

October 13, 2025

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OCT 17 2025

Kentucky Public Service Commission
211 Sower Boulevard
PO Box 615
Frankfort, KY 40602

PUBLIC SERVICE
COMMISSION

Re: Rebuttal to Geenex testimony at Evidentiary Hearing October 2, 2025 2024-00337

Dear Siting Board Commissioners:

I would like to provide the following comments on the information presented by Wood Duck Solar.

It appears the majority of the questions should have been prefaced with "**hypothetically speaking**" because Geenex really doesn't know what the Engineer, Procurement and Construction (EPC) new buyer/owner will actually do and to speak to such is **hypothetical**. I think it unacceptable that Geenex didn't provide the name of buyer of the project as I believe the new buyer should have been on the stand answering the questions.

There were too many deferments to count from Geenex staff and they seemed unprepared to answer the questions with accuracy. It also seems Wood Duck Solar has no income stream and therefore, employees are being paid from another source of funds that were clearly not identified. Until this LLC can establish funding, roots and ties in Kentucky, disclosure of investors, it seems the project should be "dead in the water."

I was concerned that a majority of the questions from the commission members and commission staff seemed to portray a presumption of correctness from the company and the paid consultants. It seemed that in many of his reports, he regurgitated what the Geenex paid consultants had said while giving little credibility and time to the writings, research and concerns of the citizens. If his job is to be an objective party, we respectfully ask for consideration of each letter, report, article, petition, map, exhibit, etc. that has been submitted as part of the public record.

We found many errors in their research:

- Using different levels to measure noise such as DbA_{Leq} and forgetting major equipment which hides the true decibels of the noise
- Using receptors and not providing addresses for cross reference
- Using latitude and longitude to keep residents from knowing the addresses
- Not addressing the glare study with accuracy
- Untruthful conclusions on wildlife and endangered species and the impact of Mammoth Cave on the economic viability and survivability of our region

- Using a real estate study that never addressed a project like this one in shape or size, or even in our state.
- Using an economic study that repeatedly stated “little impact” and does in no way justify the bogus conclusions of economic impact. Dr. Coomes refused to share his dataset when asked and suggested I speak with Wood Duck. He could not provide any data for his \$15 million dollar impact increasing property values from \$17,000 to \$378,000.
- Using an Interconnectivity study that is over 5 years old with no clear information as to what it will cost Wood Duck for their share of the upgrades
- Not providing the commission with a copy of the Wetlands Study which discloses the underground tributaries and waterways and flood plains.
- Not providing the commission a copy of the Critical Issues Analysis
- Using a traffic study that didn’t include all of the roads and focused on the Cumberland Parkway which does not have an exit or entrance ramp in the project area
- Disclosing and naming a solar panel and company and now walking it back once the lead was exposed

And the list continues...

If the Commission approves this application, there is no way to ensure the new EPC will comply with all conditions and concerns expressed by the community and we hope a majority of the concerns will be listed as conditions on the project. We ask the commission to consider our comments and research as if it were coming from a paid consultant and legal personnel. We are simply a grass roots group that loves our community and believe this project to be one of immense harm to our scenic values, property values, economic viability, and a threat to our water, soil, crops, homes, and environment.

I believe it is tremendous responsibility for the Commission to approve a sale even though statute provides limited oversight. Who is going to protect Barren County? Of course, the new LLC will have a clean environmental record which is “certified” by a letter...and they will certify they have experience and the financial ability to complete the project.

How will the commission ensure the company is responsive to damages and protecting our delicate ecosystem?

Who will review the sales contract between Geenex and the new EPC to ensure all conditions are transferred and that each lease is included in the sales contract to ensure the landowners’ contracts will not be changed? Has anyone on the PSC reviewed the unrecorded memorandum of lease between Wood Duck and the landowners? It provides multiple avenues for Wood Duck to simply walk away from paying the landowner. They can also reduce the payments. They can also sublease finance the property. These are 19 page agreements which are not recorded and I am going to venture the PSC has not been provided with a copy. There is a recorded lease at the court house which references this unrecorded agreement which will “rule” in the event of a conflict. Why would any honest company

require a separate and secretive agreement? The ones I have located were signed in January 2023 by Juergen Fehr, owner of Geenex Solar. The unrecorded leases contain a nondisclosure clause.

What will the commission do to ensure that Wood Duck has sufficient funds to provide lease payments to the landowners as soon as the energy is turned on? How will the commissioners evaluate the rent/lease portfolios? How will the commission ensure the "new owners" accept the rent portfolio liabilities and will honor all terms and conditions? There are many loop holes in the leases which allow the LLC to walk away from paying the landowner. How will the commission ensure the landowners will be protected?

There seems to be confusion as to the length of the project. The lease memorandums with the landowners are for 20 years, with the option to renew in 5 year increments for 4 terms. The average life of a solar panel is @20 years. Depending on the quality of the panels, they may only last 10 years and then the company will have to remove the old panels and pay to recycle them and install new panels.

Please require that all panels who have reached the end of life must be recycled. Absolutely nothing can be placed in the landfills.

Why are we accepting financial numbers from Dr. Coomes based on 40 years? Why are we accepting decommissioning projections based on 40 years? If the project life is 40 years, then the decommissioning bond must include inflation for land restoration in 40 years. Please allow absolutely no credits for salvable components.

To accurately assess the financial ability of this company and this project, we would need to know estimated replacement cost in 20 years and does Wood Duck have the financial resources to set this contingency fund? Oh, wait, it will be another company. So, we will have to ask them these questions.

What is the commitment to examine and replace panels as needed due to wear and tare and/or damage? Dirt on the panels can cause them to overheat, crack, break and catch on fire. Where is the commitment to ensure the surrounding homes, farms, structures, crops and livestock are protected?

For those in opposition to this project, we were pleased that Geenex admitted that Wood Duck is a **shell company with no assets, employees or experience** (thus a clean environmental record). There seemed to be an effort to distance Wood Duck from Geenex Solar, Inc. We trust the PSC will not allow this to happen because the basic foundation – the leases between Wood Duck and the landowners – are signed by Mr. Juergen Fehr and he is the owner of Geenex. Without Geenex Solar, Wood Duck has no experience, no assets, or income. Any future litigation will need to be directed toward Geenex as the parent company and noted in the PSC ruling.

It was great to hear Geenex admit to five applications in Kentucky, several of which were never completed. Please request a report on each. What is the current name and who is the owner of each???? I believe at least one is owned by the Government of France.

I wish the Commission had inquired about other projects that are in development stages in KY and other states and detailed what efforts they will take to ensure Geenex has the financial capability to complete the projects.

Barren County Judge Executive Jamie Byrd has stated there will not be an IRB or Pilot agreement from Fiscal Court. This must be agreed to by the new buyers.

We as the community are requesting that the commission verify that Wood Duck has the finances to complete this project, post the bonds, secure payments to the landowners, pay for the interconnectivity upgrades, etc. before proceeding. These funds need to be provided in an account in KY. Similarly, Wood Duck has multiple projects in planning stages in other states. How will the PSC ensure they have sufficient funds and are not supplanting funds from one project to another?

Geenex using another shell company called Cobia Solar had a large proposed commercial solar energy facility in Decatur County, Indiana denied by the county zoning in August 2025. They have others in the planning stage such as Dolphin Solar in Fountain County, Indiana. Rainbow Trout was denied. Lake Trout Solar was just sold to EDF (Electricite de France and owned by the French Government – refer to letter from Ann Stephens regarding this admission by Aaron Caudill). Geenex seems to be talented at getting applications through the hurdles and bureaucracy, but we know little about the landowners and the actual compliance issues. I have noticed several filings requesting that the PSC seal the leases to avoid disclosure of participants.

We were pleased that Wood Duck admitted they are a **pre-development company** and **they will sell the project before construction**. We were pleased they admitted to starting 5 projects in Kentucky, all under different names and sold to other companies, some owned by foreign governments.

We implore the commission to examine the 5 projects and who they have been sold to as this is a reflection on the integrity of the developer. In Barren County, this company has zero integrity, especially after the acting charade by Aaron Caudill on the stand, trying to discredit the Amish community.

In 2020, Geenex sold 20 projects to EDF which is owned by the government of France. EDF is owned by the Government of Portugal, EDV is owned by the government of Vietnam. They sold at least two in Kentucky to France. Mn8 Dev Co LLC 3 is a NEW company and I have found very little factual information, just the spin that is it a “spin off of Goldman Sachs.” I can’t find investors or owners or country or origin. Mn8 bought Bluebird in Harrison County, KY

Underground Storage and water tanks: The community does not know where these will be located or the location of the 35 inverters. The question remains as to how they will cool the inverter stations and how much water and electricity will be needed? Can solar energy cool the inverter rooms? Where are

the batteries? What is the noise level on each of these and how far are they from houses. The noise study was completed before these 35 locations were identified.

As of this date, Wood Duck has failed to address batteries and what type of storage systems will be used. It seems everything is dependent on a new substation and direct feed. What if that plan fails or falls behind schedule? Due to concerns from Mammoth Cave and the public at large, we must ensure that there are absolutely no battery storage units anywhere in the project.

It is my understanding that Wood Duck did not provide any maps or project information to the scientist at Mammoth Cave, choosing to talk broadly with "assurances" they will consult with the Army Corp of Engineers, Fish and Wildlife, etc. The cave has no regulatory role in this matter, but as good citizens of the Commonwealth we MUST ensure the cave is protected. The cave, as of this writing, has chosen not to respond. Therefore, their concerns are still valid and must stand. Why would we take the slightest risk?

During the evidentiary hearing, Wood Duck had to admit this project is through **8 residential neighborhoods**. This is a catastrophic design and their witness tried to explain this is "normal" but I encourage the commission to review Kirkland's Property Evaluation. There is nothing in his study that resembles this "mess of a design" in Barren County. And, his study offers not ONE before and after comparison. Not one.

Industrial Solar does not belong in residential neighborhoods surrounding homes, farms, churches, cemeteries, etc. And the areas that are not residential is land that is farmed to feed America. We cannot risk toxins, heat, runoff, shards, etc.

Wood Duck missed the Amish school that needs to be protected. If they had "talked" with them, like Caudill said they did, they should have learned this. Caudill's false testimony is just another indication of why this company can't be trusted. There are other letters and documents on file with the commission regarding these comments.

Wood Duck missed many homeowners who work from home and run home businesses that should not be subjected to the noise, dirt, heat, toxins and glare from this project.

Decommissioning: Again there was discussion on is it a 40 year project? It appears Geenex/Wood Duck likes to quote revenue based on 40 years, but this is not realistic for the life of the panels. What is the "replacement cost schedule" and how is the commission and community insured the "owner" at that time will replace the panels? That cost must be factored in. Also, if nuclear energy takes off between now and then, these will be obsolete and will need to be removed? Remember, the unsigned leases allow Wood Duck to walk away if the deal is no longer financially feasible.

Also, please specify that all underground wiring must be removed even if deeper than 3 feet. The decommissioning plan says anything above 3 feet will be removed. What is to keep them from digging 3

feet and 1 inch and the underground wiring will stay. Please clarify this in writing. **ALL must be removed** and ensure this action is included in the decommissioning bond. It is proposed in the decommissioning plan, exhibit I, that this will be @60,000 linear feet which is over 11 miles. This will increase the decommissioning estimate. Wood Duck will need to revise and the commission must allow for inflation.

Wood Duck failed to address churches and cemeteries and other areas of concern. Wood Duck referenced Woodland Church. I hand-delivered to the Commission a letter from the pastor, Wayne Wells who stated he had no contact with them. This also affects the cemetery that surrounds his church and his home is also affected.

We welcome a **storm water prevention plan** because this area floods all the time. Please develop that and let's have community discussion. The ford on Denton Road floods, Denton Road, Millstown Road, Apple Grove Road, Dripping Springs Road, New Bowling Green Road and many others have water over them frequently. How they believe a plastic silt control fence is going to protect the "Little Sinking Creek" which flows to Mammoth Cave is preposterous. This is a WOTUS and many underground tributaries flow to it. And when the storm water prevention plan doesn't work, who can the citizens sue? Who can the government sue? Wood Duck has no assets. Can Geenex be sued?

Vegetation Screenings: Wood Duck never really answered this question. They must choose trees that are at least 4 feet from the "ball" of the tree as many of the balls are 12-14 inches and planted in the ground. Previously submitted letters have made specific request relating to plantings that we would prefer in our community. The community had zero input in any of the designs.

The discussion of two acres of pollinators is a bit ridiculous. Two acres out of 2,300??? Seriously? We respectfully request that they build at least 500 acres of pollinators on the land which will not be 'under solar cover' which appears to be @1,200. So, there should be 1,000 acres they have under contract and they can designate this as **pollinator plots** and pay the landowners for the usage. It would be up to Wood Duck and their successors to maintain the areas.

Fences have been addressed in previous letters. It must be Class A Industrial Strength Fence with contingencies funds allocated to repaint it in 10 years. The wire frames around each panel and holding each panel will also rust. Rust creates Zinc Oxide which is deadly to crustaceans in the water. This alone will kill the Kentucky Shrimp.

Please ensure a long term maintenance plan and a replacement cost schedule is needed and the costs secured by a bond. This would be separate from a decommissioning bond.

