the BREC's interconnection process. The Siting Board finds that Weirs Creek Solar's proposed transmission line meets the requirements of KRS 278.714(3), subject to the mitigation measures and conditions imposed in this Order and the attached Appendix A to this Order.

Based upon the case record, the Siting Board finds Weirs Creek Solar's application for a construction certificate for a nonregulated transmission line should be approved. The transmission line will have minimal effects on the scenic surrounding and Weirs Creek Solar has stated it will abide by the NESC in the construction and operation of the transmission line. The Siting Board conditions its approval upon fully implementing all mitigation measures and other requirements described herein and listed in Appendix A to this Order.

CONCLUSION

After carefully considering the criteria outlined in KRS Chapter 278, the Siting Board finds that Weirs Creek Solar has presented sufficient evidence to support the issuance of a Construction Certificate to construct the proposed merchant solar facility. The Siting Board conditions its approval upon the full implementation of all mitigation measures and other requirements described herein and listed in Appendix A to this Order. A map showing the location of the proposed solar generating facility is attached hereto as Appendix B.

IT IS THEREFORE ORDERED that:

1. Weirs Creek Solar's application for a Construction Certificate to construct an approximately 150 MW merchant solar electric generating facility in Webster and Hopkins County, Kentucky, is conditionally granted subject to full compliance with the mitigation measures and conditions prescribed in Appendix A.

2. Weirs Creek Solar shall fully comply with the mitigation measures and conditions prescribed in Appendix A to this Order.

3. In the event mitigation measures within the body of this Order conflict with

those prescribed in Appendix A to this Order, the measures in Appendix A shall control.

4. This case is closed and removed from the Siting Board's docket.

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KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

_____
Chair, Public Service Commission

_____
Commissioner, Public Service Commission

_____
Commissioner, Public Service Commission

by AH w/ permission

_____
Secretary, Energy and Environment Cabinet, or her designee

_____
Secretary, Cabinet for Economic Development, or his designee

ATTEST:

_____
Executive Director
Public Service Commission
on behalf of the Kentucky State Board on Electric Generation and Transmission Siting

ENTERED
DEC 03 2024 AH
KENTUCKY PUBLIC SERVICE COMMISSION

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING IN CASE NO. 2024-00099 DATED DEC 03 2024

MITIGATION MEASURES AND CONDITIONS IMPOSED

The following mitigation measures and conditions are hereby imposed on Weirs Creek Solar, LLC (Weirs Creek Solar) to ensure that the facilities proposed in this proceeding are constructed as ordered.

1. A final site layout plan shall be submitted to the Siting Board upon completion of the final site design. Deviations from the preliminary site layout should be clearly indicated on the revised graphic. Those changes could include, but are not limited to, location of solar panels, inverters, transformers, substation, operation and maintenance building, transmission line route, or other Project facilities and infrastructure.

2. Any change in the Project boundaries from the information that formed this evaluation shall be submitted to the Siting Board for review.

3. The Siting Board will determine whether any deviation in the boundaries or site layout plan is likely to create a materially different pattern or magnitude of impacts.

4. Weirs Creek Solar shall provide the date that construction will commence to the Siting Board and the Kentucky Energy and Environment Cabinet (EEC) 30 days prior to the date.

5. Weirs Creek Solar shall submit a status report every six months until the project commences construction to update the Siting Board on the progress of the Project. The report shall reference this case number and be filed in post-case correspondence in this case.

6. Weirs Creek Solar shall comply with all requirements in KRS 278.710 for monitoring by EEC.

7. Prior to construction, Weirs Creek Solar shall provide a finalized Emergency Response Plan to the local fire district, first responders, and any county emergency management agency. Weirs Creek Solar shall provide site-specific training for local emergency responders at their request. Access for fire and emergency units shall be set up after consultation with local authorities.

8. Weirs Creek Solar or its contractor will control access to the site during construction and operation. All construction entrances will be gated and locked when not in use.

9. Weirs Creek Solar's access control strategy shall also include appropriate signage to warn potential trespassers. Weirs Creek Solar must ensure that all site entrances and boundaries have adequate signage, particularly in locations visible to the public, local residents, and business owners.

10. The security fence must be installed prior to activation of any electrical installation work in accordance with National Electrical Safety Code (NESC) standards. The substation shall have its own separate security fence and locked access installed in accordance with NESC standards.

11. If any components of the facility are visible to neighboring homes after construction, Weirs Creek Solar shall assess the feasibility of a screening plan, including consulting with neighbors to determine whether there are adverse impacts to their viewshed. If a screening plan is considered, regardless of whether it is ultimately implemented, notice of such consideration shall be filed with the Siting Board.

12. Existing vegetation between solar arrays and nearby roadways and homes shall be left in place to the extent feasible to help minimize visual impacts and screen the Project from nearby homeowners and travelers.

13. Weirs Creek Solar will not remove any existing vegetation except to the extent it must remove such vegetation for the construction and operation of Project components.

14. Weirs Creek Solar shall carry out visual screening consistent with the plan proposed in its application, SAR, and the maps included, and ensure that the proposed new vegetative buffers are successfully established and developed as expected over time. Should vegetation used as buffers die over time, Weirs Creek Solar shall replace plantings as necessary.

15. To the extent that an affected adjacent property owner indicates to Weirs Creek Solar that a visual buffer is not necessary, Weirs Creek Solar will obtain that property owner's written consent and submit such consent in writing to the Siting Board.

16. Weirs Creek Solar is required to limit construction activity, process, and deliveries to the hours between 8 a.m. and 6 p.m. local time, Monday through Saturday. The Siting Board directs that construction activities that create a higher level of noise, such as pile-driving, will be limited to 9 a.m. to 5 p.m. local time, Monday through Friday. Non-noise causing and non-construction activities can take place on the site between 7 a.m. and 10 p.m. local time, Monday through Sunday, including field visits, arrival, departure, planning, meetings, mowing, surveying, etc.

17. If the pile-driving activity occurs within 1,500 feet of a noise-sensitive receptor, Weirs Creek Solar shall implement a construction method that will suppress the

noise generated during the pile-driving process (i.e., semi-tractor and canvas method; sound blankets on fencing surrounding the solar site; or any other comparable method). Weirs Creek Solar can forego using noise suppression measures if it employs a panel installation method that does not use pile driving, so long as that method does not create noise levels similar to pile driving.

18. Weirs Creek Solar shall notify residents and businesses within 2,400 feet of the Project boundary about the construction plan, the noise potential, any mitigation plans, and its Complaint Resolution Program referred to in Item 35 of this Appendix, at least one month prior to the start of construction.

19. Weirs Creek Solar shall place panels, inverters, and substation equipment consistent with the distances to noise receptors to which it has committed in its maps and site plans. Weirs Creek Solar shall not place solar panels or string inverters, if used, closer than 150 feet from a residence, church, or school, 25 feet from non-participating adjoining parcels, or 50 feet from adjacent roadways. Weirs Creek Solar shall not place a central inverter, and if used, energy storage systems, closer than 450 feet from any adjacent residences, church, or school. These further setbacks shall not be required for residences owned by landowners involved in the Project that explicitly agree to lesser setbacks and have done so in writing. All agreements by participating landowners to lesser setbacks must include language advising the participating landowners of the setbacks otherwise required herein. All agreements by participating landowners to lesser setbacks must be filed with the Siting Board prior to commencement of construction of the Project.

