

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

In the Matter of:

ELECTRONIC APPLICATION OF TURKEY)	
CREEK SOLAR, LLC FOR AN CONSTRUCTION)	
CERTIFICATE TO CONSTRUCT AN)	CASE NO.
APPROXIMATELY 50 MEGAWATT MERCHANT)	2020-00040
ELECTRIC SOLAR GENERATING FACILITY IN)	
GARRARD COUNTY, KENTUCKY PURSUANT)	
TO KRS 278.700 AND 807 KAR 5:110)	

SITING BOARD STAFF'S INITIAL REQUEST FOR INFORMATION
TO TURKEY CREEK SOLAR, LLC

Turkey Creek Solar, LLC (Turkey Creek), pursuant to 807 KAR 5:001, is to file with the Siting Board an electronic version of the following information. The information requested herein is due on June 1, 2020. The Siting Board directs Turkey Creek to the March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085¹ regarding filings with the Public Service Commission.² The Siting Board expects the original documents to be filed with the Siting Board within 30 days of the lifting of the current state of emergency. Responses to requests for information in paper medium shall be appropriately bound, tabbed, and indexed. Responses that are required to be provided

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6. Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 24, 2020), Order at 1–3.

² Pursuant to KRS 278.702(3), the Siting Board is attached to the Public Service Commission for administrative purposes and staff of the Public Service Commission serves as permanent administrative staff for the Siting Board. Also, pursuant to 807 KAR 5:110, Section 3, all filings in a Siting Board proceeding should be filed at the offices of the Public Service Commission.

on electronic medium shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Turkey Creek shall make timely amendment to any prior response if Turkey Creek obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Turkey Creek fails or refuses to furnish all or part of the requested information, Turkey Creek shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When filing a paper containing personal information, Turkey Creek shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to the application, Volume 1, Section 2. Description of Proposed Site.

- a. Provide a description of the land acquisition process in which Turkey Creek obtained the 520 acres of land for the proposed solar facility site.
 - b. State whether the solar panels consist of monocrystalline or polycrystalline solar cells and why Turkey Creek decided on that type of material.
 - c. With respect to the evergreen shrubs that will be planted, state how high those shrubs are expected to grow.
2. Refer to the Application, Volume 1, Section 6. Public Notice Report.
 - a. Provide copies of all displays and handout materials that were used as part of the public outreach efforts of Turkey Creek.
 - b. Identify any concerns that were received by Turkey Creek resulting from the public outreach efforts and state how Turkey Creek addressed those concerns.
 3. Refer to the application, Volume 1, Section 9, Effect on Kentucky Electricity Generation System. State the purpose of the Facilities Study and whether Turkey Creek anticipates any issues will be identified as part of that particular study.
 4. Refer to the application, Volume 1, Attachment G – Economic Impact Report, regarding the section discussing Regenerative Energy. Provide additional details on this method, discussing, among other things, how long Silicon Ranch Corporation (Silicon Ranch) has utilized this concept, how many other Silicon Ranch solar facilities implement Regenerative Energy land management techniques, the results from these other solar facilities that utilize Regenerative Energy, what specific Regenerative Energy farming practices will be implemented at the proposed Turkey Creek solar facility and whether any local farmers and ranchers have been recruited to implement these practices.

5. Refer to the application Volume 1 generally. Provide copies of all written or electronic correspondence pertaining the project received from neighboring property owners and other members of the general public and any corresponding responses.

6. Refer to the application, Volume 1 at 5, 21, 23, 29, 36, and 37 of 92. Also, refer to Volume 2, Site Assessment Report, at 11 of 291, and Phase I Environmental Site Assessment Section 2.2 Scope at 169 of 291 and Section 4.2 Aerial Drone Reconnaissance at 173 of 291. The stated land areas of the proposed site do not agree.

a. Reconcile the various site descriptions, state which is the correct description of the site land area, and, if appropriate, provide any corrected pages to the application.

b. Explain why the Notice of Application and the Public Meeting Notices contain different site descriptions and whether the legal requirements for noticing the public have been satisfied.

c. Provide a copy of all handouts and materials prepared for and distributed at the public meeting.

d. Explain whether the aerial reconnaissance was performed over the appropriate land area and, if not, whether a new aerial reconnaissance will be performed.

7. Refer to the application, Volume 2, Site Assessment Report (SAR), Attachment A – Property Value Impact Report.

a. Describe Kirkland Appraisals, LLC's experience with performing commercial appraisals evaluating the impact of utility scale solar facilities' impact on property values.

b. On page 1, the report states that the solar farm is proposed to be constructed on approximately 297 acres out a parent tract assemblage of approximately 753 acres. Explain what is meant by this land description and why it differs from the 520 acres as referenced in other parts of the application.

c. Refer page 5 regarding the research of solar farms in Kentucky. Explain why the solar facilities developed jointly by Louisville Gas and Electric Company and Kentucky Utilities Company in Shelby and Mercer counties, Kentucky, were not part of the research.