Doesn't it seem strange, there are 28 parcels of land, yet Wood Duck needs 20 access points? That shows how non-contiguous this project design is. The access roads have been addressed in previous letters as to how small and winding with no shoulders and in residential neighborhoods with children

and many at-home elderly. These roads are often traveled by the Amish on horse and in horse and buggy.

The Substation: The substation at Bon Ayr is mentioned **one** time in the minutes from the meeting with Barren County Planning and Zoning. In text messages with Barren County Judge Executive on October 4, 2025, she stated this was the **FIRST** she had heard of it.



Also, during the hearing, did Darrell Burks disclose he is a landowner in the project and will make hundreds of thousands of dollars from the project? He is the only landowner to speak at both hearings. He does not reside in Barren County and will never have to look at the mess.

Perhaps the Public Service Commission is under the understanding that we have planning and zoning in the county. **We do not.** We have a commission that only addresses setbacks. However, in the minutes from the meeting in which the Wood Duck solar project was approved, they incorporated all of the reports from Wood Duck as staff recommendations and findings. However, the minutes reflect that there were only 4 questions from the entire 13 member body about the project with hundreds of pages of reports.

I believe a substation should fall under the state law requirements of 1,000 feet. However, with this plan, the residents on Bent Creek Road will have a substation @600 feet away from their homes and from the many names on the petitions and letters, they did not KNOW. This is unacceptable.

Maybe Ad Hoc Commissioner Tommy Gumm, as chair of the planning committee can explain how this is appropriate to homeowners.

The Interconnectivity Reports need to be updated with current financial estimates on the financial commitment from Wood Duck; as well as, other commitments from the other contributors (LG&E, PJM, DUKE, TVA, etc.). If the additions, such as a new substation aren't made, the project would have to resort to battery storage which is unacceptable to the community and Mammoth Cave. There have been at least two battery fires at solar developments in the last 30 days. We are fearful for our community because of the small water line sizes (four inch will not support a fire hydrant), the closeness of the panels to nonparticipating properties (10 feet) creating a potential for the fires to transfer.

We concur that a **SHPO study** is needed. We have Bells Tavern and the Victorian Inn, several historic churches and cemeteries. Merry Oaks is the site of a race track from the 1800's that marveled Churchill Downs.

There was discussion that this project will include **"monitors"**. In the financial analysis by Paul Coomes, he states the project may include 3.2 full time jobs over the life of the project. The community would like to see a job description, title and compensation for this employee and the funds secured, at least for 2-3 years) from Geenex to provide this position. As I recall, Wood Duck has no assets and will not be the company to develop the project, so this will need to be required of the new buyer? What happens if they do not want to hire a monitor? How will the community be protected? What if they just refuse to hire a monitor?

It is also believed the Geenex/Wood Duck does not have a power purchase agreement at this time.

There are several developments in KY and I know of none that have a "monitor". I do know that the one in Meade County has weeds taller than the panels. I know the one in Summershade has dead trees all around it.

But just listening at the discussion on the responsibilities, it sounded like everything from monitoring, physical eye examinations of the panels, sheep herding, grass cutting?? This needs to be clarified and the community assured that the commission will ensure that every concern is completely addressed with the new buyer and that a vacancy will result in fines to the project. Otherwise, they can simply refuse to staff the position.

The discussion on **complaint resolution** seemed premature since the project isn't approved. However, the public would like to have a copy and be able to provide input. It would seem the best solution is to call Jeurgan Fehr, our county judge executive, our planning commission chair and the individuals who

have approved the project? How many complaints does it take to request a stop work order? Please include this provision in the complaint resolution.

There should also be a provision that if the community files in court and wins, the developer must pay all legal expenses. It's ridiculous to think the community can afford to fight in court when these are million dollar companies. The community should be compensated for pain and suffering.

There are multiple churches in the project area; as well as our Amish community which conducts church services and funerals at their homes. We need a requirement there will be no noise when a body is placed within the church or home.

The allegations against the Amish will be addressed in a separate letter. The evidence will prove that **Aaron Caudill has perjured himself on the stand and his entire testimony must be deleted. It is also noted that Mr. Caudill is not welcomed in Barren County because of his attempt to excuse his and his former co-workers lack of inclusion to the community by creating a story of being threatened and slandering the Amish community.**

The level of trust with this company is a negative zero and we have no confidence they will sell it to a company who will have our best interest.

Deputy Secretary Lyons was super correct when he noticed the Wood Duck flier had the date of August 16, 2024. They created a flier with the wrong date!!!! The first information meeting was August 22, 2024. And yes, leases were signed in 2023 before the deforestation began. (Project was approved by planning and zoning December 18, 2023 and the public had zero input. Believe me, we would have been there.)

I personally called Aaron Caudill on February 25, 2025 at 3:49 p.m. and asked why they were cutting down the trees. I also inquired about sublease financing in the agreements and he hung up on me. Said, his wife was calling. He never called back.

And yes, Deputy Secretary Lyons, we do have bats in this area. We have owls and eagles in this area. We have many migratory birds that forage in this area and their food sources and shelters will be gone.

The **Critical Issues Analysis** states two federally endangered species, 17 state endangered species and 20 state-threatened species and one federal candidate species that has the potential to occur (page 1-1) and **this is in the project area!!** The county has more of everything; yet there was no representation from Fish and Wildlife at the hearing and the Critical Issues Analysis has not been addressed by the Commission.

"Cardno scientist identified 11 forested wetlands, 8 emergent wetlands and 34 ponded wetlands total 46.85 acres. Two perennial streams and 2 intermittent streams and 18 ephemeral drainages were identified, totaling 63,254.99 feet of waterways within the project area." (page 1-1)

"There are two named streams with the project area: Little Sinking Creek and Gardner creek. From the perspective of observable aerial imagery, both streams and their tributaries are entirely within the Little Sinking Creek sub watershed..." (page 1-1) Little Sinking Creek drains to the cave and on to Green River, a water source for several communities.

We are asking for every precaution to be taken to protect our waterways for the cave and for our farmers who use the water for crops, irrigation and cattle; as well as the Amish who use the water for daily needs.

Deputy Lyons stated Mammoth Cave wasn't happy. He is correct. Advocates reached out to the cave in early 2025 and they in turn reached out to Wood Duck who never returned their calls as noted in their letter and in text messages between Kelley Pope and Barren County Judge Executive Jamie Byrd. Wood Duck stated in correspondence with Byrd, "No approval is needed and none will be sought." We do not believe Wood Duck has provided complete and accurate data to the cave. Wood Duck did not provide a map to the cave or any specific information relating to panels, batteries, designs, protections, etc.

Deputy Lyons, please help us save our lands and animals. And while the fine to Geenex/Wood Duck is greatly necessary, should there be some sort of mitigation plan with one tree for one tree? The screening buffers they are proposing are 15 feet apart...change this. Require the road frontage setbacks dense with trees.

I would like to state I believe there is a **procedural error** in the Commission suggesting the Wood Duck obtain a letter from Mammoth Cave. Will they donate to the Park Rangers and everything is then okay? How can the Commissioners solicit a letter from the Cave? These seem to be a violation of ethics.

Mammoth Cave has spoken. Until they are provided with specifics and their scientist and the US Department of Energy and the US Department of Agricultural have input, this project should cease.

The community does not believe the statements from Wood Duck and believe it is relevant that the cave has not issued any additional statements.

Concerns on AD Hoc Committee appointment and lack thereof

We realize Mr. Gumm is appointed as chair of our local planning commission, a position he has held for many years (@1997) while managing one of the largest construction companies in the area. He is currently managing/bidding/building the new judicial center for the county that will be @\$50M and works closely with our current county judge executive who has accepted donations from the solar developer. Are these concerns which should be submitted to the state Ethics commission to ensure Mr. Gumm does not have a conflict? Will he do the bidding of the county judge executive?

He voted to approve the zero feet set-a-sides and he voted to approve the project with all reports from Wood Duck incorporated under staff findings and recommendations.

I find it disturbing that, according to the minutes from the December 2023 meeting with Barren County Planning and Zoning that Mr. Gumm asked one of the four questions that were asked. "Chairman Gumm asked to verify that the Kentucky Game and Fish will be engaged and consulted in regard to all endangered/threatened species and bird mitigation issues."

"Kelley Pope, Manager of Project Development with Geenex, said that they would have to be included at the **State PSC meeting** and that Geenex would abide by all requirements pertaining to the endangered/threatened species list."

I attended the evidentiary hearing and there was no representative from Fish and Wildlife present. Mr. Gumm – please re-direct your question to the Commissioners and ensure Barren County is protected. If Pope has provided inaccurate information, please hold Geenex accountable

We respectfully ask that he put aside his hat of "planning and zoning chair" and listen to the letters and signatures of the hundreds of residents who have voiced opposition. I don't believe in the history of Barren County has there been a more concerted effort to unite against a project.

The Critical Issues Analysis was not submitted as an Exhibit by Wood Duck, so I have submitted one as part of the public record. Please review....it is very important to our community. Barren County is known for our love of nature, our caves, lakes, agriculture and beautiful scenic views.

On the stand, **Aaron Caudill** was less than truthful when he said that they (he and Pope) completed a **HALF MILE** door knocking. Please refer to Application Information, #21, page 8-9 in the list of community activities, it states that in **June 2023**, they did a **QUARTER mile door knocking campaign**.

Let's think this through. **Half mile versus quarter mile** in a 20-30 mile project which touches nearly 80 adjoining landowners. In June 2023, what could they have possibly told individuals? They had not submitted the application to planning and zoning until December 18, 2023. Guess they could have said, "Hey, we're here and still trying."

If you read the letters on the portal and review the dates on the petitions, you will discover **when** people have learned about this project, and you will reach the conclusion that the public did **NOT KNOW** about this project.

I will contend the Quarter Mile Door Knocking may have been just 2 houses spaced far between in the country.

A few landowners have stated that Wood Duck approached them about participating. Once you said no, that was it. If you didn't sign on, that was the end of the conversations. They never went back to

explain the project was moving forward. In fact, the “unrecorded lease agreements” contain a 19 sentence non-disclosure clause.

Do we believe they knocked on any doors after the initial, “Hi, we’re looking for participants?” No we do not and the evidence supports that greatly in the letters and petitions.

Commissioner Mary Pat Regan inquired about who was at the public meetings and they said “subject matter experts” which we contend wasn’t a true statement. They were employees, some were brand new employees. They didn’t even have a solar panel on site. No one could take home a map. They had no handouts. People left there upset for being talked down to. Several letters alluded to this.

Commissioner Regan inquired about Round-up. Please refer to the Canadian Solar Installation Manual for the type of solar panel selected. (Canadian Solar which I submitted previously). The panels contain lead. Solar panels contain a variety of harmful chemicals and metals. We have submitted scholarly articles to the siting board from various sources as to the chemicals and the health hazards. The installation manual specifically states which chemicals can harm the panels and if neighboring farmers use weed preventive chemicals and there is overspray, the panels can overheat. PLEASE read this. If they overheat and malfunction, they can catch fire. It’s in the installation manual.

“Farming 101” is that not every farmer uses chemical weed preventive sprays, so it is easy for people who are unfamiliar with farming to judge harshly and incorrectly. If a farmer uses chemical sprays, they are careful to use it before rain so that it doesn’t wash away and will be more effective. They may spray once or twice during a growing season, which is usually the summer months when the weeds are more prevalent.

Cattle, goat and sheep farmers hardly ever use roundup. Roundup is used to control weeds in the crops. Crop season is a few months out of the year and not every farmer has crops and not every farmer sprays for weed control.

An interesting fact: several of the landowners who are participating in the solar project were beneficiaries of the CLEP program, a program in which the government paid them money not to farm and to preserve the land. Now, they have found another way to earn a check by destroying the land and cutting down trees.

Farmers who raise gardens for domestic purposes may not use any roundup. What the solar company is proposing is tremendously more dangerous to the environment and food sources.

There is no comparison between roundup and the toxic chemicals in a solar panel. There are different applications for industrial and commercial farming versus farming as a homestead.

This project is bringing over 204,000 solar panels the size of garage doors into the community. Each one has the potential to break, produce glass shards, leak and leech for 20-30-40 years, every day, all day.

We in the community are relying on an employee of the “new owner” to monitor and inspect the 2,300 acres and ensure nothing is broken? This threat is there every day for the duration of the project and until they are removed from the land.

Additionally, the solar panels must be cleaned from moss, mold, pollen, dust, environment dust, leaves, etc. Wood Duck has not adequately or accurately addressed how they will keep the panels clean and what chemicals they will use nor provided any projections on the amount of water that will be used and the chemical runoff this will create. In Barren County, if you set any glass outside, it will be covered in mold, pollen, leaves, dust...it's a fact.

Steve Hazel testified that he has never seen glass shards and he attempted to explain there are no containments. He failed miserably. He also stated the EPA doesn't classify solar panels as hazardous. That too, is incorrect.

First, here is the official statement from the **Potato Growers of Michigan**. Michigan has a lot of developed solar fields and have found that the panels leave metal and plastic in the soil and therefore cannot be used for potato farming.

Public statement from potato growers of Michigan on solar energy development and land use

The Potato Growers of Michigan, Inc. (PGMI) recognizes the growing role of renewable energy in our state's future and supports the rights of landowners to make decisions about how their property is used. As strong proponents of personal property rights, we respect each landowner's freedom to enter into agreements that align with their values and needs.