20. Weirs Creek Solar shall fix or pay for repairs for damage to roads and bridges resulting from any vehicle transport to the site. For damage resulting from vehicle transport in accordance with all permits, those permits will control.

21. Weirs Creek Solar shall comply with all laws and regulations regarding the use of roadways.

22. Weirs Creek Solar shall implement ridesharing between construction workers when feasible, use appropriate traffic controls, or allow flexible working hours outside of peak hours to minimize any potential traffic delays during AM and PM peak hours.

23. Weirs Creek Solar shall consult with the Kentucky Transportation Cabinet (KYTC) regarding truck and other construction traffic and obtain necessary permits from the KYTC.

24. Weirs Creek Solar shall consult with the Webster and Hopkins County Road Departments (Road Departments) regarding truck and other construction traffic and obtain any necessary permits from the Road Departments.

25. Weirs Creek Solar shall develop special plans and obtain necessary permits before transporting heavy loads, especially the substation transformer, onto state or county roads.

26. Weirs Creek Solar shall comply with any road use agreement executed with the Road Departments. Such an agreement might include special considerations for overweight loads, routes utilized by heavy trucks, road weight limits, and bridge weight limits.

27. Weirs Creek Solar shall develop and implement a traffic management plan to minimize the impact on traffic flow and keep traffic safe. Any such traffic management plan shall also identify any traffic-related noise concerns during the construction phase and develop measures that would address those noise concerns.

28. Weirs Creek Solar shall properly maintain construction equipment and follow best management practices related to fugitive dust throughout the construction process, including the use of water trucks. Dust impacts shall be kept at a minimal level. The Siting Board requires Weirs Creek Solar's compliance with 401 KAR 63:010.

29. If any person shall acquire or transfer ownership of, or control, or the right to control the Project, by sale of assets, transfer of stock, or otherwise, or abandon the same, Weirs Creek Solar or its successors or assigns shall request explicit approval from the Siting Board with notice of the request provided to the Webster and Hopkins County Fiscal Court. In any application requesting such abandonment, sale, or change of control, Weirs Creek Solar shall certify its compliance with KRS 278.710(1)(i).

30. As applicable to individual lease agreements, Weirs Creek Solar, its successors, or assigns will abide by the specific land restoration commitments agreed to by individual property owners as described in each executed lease agreement.

31. Weirs Creek Solar shall file a complete and explicit decommissioning plan with the Siting Board at least 30 days prior to the start of the construction. This plan shall commit Weirs Creek Solar to remove all facility components, above ground and below ground, regardless of depth, from the Project site. Upon its completion, this plan shall be filed with the Siting Board or its successors. The decommissioning plan shall be completed at least one month before the construction of the Project.

32. Weirs Creek Solar shall file a bond with the Webster and Hopkins County Fiscal Court, equal to the amount necessary to effectuate the explicit or formal decommissioning plan naming Webster and Hopkins counties as third-party obligee (or secondary, in addition to individual landowners) beneficiaries, in addition to the lessors of the subject property insofar as the leases contain a decommissioning bonding requirement so that Webster and Hopkins County will have the authority to draw upon the bond to effectuate the decommissioning plan. For land with no bonding requirement otherwise, Webster and Hopkins counties shall be the primary beneficiary of the decommissioning bond for that portion of the Project. The bond shall be filed with the Webster and Hopkins County Treasurers or with a bank, title company, or financial institution reasonably acceptable to the counties. The acceptance of the counties of allowing the filing the bond with an entity other than the Fiscal Court, through the Webster and Hopkins County Treasurers, can be evidenced by a letter from the Judge-Executive, the Fiscal Court, or the County Attorney from each county. The bond(s) shall be in place at the time of commencement of operation of the Project. The bond amount shall be reviewed every five years at Weirs Creek Solar's expense to determine and update the cost of removal amount. This review shall be conducted by an individual or firm with experience or expertise in the costs of removal or decommissioning of electric generating facilities. Certification of this review shall be provided to the Siting Board or its successors and the Webster and Hopkins County Fiscal Courts. Such certificate shall be by letter and shall include the current amount of the anticipated bond and any change in the costs of removal or decommissioning.

33. Weirs Creek Solar or its assigns shall provide notice to the Siting Board, if, during any two-year (730 days) period, it replaces more than 20 percent of its facilities. Weirs Creek Solar shall commit to removing the debris and replaced facility components from the Project site and from Webster and Hopkins counties upon replacement. If the replaced components are properly disposed of at a permitted facility, they do not have to be physically removed from Webster and Hopkins Counties. However, if the replaced facility components remain in either of the counties, Weirs Creek Solar must inform the Siting Board of the location where the components are being disposed.

34. Any disposal or recycling of Project equipment, during operations or decommissioning, shall be done in accordance with applicable laws and requirements.

35. Weirs Creek Solar shall initiate and maintain the Complaint Resolution Program provided to the Siting Board in the case record to address any complaints from community members. Weirs Creek Solar shall also submit annually a status report associated with its Complaint Resolution Program, providing, among other things, the individual complaints, how Weirs Creek Solar addressed those complaints, and the ultimate resolution of those complaints identifying whether the resolution was to the complainant's satisfaction. Weirs Creek Solar shall submit a final report within 30 days after commencement of electric generation.

36. Weirs Creek Solar shall provide the Hopkins County Joint Planning Commission and the Webster County Judge Executive contact information for individuals within the company that can be contacted with concerns. This shall include contact information for the general public to reach individuals that can address their concerns.

Weirs Creek Solar shall update this contact information yearly, or within 30 days of any change in contact information.

37. Weirs Creek Solar shall adhere to the proposed transmission route presented in the application. Should Weirs Creek Solar find it necessary to include any parcel of land not included in this application, in order to finalize the route of the proposed transmission line, Weirs Creek Solar shall return to the Siting Board to request an amendment to the location of the transmission line.

38. In order to minimize the impacts provided for in KRS 278.714(3), Weirs Creek Solar shall submit a final layout of the transmission line and make all reasonable efforts to minimize a new right of way and instead try to co-locate with a current transmission facility.

39. Weirs Creek Solar shall file a plan outlining how solar panels and related equipment will be installed to minimize the risks associated with strong winds and other inclement weather. This plan shall be filed with the Siting Board at least 30 days prior to the start of construction.

