

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF SEBREE)	
SOLAR II, LLC FOR A CERTIFICATE TO)	
CONSTRUCT AN APPROXIMATELY 150)	CASE NO.
MEGAWATT MERCHANT SOLAR ELECTRIC)	2022-00131
GENERATING FACILITY IN HENDERSON)	
COUNTY, KENTUCKY PURSUANT TO KRS)	
278.700 AND 807 KAR 5:110)	

SITING BOARD STAFF'S REQUEST FOR INFORMATION
TO SEBREE SOLAR II, LLC

Sebree Solar II, LLC (Sebree Solar II), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on June 30, 2026. The Siting Board directs Sebree Solar II 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.

Sebree Solar II shall make timely amendment to any prior response if Sebree Solar II obtains information that indicates the response was incorrect or incomplete when made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which Sebree Solar II fails or refuses to furnish all or part of the requested information, Sebree Solar II shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied or scanned 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, Sebree Solar II shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Provide a status update for the project.
2. Explain the difference between the non-controlling equity investment transaction compared to the other anticipated transactions that have already been approved by Siting Board for this project.

3. Explain to the Siting Board why a non-controlling equity investment transaction is needed.

4. Explain why this transaction does not constitute a transfer of ownership or control that is contemplated under Mitigation Measure 28 in the final Order.²

5. Explain whether, if this transaction is approved, the tax equity transaction will affect the way Sebree Solar II is operated or its ability to comply with Siting Board's mitigation measures.

6. Explain whether the tax equity investors will have direct control over the project.

7. Explain which entities will have direct and indirect control over the Sebree Solar II project.

8. Explain whether the project could move forward if the non-controlling equity transaction is not approved.

9. Explain the statement contained in Sebree Solar II's motion that this transaction is very analogous to the Tax and Back Leverage financings that were previously approved by the Siting Board when this transaction requires Next Era Energy Resources, LLC (NEER) to be transferred to a new formed limited liability company that was not an original party to the case.

10. Explain how Sebree Solar II is going to ensure that the newly formed limited liability company that NEER is going to be transferred to does not have any environmental violations.

² Order (Ky. PSC Oct. 12, 2023), Appendix A at 6.

11. Explain how Sebree Solar II is going to ensure that the newly formed limited liability company that NEER is going to be transferred to will comply with decommissioning requirements pursuant to KRS 278.710(8).



Linda C. Bridwell, PE
Executive Director
Public Service Commission *on behalf*
of the Kentucky State Board on
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DATED JUN 22 2026

cc: Parties of Record

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