That said, PGMI believes solar energy development must be approached thoughtfully, with a clear focus on responsible siting and long-term land use impacts — especially when productive farmland is involved.

We urge policymakers, developers, and communities to prioritize solar siting on rooftops, industrial lands, and other areas not well suited for farming. With smart planning, it is possible to advance clean energy goals while preserving Michigan's high-quality agricultural soils for future food production. Organizations like the American Farmland Trust have outlined principles for "smart solar" development that align energy generation with land stewardship and food security — an approach we strongly support.

One critical concern relates to food safety. When solar panels and systems are eventually removed, small fragments of plastic and metal may remain in the soil. For crops like potatoes, which grow underground, this poses a unique and serious risk. Tuber vegetables can readily engulf foreign objects, creating contamination hazards that impact not just growers, but also processors and consumers. Ensuring clean, safe soil is critical for maintaining the integrity of Michigan's food supply.

Additionally, we are deeply concerned about the use of federal subsidies by energy companies to secure land contracts. These subsidies allow companies to offer prices that are up to ten times higher than fair market value, using taxpayer dollars to artificially inflate land prices. This practice creates an uneven playing field, making it nearly impossible for farmers — particularly beginning and next-generation farmers — to compete for farmland. It also risks long-term harm to Michigan's agricultural economy and land access.

PGMI supports a balanced approach to renewable energy development — one that respects private property rights, protects farmland, ensures food safety, and uses public funds responsibly. PGMI urges policymakers, local governments, and energy developers to work collaboratively with the agricultural community to ensure that renewable energy solutions are implemented in ways that protect farmland, promote food safety, and sustain our rural economies for generations to come. — May 2, 2025

So, this establishes items are left in the soil when decommissioned, but this is also true if there is breakage which can occur from storms, hail, gunshot, overheating, and just simply breaking which was recently documented by the solar industry....**they are breaking from Texas to Thailand.**

Mr. Hazel, Geenex's testified he had never seen a glass shard. The leading magazine in the world for photovoltaic solar panels JUST said, opps,... they break....

"How to mitigate solar glass breakage" published in Photovoltaic Magazine June 2025.

Solar modules are getting bigger, thinner, and more powerful. But from **Texas to Thailand**, the same problem is appearing: broken glass. Not from hail or mishandling, but from cracks that spider from frame edges, splinter near clamps, and web across modules. In cases seen by Jörg Althaus, director of engineering and quality assurance at Clean Energy Associates (CEA), it starts with a **few panels – then dozens, hundreds, even thousands.**



Image: Kalhh

Clean Energy Associates has investigated glass breakages at utility-scale solar sites across three continents. It has found that there isn't a single root cause, but a perfect storm: thinner glass combined with design shortcuts, evolving materials, and field realities that stress modules beyond what was simulated in the lab.

For years, the industry relied on single-glass modules made with sturdy, fully tempered 3.2 mm glass. But the push toward bifacial modules, combined with the appeal of lower material costs and slimmer profiles, led many manufacturers to adopt 2.0 mm double-glass designs using heat-strengthened but not fully tempered glass on both sides.

Two sheets of 2 mm glass should match the strength of one thicker pane, on paper. In practice, modules are now more fragile. **These thinner sheets don't just flex, they bend and**

bow like diving boards when subjected to wind loads and tracker movement. They're more sensitive to where and how they're clamped. Push too hard, too close to the edge, and the stress builds invisibly. The larger the module format gets, the more pronounced these issues become. More surface area means more deflection, more vibration, and more potential for tiny weaknesses to transform into full-on fractures.

"...Glass fragments literally popped off a module during routine maintenance weeks after the initial fracture. The cause? A combination of internal tension and poor edge grinding, with no outside force to blame."

Lab report

CEA has recreated these breakages in controlled testing and confirmed that even **modules certified to pass industry module testing standard IEC 61215 can fail under real-world stress.**

Certification gap

The current standards were designed for yesterday's modules. While dynamic testing was added to IEC 61215 in 2021, it's still not widely applied. When it is, it often doesn't replicate real-life mounting configurations that projects use in the field.

CEA has seen cases where clamp positions in lab tests differ from the field, leading to stress concentrations in completely different areas.

Substructure flexibility, especially in long-span, tracker-mounted systems, introduces torsion that certification tests don't account for. Torque settings during installation also vary significantly in the field and can create unaccounted-for stress at clamp zones.

As a result, modules that pass IEC 61215 tests may still fail in actual deployment, not because they're defective, but because the certification regime doesn't fully reflect the mechanical realities of today's solar systems.

Even when everything else looks right, hidden defects can tip the balance. In several investigations, we've found tiny air bubbles or foreign particles embedded in the glass. These micro-enclosures are **invisible at a glance but can act like time bombs – stress concentrators that weaken the glass just enough to let a fracture propagate.**

For toughened or heat-strengthened glass, surface stress is normal. However, we've seen variation in this surface stress, which indicates that not all glass is manufactured the same way. Heat strengthening processes may also vary. Without serial traceability for the glass itself, tracking these issues back to a specific batch, line, or shift is nearly impossible. That makes systemic prevention harder than it should be.

Stress cocktail

The takeaway is that glass breakage isn't caused by one thing, it's caused by five or six things happening at once: a slightly bent module, slightly over-torqued clamps, slightly under-supported spans, slightly thinner glass, slightly flexible racking.

Each of these might be survivable in isolation, but when combined with added temperature, wind and hail stress, it can be too much for the glass to withstand.

This isn't a mystery anymore. The next step is applying that knowledge across the industry. Addressing these risks requires a coordinated effort from designers and manufacturers to EPCs and asset owners.

The promise of double-glass modules is real. Better longevity, better moisture protection, higher energy yields. But those benefits won't materialize if we keep underestimating the mechanical realities of large, thin-glass panels mounted on flexible structures.

Solar is scaling up fast and the systems deployed today will be out there for 30 years or more. Let's make sure the glass can last that long.



About the author: Jörg Althaus is director of engineering and quality assurance services at Clean Energy Associates (CEA). An electrical engineer by training, Althaus has spent over 20 years overseeing inspections of solar equipment in deserts, typhoon zones, and factory lines across four continents. His current work focuses on identifying systemic risks in modern PV module design – especially those that hide in plain sight until the glass shatters.

So, we have the food industry speaking against solar and research about breaking panels from **Texas to Thailand** – and recent research!!

The next inconsistency from **Steve Hazel** is the EPA doesn't classify solar panels as hazardous waste.

From the EPA website: Are Solar Panels Hazardous Waste?

Hazardous waste testing on solar panels in the marketplace has indicated that different varieties of solar panels have different metals present in the semiconductor and solder. Some of these metals, like lead and cadmium, are harmful to human health and the environment at high levels. If these metals are present in high enough quantities in the solar panels, solar panel waste could be a [hazardous waste](#) under [RCRA](#). Some solar panels are considered hazardous waste, and some are not, even within the same model and manufacturer.

Overview of Hazardous Waste Regulations

Federal solid and hazardous waste regulations (i.e., [the RCRA requirements](#)) apply to solar panels when they are discarded. When a solar panel reaches the end of its usable life or is otherwise discarded, it becomes **solid waste**. Solid waste is regulated federally under [RCRA Subtitle D](#) and through state and local government programs.

The discarded solar panel, which is now considered solid waste, may then also be regulated under [RCRA Subtitle C](#) as **hazardous waste** if it is determined to be hazardous. The most common reason that solar panels would be determined to be **hazardous waste** would be by meeting the [characteristic of toxicity](#). Heavy metals like lead and cadmium may be leachable at such concentrations that waste panels would fail the [toxicity characteristic leaching procedure \(TCLP\)](#), a test required under RCRA to determine if materials are hazardous waste. If the generator of the solar panels knows from previous experience that the material would fail the TCLP test, they can determine that the waste is hazardous without the need for testing.

While heavy metals are present in most solar panels, there are a variety of manufacturers and models, with different materials used as semiconductors. Because of the variation in design and components, testing has shown that some solar panels may pass the TCLP while others fail.

[Hazardous waste solar panels that are recycled](#) may be able to use regulatory exclusions available under RCRA, including the transfer-based exclusion (Title 40 of the Code of Federal Regulations section 261.4(a)(24)) in states that have adopted the [2015 or 2018 Definition of Solid Waste Rule](#). The transfer-based exclusion is a regulatory exclusion for [hazardous secondary material that is recycled](#), as long as certain criteria laid out in the regulations are followed. This conditional exclusion is designed to encourage recycling of materials by third parties while still providing a regulatory framework that prevents mismanagement.

Source: WWW.EPA.GOV

The EPA classifies industrial photovoltaic (PV) panels based on whether they contain high enough concentrations of **toxic metals, such as lead and cadmium**, to be **considered hazardous waste** under the Resource Conservation and Recovery Act (RCRA). This determination is often made by performing a [Toxicity Characteristic Leaching Procedure \(TCLP\)](#) test to see if these metals leach above regulatory limits, simulating landfill conditions. While most silicon-based solar panels are not classified as hazardous, thin-film panels may be, due to their higher concentrations of these metals. The EPA is *proposing* to add most solar panels to the [universal waste regulations](#) to provide a more practical management system for all solar panel waste.

Who at Wood Duck or the “new company” will be here in 20-30-40 years for the end of life to answer the Toxicity Characteristic Leaching Procedure test???? But more importantly, WHO will be there to replace panels that reach the “end of life” early due to damages?

In Henderson County, the Unbridled Solar Farm was vandalized by gunfire, damaging 32 panels, with the [Henderson County Sheriff's Office](#) investigating the incident. This follows substantial damage from a spring hail storm that affected roughly 4,000 panels at the same farm. The company suspects the shootings occurred at night about a month prior to the August 2025 reports. Doesn't sound like they have a 24-7 hour monitor????

Residents have said the solar panels are just piled up and leaking and leeching. I hope someone is suing. Copy attached.

May I ask the commission to require Wood Duck and the "new company" to monitor 24-7 and that the "new" company will be responsive and will remove the broken panels quickly? This is in a residential area with people, livestock and crops.

Hazel did not provide the make and model of the solar panel nor the country of origin. His explanations of cadmium and cadmium telluride were in accurate. A simple Wikipedia search proves this.

https://en.wikipedia.org/wiki/Cadmium_telluride_photovoltaics#

Cadmium

Cadmium (Cd), a **toxic heavy metal** considered a **hazardous substance**, is a waste byproduct of mining, smelting and refining sulfidic ores of zinc during [zinc refining](#), and therefore its production does not depend on PV market demand. CdTe PV modules provide a beneficial and safe use for cadmium that would otherwise be stored for future use or disposed of in landfills as hazardous waste. Mining byproducts can be converted into a stable CdTe compound and safely encapsulated inside CdTe PV solar modules for years. A large growth in the CdTe PV sector has the potential to reduce global cadmium emissions by displacing coal and oil power generation.^[55]

Tellurium

[Tellurium \(Te\)](#) production and reserves estimates are subject to uncertainty and vary considerably. Tellurium is a rare, **mildly toxic** metalloid that is primarily used as a machining additive to [steel](#). Te is almost exclusively obtained as a by-product of copper refining, with smaller amounts from lead and gold production. Only a small amount, estimated to be about 800 metric tons^[56] per year, is available. According to [USGS](#), global production in 2007 was 135 metric tons.^[57] One gigawatt (GW) of CdTe PV modules would require about 93 metric tons (at current efficiencies and thicknesses).^[58] Through improved [material efficiency](#) and increased PV recycling, the CdTe PV industry has the potential to fully rely on tellurium from recycled end-of-life modules by 2038.^[59] In the last decade^[when?], new supplies have been located, e.g., in Xinju, China^[60] as well as in Mexico and Sweden.^[61] In 1984 astrophysicists identified tellurium as the universe's most abundant element having an [atomic number](#) over 40.^{[62][63]} Certain undersea ridges are rich in tellurium.^{[63][64]}

Cadmium chloride/magnesium chloride

The manufacture of a CdTe cell includes a thin coating with [cadmium chloride](#) (CdCl₂) to increase the cell's overall efficiency. **Cadmium chloride is toxic**, relatively expensive and highly soluble in water, posing a potential environmental threat during manufacture. In 2014 research discovered that abundant and harmless [magnesium chloride](#) (MgCl₂) performs as well as cadmium chloride. This research may lead to cheaper and safer CdTe cells. ^{[65][66]}

Safety

By themselves, cadmium and tellurium are toxic and carcinogenic, but CdTe forms a crystalline lattice that is highly stable, and is several orders of magnitude **less toxic** than cadmium. ^[67] The glass plates surrounding CdTe material sandwiched between them (as in all commercial modules) seal during a fire and do not allow any cadmium **release unless the glass is broken.** ^[68] ^[69] All other uses and exposures related to cadmium are minor and similar in kind and magnitude to exposures from other materials in the broader PV value chain, e.g., to toxic gases, lead [solder](#), or solvents (most of which are not used in CdTe manufacturing). ^{[70][71]}

Recycling

Photovoltaic modules can last anywhere from 25 – 30 years. **Improper disposal of PV modules can release toxic materials into the environment.** ^[73]

But this is not just improper disposal – **ANY breakage OR leak OR leech WILL release toxins in over 240,000 panels in this residential and farming area.**

Commissioner Chair **Angie Hatton** asked about the \$10,000 donation to **Beautify Barren County**, but skipped the \$2,000 donation to our county judge executive's other nonprofit, **Helping the Hardworking**. As a note, the \$10,000 is the largest "known" donation to the community.

