

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF FLEMING)	
SOLAR, LLC FOR A CERTIFICATE OF)	
CONSTRUCTION FOR AN APPROXIMATELY)	CASE NO.
80 MEGAWATT MERCHANT ELECTRIC)	2020-00370
SOLAR GENERATING FACILITY IN FLEMING)	
COUNTY, KENTUCKY PURSUANT TO KRS)	
278.700 AND 807 KAR 5:110)	

SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION
TO FLEMING SOLAR LLC

Fleming Solar, LLC (Fleming Solar), pursuant to 807 KAR 5:001, is to file with the Commission an electronic version of the following information. The information requested is due on August 20, 2021. The Commission directs Fleming Solar to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents 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

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Fleming Solar shall make timely amendment to any prior response if Fleming Solar obtains information that indicates the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Fleming Solar fails or refuses to furnish all or part of the requested information, Fleming Solar 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 applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Fleming Solar 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, Exhibit H generally.
 - a. Confirm that the estimated economic impacts on jobs created, earnings, output value, and taxes are gross estimates and not net of the jobs, earnings, output value, and taxes produced from the property's existing economic activity.
 - b. If possible, provide estimates of the project's net economic impact on Fleming County and the State of Kentucky.

2. Refer to the Application, Exhibit H, Section VI. Section VI only discusses property tax payments to Fleming County. However, there will also be additional sales and income tax revenue generated from the increased earnings and any sales generated within the State of Kentucky. Provide an estimate of these additional tax revenues both during the construction and operational phases of the project.

3. Confirm the total amount of the capital investment for the Fleming Solar Project.

4. Refer to Exhibit D of the “Response to First DR – Exhibits A – J.” This document provides a Representative Construction Schedule. Provide an explanation of what the number 104.0 noted to the right of various activities represents.

5. Refer to Exhibit D of the “Response to First DR – Exhibits A – J.” Exhibit D also provides numbers during each week of construction for each activity. For example, in Week 8, there is a 3 in the Civil Works row and a 1 in the Foundations row. Provide an explanation of what those numbers represent.

6. Refer to Appendix B or the Site Assessment Report (SAR). Confirm that the legal boundary descriptions provided in Appendix B of the SAR describe the land within the Project Area and not the entirety of each parcel depicted in the Parcel Map (Figure 1).

7. Refer to Appendix B or the SAR. Confirm that Fleming Farms, LLC Parcel 030-00-00-017.01 is included in the estimated acreage (830 acres) identified as the Project Area.

a. If it is, provide the total acreage of that parcel since it is not described as a unique parcel in Appendix B of the SAR.

b. If it is, confirm that it is part of Fleming Farms LLC Parcel 030-00-00-017.00.

c. If it was not included in the estimated acreage of the Project Area, but it should be, provide a revised estimate of the number of acres within the defined Project Area.

8. If applicable, provide any instances of any property owners located along Old Convict Road that have brought up concerns regarding property values, specifically related to the location the Fleming Solar Project in combination with the AEUG Fleming Solar Project.

9. If any of the property owners located along Old Convict Road have brought up concerns regarding property values, specifically related to the location the Fleming Solar Project in combination with the AEUG Fleming Solar Project, provide details about how those concerns are being or have been addressed.

10. Refer to Applicant Response V. A. 1. The applicant explains that they cannot provide estimated weights of the trucks for repairs that will/might be needed during the operational phase. Instead, provide a range of weights for those repair trucks.

11. Refer to Applicant Response VII. A. 2. Confirm that no site-specific field studies have been performed at Fleming Solar that would adjust, up or down, the pile-driving noise generation at various receptor distances as set forth in Table 2.

a. If confirmed correct, provide any new justification for not assuming that the EPA and WHO noise thresholds for annoyance (55 dBA and 50 dBA, respectively) would not apply in the instance of Fleming Solar. Without additional information, we will assume worst case impacts.

12. Confirm whether the applicant assumption of ambient noise in the range of 50–60 dBa stems from traffic on the most heavily trafficked road in the vicinity of the Project.


13. Refer to Applicant Response VII. B. 6. The applicant appears to suggest that the noise for a 300-foot distant receptor generated by the HVAC units, the GSU transformer, and the tracking motors are less than the sound from the inverters but that the receptor will only be impacted by the inverters. This implies that there is no cumulative effect, only the sound impact from the loudest noise generator. Confirm or correct our understanding of the applicant response. If correct, site the study or scientific source which supports this assumption.

14. Confirm whether any screening of any type will be provided during construction. If yes, describe when, where, and how.

15. Refer to SAR Appendix D. The Memo “Landscape Review and Recommendations for Fleming Solar Project” included in Appendix D (Visual Assessment) of the SAR states that the landscape design review took several factors into consideration when identifying where a vegetative screen would be needed. One of those factors was described as “site distances to facilities.”

a. Confirm that “site distance to facilities” is a measure of the distance between a residence, business, or road and Project solar panels.

b. Provide the specific distance threshold for determining the need for a vegetative buffer.


_____ for _____
Linda C. Bridwell, PE
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Public Service Commission *on behalf*
of the Kentucky State Board on
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P.O. Box 615
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DATED AUG 05 2021

cc: Parties of Record

Case No. 2020-00370

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