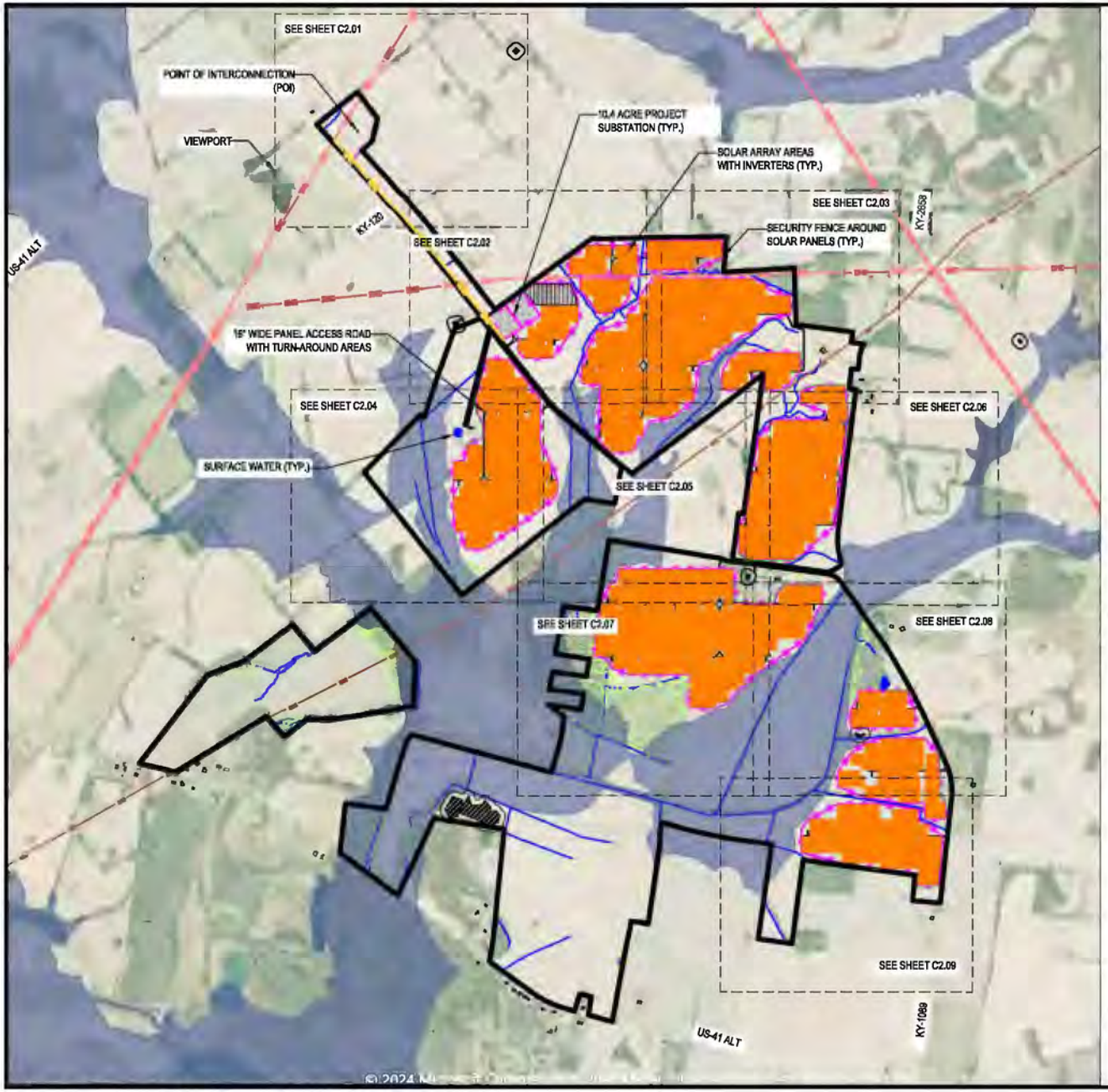
40. The Siting Board can reconvene to enforce any of the above mitigation measures until the generation of electricity commences.

41. Within 30 days of service of this Order, Weirs Creek Solar shall send a copy of this Order to all the adjoining landowners who previously were required to receive notice of this Project.

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING IN CASE NO. 2024-00099 DATED DEC 03 2024

ONE PAGE TO FOLLOW



LEGEND

- PROJECT BOUNDARY
- PARCEL BOUNDARY
- NON-PARTICIPATING PARCEL 25' SETBACK
- PROJECT TRANSMISSION LINE
- OVERHEAD ELECTRIC TRANSMISSION LINE
- PIPELINE
- VEGETATIVE SCREEN
- WETLANDS
- STREAM
- FLOODPLAIN ZONE A
- SECURITY FENCE
- SOLAR PANEL AREAS
- SUBSTATION

CALL BEFORE YOU DIG 811

ECT Environmental Consulting & Technology, Inc.
1408 N. Westshore Blvd., Ste 115
Tampa, Florida 33607
Phone: (813) 289-5338
www.ectinc.com

NEXTera ENERGY RESOURCES

WEIRS CREEK SOLAR HOPKINS & WEBSTER CO. KENTUCKY

ECT PROJECT No.:	21-0152
DESIGNED BY:	Weirs Creek Solar, LLC
DRAWN BY:	CM
CHECKED BY:	SW
APPROVED BY:	SW
KY SITING BOARD	XX-XX-3634

TBD

01-16-2024
Date

OVERALL SITE LAYOUT

SCALE: 1" = 2-K @ 11 X 17
0 500 1000 2000

C1.02

NOT FOR CONSTRUCTION

*L. Allyson Honaker
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KENTUCKY 40509

*Brittany H. Koenig
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KENTUCKY 40509

*Heather Temple
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KENTUCKY 40509

*Jason Andrews
NextEra Energy Resources, LLC
700 Universe Boulevard
Juno Beach, FLORIDA 33408

*Jack Whitfield, Jr.
Judge Executive
Hopkins County Fiscal Court
56 North Main Street
Madisonville, KENTUCKY 42431

*Thomas P. Glover
Resident Representative
200 Stewart St.
Providence, KENTUCKY 42450

Exhibit 2

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF WEIRS CREEK SOLAR, LLC TO TRANSFER A PORTION OF THE CONSTRUCTION CERTIFICATE PURSUANT TO KRS 278.710(3)	))))	CASE NO. 2025-00356

O R D E R

On November 6, 2025, Weirs Creek Solar, LLC (Weirs Creek Solar) filed an application with the Kentucky State Board on Electric Generation and Transmission Siting (Siting Board) to transfer a portion of the Certificate of Construction that was conditionally granted in Case No. 2024-00099[1] to Nebo Energy Storage, LLC.

There are no intervenors in this matter. Weirs Creek Solar responded to one discovery request from Siting Board Staff.[2] The matter is now ready for a decision.

BACKGROUND

In Case No. 2024-00099, Weirs Creek Solar filed an application to construct an approximately 150 megawatt (MW) solar generating facility on a 2,260 acre site in Webster and Hopkins counties, Kentucky.[3] During the pendency of the case, Weirs Creek

[1] Case No. 2024-00099, *Electronic Application of Weirs Creek Solar Project, LLC for a Certificate of Construction for an Approximately 150-Megawatt Merchant Electric Solar Generating Facility in Webster County and Hopkins County, Kentucky Pursuant to KRS 278.700 and 807 KAR 5:110*, (Ky. PSC Dec. 3, 2024).

[2] Weirs Creek Solar's Responses to Siting Board Staff's First Request for Information (filed Dec. 11, 2025) (Staff's First Request).

[3] Case No. 2024-00099, June 6, 2024 Weirs Creek Solar Application and Exhibits.

Solar responded to two rounds of discovery,[4] a site visit was conducted, the Siting Board's consultant issued a report about the project,[5] and a hearing was held.[6] The Siting Board evaluated the entire record before it issued the December 3, 2024 final Order that granted a Certificate of Construction conditioned upon full compliance with the mitigation measures contained in the Order.[7]

On November 6, 2025, Weirs Creek Solar filed an application with the Siting Board to bifurcate the construction certificate it was granted in the December 3, 2024 final Order. Weirs Creek Solar proposed to divide the construction certificate and transfer the battery energy storage system (BESS) portion of the project to Nebo Energy Storage, LLC.