Barren County has many nonprofit organizations. We have the Community Relief Fund, Arc of Barren County, Salvation Army, Goodwill Industries, Disabled Veterans, BRAWA, American Red Cross, Habitat for Humanity, Restore, Bridge Kentucky, Community Action of Southern KY, Ralph Bunche Community Center, YMCA, Barren County Youth Services Center, Big Brothers and Big Sisters, Barren County Extension Service, Cattlemen's Association, Butterflies for Mattie, Next Step Glasgow, Pathfinders Food Pantry, Barren River Area Child Advocacy Center, The Center for Courageous Kids, United Way, House on the Hill and many others.

How Wood Duck managed to **select two of the county judge executive's** is quiet a quandary.

Commissioner Hatton asked about the number of acres to be cleared. I believe Wood Duck answered 233. This is inconsistent with what the consultant stated in the Critical Issues Analysis on page 3-1. It states there are 449.37 acres of deciduous forest and 46.88 of mixed forest in

the project area. This is 496.24 acres of wooded land and the maps show a tremendous amount of woodlands that will be covered in solar. This was never reviewed with the community and now that we know, we are opposed due to the wildlife that live in this area and the fact that trees are essential to a healthy community.

Steve Haze stated the new substation will be near the existing Bon Ayr station. This is assuming PJM is still prioritizing a substation. Without the substation, I believe we are back to battery storage, something that is opposed by the park system and every resident whose home will be surrounding with solar panels within 10 feet or property lines.

He stated that access roads will be gravel and they don't erode during construction? That is a complete mis-statement. Gravel erodes with every rain and will wash into the roads and neighboring yards. Who will residents call about this and what is the plan to fix each yard and stream?

Wood Duck's explanation of what **they think** an EPC may do for monitoring is completely **hypothetically speaking**. They cannot guarantee how they will monitor the system or respond.

Please ensure that the **3 crossings of wire** across the Cumberland Parkway are buried and ensure the new owner is aware of this requirement and is compliant.

It seemed there was not real decision on the substation and who will actually own it and since the design will not be completed until there is an EPC, it seems, we had the wrong company in the room.

Wood Duck referenced an O&M building/pole barn structure. Is that identified on the map? How long will it be there? Who will maintain it? Who and when will damaged panels be removed from the land? They cannot be stored in the corner of the property.

Deputy Commissioner Lyons: Yes, the panels are **toxic**. Wood Duck listed the make and model of the solar panel they intend to use in the decommissioning plan. The installation states they have lead!! The Material Data sheets should be reviewed. The company, Canadian Solar has numerous human rights violations.

They do break. They do product shards. Evidence has been submitted.

Panels can be recycled for a price, but not in KY. How do we know the new company will do this as panels reach their end of life prematurely?

Has anyone asked about the chemicals inside a panel and how the company disposes of the chemicals when there is a break/leak? How are these chemicals collected and disposed of?

I encourage the commission to review the decommissioning plan for Bluebird in Harrison County, which was a Geenex Project and recently sold. In that project, the decommissioning plan was manipulated allowing them a credit and as a result, Bluebird did not have to post a bond or security. Since Geenex will hire the same consultant for Wood Duck, wonder if the numbers will be the same?

Current E-Sign  [Backbird_Not_decommissioning_Plan](#)

Document Summary

The Decommissioning Security will be in accordance with Kentucky House Bill 4.⁵

3.5 Decommissioning Cost Estimate

It is anticipated that using the methods explained throughout this Plan, the overall plant decommissioning costs may be fully recovered by component salvage values. The estimated total costs are summarized below with a detailed breakdown in Appendix B.

Table 3.1: Decommissioning Estimate – Annual Inflation of 1.44% - Year 35 EOL

Value	Cost
Total Disassembly, Deposition, and Site Restoration Cost	\$8,967,392.10
Total Salvage Value	\$9,423,312.25
NET DECOMMISSIONING COST	(\$455,920.15)

⁵ Kentucky House Bill 4, Chapter 140 Section 3, Item (m)(4). [https://www.kysenate.gov/legislation/bills/2014/0040/Document/20140040.pdf](#), Accessed June 21, 2023.

⁶ Ibid. Item (m)(5).

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It is ridiculous to allow a 90% credit on salvageable items. These items depreciate quickly.

So, this is how the developer avoids posting a bond or security for decommissioning. I don't believe we have a project in KY that has advanced to a 5 year re-assessment. By then, it is probable that the company will have been sold multiple times.

There is tremendous financial exposure in this process for the landowners and the community

Hazel said the new buyer will decide at the end of life if the panels will be recycled or placed in a landfill. **We ask the commission to require recycled**, at whatever cost, to wherever they need to be hauled. This additional cost should be included in the decommissioning plan and allowing for inflation of 40 years.

The community would like to be involved with Fish and Wildlife when a hearing is scheduled.

The noise study is apparently incorrect based on the numbers Chad Martin provided. For monitoring the construction phase, we need a map with each home/address that shows where the panels will be and how far they will be from **the property line, the house, the barn, ponds**, etc. Same for inverters and any underground storage, landing areas, water tanks, etc. The public needs to know this, as does the Code Enforcement in Barren County. Otherwise, the NEW buyer will do whatever they choose and the public will have no record.

The notation of a 50 feet buffer for Little Sinking Creek is not applicable in a karst environment where there are 83 wetlands and 73 streams with the majority flowing to either Sinking Creek or Little Sinking Creek. Any contamination on any parcel will impact the waterways.

Richard Kirkland attempted to explain his appraisal study, but his study was properly analyzed by Barren County resident Nancy West. I ask the Commission to review her comments. Kirkland did not provide ONE before and after comparison. He studied no other project in similar design and scale and he studied nothing in KY that compares. He doesn't even have all of the KY projects listed. This is an old study that he keeps sending and it keeps getting accepted as cutting edge.

His study also failed to factor in the "commercial zoning" that is required in order for the county to be paid more taxes (AND MEET THE \$15 MILLION projections by Dr. Coomer, UofL). The research should focus on inserting commercial industrial energy compounds in residential areas. Kirkland did not study commercial solar developments in rural scenic areas. He placed no emphasis on sight, choosing "smell" in his analysis.

Aaron Caudill failed to mention that the notices and the public information sessions were AFTER the project was approved by Barren County's planning commission. His description of door knocking and public outreach have been disproved by MULTIPLE comments on file and MULTIPLE signatures on petitions where people have listed when they first learned of this project.

One would think with their \$130 million budget, they could do a better job of informing the surrounding landowners and engaging the public.

Caudill's account of the Amish incident is completely false and I ask the Commission to sanction this developer and employee for these actions. .

Paul Coomes once again added confusion on the project life span. Is it 20-30-40? Coomes made his projections using 40 years...and Wood Duck touted this to the school board and economic development officials. Coomes "projected" **without any data from Barren County PVA** that the property taxes for the 25 (he used the wrong number) parcels will increase from \$17,000 to \$378,000 multiplied by 40 years for a total of \$15 million richer.

Explain how adding gravel, wire fences will increase property values that much? When I inquired about his data set, he refused to provide it. He said these numbers came from a "tax attorney". I asked for the tax attorney's contact information and Dr. Coomes refused to provide it suggesting I talk to Wood Duck.

I ask the commission to inquire as to the economic benefit of this project and learn the true numbers and weigh that with the endorsements from individuals associated with the school board and economic development. Many in our community have accepted this as truth, and no one, has bothered to research. Our local paper has refused to investigate anything related to this project. Shame.

We would all love an increase of \$15 million dollars over 40 years...but this number is fake. There is no way, this land, currently valued at \$17,000 is going to increase that much.

Just think if we built 2,300 homes with one acre lots how much that would benefit our community?

Similarly his calculations of lease payments will only benefit Barren County if the landowner continues to reside in Barren County. Please require the new owner to issued 1099s to each landowner for the rent payments.

Additionally, it should be a requirement that the panels are as close to their homes as it to the property lines of others....make those 10 feet. Some of the participating landowners have carved out HUGE setbacks for their homes while trampling on the property lines of others. That simply isn't right.

It should also be noted that "local" union workers from Louisville are "transient workers." Dr. Coomes states in his study the new buyer will provide their own laborers from out-of-state and he expects **very little** occupational benefit to the county. Barren County does not have an occupational tax.

In conclusion,

I would like to thank the Commission for reviewing my numerous letters and all of the research I have submitted. I am not a lobbyist. I have not been paid to do any of this work.

I understand the commission has only denied one project. I understand the commissioners are appointed by a democrat governor who supports green energy and will lean toward his agenda. I sincerely hope that this will be the second project you deny.

I appreciate the helpfulness of the PSC staff that has helped me to understand this process. I am not a lawyer and unfortunately our group could not afford one. It cost nearly \$6,000 to have the one motion filed. We tried KRC, but no luck. I hope that "justice and consideration" can be applied to all, and not just those with the big bucks and the best lawyers.

I respectfully ask that the consultant also review each letter, email and petition that has been submitted. I wish he had included more quotes and inclusions from the public in his comments. I also understand, he too is hired by the government to approve a project which furthers the green energy agenda. But in view of the fact we did not have a citizen advocate, we sincerely ask that each comment from the public and each signature be considered and weighed heavily by the commission and the consultant.

I want to preserve our agricultural heritage and I hope that Kentucky can make a better decision on land use and water protection. Prime farmland should not be used for solar. Industrial solar does not belong in residential neighborhoods where people, live, work, play and farm. Nothing should pollute our air, soil and water.

Respectfully yours,



Paula L. Pedigo

Attachment: Henderson County vandalism

The Unbridled Solar farm in Henderson County, Kentucky, was damaged by gunfire, with 32 panels shot at, some multiple times. This incident occurred after the same solar farm sustained significant damage from a hail storm in March that required approximately 4,000 panels to be replaced. The Henderson County Sheriff's Office is investigating the vandalism, though a lack of witnesses makes the investigation difficult. [🔗](#)

- **Incident details:** 32 solar panels were shot, some multiple times. [🔗](#)
- **Location:** The Unbridled Solar farm, located near State Road 238 in Roberts, Henderson County. [🔗](#)
- **Investigation:** The Henderson County Sheriff's Office is investigating the vandalism, which was reported by the farm's owner, Geronimo Power. [🔗](#)
- **Other damage:** The farm also had about 4,000 panels damaged by a hail storm in March.

October 9, 2025

RECEIVED

OCT 17 2025

PUBLIC SERVICE
COMMISSION

Kentucky Public Service Commission
211 Sower Boulevard
PO Box 615
Frankfort, KY 40602

Re: Written comments from Evidentiary Hearing 2024-00337

Dear Siting Board Commissioners:

I am including my comments from the evidentiary hearing and offer the following rebuttals to the testimony provided by Geenex and their representatives. I paraphrased while speaking and with nervousness did not present every fact that I had intended. Therefore, I am providing the written copy.

My written comments: I submitted 4 exhibits plus petitions and letters:

1. Photo of the check given to our county judge executive for \$10,000 before the project was approved by planning and zoning. Our county judge executive appoints members to the planning commission. The promotion of the donation was an inference that the company and project were all good. Geenex employees Kelley Pope and Aaron Caudill are in the photo. Caudill was present at the meeting.

There was also a \$2,000 donation to her second nonprofit while the project is pending approval in Frankfort.

2. Map from Mammoth Cave – the Little Sinking Creek is noted in red with arrows pointing to it with the direct path to Mammoth Cave and the 2nd largest spring in the cave. Water from there flows to Green River. Little Sinking Creek is a WOTUS and must be protected at all times. In previous correspondence, I provided photos of the massive flooding along this creek.
3. Map of the Water lines from Glasgow Water Company. As identified in a letter from Connie Williams, there are numerous fire concerns in this area. The fact that the majority of the lines are 4 inches and do not comply with our fire ordinance which requires 6 inches for commercial facilities.

This project is introducing over 204,000 structures which can burn and are in close proximity to homes, farms, barns, animals...just 10 feet from an adjoining property line. Please refer to Connie William's letter for more specifics. As required by the KY DOR, the properties must be insured and taxed as commercial properties. Barren County has failed to follow their own

ordinance and we request the PSC require that all water lines be brought to code to ensure the safety of the community.

4. Article from the BG Daily News printed October 1, 2025.

I maintain there has been a lack of public participation. KRS requires 2 meetings and in the spirit of the law, that is to require public support and dialogue. That simply did not happen. This was a back door deal done without community input and a violation of the spirit of the law and a violation of having a government for the people and by the people.

Wood Duck's list of "trainings" is not for the public – these were events for participants and government officials – people they treated to a trip to North Carolina. This was not educating the public about the project. The donations to the judge's nonprofits and a few others did not help the people out in the county to understand the project. These appear more like a bribe. It is unknown who went on the trips or if they were for Wood Pecker or Wood Duck.

As stated repeatedly, but by the questions asked by Commissioner Andrew Woods, it still isn't clear to the commissioners about public input. .

The project was approved at the local level on **December 18, 2023**. The first public meeting was held on **August 22, 2024** and the second was held **February 4, 2025**. And yes, they have the wrong date on the website and on posters. Both meetings were **AFTER** the project was approved locally.

