COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF MARTIN COUNTY SOLAR PROJECT, LLC FOR A CERTIFICATE OF CONSTRUCTION FOR AN APPROXIMATELY 200 MEGAWATT MERCHANT ELECTRIC SOLAR GENERATING FACILITY IN MARTIN COUNTY, KENTUCKY PURSUANT TO KRS 278.700 AND 807 KAR 5:110	)	CASE NO. 2021-00029

SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION TO MARTIN COUNTY SOLAR PROJECT, LLC

Martin County Solar Project, LLC, (Martin County Solar), pursuant to 807 KAR 5:001, is to file with the Commission an electronic version of the following information. The information requested herein is due on July 19, 2021. The Commission directs Martin County Solar to the Commission's March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085[1] regarding filings with the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency. All responses in paper medium shall be appropriately bound, tabbed, and indexed. 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

[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.

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.

Martin County Solar shall make timely amendment to any prior response if Martin County 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 Martin County Solar fails or refuses to furnish all or part of the requested information, Martin County 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, Martin County 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 A, Project Map. Confirm whether there are any schools, public or private parks, hospitals, and nursing homes within the two-mile radius of the site.

2. There is a Hunting Access Area that pertains to most of the area east of the railroad and areas within the two-mile radius. This is maintained by the Kentucky Department of Fish and Wildlife Resources. See: https://app.fw.ky.gov/Public_Lands_Search/detail.aspx?Kdfwr_id=7101. Submit an additional map showing the Legacy III Hunting Access Area, roads, and the boundaries of the project site.

3. Refer to Application, Exhibit A. The Exhibit shows six neighborhoods. Confirm whether Martin County Solar used the definition of residential neighborhood as defined in KRS 278.700(6). If no, compare in detail the definition used with the definition in KRS 278.700(6).

4. Refer to the Application, page 6, where only one residential neighborhood falls within 2,000 feet of the "Project's facilities." Confirm which neighborhood falls within 2,000 feet.

a. Confirm whether "Project's facilities" refers to the measurement from the boundaries of the project site or from the project footprint.

b. Confirm whether any other neighborhoods as defined by KRS 278.700(6) are within 2,000 feet of the boundaries of the project site.

5. Refer to the Legacy III Hunting Access Area within the Project's boundaries. Confirm whether Martin County Solar has held conversations with the Kentucky Department of Fish and Wildlife Resources regarding the location of the area. If yes, summarize these discussions.

a. Submit a copy of the most recent lease with the Kentucky Department of Fish and Wildlife Resources for this area.

b. Describe how Martin County Solar will notify hunters the project site is no longer open to hunters.

c. Describe how Martin County Solar will secure the area from damage by hunters.

6. The following questions compare the Application, Exhibit F: Site Assessment Report: Exhibit A "Site Layout Map", to the Application, Exhibit F: Site Assessment Report: Exhibit B "Tax Parcel Map", page 5. Of concern is the different project boundaries for each map.

a. Confirm whether the Site Layout Map has the correct project boundaries for consideration by the Siting Board.

b. Confirm whether Martin County Solar used the Martin County Property Valuation Administration's (PVA) GIS data to determine property owners adjoining the site boundaries.

7. Refer to Application, Exhibit F: Site Assessment Report: Exhibit B: Kirkland Appraisal Report, page 7. Kirkland states that "[t]he data above was compiled using the AcreValue website. According to the Martin County Property Valuation Administration, there is no online GIS for Martin County and AcreValue is a reasonable resource for this information." There are 25 additional parcels in the analysis of the southwest portion of the map that do not adjoin the boundaries laid out on the layout map.

a. Explain in detail why Kirkland was not able to use the Martin County PVA GIS data.

b. Explain and reconcile the significant error caused by the additional 25 parcels when considering only 89 parcels are used in the Kirkland analysis.

8. Refer to the Application, Exhibit F: Site Assessment Report: Exhibit D, Noise Assessment, page 1, item 1.2. Confirm whether there is a pipeline that transects the project site.

a. Describe the location and the ownership of the pipeline, and confirm whether the pipeline is currently in operation.

b. If in operation, confirm the substance transported by the pipeline.

c. Provide the details of any conversations conducted with any parties regarding the pipeline.

9. Refer to the Kentucky Geological Survey Oil and Gas Wells Search (https://kgs.uky.edu/kygeode/services/oilgas/).

a. File an updated site map with all active and inactive oil or gas wells on the proposed site. Also include any gas- gathering pipelines associated with the wells.

b. Determine and confirm whether any of these wells are currently permitted and active.

c. Confirm whether the existence of oil and gas wells and pipelines will require adjustments to the proposed location of solar panels.

10. Refer to the Application, Exhibit E, page 8. Explain why the project evaluation is being conducted for 200 MWac, but the project will utilize a 300 MWdc sizing. Include in the explanation whether it is anticipated that additional solar capacity will be added to the site in the future.

