

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF RUSSELLVILLE)	
SOLAR LLC FOR A CERTIFICATE OF)	
CONSTRUCTION FOR AN APPROXIMATELY)	CASE NO.
173 MEGAWATT MERCHANT ELECTRIC SOLAR)	2021-00235
GENERATING FACILITY IN LOGAN COUNTY,)	
KENTUCKY PURSUANT TO KRS 278.700 AND)	
807 KAR 5:110)	

SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION
TO RUSSELLVILLE SOLAR LLC

Russellville Solar LLC (Russellville 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 May 2, 2022. The Siting Board directs Russellville Solar to the Kentucky Public Service 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 question to which the response is made and 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

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).

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.

Russellville Solar shall make timely amendment to any prior response if Russellville 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 Russellville Solar fails or refuses to furnish all or part of the requested information, Russellville 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, Russellville 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. Submit a copy of the lease or purchase agreements, including options, separate agreements, or deeds, that Russellville Solar has entered into in connection with the real estate footprint for the proposed solar facility, including the agreements for each of the parcels of the project. To the extent that these documents will be provided under a petition for confidential treatment, provide the unredacted copies of each agreement under seal of confidentiality, in accordance with 807 KAR 5:110, Section 5.

2. Provide a detailed list of any contracts by which Russellville Solar has negotiated to pay, contracted to pay, or paid, any compensation, whether cash or otherwise, to non-participating landowners near the project. Include the terms of that agreement and which properties are involved in terms of distance to the project boundaries.

3. Provide in specific detail the status of any applications for zoning changes or conditional use permits that are required for this project.

4. Provide in specific detail the status of any litigation involving this project in state or federal court, or before an administrative agency other than the Siting Board.

5. Refer to the Russellville Solar Site Assessment Report (SAR) Exhibit E, Noise and Traffic Assessment. Set forth the distance from receptors to the nearest panel tracking motors and the anticipated dBA of tracking motor noise at the residential receptors nearest to the project, assuming 78 decibels at 50 feet, as described in Section 2.3.1 of the Noise Assessment.

6. Refer to the SAR Exhibit E, generally.

a. Provide the hours of operation and days of the week construction activity will occur during the construction phase.

b. Explain whether any of the potential noise receptors have voiced or submitted comments regarding potential construction noise, and if so, provide copies of Russellville Solar's response.

c. Explain whether Russellville Solar plans to notify noise receptors of when construction will be occurring nearby and the expected duration of that activity before that activity moves to another part of the project footprint.

7. Refer to the SAR Exhibit E, page 3 and Appendix, Figure 4.
 - a. Of the approximately 113 noise receptors within a half-mile radius of the project site, state how many are participating in the project.
 - b. Given the typical existing noise levels, provide an estimate of the ambient noise levels at each of the noise receptors.
 - c. Given the typical noise levels, explain how it is determined that the additional noise from construction activity is deemed to be a nuisance and, thus, in need of mitigation.
8. Refer to the SAR Exhibit E, pages 3–4 and Appendix, Figure 4. Provide an updated Figure 4 and a list of non-participating noise receptors within the half-mile radius of the project property boundary. In the update, set forth the distance from each noise receptor to the property boundary, maximum anticipated noise level at the property boundary, solar panel platform pile driving sound levels at property boundaries, maximum anticipated noise level at the noise receptor, and the point of the maximum noise generation. Provide a contour map related to Figure 4 with dBA sound level contours around noise generating areas.
9. Provide a table or graphic containing the distance and anticipated sound pressure level dBA during the construction phase at each non-participating residence within 500 feet of pile driving activities.
10. Provide a table or graphic listing the closest non-participating residences to the substation. Include in the table the distance between the residence and the substation and the anticipated sound pressure level dBA at the residence.

11. Provide any studies or guidelines that Russellville 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.

12. State the number of pile drivers that will be in use at the same time.

13. Refer to the Application, Attachment G, pages 1–2.

a. Provide an update on the status of the proposed Payment In Lieu of Taxes (PILOT) agreement with Logan County.

b. Provide an update on the status of Logan County’s decision whether to issue an Industrial Revenue bond (IRB).

c. Explain whether an IRB can be issued by the county as well as the Commonwealth of Kentucky, and the different implications, if any, for the project.

14. Refer to the Application, Attachment G, pages 3–4.

a. Provide an estimated breakdown of the number of direct project jobs by occupational type similar to the table on page 3 and the associated local wage rates anticipated for the project.

b. Explain whether the prevailing jobs and wages in Logan County as of 2021 are representative of the jobs breakdown in the Attachment.

15. Refer to the Application, Attachment G, page 6. Confirm that the estimated \$189,000 in occupational tax payments is over the life of the project.

16. Refer to the Application, Attachment G, page 6. Provide an estimate of state sales and income tax revenue as a result of the project.

17. Refer to the Application, Attachment G, page 5. Expanding the IMPLAN model to a five-county region produces an additional 93 jobs during the construction

phase. Provide estimates of the expanded tax revenues, if any, as a result for the expanded territory.

18. The proposed Project is in an area classified as intense karst by the Kentucky Geological Survey. Explain whether a geotechnical study of the site has been conducted to determine if any karst formations will affect the construction or siting of the solar facility. If so, provide a copy of the study.

19. Describe the nature and outcome of any contact between Russellville Solar and South Logan Water Association concerning the water line along Watermelon Road and any right of way of that entity.

