

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)	

ORDER

On May 28, 2021, Fleming Solar, LLC (Fleming Solar) filed its application in this case, together with the \$80,000 application fee, as required by KRS 278.706(5) and 807 KAR 5:100, Section 5. The fee was acknowledged by letter from the Kentucky State Board on Electric Generation and Transmission Siting (Siting Board) dated June 1, 2021. As of September 30, 2021, the Board had accrued \$100,983 in case-related expenses, for a shortfall of \$20,983 as of that date.

KRS 278.706(5) provides, "If a majority of the members of the board find that an applicant's initial fees are insufficient to pay the board's expenses associated with the application, including the board's expenses associated with legal review thereof, the board shall assess a supplemental application fee to cover the additional expenses." Based on expenses so far in the case, inclusive of expenses by the Siting Board's consultant, the Staff estimates probable additional expenses projected as follows:

1. Additional staff and attorneys' expenses not yet processed and still to be incurred of approximately \$8,000; and

2. Additional expenses of \$1,000 for Siting Board members.

The Siting Board finds that these estimated expenses are a reasonable approximation of costs that the Siting Board is projected to realize in reviewing and processing the matter to a final Order. The Board therefore finds that Fleming Solar should pay an additional amount totaling \$30,000 as a supplemental application fee for expenses already incurred and estimated to be incurred.

IT IS THEREFORE ORDERED that Fleming Solar is assessed a supplemental application fee of \$30,000, which shall be remitted to the Siting Board within five days of entry of this Order. The Siting Board requires a certified check or money order made payable to the Kentucky State Treasurer that is delivered or postmarked as mailed to the Office of General Counsel, Public Service Commission, P.O. Box 615, Frankfort, Kentucky 40602-0615, before the deadline.

By the Kentucky State Board on Electric
Generation and Transmission Siting



ATTEST:

A handwritten signature in blue ink that reads "Linda C. Budwell". The signature is written in a cursive style.

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

Case No. 2020-00370

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