NEER (NextEra Energy Resources, LLC) is the parent entity of Weirs Creek Solar and Nebo Energy Storage, LLC.[8] NEER will retain control over both parts of the project.[9] Weirs Creek Solar stated the division of the project into two is necessary because NEER has two separate contracts for energy generated from the Project; one for the solar energy and one for the stored BESS energy.[10] Weirs Creek Solar argued that a partial transfer of the rights and obligations granted with the Construction Certificate will save the Siting

[4] Case No. 2024-00099, Weir Creek Solar's First Response to Siting Board Staff's First Request for Information (Staff's First Request) (filed Aug. 5, 2024); Wier's Creek Solar's Second Response to Siting Board Staff's Second Request for Information (Siting Board Staff's Second Request) (filed Sept. 9, 2024).

[5] Case No. 2024-00099, Wells Engineering Solar Generation Siting and Final Report (filed Sept. 23, 2024).

[6] Case No. 2024-00099, Hearing Video of the October 15, 2024 Hearing.

[7] Case No. 2024-00099, (Ky. Siting Board Dec. 3, 2024), Order.

[8] Weirs Creek Solar, LLC's Application to Transfer a Construction Certificate Pursuant to KRS 278.710(3) (Application) (filed Nov. 6, 2025) at 2.

[9] Application at 3.

[10] Application at 2.

Board from a duplicative adjudication of a second application from a subsidiary of the same parent entity.[11]

LEGAL STANDARD

KRS 278.710(3)(a) states that a company who has received a construction certificate for a merchant electric generating facility shall not transfer rights or obligations of the certificate without a Siting Board determination that the acquirer has a good environmental compliance history.[12] KRS 278.710(3)(b) requires a determination by the Siting Board that the acquirer has the financial, technical, and managerial capacity to meet the obligations imposed by the terms of the approval.[13] KRS 278.710(1)(i) requires the Siting Board to determine if the applicant has good environmental compliance history before awarding a certificate of construction.[14]

DISCUSSION AND FINDINGS

Weirs Creek Solar argued the bifurcation of the construction certificate and the transfer the BESS portion of the project to Nebo Energy Storage, LLC meets the requirements of KRS 278.710(3)(a) because the parent company of both projects, NEER, has a good environmental compliance history.[15] It was disclosed during the proceedings and addressed in the final Order that one of NEER's subsidiaries, that is the sole member of Weirs Creek, ESI Energy, LLC (ESI) entered into a settlement agreement related to

[11] Application at 3.

[12] KRS 278.710(3)(a).

[13] KRS 278.710(3)(b).

[14] KRS 278.710(1)(i).

[15] Application at 4.

violations of the Migratory Bird Treaty Act.[16] The settlement is related to western wind energy facilities in Wyoming and one energy facility in New Mexico.[17] The Siting Board concluded that the violations were not relevant to the production of solar facilities, as they concern the production of wind facilities.[18] The Siting Board finds that Nebo Energy Storage, LLC and its parent company NEER have demonstrated a good environmental compliance as required for the transfer of a construction certificate pursuant to KRS 278.710(3)(b)(1).

Weirs Creek Solar argued that Nebo Energy Storage, LLC, and its parent company NEER, have the financial, technical, and managerial capacity to meet the obligations imposed by the Siting Board in the December 3, 2024 final Order as required in KRS 278.710(3)(b).[19] Weirs Creek Solar argued that Nebo Energy Storage, LLC will have the financial capacity to ensure compliance with the Siting Board's orders because NEER will retain control of the project, and NEER was the entity in control of Weirs Creek Solar when the project was granted a construction certificate.[20] Weirs Creek Solar also argued that, similarly to Weirs Creek Solar, Nebo Energy Storage, LLC is an indirect subsidiary of NEER.[21] Therefore, because Nebo Energy Storage, LLC is also a subsidiary of NEER,

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[16] Weir Creek's Response to Staff's First Request, Item 2.

[17] Case No. 2024-00099, Dec. 3, 2024 final Order at 21.

[18] Case No. 2024-00099, Dec. 3, 2024 final Order at 21.

[19] Application at 5.

[20] Application at 5.

[21] Application at 5.

it has the managerial, technical and financial capability to construct and operate the battery storage energy portion of the Project.[22]

Weirs Creek Solar argued that NEER, as a parent entity, will have the managerial and technical capacity to develop the project because it has developed and constructed numerous solar and battery projects throughout the United States and in Kentucky.[23]

The Siting Board finds Nebo Energy Storage, LLC and its parent company NEER have the requisite financial, technical, and managerial capacity to comply with all of the mitigation measures in the December 3, 2024 final Order in Case No. 2024-00099 as required. During the pendency of Case No. 2024-00099, the Siting Board conducted a complete review of project which included the ability of Weirs Creeks Solar, and, by extension, its parent company, NEER to fully comply with any mitigation measures imposed. Weirs Creek Solar has confirmed that its parent company, NEER, will remain the parent company of Weirs Creek Solar.[24] The Siting Board finds this satisfies the requirements of KRS 278.710(3)(b). Nebo Energy Storage, LLC, should comply with the Mitigation Measures contained in Appendix A of the final Order that was issued on December 3, 2024.

When a certificate to construct a solar facility is sought, the project and the developers are thoroughly evaluated to ensure that the project will comply with all statutory and regulatory requirements. After the review, the Construction Certificate is

[22] Application at 5.

[23] Application at 5-6.

[24] Application at 2-3.

conditionally granted on the condition of full compliance with all mitigation measures, some of which continue into the operation of the project.

The Siting Board not only reviews the history and abilities of the Person[25] seeking the Certificate, but also the entities that have an ownership interest in the applicant. Here, Weirs Creek Solar has no resources or employees and instead depends on the resources and employees of NEER. Without NEER, Weirs Creek Solar nor Nebo Energy Storage, LLC would not have the managerial, technical, or financial capability necessary to construct or operate the projects, nor to comply with the conditions required herein. As such, any further transfer involving any of these three parties should be reviewed and approved by the Siting Board.

IT IS THEREFORE ORDERED that:

1. Weirs Creek Solar's motion to bifurcate and partially transfer of the construction certificate granted in Case No. 2024-00099 is granted.

2. Nebo Energy Storage, LLC shall be responsible for all of the mitigation measures imposed upon Weirs Creek Solar in the Siting Board's December 3, 2024 final Order. This in no way alleviates the responsibility by Weirs Creek Solar of all of the same mitigation measures, and any effort to deflect responsibility between the two entities, which are both owned by the same parent company, will not be tolerated by the Siting Board.

3. If any Person as defined by KRS 278.700(3) shall acquire or transfer ownership of, or control, or the right to control Weirs Creek Solar or Nebo Energy Storage,

[25] KRS 278.700(3) defines a person as any individual, corporation, public corporation, political subdivision, governmental agency, municipality, partnership, cooperative association, trust, estate, two (2) or more persons having a joint or common interest, or any other entity.