20. The Logan-Todd Regional Water Commission has a 24" transmission line for finished water along the railroad track bordering Russellville Solar's proposed Project. Describe the nature and outcome of any contact between Russellville Solar and the Logan-Todd Regional Water Commission, including any determination as to whether the water line right of way runs alongside the railroad track leased by Applicant.

21. Refer to Application Attachment A, Context Map:

a. Clarify how many residential neighborhoods are shown on the map within the two-mile radius from the project.

b. Explain whether these neighborhoods have been identified using the definition in KRS 278.700.

c. Provide the number of neighborhoods identified, including the number within the two-mile radius and the number outside it.

d. Provide an updated map showing radii at 1,000 feet, 2,000 feet, and one mile in addition to the existing two-mile radius, and mapping the locations of the

substation/point of interconnection and the O&M building described in the Application page 12.

22. Refer to Section 1 of the SAR, Description of Proposed Site:

a. Explain whether the sufficiency requirements for existing vegetative buffers, as described in Logan County Ordinance No. 19-920-06, An Ordinance Establishing Minimum Setback Requirements for Solar Farm Installations in Logan County, as amended in Ordinance 22-920-03 (February 22, 2022) (Logan County ordinance amendment) are the same as for new vegetative plantings, that is the equivalent to a "double row of eight-foot-high trees" as described in the SAR page 5.

b. Explain what entity or entities will determine the sufficiency of existing vegetation in providing a visual screen of the site. Explain the expected method of participation in such decisions by the adjacent neighbors, the applicant, and Logan County.

c. Explain how Russellville Solar will ensure vegetative screening is adequate around the site perimeter if existing vegetation is present but insufficient.

d. Explain whether Russellville Solar intends to compensate eligible neighboring landowners if they waive the vegetative buffer requirements, and if so, describe the form and amount of that compensation.

23. Describe the nature of input or feedback provided to Logan County by Russellville Solar regarding the Logan County ordinance amendment, including the number of interactions that any Russellville Solar representative had with Logan County representatives, the nature of those interactions, including presentations, meetings, phone calls, emails, and the topics discussed prior to the passage of that amendment.

24. Refer to Section 2 of the SAR, Compatibility with Scenic Surroundings that states the panels will have anti-reflective coatings and that visual impacts from nearby vantage points are expected to be minimal. Provide information as to any professional advice from a specialist regarding this glare assessment. If no outside expert information was sought, describe the nature of Russellville Solar's in-house assessment on glare and its potential severity, particularly in the morning and afternoon commuting times.

25. Refer to the first paragraph of Section 2 of the SAR, Compatibility with Scenic Surroundings:

- a. Explain where and why site lighting is required.
- b. Describe the number, height, lumens, direction, and placement of all lighting components.
- c. Describe the times of day that lighting would be in use, as well as whether lighting at the site would be a daily, weekly, or other occurrence.

26. Refer to the SAR Exhibit A, Property Value Impact Report page 4 that refers to a 208 MW solar farm on 1,612 acres. The application and the SAR from Russellville Solar states that the project would be 173 MW on 1,088 acres. Explain this discrepancy and confirm the size of the project.

27. Refer to Section 4 of the SAR, Anticipated Noise Levels at Property Boundary:

- a. The section states that construction would primarily occur during daylight hours. Define what 'daylight hours' means in terms of clock times, and whether those hours would vary during the construction schedule or at different times of the year.

b. Describe any exceptions in which construction would take place outside of these hours.

c. Provide the estimated time in days required to install the overhead fiber-optic wire near to the Springfield-Logan transmission line. In particular, state during how many days a helicopter is expected to be used at the site.

28. Describe the sheep operations that will occur onsite during the operational life of the project, including the impact of those operations on both noise and traffic. Disclose how large the herds will be that will be grazing on the site, how often shepherds will require access to the site, how often herds will be transported to and from the site and what vehicle class will be required to transport the sheep.

29. Refer to Exhibit D of the SAR, Preliminary Site Layout:

a. Provide an update to this map with a closer-scale map of the project site to allow for adequate viewing of the locations of site access points.

b. Explain the color-coding of the receptor icons.

30. Refer to Section 5 of the SAR, Effect on Road, Railways, and Fugitive Dust.

a. Provide the number and approximate weight classes of the heavy and light duty trucks anticipated on site per day during the construction phase.

b. Provide detail regarding the estimated weight of the project's required substation transformer and the truck class necessary for its delivery

c. Provide detail regarding anticipated peaks in equipment deliveries throughout the construction period, as well as ebbs and flows in the number of workers on site across the duration of the construction phase.

d. Confirm that the anticipated duration of the construction phase is 18 months.

31. Describe and provide any correspondence that Russellville Solar had with the Kentucky Transportation Cabinet regarding road weight ratings for heavy deliveries to the site and any anticipated road/shoulder damage or mitigation measures.

32. Describe and provide any correspondence that Russellville Solar has had with the Logan County road department regarding the proposed project, traffic impacts, and heavy deliveries to site.



Linda C. Bridwell, PE
Executive Director
Public Service Commission *on behalf*
of the Kentucky State Board on
Generation and Transmission Siting
P.O. Box 615
Frankfort, KY 40602

DATED APR 11 2022

cc: Parties of Record

*James W Gardner
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507

*Logan Chick
Judge Executive Logan County
P.O. Box 365
200 West 4th Street
Russellville, KENTUCKY 42276

*M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507