8. Refer to the application generally. Provide a breakdown of the total cost of the project, including contingencies.

9. Refer to the SAR, Attachment C – Noise and Traffic Assessment, page 1, Section 1.1, regarding the end of life condition. Provide the expected useful life of the propose solar facility and state how Turkey Creek or Silicon Ranch will approach the decommissioning of the solar facility in an environmentally impactful manner and maintain the land so that it can be returned to farming or other development.


10. Refer to the SAR, Attachment D – Phase I Environmental Site Assessment Section 4.2.1 On-Site Structures at 173 of 291. Explain the disposition of the 26 structures referenced in the report.

11. Refer to the SAR, Attachment D – Phase I Environmental Site Assessment Section 7.0 at 175 of 291.

a. Explain whether the construction of the solar facility will disturb the underground storage and heating oil tanks in a way that could potentially cause an environmental concern.

b. Explain whether Turkey Creek foresees a need to remove the underground storage and heating oil tanks for any reason and, if so, will the removal be completed prior to construction of the solar facility.

12. Refer to the questions propounded by BBC Consulting, which are attached as an Appendix to this information request, and provide responses to those questions.



Kent A. Chandler
Executive Director
Kentucky State Board on Electric
Generation and Transmission Siting
P.O. Box 615
Frankfort, KY 40602

DATED MAY 14 2020

cc: Parties of Record

APPENDIX

APPENDIX TO A REQUEST FOR INFORMATION OF THE KENTUCKY STATE
BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING IN CASE
NO. 2020-00040 DATED MAY 14 2020

[TWO PAGES TO FOLLOW]

MEMORANDUM

Re: Information requests for Turkey Creek Solar, LLC in regard to Site Assessment Report

Date: May 13, 2020

1. In the table provided on page 4 of Attachment A to the Site Assessment Report (SAR), nine of the twenty-three residential parcels identified among the surrounding uses do not have an identified distance between the home and the nearest solar panel. **Please explain why that information is not available or provide the information for those parcels.**
2. There appears to be some conflicting information in the SAR in regards to the size of the property and the proposed facility. **Please help us to reconcile this information and identify the correct numbers for the overall property assemblage and the number of acres within that assemblage that would contain the proposed project.**
 - a. Based on the legal boundaries of the proposed site described in Attachment B to the SAR, the overall assemblage of parcels and tracts on which the facility would be constructed totals 762.1 acres.
 - b. In the Description of Proposed Site (Section 1 of the SAR), it is stated that “The project will be situated on up to 520 acres...”
 - c. The Property Value Impact Report (Exhibit A of the SAR) states under the heading of “Proposed Use Description” (Page 2 of the exhibit) that “The proposed solar farm is to be constructed on approximately 297.05 acres out of a parent tract assemblage of 752.80 acres.
3. Exhibit C “Noise and Traffic Study” notes that “driveway access on SR 39 and US 27 would provide two points of entry to the project site.” (Page 6 of Exhibit C “Noise and Traffic Study”). Apparently the second entrance is from US 27, and Exhibit C further notes that both entrances are existing paved driveways near the northernmost portion of the property, but there is no further information in the SAR regarding where the second entrance is located. **Please revise the aerial simulation provided in Exhibit E to depict this second entrance.**

4. Section 1 of the SAR states “At this time, it is not anticipated that the Project will need to receive external utility services during typical plant operation.” [underline emphases added by BBC]. There are a number of qualifiers in this sentence. **Please identify if there are any reasonably foreseeable circumstances that would require utility services to the site and what those service requirements could be.**
5. Section 2 of Site Assessment Report notes that “... *representatives from Carolina Solar Energy have met personally on various occasions with two adjoining landowners to address their concerns ...These neighbors have had input in the placement of some of the visual buffers associated with the facility.*” **Please identify which neighbors have been involved in these discussions (in reference to the table provided on page 4 of Attachment A) and the nature of their concerns.**
6. While none of the previous merchant power plant siting applications in Kentucky have involved commercial solar facilities, previous applicants have typically provided a visual simulation of the proposed project from sensitive receptors or key observation points. **Please provide a simulation of the future view of the proposed facility from the nearest residences or other key observation points.**
7. The SAR provides an estimate of the sound of the inverters “The 67.0 dBA estimate for the inverters is measured at a distance of 10 meters (Exhibit C, page 5, pdf page 146).” While it also provides an estimate of the sound from the tracking motors it does not indicate the distance from which this sound is measured. “The sound typically produced by panel tracking motors ... is approximately 78 dB.” (Exhibit C, page 5, pdf page 146). **Please provide this information.**
8. Exhibit C notes that construction will take eight to twelve months and will produce an increase in traffic from construction workers and delivery of equipment and material. The SAR does not provide any information regarding the number of anticipated workers (average or peak) or the number of expected truck deliveries during construction. **Please provide this information.**

*James W Gardner
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507

*M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507