11. Refer to the Application, Exhibit E, page 8.

a. The Inez Substation is owned and operated by Kentucky Power Company. Explain whether the project will inject power into Kentucky Power Company's distribution system or Appalachian Power's system.

b. Explain whether Kentucky Power Company or other American Electric Power affiliates in Kentucky has committed to purchasing the output from the project, and if so, provide a copy of the contract.

c. Explain what unique construction challenges are presented by building the project on reclaimed coal mine land and whether tests have been conducted on the proposed site to determine the suitability of supporting the solar arrays. If so, provide the report explaining the results of the tests.

12. Refer to the Application, Exhibit E, page 8 and 19. If much of the labor force to construct the project will come from outside Martin County, explain why the JEDI model was calibrated to Martin County only and not to include surrounding or more regional counties.

13. Refer to the Application, Exhibit E, page 19. Explain how Savion estimated the percentages of project materials and labor that will be coming from within Martin County and the state of Kentucky.

14. Refer to the Application, Exhibit E, page 19.

a. Explain how the model differentiates between short-term and long-term economic impacts.

b. Explain whether any of the jobs created during the construction phase last beyond the construction phase.

c. Explain whether the 11 jobs created during the project's operational phase are jobs directly employed by the project owners during the operation and maintenance of the solar arrays, and associated facilities. If not, explain how many jobs are directly associated with the operational phase of the project.

15. Refer to the Application, Exhibit E, page 22. Explain whether any of the estimated tax revenue is expected to create any jobs in Martin County. If not, explain what level of economic stimulus is required to create public sector jobs.

16. Explain the process that Martin County Solar will employ to construct the fencing surrounding the boundary of the project and the noise level associated with the construction at the five nearest receptors measured in dBA.

17. Provide a detailed proposed construction schedule.

18. Provide the distance from the substation to the five nearest sound receptors and the anticipated noise level measured in dBA.

19. Provide the distance from the inverters to the five nearest sound receptors and the anticipated noise level measured in dBA.

20. Provide the distance from the tracking motors to the five nearest sound receptors and the anticipated noise level measured in dBA.

21. Provide a description of any 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) that Martin County Solar plans to employ and the associated reduction in noise that each method produces.

22. Provide any studies or guidelines that Martin County Solar relied on to determine that noise levels from the construction and operation of the solar facility are insignificant contributors to the operational sound levels of the site.

23. Detail how many worker commuter vehicles are expected to drive to the project site each day during construction.

a. Detail the number on an average day.

b. Explain whether this number will differ on a peak day and detail the number of vehicles on a peak day.

24. a. Describe in detail the expected maximum weight of the largest vehicles that will be brought to the site during construction (including any materials or equipment that the truck is hauling).

b. Explain whether Martin County Solar has considered additional or different vehicle load requirements at the site based on the site's status as a reclaimed surface mine.

25. Explain where the construction crew, supervisors, and others will park on-site.

26. Detail Martin County Solar's plans for paving (or putting down gravel) for roads associated with the project.

27. Explain in detail where the entrances and exits to the construction site will be located on KY-1714 and KY-1439.

a. Describe which access points will be the primary points of entry and exit into and out of the site during construction and operations.

b. File an updated site map with access points marked. Make this filing in PDF format.

28. Describe any signage and traffic signals that will be present near entrances and exits.

29. Describe how often traffic signaling is expected to be necessary.

30. Confirm whether studies have been done to ascertain the amount of dust created during construction.

a. Explain and detail the level of dust expected and outline the impacts expected during construction.

b. File any relevant studies conducted in PDF format.

31. Confirm whether reclamation of the prior surface mining site been completed.

a. Provide a copy of the reclamation plan for the property in question and the date any such plan was completed.

b. Confirm compliance with all air and water quality laws since the reclamation of the prior surface mining property.

32. Confirm whether any studies have been performed since reclamation of the prior mining property to detect potential toxicity in the soil or surface materials.

a. Detail any concerns regarding the contents of the dust that may be created during construction.

b. File in PDF format any studies referenced in response to Data Request 23.

33. Confirm whether there will be grass or vegetation under and around the panels.

a. Explain any expected problems or concerns regarding the viability of the vegetation that is expected to be planted, due to the amount of soil and/or content of the soil available.

b. Confirm whether the site will be irrigated to promote vegetation.

34. a. Explain in detail how Martin County Solar will accommodate emergency access to the facility.

b. Explain in detail any locks or security features that will be placed on entry points to the facility.

35. a. Explain in detail whether Martin County Solar anticipates increased environmental compliance costs based on the topography, soil, and past usage of the site.

b. Explain whether Martin County Solar expects these costs to be ongoing or only during construction of the facility.

36. Explain in detail all cemetery facilities that may be affected by the project.

a. Confirm whether Martin County Solar has consulted with the county, city, or private individuals regarding access to the cemetery.

b. Confirm what impact, if any, construction and operation may have on access to the cemetery facilities.

37. Explain whether Martin County Solar has consulted with the state regarding plantings on reclaimed surface mine lands.

a. If yes, explain whether Martin County Solar believes their proposed vegetative buffers meet all obligations imposed.

b. If no, explain why and when Martin County Solar intends to have these conversations.