The fact that Wood Duck sent certified letters for a meeting that was after the fact and provided no solutions or allowed for community input to the "done deal" is irrelevant. The public was not allowed to participate in the design or offer suggestions.

At the information meetings, Wood Duck did not even have a solar panel on display. They provided nothing to the participants. People could not obtain a map or specifics about where panels, inverters, or where anything would be located. Several people showed up to have their addresses checked to make sure it wasn't close to them. The room was set up to be a "divide and conquer strategy" and the public left feeling angered as expressed in multiple letters that are on file.

There are many letters on file from adjoining landowners that did not know about the project, have had no contact with Wood Duck, and many have signed petitions with the date they learned of the project. It was way after it was a "done deal" with planning and zoning in December 2023.

Community members were continually mis-directed by Wood Duck and local government officials who told residents, "It is a done deal" and "nothing you can do." For years, the community was offered no hope and no avenue to express concern.

This is gross negligence and deception.

I hand –delivered to the commission, 575 signatures on petitions that include names, addresses, and dates, reasons for the objections and the date they learned of the project. Each of these should be considered a letter.

I also delivered 11 letters from adjoining landowners. Letter 1 from the Amish has 100 signatures. Letter 2 from the Amish has 57 signatures. 52 letters to the county judge executive (and more were mailed to her privately). These were submitted previously. 337 signatures on petitions, plus 28 signatures on Bent Creek, a residential neighborhood, that is @600 feet from the new proposed substation and **no one knew** about this component either.

I respectfully ask that each commission member and our own Tommy Gumm to consider the voices of the people. Consider the science. Consider Mammoth Cave. Consider the list of contaminants in Wood Duck's vendor of choice and their installation manual.

I am asking that the consultant please review each letter and the articles and reports that have been provided. We do not have an attorney to represent us, but we have worked diligently to provide accurate and timely research. Please do not accept Wood Duck's paid consultants reports as "truth."

Seek truth.

We hope this will be balanced when the research and efforts of others are considered. Consultants hired by Wood Duck have the ultimate goal of promoting Wood Duck. We hope the state will work as diligently to review the work of the people and listen to the voices of all who have spoken.

Please acknowledge this project is not good for Barren County as evident by the scholarly research on toxins, property values, glare, noise, the fuzzy math by the economist, the dreams of grandeur that will be a nightmare for future generations.

It is simply too late to go back and build relations. Our community has spoken and we do not want this project in Barren County. Please don't allow Barren County to be a sacrifice zone for green energy millionaires and shell companies who will abandon our lands, pollute our waters, endanger our health and poison our babies.

I am not a lobbyist. I was not paid to attend the hearing or for any work related to this project. I own a small farm really close to the proposed development and I wish to protect my scenic view, the water, the soil, the air and keep agricultural jobs in Barren County.

Sincerely,



Paula L. Pedigo

October 9, 2025

PSC Siting Board
211 Sower Boulevard
PO Box 615
Frankfort, KY 40602

RECEIVED

OCT 17 2025

PUBLIC SERVICE
COMMISSION

Re: Failure of governor to appoint community representative

Dear Siting Board Commissioners,

In this vigorously contested development, it seems we have been failed by the system: A system which is supposed to have two members on the Ad Hoc committee to represent the people of our county.

As you are aware, Governor Andy Beshear failed to appoint a member from the community to serve on the Ad Hoc Committee as required by Kentucky law; and therefore, the community was not adequately represented at the Evidentiary Hearing on October 2, 2025.

There was no one there to listen to the public comments, question the representations made by Wood Duck Solar, or to participate in the deliberations as the commission makes its final decision. This error cannot be corrected unless you set-aside the hearing. Not only is it a failure to fulfill the statutory requirements, but it denies the public substantive and procedural due process.

I believe this is a detrimental oversight as once again, the public has not had a voice. I realize that KY law allows the commission to proceed with a vacancy, but in this highly controversial proposal with hundreds opposing the development, we ask the commission to weigh each signature, each letter and each email as if the weight of the law – as if submitted by attorneys – as if submitted by paid consultants.

We wish our local representative; Tommy Gumm had been more engaged during the evidentiary hearing, at least asking some questions from the many letters, studies, reports, petitions. We trust the commission will ensure that he and the paid consultant review each letter, email, petition signature and give each the upmost consideration.

We respectfully ask that our only representative remove his “planning commission hat” and become a citizen facing solar panels 10 feet from his property line. Our current administration has taken steps to ensure this never happens again. We ask Mr. Gumm to ensure it doesn’t happen this time.

During the planning commission meeting on December 18, 2023, Mr. Gumm asked one question about fish and wildlife. I quote:

"Chairman Gumm asked to verify that the Kentucky Game and Fish will be engaged and consulted in regard to all endangered/threatened species and bird mitigation issues."

*"Kelley Pope, Manager of Project Development with Geenex, said that they would have to be included at the **State PSC meeting** and that Geenex would abide by all requirements pertaining to the endangered/threatened species list."*

I attended the State PSC meeting and **there was no representative** from KY Game and Fish. Did Kelley Pope misrepresent the truth or did the Commission fail to have them there? I respectfully ask this issue be addressed. If Pope's answer was incorrect, this should also be addressed as she gave a mistruth to Chairman Gumm.

It should be noted that Mr. Gumm is a local business owner of a construction company and is currently playing a role in the development of the new judicial center in Barren County, estimated to cost \$50 million. I do not know his exact role, but find the closeness of his relationship with County Judge Executive Jamie Byrd to be concerning as her role in the Wood Duck solar project has been less than transparent and nonsupportive to the landowners who stand to suffer if this project is approved. She has also failed to support Mammoth Cave with a resolution in fiscal court.

I am also concerned that Mr. Gumm voted twice to support the project at the local zoning meeting. He voted in favor of zero lot lines and for the project as a whole. We hope that he will change his opinion and weigh the evidence that has been presented by those opposing the project.

Ultimately, please note the failure of the Governor to assure representation by citizens of the county in the siting board process and I respectfully request that the hearing be set aside, but if that isn't possible, at least please ensure that the siting board be particularly sensitive to the public comment concerns because our voices have not been allowed to be part of the deliberation.

The project has faced multiple concerns which are deal breakers:

- Two donations amounting to \$12,000 given to the Barren County Judge Executive Jamie Byrd's nonprofit agencies; as well as, the solicitation of donations by Byrd for the local fire department for \$21,800.
- Mammoth Cave has spoken in opposition to the project for potential contamination to the underground waterways. Barren County officials have failed to pass a resolution or support the cave.

- The Amish community was perjured on the stand by Geenex staff. Refer to letters and testimony from Aaron Caudill and Mr. Amish.
- The company has misrepresented truth since arriving in town. Letters and petition signatures prove they did not engage the community. Letters prove they did not provide materials and maps to residents.
- Geenex's first act (as Wood Pecker or Wood Duck) was to provide suggested language for the inclusion of setbacks and decommissioning to the local planning commission, language which is damaging to our community.
- Wood Duck is a shell company with no assets, employees or experience. They refuse to disclose their finances, funding sources or a list of projects in the planning stages or development stages.
- Geenex will sell the project before construction and the community will have to begin again. Wood Duck can't sell if it they don't own it? They have no income stream?? Apparently, we had the wrong company in the Evidentiary Hearing as the project manager deferred to others, what seemed like 100 times and she isn't a new employee to Geenex.
- Wood Duck has failed to build relations in the community and has done irreparable harm.
- Their studies, prepared by their paid contractors have been "read and reviewed" by community members who have noted many errors and omissions. We understand these are the "industry standards" but we ask that the commission to consider the reviews as if provided by citizen experts who have researched and engaged.
- Local residents have voiced a lack of communication and collaboration with the developers; while raising many concerns about the proposal including the 50-20-10 setbacks, fire protection, and the protection of Little Sinking Creek which is a federally protected waterway, environmental issues, contamination, health issues, the loss of scenic value, the loss of farming jobs, the increase in food security and more.
- The community has voiced concerns about the noise, the glare study, the traffic study, the conditions of local roads and the safety of the 8 residential neighborhoods and ALL who live along this 20-30 mile roadways. We ask that people who work from home are considered as businesses. We ask the Amish school is afforded protection with a 2,000 setback.

- We ask that the Commission take “no risk” and protect Mammoth Cave and protect the tourism dollars which fund many businesses in Park City and Cave City.
- We ask that the additional substation be denied as the neighboring properties have signed petitions and submitted letters that they had no voice.
- We request the Commission consider the setbacks of 50-20-10 and acknowledge, as we have had to do, that this is wrong and have a new solar land ordinance in place. Please require Wood Duck to obtain a signature from every adjoining landowner (@70-80) as to setback is acceptable to them.
- We ask the Geenex place sufficient cash funds in an account in Kentucky to cover the development of the project, the lease payments, the interconnectivity costs, the decommissioning bond estimate (deny the 90% credit for salvageable components). AND since, Geenex is going to sell, pass this on to the new buyer as a condition of approval. The Commission must protect Barren County.
- Many issues have not yet been addressed such as the Critical Issues Analysis, the Wetlands Study, tree replacement, mitigation for erosion and storm water, etc.
- We ask that the Commission to review the numbers by Dr. Coomes as to his estimates of revenue. I corresponded with him multiple times and he refused to provide his data set. What exactly is he hiding? We need projections from Barren County PVA as to the increase in property taxes for each parcel to see if Dr. Coomes “predictions of secret data” are in any way accurate. To accept his numbers as accurate is a failure to seek the truth. It is concerning that our local commission did not diligently investigate anything.

A wise professor at the University of Louisville once explained the definition of a consultant. “It is someone 50 miles away from home with a lap top.”

The passion, strength and resilience of the community are strong and this has been a long battle. We love Barren County and wish to protect our agricultural heritage for generations to come. We ask that you please grant our requests of consideration and ultimately deny this project.

Sincerely,



Paula L. Pedigo

Small farm owner, Barren County, KY

October 13, 2025

RECEIVED

OCT 17 2025

Dear Siting Board Commissioners,

PUBLIC SERVICE
COMMISSION

I am attaching a few maps we were able to generate to provide a better view of what this project means to landowners in the project area who are adversely affected by the proposed project. You can see how their homes, farms, land, are surrounded.

This is in no way every home that is affected, nor does it represent **every resident** along the path of this project who is opposed. If you review the public comments and signatures on petitions, you will find, we probably have 80-80% of the landowners on record as opposing the project. As referenced previously, many of the letters state the landowners did not know about the project and on many petitions, dates are listed which indicate, AGAIN, that they did not know about the project.

This is just a few maps. This is a very time consuming and expensive process.

We would like to request that Wood Duck be required to provide each resident a map indicating where everything will be in relation to their property? Noise levels? Glare? Heat? And each landowner should have a right to engage in conversations and modifications.

Wood Duck failed to provide the very basis of civic engagement. Their late meetings, (after the project was approved by planning and zoning), their donations to elected officials and road trips for participants failed to engage the community.

As you look at these maps, remember, there will be more panels than are on the paper and the panels will come within 10 feet of the adjoining landowner's property. There are many more homes affected, we wish we could have done each one.

None of the maps show where the 35 inverters will be. The community is in the dark about the underground water store, batteries, substation and much more.

Please review these and ask of yourselves, would you want these next door to you? Would you want everything you have worked for, to suddenly be surrounded by a commercial solar facility?

Barren County does not have any zoning to prohibit development of any type, they can only vote on setbacks and that is what allowed this company to sneak in and convince the planning commission to change the setbacks to 50 feet in the front, 20 feet in the back and 10 feet on the sides 50-20-10.

