# COMMONWEALTH OF KENTUCKY

### BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF FLAT RUN SOLAR, LLC FOR A CERTIFICATE OF CONSTRUCTION FOR AN APPROXIMATELY 55 MEGAWATT MERCHANT ELECTRIC SOLAR GENERATING FACILITY IN TAYLOR COUNTY, KENTUCKY, PURSUANT TO KRS 278.700 AND 807 KAR 5:110

CASE NO. 2020-00272

# NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the

record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on August 11, 2021 in this proceeding;

- Certification of the accuracy and correctness of the digital video recording;

- A written log listing, inter alia, the date and time of where each witness' testimony begins and ends on the digital video recording of the evidentiary hearing conducted on August 11, 2021.

A copy of this Notice, the certification of the digital video record, and hearing log have been served upon all persons listed at the end of this Notice. Parties desiring to

view the digital video recording of the hearing may do so at <a href="https://youtu.be/HiQjBDx2XZI">https://youtu.be/HiQjBDx2XZI</a>.

Parties wishing an annotated digital video recording may submit a written request by electronic mail to <u>pscfilings@ky.gov</u>. A minimal fee will be assessed for a copy of this recording. Done at Frankfort, Kentucky, this 24<sup>th</sup> day of August 2021.

6. Budwell

Linda C. Bridwell Executive Director Public Service Commission of Kentucky

#### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF FLAT RUN SOLAR, LLC FOR A CERTIFICATE OF CONSTRUCTION FOR AN APPROXIMATELY 55 MEGAWATT MERCHANT ELECTRIC SOLAR GENERATING FACILITY IN TAYLOR COUNTY, KENTUCKY, PURSUANT TO KRS 278.700 AND 807 KAR 5:110

CASE NO. 2020-00272

### **CERTIFICATION**

I, Candace H. Sacre, hereby certify that:

1. The attached flashdrive contains a digital recording of the Formal Hearing conducted in the above-styled proceeding on August 11, 2021. The Formal Hearing Log is included with the recording on August 11, 2021;

2. I am responsible for the preparation of the digital recording;

3. The digital recording accurately and correctly depicts the Formal Hearing of

August 11, 2021; and

4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of August 11, 2021, and the time at which each occurred.

Signed this 11<sup>th</sup> day of August, 2021.

Candace H. Sacre Administrative Specialist III

Stephanie Schweighardt Notary Public State at Large ID#: 614400 Commission Expires: January 14, 2023



2020-00272 11Aug2021

Flat Run Solar, LLC (Flat Run Solar)

| Date:         | Туре:                          | Location:                    | Department:            |
|---------------|--------------------------------|------------------------------|------------------------|
| 8/11/2021     | Public Hearing\Public          | Hearing Room 1               | Hearing Room 1 (HR 1)  |
|               | Comments                       |                              |                        |
| Judge: Kent ( | Shandler: Amy Cubhage: John Ly | ons: Talina Mathews: Blanche | Minor: Charlie Rowland |

Judge: Kent Chandler; Amy Cubbage; John Lyons; Talina Mathews; Blanche Minor; Charlie Rowland Clerk: Candace Sacre

