

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF BANJO CREEK)	
SOLAR LLC FOR A CERTIFICATE OF)	
CONSTRUCTION FOR AN APPROXIMATELY 120)	CASE NO.
MEGAWATT ELECTRIC GENERATING FACILITY)	2023-00263
IN GRAVES COUNTY, KENTUCKY PURSUANT)	
TO KRS 278.700 AND 807 KAR 5:110)	

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

Banjo Creek Solar LLC (Banjo Creek), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on October 20, 2023. The Siting Board directs Banjo 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.

Banjo Creek shall make timely amendment to any prior response if Banjo Creek 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 Banjo Creek fails or refuses to furnish all or part of the requested information, Banjo Creek 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, Banjo Creek 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 leases or purchase agreements, including options, separate agreements, or deeds which Banjo Creek has entered into in connection with the proposed solar facility, including the agreements for each of the parcels of the project.
2. Detail any contracts by which Banjo Creek has paid, has negotiated to pay, or any compensation paid to non-participating landowners, whether cash or otherwise,

near the project. Include the terms of the agreements and which properties are involved in terms of distance to the project boundaries.

3. Provide a schedule for the project, starting from the receipt of the proposed certificate for construction to the completion of the project, including the length of each construction phase. Include when the peak construction would occur within the timeline.

4. Refer to the Application, Record of Environmental Violations at unnumbered page 16. Provide the entities with a direct ownership interest in Banjo Creek. Also provide the corporate structure of those entities.

5. Provide a list of permits that will be required from any other local, state, or federal agencies for the project. Include in the response the status of those permits.

6. Refer to the Site Assessment Report (SAR), Appendix C, Preliminary Site Layout. Provide a one-page site map that contains the locations water features, including rivers, streams, lakes, and ponds. Also include any known or suspected karst features.

7. Explain whether the perimeter security will be we installed according to National Electric Safety Code (NESC) standards. Include in the response whether the fencing will be installed before any electrical work begins.

8. Provide the security measures for the operations and maintenance (O&M) areas and substation within the project's boundaries.

9. Explain whether any existing structures on the project site will be demolished during construction.

10. Refer to the SAR, Appendix C, Preliminary Site Layout. Explain whether there will be vegetation clearing for construction. Provide in the response the number of acres that will be cleared and any permits that will be required.

11. Refer to the SAR, Appendix C, Preliminary Site Layout. Provide the species of plants that will make up the vegetative buffer.

12. Refer to the SAR, Mitigation Measures at unnumbered page 13. Provide any mitigation measures Banjo Creek proposes because the project is located within a floodplain.

13. Confirm Banjo Creek has been in contact with the United States Army Corps of Engineers or United States Fish and Wildlife in regards to this project. If there has not been contact, provide when the contact will occur.

14. Provide a copy of the stormwater management plan for the project.

15. Provide any geotechnical reports for the project.

16. Refer to the Application at unnumbered page 21. Provide a copy of the Groundwater Protection Plan.

17. Refer to the SAR at unnumbered page 12. Provide the results of any field study that has been conducted to locate any historic or cultural resources were found on the project site. If the field study has not been completed, provide when it will be completed.

18. Refer to the Application, Attachment A, Context Map. Also refer to the SAR, Appendix C, Preliminary Site Layout. Provide a list of any cemeteries located within the 2,000-foot radius of the project and within the project boundaries. If there are cemeteries located within the project boundary, provide the setbacks from the cemetery.

19. Provide any communication with local emergency services on security and emergency protocols during construction and operations. If contact has not been made, explain when that contact will occur.

20. Provide who will control access to the site during construction and operations.

21. Refer to the SAR, Appendix D, Noise and Traffic Assessment Study. Provide:

a. Provide the weight limits of each local roadway to be used for construction traffic.

b. Provide the weight and width restrictions of all bridges that exist along State Route 564 South.

c. Provide the number of worker vehicles traveling to the site each day during construction.

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

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

22. Explain whether any traffic stoppages will be necessary to accommodate large truck deliveries. If yes, provide the expected locations, frequency and length of those stoppages.

23. Provide any communications with the Graves County Road Department regarding permits or agreements necessary for the project. If no communication has been initiated, explain when that contact will occur.

24. Provide any communication with the Kentucky Transportation Cabinet District Engineer regarding permits or agreements necessary for the project. If no communication has been initiated, explain when that contact will occur.

25. Refer to the SAR, Appendix D, Noise and Traffic Assessment Study. Provide any traffic management plans that have been created for project construction.

26. Detail any communications with members of the public, including neighboring landowners, regarding construction noise.

27. Provide an Electrical One-Line diagram of the Project.

28. Provide information on the specifications, model number, and cutsheets of the photovoltaic (PV) cell/solar panels to be used.

29. Provide information on where the PV cells/solar panels and the plant equipment are manufactured.

30. Provide the following information regarding the battery storage system:

- a. Safety data sheets for the energy storage system.
- b. The environmental impact of the batter storage system.
- c. Expected life of the batteries.
- d. Method to dispose of batteries at the end of the useful life.
- e. How the battery storage system installation will comply with National

Fire Protection Association Standard 855.

31. Provide information on any fiber optic or communication network installed as a part of the project and any excavation that may be required for the installation.

32. Provide the planned time for construction to begin and end each day. Explain how Banjo Creek plans to mitigate arrivals and departures to minimize disruption to the area.

33. Provide any communication representatives of Banjo Creek have had with any of the property owners surrounding the project. Explain whether any changes have been made to the project based upon those concerns.



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 OCT 05 2023

cc: Parties of Record

Case No. 2023-00263

*David T. Riley
Grumley, Riley, & Stewart, P.S.C.
1634 Broadway
Paducah, KENTUCKY 42001

*Jonathan Flemings
Director of Development
Banjo Creek Solar LLC
1900 South Blvd.
Suite 306
Charlotte, NORTH CAROLINA 28203

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

*Jesse Perry
Grave County Judge Executive
101 East South Street
Mayfield, KENTUCKY 42066

*Rebecca C. Price
Sturgill, Turner, Barker & Moloney
155 East Main Street
Lexington, KENTUCKY 40507

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