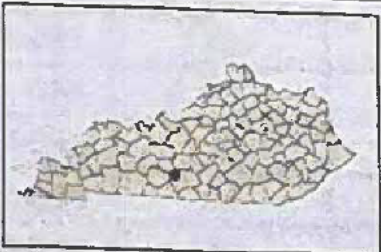
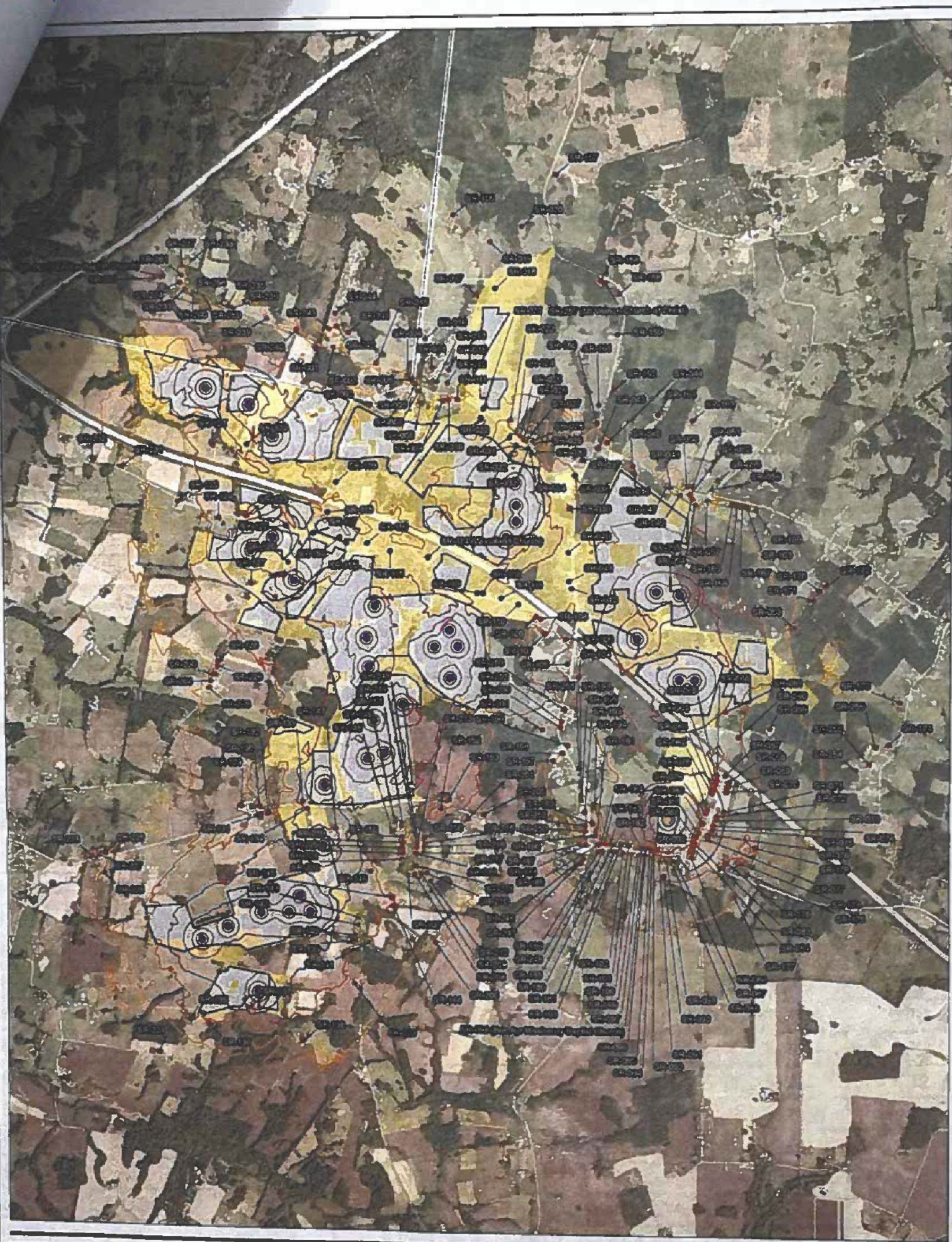
No one deserves this type of violation to their scenic view.

Thank you for your consideration,


Paula Pedigo

People can not read these maps in the noise study.
Study did not include any addresses for cross reference. The public

does
not know.



Source: 1. Geographic System: NAD 1983 StatePlane Kentucky North 1000 Feet
2. Data Source: ESRI, Stantec, Oakley Solar LLC
3. Background: Kentucky Transportation Cabinet (KYTC)
4. Imagery: 2014, 2017, 2018, 2019

- Legend**
- 30 dBA
 - 35 dBA
 - 40 dBA
 - 45 dBA
 - 50 dBA
 - 55 dBA
 - 60 dBA
 - Project Boundary
 - Noise Sensitive Receptors
 - Participating Structures
 - Potential PV Layout
 - Potential Inverter Locations
 - Potential Substation Location
 - Potential Fence Line
 - Residential Neighborhoods
 - County Boundaries

0 3 000
(At original document size of 11x17)
1:12,772,807



Project Location
Barren County, KY
Prepared by ORO on 2022-04-06
TR by ALC on 2022-04-20
TR by JVC on 2022-04-27

Client/Project
Wood Duck Solar Facility
Noise Assessment Report

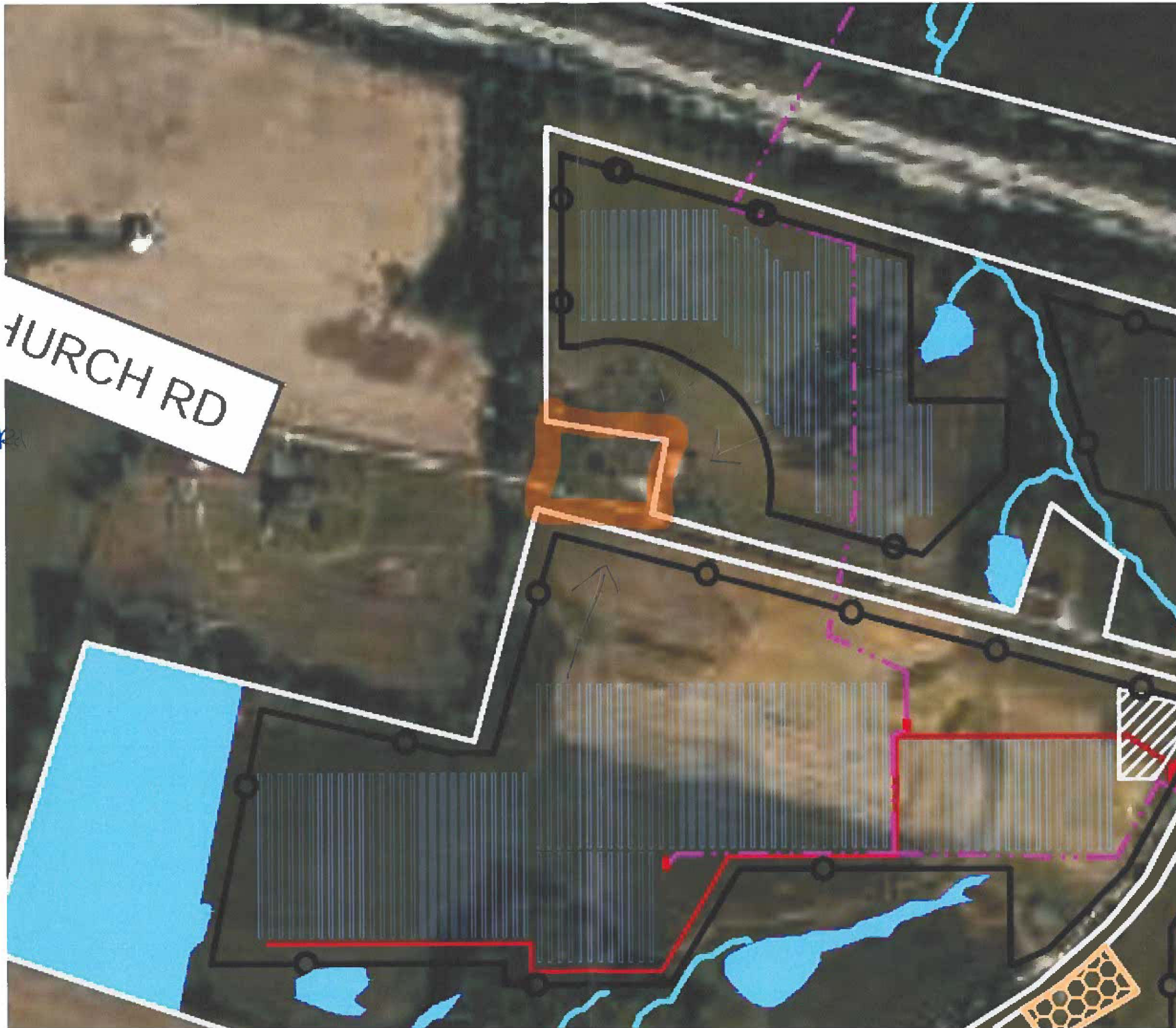
Figure No.
4
Title
Noise Contour Map

Disclaimer: This document was prepared based on information provided by others as stated in the Notes section. Stantec has not verified the accuracy and completeness of the information and shall not be responsible for any errors or omissions and/or any loss or damage resulting therefrom. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

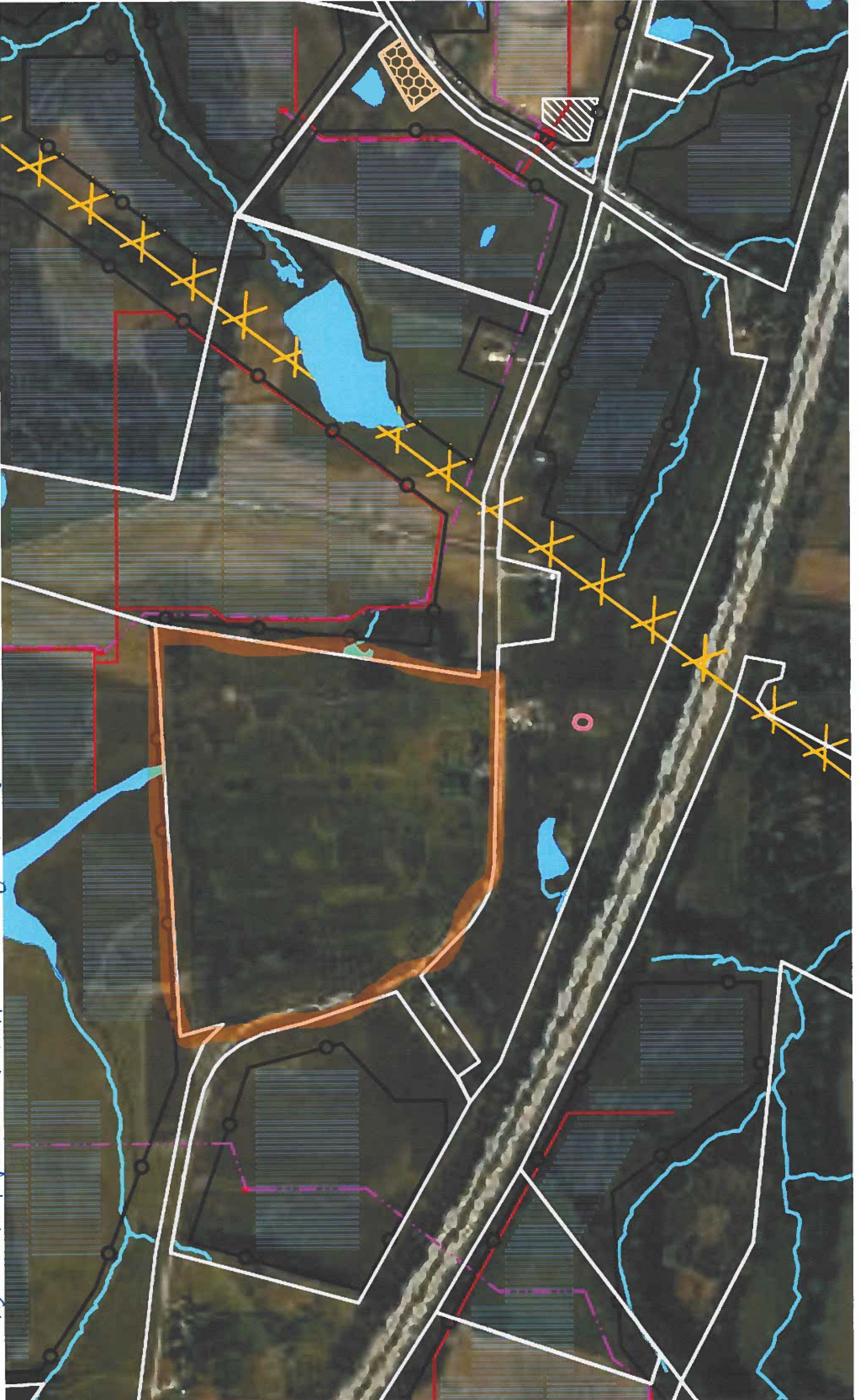
CHURCH RD

19-16
1307 Millstawn Rd
Tancy West-
Signed petitions
and letter.
Signed as
intervenor but
had to withdraw.

* Panels
will be
placed up to
10 feet
of
property
line.



19-10A Woodland Church. Pastor Wayne Wells is opposed. Letter on file.



19-15
8576
Glasgow Rd
Elkins
Dairy LLC.