LLC, by sale of assets, transfer of stock, or otherwise, or abandon the same, Weirs Creek Solar and Nebo Energy Storage, LLC, or its successors or assigns shall request explicit approval from the Siting Board with notice of the request provided to the Webster and Hopkins County Fiscal Courts. In any application requesting such abandonment, sale, or change of control, Weirs Creek Solar, Nebo Energy Storage, LLC, and any proposed entity with an ownership interest in either project shall certify its compliance with KRS 278.710(3).

4. This case is closed and removed from the Siting Board's docket.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

_____
Chairman, Public Service Commission

_____
Commissioner, Public Service Commission

_____
Commissioner, Public Service Commission

_____
Secretary, Energy and Environment Cabinet, or her designee

_____
Secretary, Cabinet for Economic Development, or his designee

by AH w/permission

_____
Jack Whitfield, ad hoc member

_____
Thomas P. Glover, ad hoc member

ATTEST:

_____
Executive Director
Public Service Commission
on behalf of the Kentucky State Board on Electric Generation and Transmission Siting

ENTERED
FEB 11 2026 AB
KENTUCKY PUBLIC SERVICE COMMISSION

*L. Allyson Honaker
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KY 40509

*Heather Temple
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KY 40509

*Jason Andrews
NextEra Energy Resources, LLC
700 Universe Boulevard
Juno Beach, FL 33408

*Lester Morales
NextEra Energy Resources, LLC
700 Universe Boulevard
Juno Beach, FL 33408

*Meredith L. Cave
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 1203
Lexington, KY 40509

*Tracy Baker
NextEra Energy Resources, LLC
700 Universe Boulevard
Juno Beach, FL 33408

Exhibit 3

1251251.06 tsemones ADD

Michael G. Adams
Kentucky Secretary of State
Received and Filed:
1/6/2023 10:58 AM
Fee Receipt: $90.00

FBE

COMMONWEALTH OF KENTUCKY
MICHAEL ADAMS, SECRETARY OF STATE

Division of Business Filings
P.O. Box 718
Frankfort, KY 40602
(502) 564-3490
www.sos.ky.gov

Certificate of Authority
(Foreign Business Entity)

Pursuant to the provisions of KRS 14A and KRS 271B, 273, 274,275, 362 and 386 the undersigned hereby applies for authority to transact business in Kentucky on behalf of the entity named below and, for that purpose, submits the following statements:

1. The entity is a :
   - [ ] profit corporation (KRS 271B)
   - [ ] business trust (KRS 386).
   - [ ] limited partnership (KRS 362).
   - [ ] non-profit llc (KRS 275)
   - [ ] nonprofit corporation (KRS 273)
   - [X] limited liability company (KRS 275)
   - [ ] ltd cooperative assn. (KRS)
   - [ ] cooperative assn. (KRS)
   - [ ] professional service corporation (KRS 274)
   - [ ] professional limited liability company (KRS 275)
   - [ ] statutory trust
   - [ ] unincorporated association

2. The name of the entity is Weirs Creek Solar, LLC.
   (The name must be identical to the name on record with the Secretary of State.)

3. The name of the entity to be used in Kentucky is (if applicable): _____.
   (Only provide if "real name" is unavailable for use; otherwise, leave blank.)

4. The state or country under whose law the entity is organized is Delaware.

5. The date of organization is 12/08/2022 and the period of duration is _____.
   (If left blank, duration is considered perpetual.)

6. The mailing address of the entity's principal office is

Street Address	City	State	Zip Code
700 Universe Blvd.	Juno Beach	FL	33408

7. The street address of the entity's registered office in Kentucky is

Street Address (No P.O. Box Numbers)	City	State	Zip Code
421 West Main Street	Frankfort	KY	40601

and the name of the registered agent at that office is Corporation Service Company.

8. The names and business addresses of the entity's representatives (secretary, officers and directors, managers, trustees or general partners):

Name	Street or P.O. Box	City	State	Zip Code
Matthew Roskot	700 Universe Blvd.	Juno Beach	FL	33408
Charlotte B. Anderson	700 Universe Blvd.	Juno Beach	FL	33408
Jason B. Pear	700 Universe Blvd.	Juno Beach	FL	33408

9. If a professional service corporation, all the individual shareholders, not less than one half (1/2) of the directors, and all of the officers other than the secretary and treasurer are licensed in one or more states or territories of the United States or District of Columbia to render a professional service described in the statement of purposes of the corporation.

10. I certify that, as of the date of filing this application, the above-named entity validly exists under the laws of the jurisdiction of its formation.

11. If a limited partnership, it elects to be a limited liability limited partnership. Check the box if applicable: [ ]

12. If a limited liability company, check box if manager-managed: [ ]

13. This application will be effective upon filing, unless a delayed effective date and/or time is provided.
The effective date or the delayed effective date cannot be prior to the date the application is filed. The date and/or time is 1/10/2023.

Please indicate the Kentucky county in which your business operates:
County: FRANKLIN.

To complete the following, please shade the box completely.

Please indicate the size of your business:
- [ ] Small (Fewer than 50 employees)
- [ ] Large (50 or more employees)

Please indicate whether any of the following make up more than fifty percent (50%) of your business ownership:
- [ ] Women-Owned
- [ ] Veteran Owned
- [ ] Minority Owned

Please indicate which of the following best describes your business:
- [ ] Agriculture
- [ ] Mining
- [ ] Services
- [ ] Construction
- [ ] Wholesale Trade
- [ ] Retail Trade
- [ ] Manufacturing
- [ ] Finance, Insurance, Real Estate
- [ ] Public Administration
- [ ] Transportation, Communications, Electric, Gas, Sanitary Services
- [ ] Other

Signature of Authorized Representative	Printed Name & Title	Date
	Jason B. Pear	1/3/2023

I, Corporation Service Company, consent to serve as the registered agent on behalf of the business entity.
Type/Print Name of Registered Agent

Signature of Registered Agent	Printed Name	Title	Date
By: Brittany Arnett	Corporation Service Company	Assistant Secretary	1/5/23

(1/20)

Exhibit 4

Commonwealth of Kentucky
Michael G. Adams, Secretary of State

Michael G. Adams
Secretary of State
P. O. Box 718
Frankfort, KY 40602-0718
(502) 564-3490
http://www.sos.ky.gov

Certificate of Authorization

Authentication number: 347941
Visit https://web.sos.ky.gov/ftshow/certvalidate.aspx to authenticate this certificate.

I, Michael G. Adams, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

NEBO ENERGY STORAGE, LLC

, a limited liability company authorized under the laws of the state of Delaware, is authorized to transact business in the Commonwealth of Kentucky, and received the authority to transact business in Kentucky on October 10, 2025.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that an application for certificate of withdrawal has not been filed; and that the most recent annual report required by KRS 14A.6-010 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 23rd day of October, 2025, in the 234th year of the Commonwealth.

Michael G. Adams
Secretary of State
Commonwealth of Kentucky
347941/1502631

Exhibit 5

Commonwealth of Kentucky
Michael G. Adams, Secretary of State

Michael G. Adams
Secretary of State
P. O. Box 718
Frankfort, KY 40602-0718
(502) 564-3490
http://www.sos.ky.gov

Certificate of Authorization

Authentication number: 380099
Visit https://web.sos.ky.gov/ftshow/certvalidate.aspx to authenticate this certificate.