38. Explain, list, or otherwise outline in detail the specific community involvement Martin County Solar has conducted in the area.

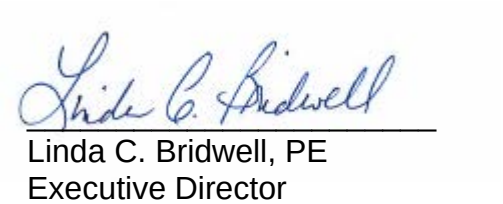
39. Refer to Application, Description of Proposed Site, page 4. The racking system will be supported by approximately 105,000 steel posts installed with combination of pile-driving machines and augers.

a. Confirm whether Martin County Solar has conducted any site testing to determine the stability/compactness of the reclaimed land.

b. Explain whether Martin County Solar have any concerns with the construction and pile driving of these steel post on a mine reclamation site.

c. Confirm whether Martin County Solar is aware of any other solar sites built on a reclaimed mining site and explain those sites in detail.

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



Linda C. Bridwell, PE
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Public Service Commission *on behalf of* the Kentucky State Board on Generation and Transmission Siting
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DATED JUN 30 201

cc: Parties of Record

APPENDIX

APPENDIX TO A REQUEST FOR INFORMATION OF KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING IN CASE NO. 2021-00029 DATED JUN 30 2021

Questions from BBC Research and Consulting

1. Page 2 of the Site Assessment Report (SAR) describes meteorological towers that will be part of the project. Approximately, how many towers will be installed, how tall will they be, and will they be visible from neighboring homes?

2. Page 2 of the Application (Description of Proposed Site) refers to the installation of either single-axis or fixed-tilt racking systems. When does the applicant expect to reach a decision on the racking type to use for this project?

3. Page 3 of the SAR references the AC collection system, which will include "underground and/or overhead segments." When will the plans for the AC collection system be finalized?

4. Page 3 of the SAR references the project substation, which will include one 140-MVA transformer. Approximately how large and heavy will this substation be, and by what route will it be delivered to site?

5. Page 4 of the SAR states, "There is one railway adjacent to the proposed site to the west; however, it is located downslope and will not likely be used for any construction or operational activities related to the Project." Please describe under what circumstances the railway would be utilized by the project, even if unlikely.

6. Page 5 of the SAR states that "it is not anticipated that the Project will need to receive external utility services during typical plant operation." Please describe under what circumstances external services would be required, even if unlikely.

7. Page 4 of Exhibit B of the SAR (Property Values Impact Report) references, "This 100 MW solar farm is proposed to be constructed on a portion of a 4,122-acre assemblage on Petercave Fork Road, Three Forks, Martin County." The 100 MW differs from the 200 MW described in several other parts of the SAR and Application. Additionally, the 4,122 acres referenced differs from the "2,541-acre site" described on page 1 of the SAR. Please explain the differences.

8. Page 4 of Exhibit B of the SAR (Property Values Impact Report) states, "The closest adjoining home will be 1,450 feet from the closest solar panel and the average distance to adjoining homes will be 4,029 feet to the nearest solar panel." This contradicts information elsewhere in both the SAR and Application; for example, the table on page 9 of the SAR, which lists distances from solar equipment to nearest receptors. Please explain the reason for these differences.

9. Pages 101 and 116 of Exhibit B of the SAR (Property Values Impact Report) both refer to the mitigating effect of the project's proposed landscape buffers on viewshed impacts. However, there is no other mention of vegetative buffers in other parts of the SAR or the Application. Please clarify this discrepancy, and provide detail on the plans for vegetative buffers if they are to be used at the project site.

10. Exhibit C of the SAR (Legal Description of Proposed Site) is a large collection of legal documents without any organizational indicators, table of contents, boundary survey, or other navigational aid. Several pages of Exhibit C are not legible. Please provide any navigational aid or document labels to indicate the purpose, origin, and contents of the documents included in Exhibit C.

11. Have representatives of the project met personally with adjoining landowners to hear their thoughts and concerns regarding the proposed project? If so, when did representatives meet with landowners, which landowners did they meet with, and what concerns did landowners express?

12. The SAR notes, "Typical construction equipment is expected to be used for site preparation and infrastructure installation and may include dump trucks, pole drivers, backhoes, dozers, and excavators." (Exhibit D, Noise Assessment, page 4, pdf page 258). Please provide an estimate of the amount of time each type of machine is expected to be in use during construction of the site.

13. Exhibit E, Traffic Impact Study, notes that construction will produce a temporary increase in traffic from construction workers and delivery of equipment and material (Exhibit E, Traffic Impact Study, page 6, pdf page 277.) 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.

14. In the table titled "Surrounding Uses" in Exhibit B of the SAR, several residences identified as bordering the proposed site did not include distances to the closest solar panel. Please provide the distances of these residences to the closest solar panel.

15. In the table titled "Surrounding Uses" in Exhibit B of the SAR, the closest residence to a solar panel is listed as being within 1,450 feet, but Table 1 of Exhibit D of the SAR (Noise Impact Report) identifies the closest residence as being within 590 feet of the nearest panel. Please help reconcile these estimates.

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