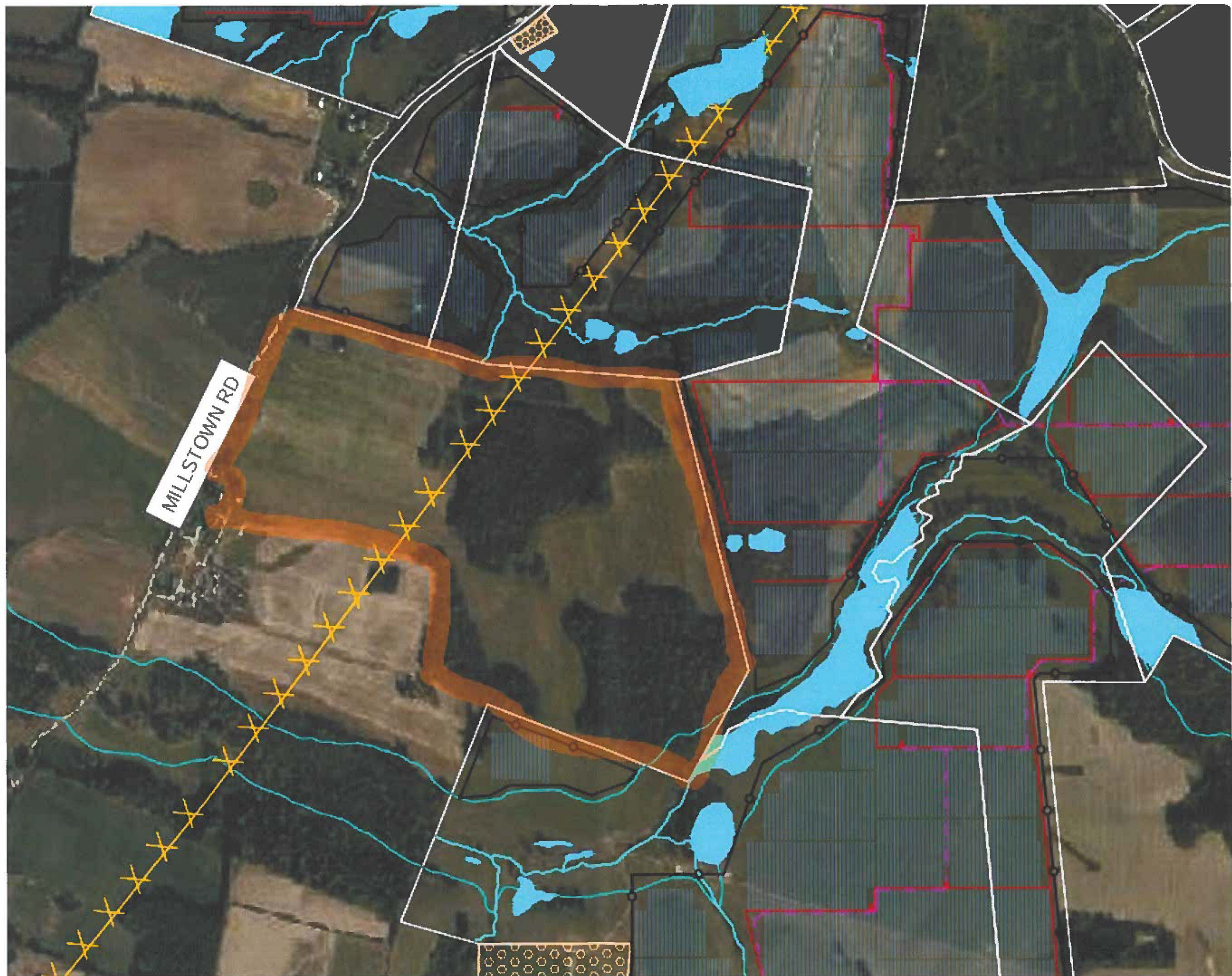
The Elkins
have signed
petitions
opposing
this project.
They are
the largest
dairy producers
in our county.
They attended
the public
hearing.

Panels
will be
within 10
feet of
property
line.



Andres
Albert-
opposed.
He had
planned to
build his
retirement
home on
this land.
Said this
isn't possible
if this
project is
approved.
Letter on
file. Spoke
at public
hearing.

Panels will be
10 feet of
property line





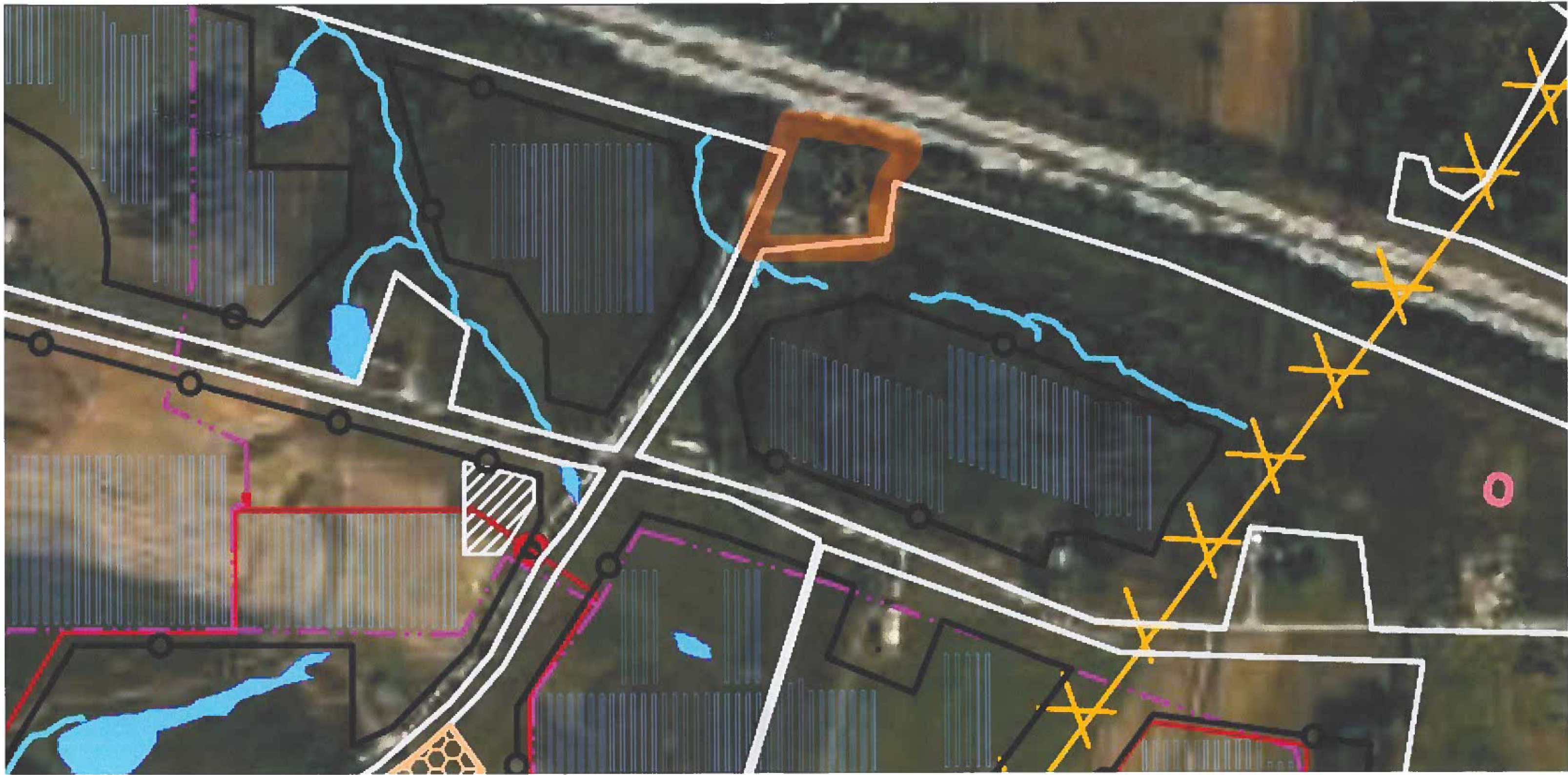
OAK GROVE CHURCH RD

MILLSTOWN RD

19-23
millstain
Andres
Albert
opposes
project.
Letter
on
file.
Spoke
at
public
hearing

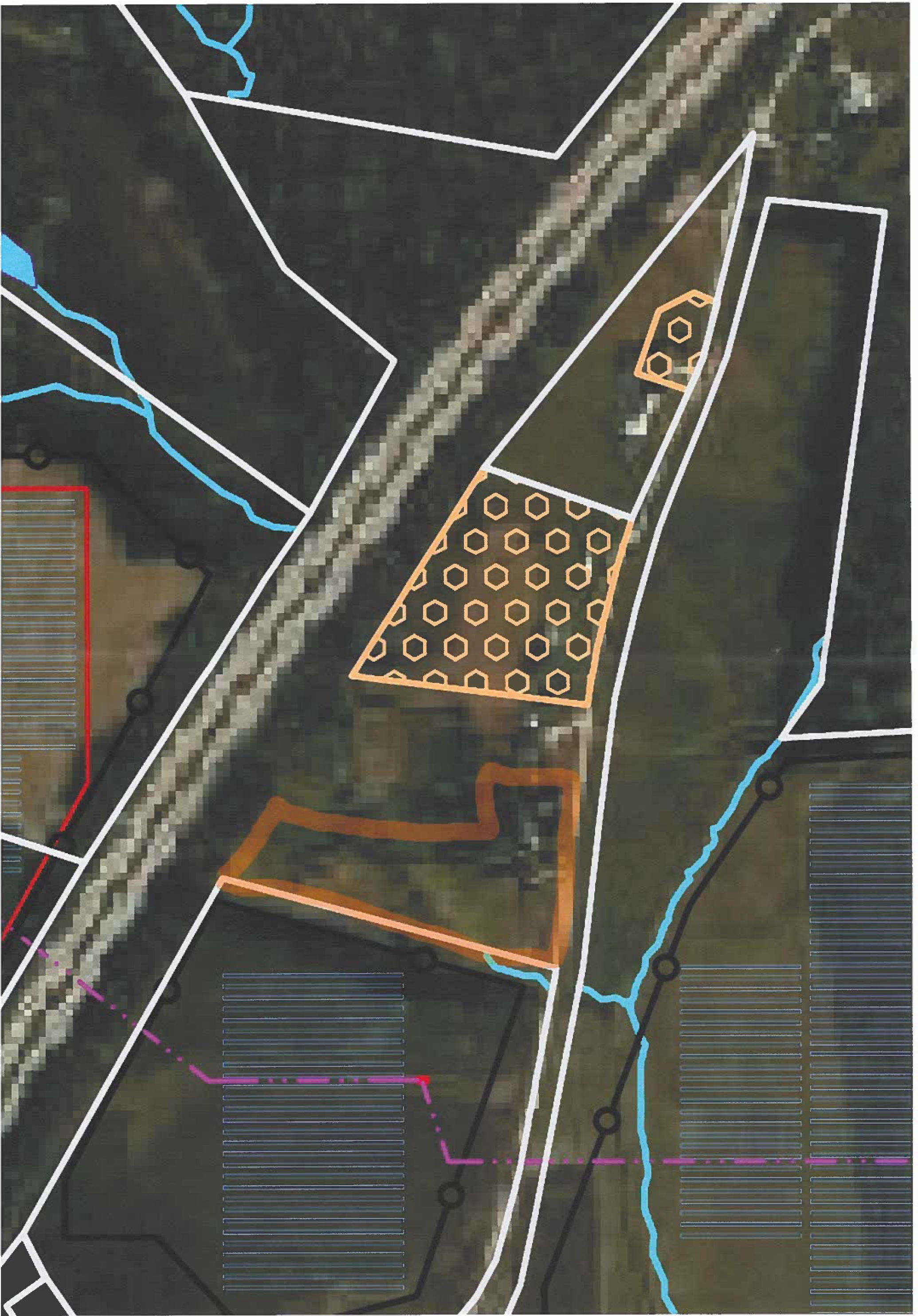
± 10
feet of
property
line.

Chuck Dwight & Jeanette Fishburn 19-12A 1923 Oak Grove Church Rel.

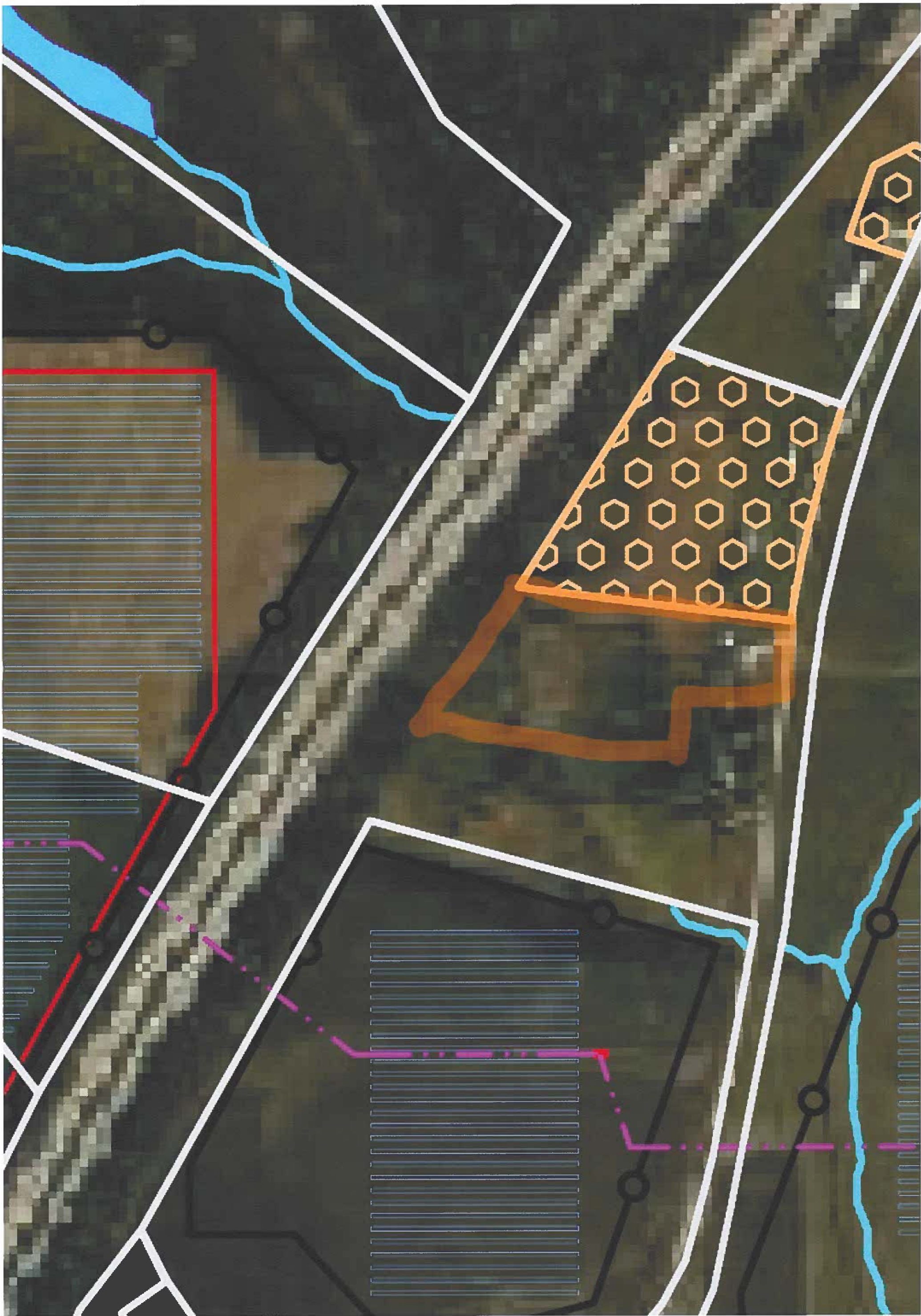


Panels will be within 10 feet of property lines.