| Event Time | Log Event                  |  |  |  |
|------------|----------------------------|--|--|--|
| 9:03:23 AM | Session Started            |  |  |  |
| 9:03:56 AM | Chairman Chandler          |  |  |  |
|            | Note: Sacre, Candace       | Good morning, on the record in Case No. 2020-00272, Electronic<br>Application of Flat Run Solar, LLC for a Certificate of Construction for<br>an Approximately 55 Megawatt Merchant Electric Solar Generation<br>Facility in Taylor County, Kentucky, Pursuant to KRS 278.700 and<br>807 KR 5:110.   |  |  |
| 9:04:20 AM | Chairman Chandler          |  |  |  |
|            | Note: Sacre, Candace       | My name is Kent Chandler, and I am Chairman of the Kentucky<br>Public Service Commission and also serve as Chairman for the<br>Kentucky State Board on Electric Generation and Transmission<br>Siting. I will be presiding today. Joining me today by<br>videoconferencing are five other Siting Board members. In person<br>today joining me is Amy Cubbage, Vice Chairman of the Public<br>Service Commission. Virtually, Dr. Talina Mathews, Commissioner of<br>the Public Service Commission; John Lyons, Deputy Secretary of the<br>Energy and Environment Cabinet, serving as proxy for Secretary<br>Rebecca Godman; Charlie Rowland, Executive Advisor with the<br>Cabinet for Economic Development, serving as proxy for Interim<br>Secretary Larry Hayes; and Blanche Minor, second ad hoc appointee.<br>I don't see Mr. Lyons and Mr. Rowland, I think they may be<br>watching virtually, and I don't think that Judge/Executive Smith was<br>able to make it. |  |  |
| 9:05:24 AM | Chairman Chandler          |  |  |  |
|            | Note: Sacre, Candace       | The hearing today is for the purpose of taking evidence on Flat Run<br>Solar LLC's application requesting a Certificate of Construction for a<br>55-megawatt merchant electric-generating solar facility to be located<br>in Taylor County, Kentucky.  |  |  |
| 9:05:37 AM | Chairman Chandler          |  |  |  |
|            | Note: Sacre, Candace       | At this time, entry of appearance of counsel. For applicant?   |  |  |
| 9:05:54 AM | Atty Dutton Flat Run Solar |  |  |  |
|            | Note: Sacre, Candace       | Greg Dutton, on behalf of applicant, with me this morning Matthew Mooney.  |  |  |
| 9:06:13 AM | Chairman Chandler          |  |  |  |
|            | Note: Sacre, Candace       | For Siting Board Staff?  |  |  |
| 9:06:15 AM | Staff Atty Fell PSC        |  |  |  |
|            | Note: Sacre, Candace       | Jennifer Fell.   |  |  |
| 9:06:16 AM | Chairman Chandler          |  |  |  |
|            | Note: Sacre, Candace       | Public notice not provided?  |  |  |
| 9:06:23 AM | Atty Dutton Flat Run Solar |  |  |  |
|            | Note: Sacre, Candace       | Yes, that's correct. (Click on link for further comments)  |  |  |
| 9:06:35 AM | Chairman Chandler          |  |  |  |
|            | Note: Sacre, Candace       | Also have outstanding confidentiality petition and motion for deviation. (Click on link for further comments.)   |  |  |

| 9:06:45 AM | Chairman Chandler          |  |
|------------|----------------------------|--|
|            | Note: Sacre, Candace       | Siting Board members discussed it, I think we can have subsequent hearing August 26 at 2 pm. (Click on link for further comments.)                                     |
| 9:07:25 AM | Chairman Chandler          |  |
|            | Note: Sacre, Candace       | Do same way, remote hearing on August 26 at 2 pm.  |
| 9:07:34 AM | Atty Dutton Flat Run Solar |  |
|            | Note: Sacre, Candace       | Flexibility with day, witness conflict. (Click on link for further comments.)  |
| 9:07:52 AM | Chairman Chandler          |  |
|            | Note: Sacre, Candace       | Flexibility on that day 9 am or 2 pm.  |
| 9:07:58 AM | Atty Dutton Flat Run Solar |  |
|            | Note: Sacre, Candace       | Witnesses available on 27th, if possibly better.   |
| 9:08:08 AM | Chairman Chandler          |  |
|            | Note: Sacre, Candace       | Don't know if available on 27th. Unable to do hearing with all witnesses on 26th at 9 or 2?  |
| 9:08:23 AM | Atty Dutton Flat Run Solar |  |
|            | Note: Sacre, Candace       | Check with witnesses about 9 am, can't confirm 2 pm. (Click on link for further comments.)   |
| 9:09:13 AM | Chairman Chandler          |  |
|            | Note: Sacre, Candace       | Siting Board preference 26th at 9 am or 2 pm, by lunch file<br>something confirming witness availability or non-availability. (Click<br>on link for further comments.) |
| 9:09:42 AM | Atty Dutton Fox Run Solar  |  |
|            | Note: Sacre, Candace       | Thank you.   |
| 9:09:44 AM | Chairman Chandler          |  |
|            | Note: Sacre, Candace       | We have to enter an order in this case, statutory date end of<br>September or September 28 or 29, not much time. (Click on link for<br>further comments.)              |
| 9:09:58 AM | Chairman Chandler          |  |
|            | Note: Sacre, Candace       | Procedural discussion, briefs. (Click on link for further comments.)   |
| 9:10:23 AM | Chairman Chandler          |  |
|            | Note: Sacre, Candace       | Anything else?   |
| 9:10:38 AM | Chairman Chandler          |  |
|            | Note: Sacre, Candace       | Hearing adjourned.   |
| 9:10:52 AM | Session Ended              |  |

\*Flat Run Solar, LLC 400 W. Main St., Suite 503 Durham, NORTH CAROLINA 27701

\*Gregory T Dutton Frost Brown Todd, LLC 400 West Market Street 32nd Floor Louisville, KENTUCKY 40202-3363