

**From:** [PSC Executive Director](#)  
**To:** [REDACTED]  
**Subject:** PSC Case 2021-00127  
**Date:** Friday, January 28, 2022 3:31:00 PM  
**Attachments:** [Hardin Solar Bef and After.pdf](#)  
[iBV Site Photo.pdf](#)  
[Project IBV Solar Farm.pdf](#)

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Thank you for your comments on the application of Rhudes Creek Solar, LLC. Your comments in the above-referenced matter have been received and will be placed into the case file for the Commission's consideration. Please cite the case number in this matter, 2021-00127, in any further correspondence. The documents in this case are available at [View Case Filings for: 2021-00127 \(ky.gov\)](#).

Thank you for your interest in this matter.

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**From:** [REDACTED]  
**Sent:** Wednesday, January 26, 2022 3:28 PM  
**To:** Gillig, Gretchen (PSC) <[Gretchen.Gillig@ky.gov](mailto:Gretchen.Gillig@ky.gov)>  
**Subject:** For Vice Chairman Cabbage Re: PSC Case 2021-00127

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3438 Hardinsburg  
Road  
Cecilia, KY 42724  
January 26, 2022

PSC Electric Generation and Transmission Siting Board  
Vice Chairman Amy Cabbage  
211 Sower Boulevard  
Frankfort, KY 40602  
Re: Case # 2021-00127

Dear Vice Chairman Cabbage,

I spoke at the Informal Meeting you held on January 10, 2022, in Elizabethtown regarding Rhudes Creek Solar, LLC; case # 2021-00127. I also watched the virtual formal hearing on January 13, 2022. Thank you again for holding the local public meeting.

There is another important point I would like to address. Kentucky Statute 278.704 provides setbacks for Merchant Electric Generating Facilities, "the proposed structure or facility to be actually used for solar or wind generation shall be required to be **at least one thousand (1,000) feet from the property boundary of any adjoining property owner** and two thousand (2,000) feet from any residential neighborhood, school, hospital, or nursing home facility." Obviously, this distance was chosen by the state for specific reasons. However, section 3 allows Planning and Development for individual counties to determine their own setbacks. Hardin County adopted setbacks that allow solar farms in zone A-1, with 100 foot setbacks. These setbacks are only one-tenth of the state setbacks and I feel they are totally inappropriate for a farming community and non-industrial zone. I understand that solar installations are a new "beast" in most places and government officials probably do not have the expertise to set reasonable requirements for these installations. I believe the intent of section 3 was to allow further increases to setbacks should the local P&D deem it necessary, but not to completely disregard the state minimum setback established by

law.

Is there a manner in which the Siting Board can require and/or enforce minimum setbacks established by KRS278. 704 section 2 for new installations? As Vice Chairman, would it not be appropriate to request documentation from Hardin County P&D on why they chose not to follow the minimum State setback standards and their justification for 100 ft setbacks? Much of Kentucky is being bombarded by solar companies looking to acquire farmland because it is the easiest land on which to build their facilities. We really need guidance and assistance to set the correct standards for these Merchant Electric Generating Facilities.

I have attached photos of farmland, with solar panels superimposed, as it will look if these projects are approved without the minimum state setbacks of 1,000 feet or 2,000 feet. This photo is of farmland under lease by the second solar company currently proposing to build in Cecilia (and Glendale). The company is Hardin Solar, LLC, PSC case # 2021-00312 and represents similar issues with Rhudes Creek case# 2021-00127.

Respectfully,

Daniel Feeser  
President  
Hardin County Citizens for Responsible Solar, Inc.



**Hardin solar Project – PSC # 2021- 00312  
Area before and after solar panels applied  
per P&Z setbacks.**





Grey farm Looking North to Rt.86 – IBV Site



Projected Industrial solar project

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