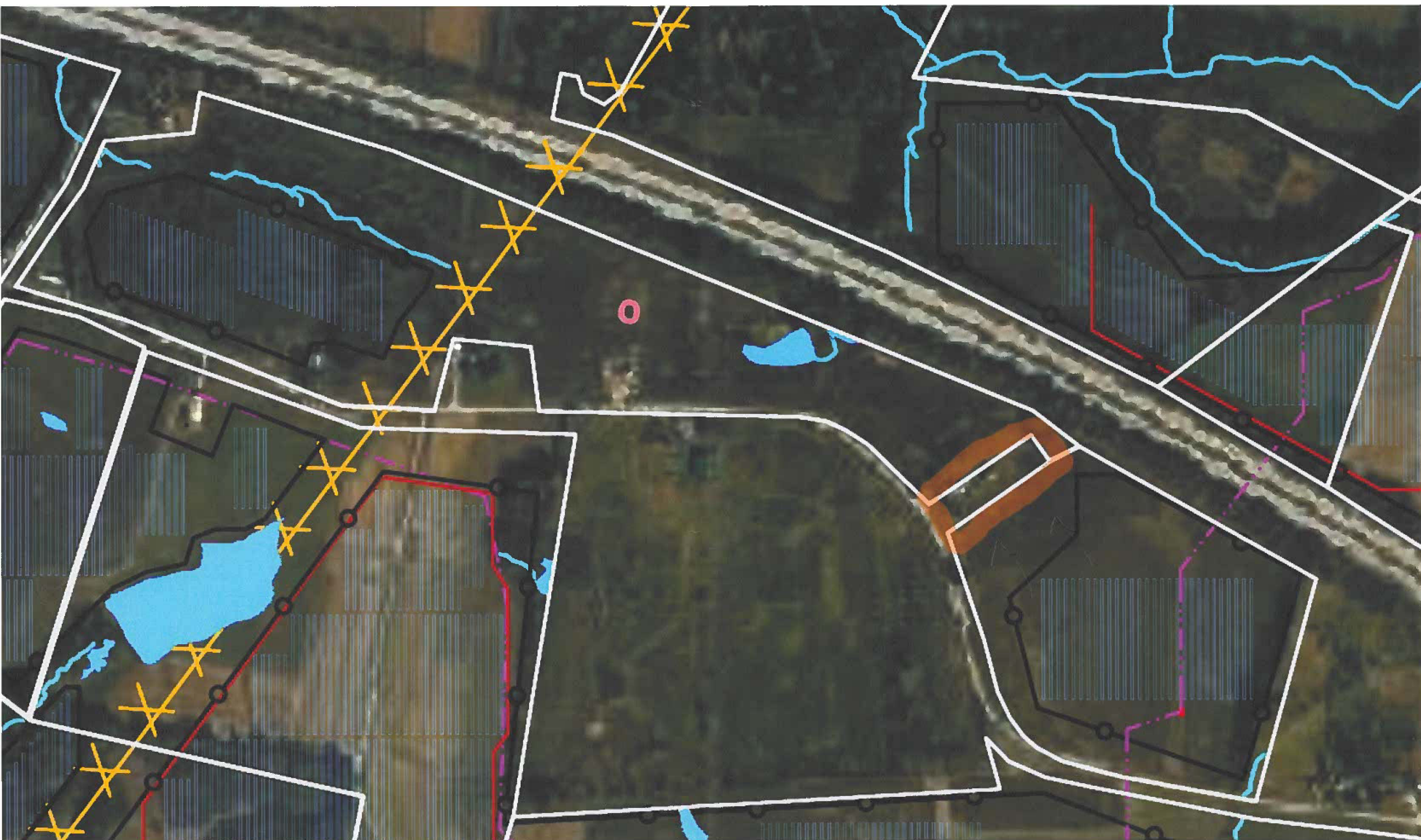
Surrounded



Michael Arms - opposed
Remember: Panels can be up to 10 feet from property line

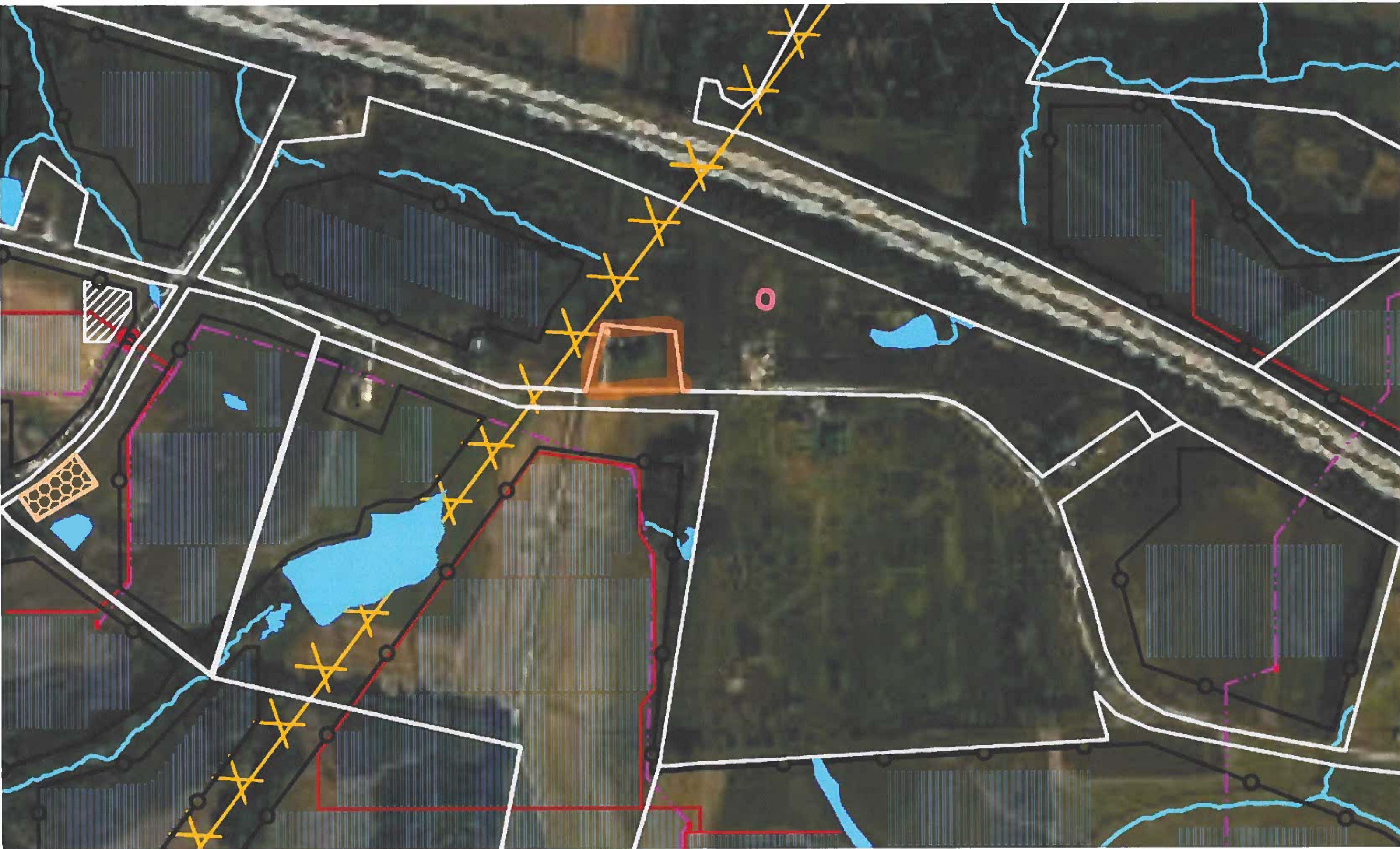


Arizon Kirby - opposed
Panels can be within 10 feet of property lines.



19-10c 1856 Millstown Rd Lori Beth Cook

Panels within 10 feet of property line



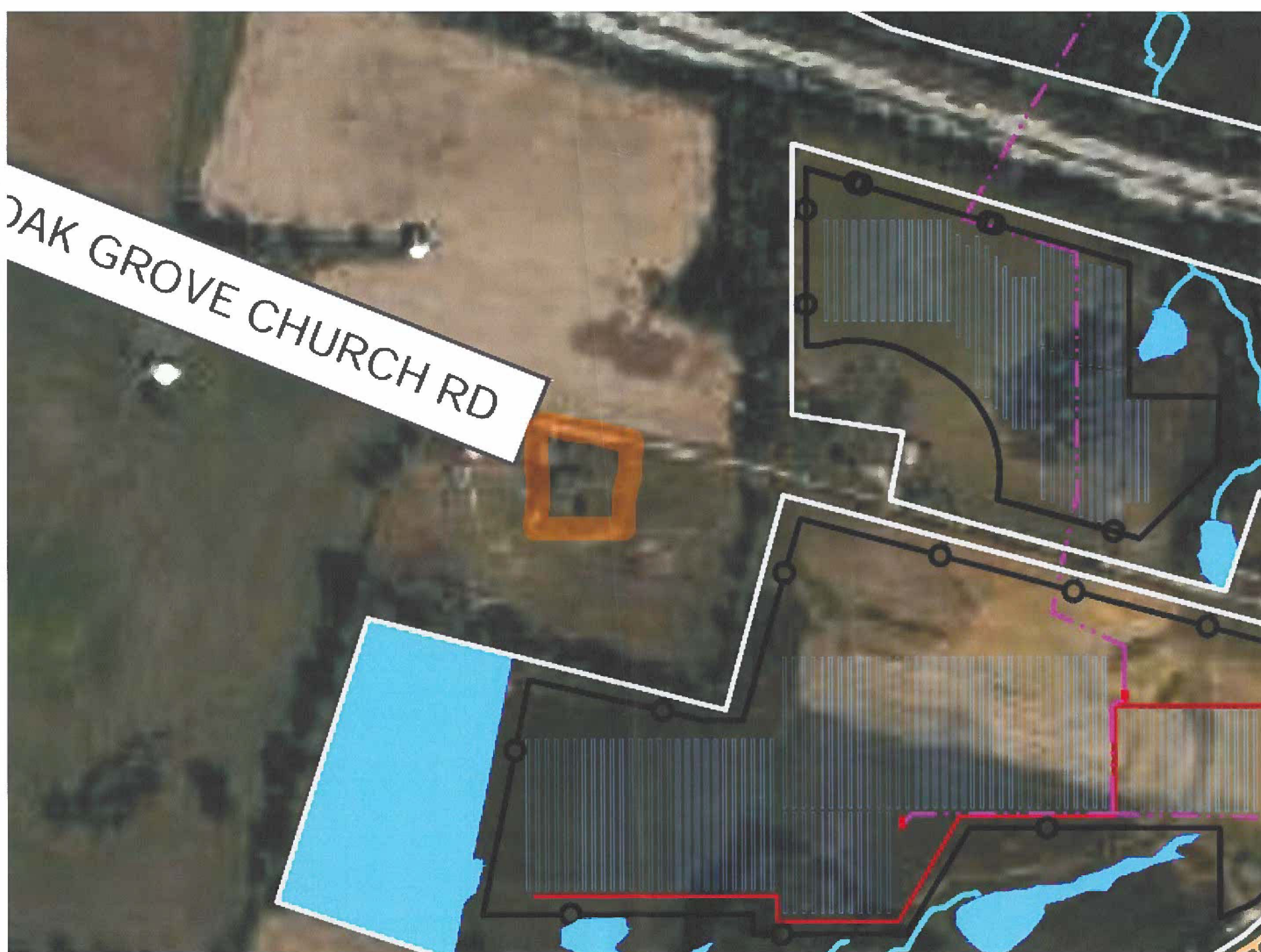
McCook Oak Grove Church Rd.

John
Vincent-
participant
in the
program.

Look "
How
FAR
the panels
are from
his
home?

Yet, it's
OK to
surround
other
peoples'
homes.

OAK GROVE CHURCH RD



- letters on file
- attended public hearing
- opposed

Ernos Gingerich
Millstown Rd
"Surrounded?"