I, Michael G. Adams, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

HOCKET ENERGY STORAGE, LLC

, a limited liability company authorized under the laws of the state of Delaware, is authorized to transact business in the Commonwealth of Kentucky, and received the authority to transact business in Kentucky on September 11, 2026.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that an application for certificate of withdrawal has not been filed; that the most recent annual report required by KRS 14A.6-010 has been delivered to the Secretary of State; and is therefore in good standing.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 24th day of September, 2026, in the 235th year of the Commonwealth.

Michael G. Adams
Secretary of State
Commonwealth of Kentucky
380099/1631257

Exhibit 6

From:	Morales, Lester
To:	judgeexecutive hopkinscounty.net
Subject:	KY-PSC Bifurcation of Solar/BESS Entities Notification
Date:	Thursday, October 1, 2026 11:50:52 AM
Attachments:	Weirs Creek Trifurcation Hopkins County 2026.pdf

---

Judge Whitfield,

Hope all is well. Please find attached the intent to trifurcate the facilities previously authorized under the approved KYSB Construction Certificate. Weirs Creek Solar, LLC is currently under construction and will continue to construct and operate the solar generating facility. Nebo Energy Storage, LLC, which was previously approved by the Kentucky State Board on Electric Generation and Transmission Siting through a transfer application, is moving forward as a separate battery energy storage project and is expected to begin construction in Q4 2026. A second battery energy storage project, Hocket Energy Storage, LLC, will also be developed as a separate entity and also within the parcels identified in the Weirs Creek application.

The solar facility and both battery energy storage facilities remain within the scope of the approved KYSB Construction Certificate and associated mitigation measures. This change is being made primarily to accommodate separate project structures and off-take arrangements for the battery facilities. This email serves as notification of the proposed trifurcation and is being provided for inclusion with the forthcoming application seeking approval to transfer a portion of the Construction Certificate to Hocket Energy Storage, LLC.

Please reach out with any questions.

Warm Regards,

Lester Morales
Nextera Energy Resources
E. Lester.morales2@nexteraenergy.com
M. 561-890-5275

Weirs Creek Solar, LLC
Nebo Energy Storage, LLC
Hocket Energy Storage, LLC

September 30, 2026

Mr. Jack Whitfield Jr.
Hopkins County Judge Executive
56 North Main Street
Madisonville, KY 42431

Re: Notification of Intent to Trifurcate the Construction Certificate Related to Weirs Creek Solar, LLC, Nebo Energy Storage, LLC, and Hocket Energy Storage, LLC

Dear Mr. Henry:

This letter serves to notify you of the intent to seek approval from the Kentucky State Board on Electric Generation and Transmission Siting ("KYSB") to trifurcate the facilities previously authorized under the Construction Certificate issued in Case No. 2024-00099. Weirs Creek Solar, LLC ("Weirs Creek") is currently constructing and will continue to construct and operate the solar generating facility. Nebo Energy Storage, LLC ("Nebo"), which was previously granted a transfer of a portion of the Construction Certificate in Case No. 2025-00356, is moving forward as a separate battery energy storage project and is expected to begin construction in Q4 2026. A second battery energy storage project, Hocket Energy Storage, LLC ("Hocket"), is proposed to be developed as a separate entity, subject to KYSB approval. This notice is being provided in advance of and for inclusion with the initial application requesting approval of the proposed transfer to Hocket.

Background and Proposed Action:
Weirs Creek received a Construction Certificate on December 3, 2024, authorizing development of a solar generating facility and an accompanying battery energy storage system ("BESS"). On February 11, 2026, in Case No. 2025-00356, the KYSB approved the bifurcation of that Construction Certificate and transferred to Nebo the rights and obligations associated with a BESS. The proposed trifurcation would preserve Weirs Creek's authorization for the solar facility and Nebo's previously transferred authorization for its BESS, while transferring to Hocket the portion of the Construction Certificate and related rights and obligations necessary to construct and operate an additional BESS component of the project.

Reason for Trifurcation:
The proposed trifurcation is intended to accommodate separate project structures and off-take arrangements for the three project components: one solar generating facility and two separate BESS facilities. NextEra Energy Resources, LLC ("NEER") will remain the parent entity for Weirs Creek, Nebo, and Hocket, and the upstream operational control and support will not change.

Weirs Creek Solar, LLC / Nebo Energy Storage, LLC / Hocket Energy Storage, LLC

Project Continuity:
The solar facility and both BESS facilities are proposed to remain within the scope of the approved Construction Certificate and associated mitigation measures. Weirs Creek, Nebo, and Hocket will remain committed to compliance with the conditions of the Construction Certificate and applicable regulations allocated to each entity through the KYSB's orders. This letter provides advance notice of the proposed trifurcation for inclusion with the initial transfer application for Hocket and is not intended to reference an existing Hocket case number.

Should you have any questions or require additional information regarding this proposed action, please do not hesitate to contact Lester Morales at 561-890-5275 or lester.morales2@nexteraenergy.com.

Thank you for your consideration,

Weirs Creek Solar, LLC / Nebo Energy Storage, LLC / Hocket Energy Storage, LLC
Lester Morales
Senior Project Manager

From:	Morales, Lester
To:	Steve Henry
Subject:	Fw: KY-PSC Bifurcation of Solar/BESS Entities Notification
Date:	Thursday, October 1, 2026 11:42:25 AM
Attachments:	Weirs Creek Trifurcation Webster County 2026.pdf

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Judge Henry,

Hope all is well. Please find attached the intent to trifurcate the facilities previously authorized under the approved KYSB Construction Certificate. Weirs Creek Solar, LLC is currently under construction and will continue to construct and operate the solar generating facility. Nebo Energy Storage, LLC, which was previously approved by the Kentucky State Board on Electric Generation and Transmission Siting through a transfer application, is moving forward as a separate battery energy storage project and is expected to begin construction in Q4 2026. A second battery energy storage project, Hocket Energy Storage, LLC, will also be developed as a separate entity and also within the parcels identified in the Weirs Creek application.

The solar facility and both battery energy storage facilities remain within the scope of the approved KYSB Construction Certificate and associated mitigation measures. This change is being made primarily to accommodate separate project structures and off-take arrangements for the battery facilities. This email serves as notification of the proposed trifurcation and is being provided for inclusion with the forthcoming application seeking approval to transfer a portion of the Construction Certificate to Hocket Energy Storage, LLC.

Please reach out with any questions.

Warm Regards,

Lester Morales
Nextera Energy Resources
E. Lester.Morales2@nexteraenergy.com
M. 561-890-5275

Weirs Creek Solar, LLC
Nebo Energy Storage, LLC
Hocket Energy Storage, LLC

September 30, 2026

Mr. Stephen R. Henry
Webster County Judge Executive
25 US Hwy 41A (PO Box 155)
Dixon, KY 42409

Re: Notification of Intent to Trifurcate the Construction Certificate Related to Weirs Creek Solar, LLC, Nebo Energy Storage, LLC, and Hocket Energy Storage, LLC

Dear Mr. Henry:

This letter serves to notify you of the intent to seek approval from the Kentucky State Board on Electric Generation and Transmission Siting ("KYSB") to trifurcate the facilities previously authorized under the Construction Certificate issued in Case No. 2024-00099. Weirs Creek Solar, LLC ("Weirs Creek") is currently constructing and will continue to construct and operate the solar generating facility. Nebo Energy Storage, LLC ("Nebo"), which was previously granted a transfer of a portion of the Construction Certificate in Case No. 2025-00356, is moving forward as a separate battery energy storage project and is expected to begin construction in Q4 2026. A second battery energy storage project, Hocket Energy Storage, LLC ("Hocket"), is proposed to be developed as a separate entity, subject to KYSB approval. This notice is being provided in advance of and for inclusion with the initial application requesting approval of the proposed transfer to Hocket.

