

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF SEBREE)	
SOLAR, LLC FOR A CERTIFICATE TO)	
CONSTRUCT AN APPROXIMATELY 250)	
MEGAWATT MERCHANT SOLAR ELECTRIC)	
GENERATING FACILITY AND AN)	CASE NO.
APPROXIMATELY 4.5 MILE NONREGULATED)	2021-00072
ELECTRIC TRANSMISSION LINE IN)	
HENDERSON COUNTY, KENTUCKY AND)	
WEBSTER COUNTY, KENTUCKY PURSUANT)	
TO KRS 278.700 AND 807 KAR 5:110)	

ORDER

On February 17, 2021, Sebree Solar, LLC (Sebree Solar) filed a notice of intent to file an application for Certificates of Construction for an approximately 250-megawatt solar facility to be located near Robards, Henderson County, Kentucky, and for an approximately 4.5-mile, 161-kilovolt transmission line that will connect to the existing Reid Substation, which is owned by Big Rivers Electric Corporation. On the same date, Sebree Solar filed a motion to approve a modified form of public meeting and notice. The motion requests approval for a proposed format of a public meeting that would be conducted to conform to the current public gathering limitations and social distancing requirements imposed during the COVID-19 State of Emergency in Kentucky. Sebree Solar states that the proposed public meeting format would satisfy the public meeting requirement set forth in KRS 278.706(2)(f) and requests a declaration regarding the same.

In particular, Sebree Solar proposes the following process in conducting a public meeting as required by KRS 278.706(2)(f):

1. Project Website: Sebree Solar has developed a website (<https://www.nexteraenergyresources.com/sebree-solar.html>) dedicated to the proposed project which contains the following key information:

- a. A general overview of the proposed project;
- b. Information about solar energy and its impact to health, the environment, and property values as well as decommissioning;
- c. How to get involved in the project;
- d. The website will also provide the date, time, and access information for the virtual meeting;
- e. Contact information and instructions for submitting questions and comments to Sebree Solar regarding the project; and
- f. Summary of frequently answered questions and responses from Sebree Solar's subject matter experts.

2. Virtual public meeting targeted for the week of March 29, 2021: Sebree Solar will conduct a live virtual presentation and question and answer session through a third-party platform with options for attendees to join either by web or by telephone. Sebree Solar's subject matter experts will provide a brief description of the project as detailed in a power point presentation. Participants will have access to the power point presentation and a map of the project. Sebree Solar will also make a large-scale (24 inches by 36 inches) layout map of the solar facility available to the public at the Henderson County Fiscal Court and Webster County

Fiscal Court for three business days prior to the virtual public meeting. Sebree Solar states that it is still confirming the date and time of the virtual meeting but will include such information as well as information on how to access and participate in the virtual meeting in the notice to neighboring landowners and the newspaper advertisement for the project.

Sebree Solar asserts that the proposed public meeting format provides the public with multiple options to attend the meeting and receiving information about the proposed solar facility and therefore satisfies the requirements of KRS 278.706(2)(f), while accommodating the health and safety concerns raised by the current COVID-19 State of Emergency.

Having reviewed the motion and being otherwise sufficiently advised, the Siting Board finds that the protocols and process proposed by Sebree Solar to schedule and conduct its public meeting is consistent with the language and intent of KRS 278.706(2)(f). We note that KRS 278.706(2)(f) requires a completed application to include, among other things, a report identifying the various public outreach engagements performed by the applicant prior to the filing of an application. In particular, KRS 278.706(2)(f) provides, in relevant parts, as follows.

(2) A completed application shall include the following:

(f) A complete report of the applicant's public involvement program activities undertaken prior to the filing of the application, including:

1. The scheduling and conducting of a public meeting in the county or counties in which the proposed facility will be constructed at least ninety (90) days prior to the filing of an application, for the purpose of informing the public of the project being considered and receiving comment on it;

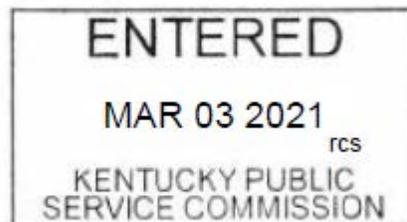
2. Evidence that notice of the time, subject, and location of the public meeting was published in the newspaper of general circulation in the county, and that individual notice was mailed to all owners of property adjoining the proposed project at least two (2) weeks prior to the meeting;

The process and protocols proposed by Sebree Solar for its public meeting strikes a balance in being able to provide information on the solar project development in Henderson and Webster counties and to receive comment from the public on the project as required by KRS 278.706(2)(f), and doing so in a manner that takes into account the current public gathering limitations and social distancing requirements imposed by the COVID-19 State of Emergency in Kentucky. Accordingly, Sebree Solar's motion should be approved as proposed. The Siting Board expects the details of the public meeting that will be reported in the application will mirror the format that has been proposed in the motion.

IT IS THEREFORE ORDERED that:

1. Sebree Solar's motion to approve modified form of public meeting is granted.
2. Within three days of the publication of the public notice, Sebree Solar shall submit a copy of the newspaper advertisement that will notify the public of the proposed public meeting format.
3. Within three days of the mailing of the notice to adjacent property owners, Sebree Solar shall submit a copy of the notice of the public meeting format that is required to be provided to owners of property adjacent to the solar project.

By the Kentucky State Board on Electric
Generation and Transmission Siting



ATTEST:

A handwritten signature in blue ink that reads "Linda C. Bidwell". The signature is written in a cursive style and is positioned above a horizontal line.

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

Case No. 2021-00072

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