Background and Proposed Action:
Weirs Creek received a Construction Certificate on December 3, 2024, authorizing development of a solar generating facility and an accompanying battery energy storage system ("BESS"). On February 11, 2026, in Case No. 2025-00356, the KYSB approved the bifurcation of that Construction Certificate and transferred to Nebo the rights and obligations associated with a BESS. The proposed trifurcation would preserve Weirs Creek's authorization for the solar facility and Nebo's previously transferred authorization for its BESS, while transferring to Hocket the portion of the Construction Certificate and related rights and obligations necessary to construct and operate an additional BESS component of the project.

Reason for Trifurcation:
The proposed trifurcation is intended to accommodate separate project structures and off-take arrangements for the three project components: one solar generating facility and two separate BESS facilities. NextEra Energy Resources, LLC ("NEER") will remain the parent entity for Weirs Creek, Nebo, and Hocket, and the upstream operational control and support will not change.

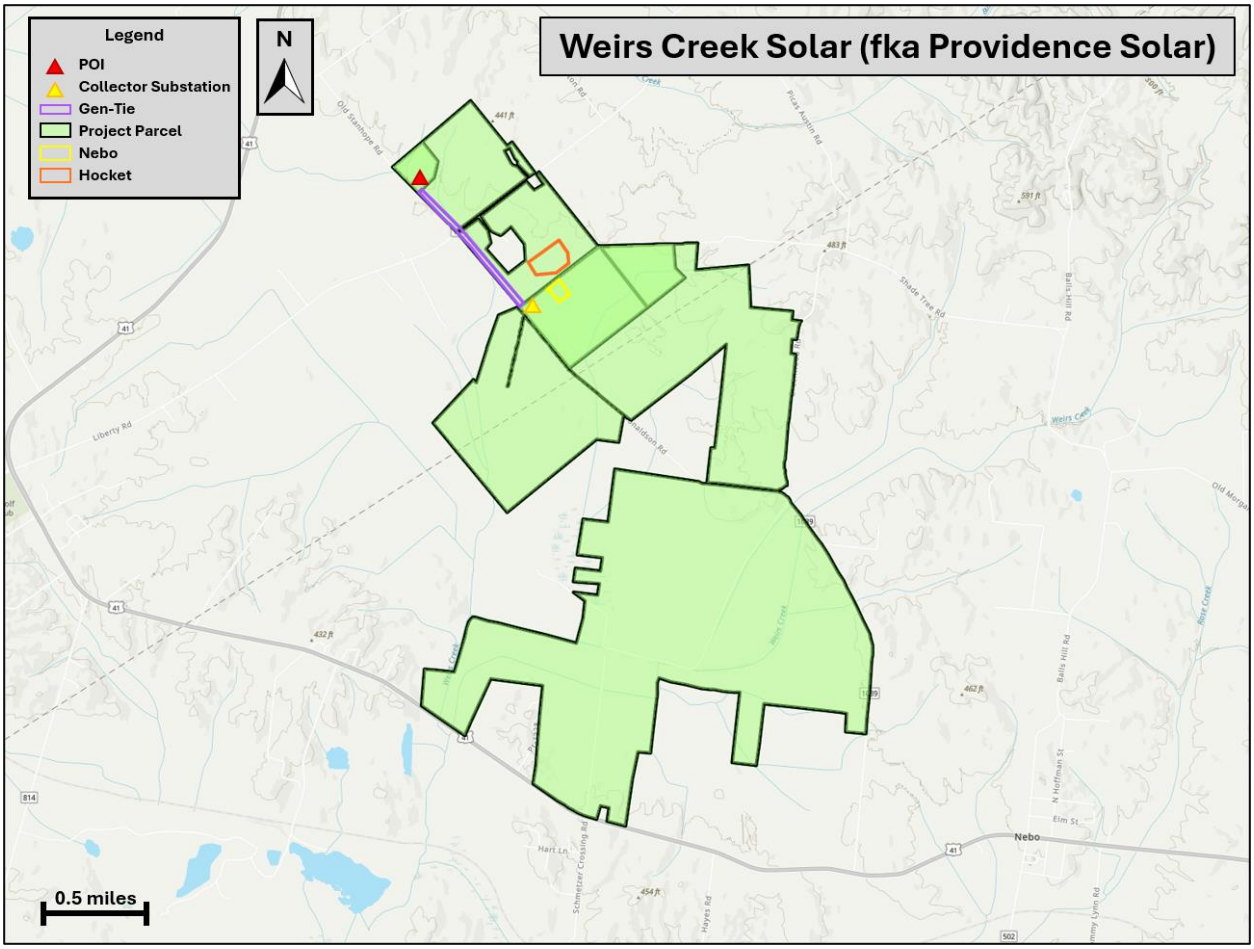
Project Continuity:
The solar facility and both BESS facilities are proposed to remain within the scope of the approved Construction Certificate and associated mitigation measures. Weirs Creek, Nebo, and Hocket will remain committed to compliance with the conditions of the Construction Certificate and applicable regulations allocated to each entity through the KYSB's orders. This letter provides advance notice of the proposed trifurcation for inclusion with the initial transfer application for Hocket and is not intended to reference an existing Hocket case number.

Should you have any questions or require additional information regarding this proposed action, please do not hesitate to contact Lester Morales at 561-890-5275 or lester.morales2@nexteraenergy.com.

Thank you for your consideration,

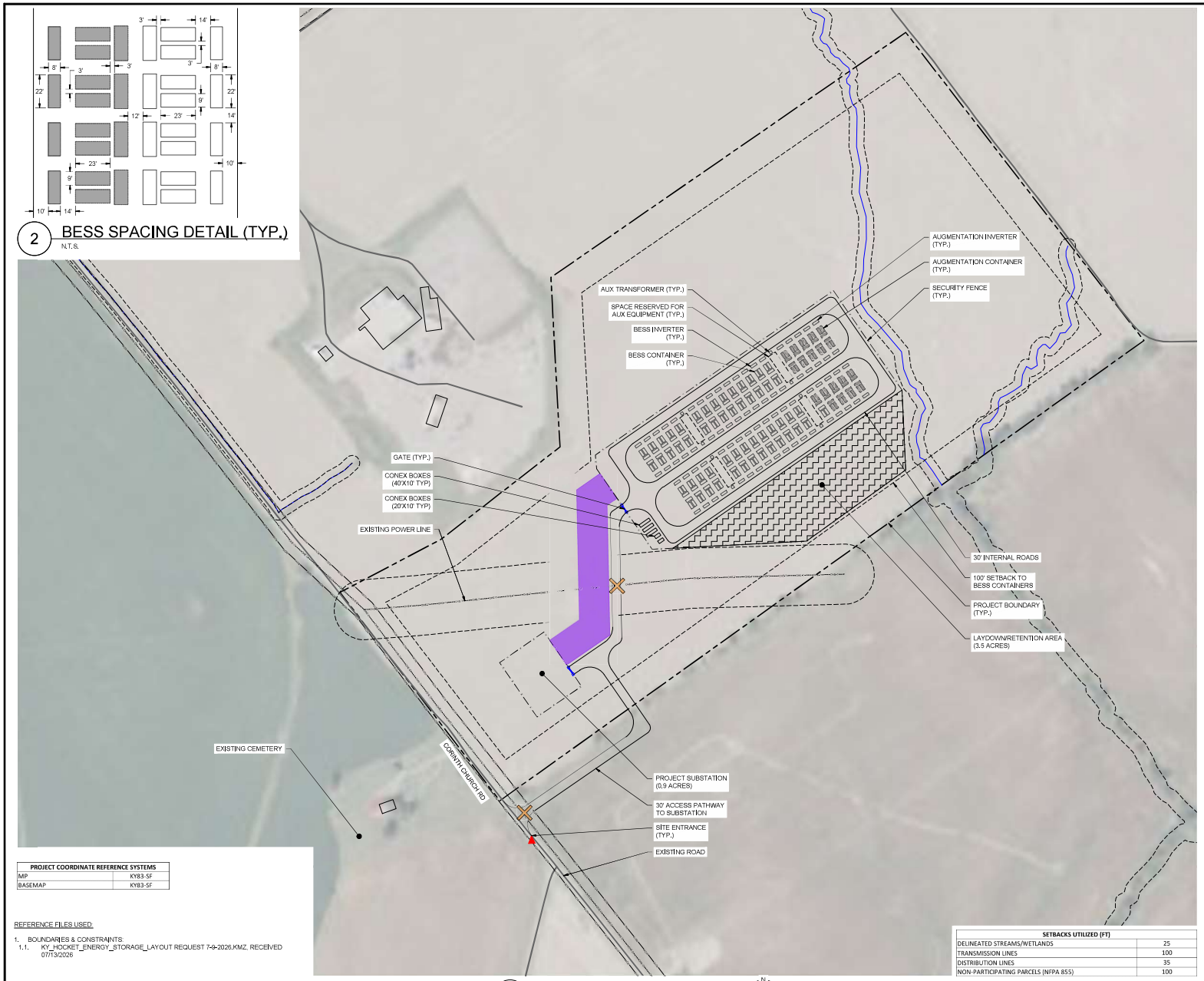
Weirs Creek Solar, LLC / Nebo Energy Storage, LLC / Hocket Energy Storage, LLC
Lester Morales
Senior Project Manager

Exhibit 7


Weirs Creek Solar (fka Providence Solar)
Legend
POI
Collector Substation
Gen-Tie
Project Parcel
Nebo
Hocket
N
0.5 miles
Nebo

2 BESS SPACING DETAIL (TYP.)

N.T.S.



PROJECT COORDINATE REFERENCE SYSTEMS	
MP	KY83-SF
BASEMAP	KY83-SF

REFERENCE FILES USED:

1. BOUNDARIES & CONSTRAINTS
   1.1. KY_HOCKET_ENERGY_STORAGE_LAYOUT REQUEST 7-9-2026.KMZ, RECEIVED 07/13/2026

1 OVERALL SITE LAYOUT

SCALE: 1" = 150'

0' 75' 150' 300'

N W E S

SETBACKS UTILIZED (FT)	
DELINEATED STREAMS/WETLANDS	25
TRANSMISSION LINES	100
DISTRIBUTION LINES	35
NON-PARTICIPATING PARCELS (NFPA 855)	100

SHEET NOTES:

1. LOCATIONS SHOWN ARE FOR GENERAL GUIDANCE ONLY. SLOPES OF THE SITE ARE NOT DEPICTED AND LOCATIONS MUST BE VERIFIED ON SITE BEFORE INSTALLATION.
2. EQUIPMENT QUANTITY AND RATINGS ARE PROVIDED BY CLIENT AND ARE TO BE CONFIRMED BY ENGINEER-OF-RECORD.
3. CROSSING LOCATIONS INDICATE APPROXIMATE ROAD CROSSINGS AT EXISTING FEATURES. MV COLLECTION CROSSINGS ARE TBD AFTER MV COLLECTION LAYOUT. ALL CROSSINGS TO BE FINALIZED BY ENGINEER OF RECORD.
4. ROAD WIDTH AND DESIGN TO BE CONFIRMED WITH AHJ AND BY ENGINEER-OF-RECORD.

SYSTEM SPECIFICATIONS:

SYSTEM AC RATING AT POI (MW)	155.00
STORAGE DURATION (HOURS)	4
SYSTEM STORED CAPACITY (MWh)	620.00
INVERTER RATING (MVA)	4.200
QUANTITY OF INVERTERS	55
TRANSFORMER RATING (MVA)	4.200
QUANTITY OF TRANSFORMERS	55
BATTERY ENCLOSURES	160
BATTERY ENCLOSURE CAPACITY (MWh)	5.112
BATTERY AUGMENTATION BLOCKS	57
AUGMENTATION INVERTER QUANTITY	19
INTERCONNECTION VOLTAGE (KV)	161
PROJECT AREA (ACRES)	68.6
FENCED AREA (ACRES)	13.1
FENCING LENGTH (L.F.)	3725
ROADS (L.F.)	4628
MAX DESIGN TEMPERATURE SOURCE	ASHRAE 2% DB TEMP MAX
MAX DESIGN TEMPERATURE (°C)	32.2°
MIN DESIGN TEMPERATURE SOURCE	PER NEC 690.7(A)(3) & 110.3(B)
MIN DESIGN TEMP FOR STRING SEING (°C)	-15.4°

LEGEND

- PROJECT BOUNDARY
- PROPOSED FENCE
- PROPOSED ROAD
- EXISTING ROAD
- EXISTING OVERHEAD DISTRIBUTION
- EXISTING OVERHEAD TRANSMISSION
- SETBACK
- RIGHT OF WAY
- DELINEATED STREAMS/WETLANDS
- MV CORRIDOR
- LAYDOWN/RETENTION AREA
- GATE
- SITE ENTRANCE
- CROSSING LOCATION (SEE NOTE 3)

REVAMP ENGINEERING, INC.

428 13th St.
3rd Floor
Oakland, CA 94612
www.revamp-eng.com

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ENGINEER'S STAMP

PRELIMINARY NOT FOR CONSTRUCTION

CLIENT

HOCKET BATTERY ENERGY STORAGE CENTER, LLC.

PROJECT NAME

HOCKET BATTERY ENERGY STORAGE SYSTEM

SITE LOCATION

WEBSTER COUNTY, KY
37.422446°, -87.687658°

#	DRAWING ISSUE	DATE	DB	CB
1	PRELIMINARY	07/16/2026	RS	ES

PROJECT NO.: 26153

DRAWING TITLE

OVERALL SITE LAYOUT

DRAWING NUMBER

E200

Exhibit 8

Confidential

Reflects organizational structure
as of September 15, 2026