

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF LYNN BARK)	
ENERGY CENTER, LLC FOR A CERTIFICATE)	
OF CONSTRUCTION FOR AN UP TO 200)	CASE NO.
MEGAWATT MERCHANT ELECTRIC SOLAR)	2024-00104
GENERATING FACILITY IN MARTIN COUNTY,)	
KENTUCKY)	

SITING BOARD STAFF'S SECOND REQUEST FOR INFORMATION
TO LYNN BARK ENERGY CENTER, LLC

Lynn Bark Energy Center, LLC (Lynn Bark Energy), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on September 9, 2024. The Siting Board directs Lynn Bark Energy 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

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).

governmental agency, be accompanied by a signed certification of the preparer or the 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.

Lynn Bark Energy shall make timely amendment to any prior response if Lynn Bark Energy 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 Lynn Bark Energy fails or refuses to furnish all or part of the requested information, Lynn Bark Energy 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, Lynn Bark Energy shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to the Application, Attachment A, Proposed Project Site. Provide an update site plan that shows the location of all:
 - a. Parcel boundaries.
 - b. Perimeter fencing.

- c. Access roads.
 - d. Access points.
 - e. Substation
 - f. Battery energy storage stem (BESS).
2. Provide a map showing all alternative transmission line routes. Use satellite imagery as the basemap.
3. Provide what improvements would be made to existing roads ahead of construction.
4. Provide any updates to vegetative screening plans.
5. Explain what racking technology will be used to minimize soil movement during construction and operations.
6. State whether construction activities would occur on Sundays. If yes, state the specific hours of the day during which construction might take place.
7. Provide the peak daily number of construction vehicles accessing the site, identified by vehicle type (i.e. worker vehicles, delivery trucks, cement trucks, water trucks (if utilized), and other).
8. Provide the maximum expected load weights for each type of delivery truck, identified by type of truck, including cement trucks, water trucks, tractor trailers, or other types of general delivery trucks.
9. Refer to Lynn Bark Energy's response to Siting Board Staff's First Request for Information (Staff's First Request), Item 3. Also, refer to Site Assessment Report (SAR), Exhibit B, Acoustic Assessment Report at page 7. The response provided a construction schedule that includes six months of pile-driving activity from August 1 to

January 30. Explain the discrepancy between the response and the Application. Provide an updated Acoustic Assessment Report as necessary.

10. Refer to Lynn Bark Energy's response to Staff's First Request, Item 8. Provide which emergency departments will be contacted.

11. Identify each neighborhood and each of the noise receptors that are homes and of those homes which are participating landowners. Include whether the participating homeowner is a lessor and which lease is applicable. Color code your response for each neighborhood the participating homeowners and include a legend.

12. Provide a table with the expected cumulative noise level (inclusive of ambient noise) during pile driving for each residence or business within 1,500 feet of the project boundary.

13. Identify the company that will employ the individuals that are or will be, responsible for ensuring compliance with the statements in the application and any conditions imposed by the Siting Board.

14. Provide the entire corporate structure, or membership interests of Lynn Bark Energy.

15. Provide the entire corporate structure of Savion, LLC (Savion), including its parent company.

16. See the Application, Tab 11, Environmental Violation Record. Provide the entities with ownership interest in Lynn Bark Energy that were referenced as not having environmental violations.

17. Refer to Lynn Bark Energy's response to Staff's First Request, Item 35. Provide the year of the various project milestones for the construction timeline.

18. Refer to Lynn Bark Energy's responses to Staff's First Request, Items 51-52. Confirm, if any, communication with the Big Sandy Regional Airport or the Federal Aviation Administration (FAA) has occurred. If so, describe the form and detail the substance of the communication. If not, provide a date that is anticipated for the communication to occur.

19. Refer to Lynn Bark Energy's response to Staff's First Request, Item 56. The response states that the neighborhood located southwest of Davella Lane is 1,067 feet west of the nearest panel. Also refer to page 3 of the Acoustic Assessment Report (SAR Exhibit D) which states NSA 1 is 1,067 feet from the nearest panel.

20. Refer to Lynn Bark Energy's responses to Staff's First Request, Items 9-10, and Attachment C. The table provided in Attachment C, shows that the shortest distance between a residence and the nearest solar panel is 1,578 feet. Three residences are shown as being at that distance from the nearest panel.

a. Explain the seeming contradiction regarding these distance estimates to the nearest home(s) and neighborhood and provide updated figures and/or tables as necessary.

b. Confirm if distances and modeled construction/operational sound levels provided in the Acoustic Assessment Report (SAR Exhibit D) remain accurate. If not, explain why not.

21. Refer to Lynn Bark Energy's response to Staff's First Request, Item 9, Attachment C. Update this table to also provide distance to proposed features for any and all standalone residences that are within 2,000 feet of the project boundary but are not part of an identified neighborhood.

22. Refer to Lynn Bark Energy's response to Staff's First Request, Item 60. The response was not responsive. Refer to the SAR, Exhibit D, Acoustic Assessment Report which states that pile driving is schedule "to only occur between the hours of 8 a.m. and 8 p.m. or dawn to dusk whichever is earlier." Confirm if the clause "whichever is earlier" is intended to state that pile driving will occur during the most limited hours between 8 a.m. or dawn, and 8 p.m. or dusk. (E.g., confirm that pile driving would not occur at a 7 a.m. dawn). If not confirmed, please explain. Specifically answer the confirmation portion of this request.

23. Refer to Lynn Bark Energy's response to Staff's First Request, Item 68.

a. Describe all types of project components that would be within view for NSAs 1, 9, and 10 due to tree removal.

b. Describe all communications Lynn Bark Energy has had with the owners of NSAs 1, 9, and 10 regarding possible viewshed impacts.

c. Describe Lynn Bark Energy's proposed mitigation (e.g., vegetative screening) for these residences if the viewshed is negatively impacted by tree removal.

24. Refer to Lynn Bark Energy's responses to Staff's First Request, Item 79. Provide documentation evidencing that the proposed site has been fully reclaimed.

25. Describe any discussions with local residents, Martin County representatives, or any other Project stakeholders participated in regarding the proposed Project's potential impact on local water quality.

26. Describe in what ways pile driving activity is affected when installing posts on reclaimed mine land and mine soil, including any additional construction steps required to install posts under these circumstances.

27. Explain whether a complaint resolution program is going to be created from this project. If so, explain in detail the program.

A handwritten signature in blue ink, appearing to read "Linda C. Bridwell".

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
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DATED AUG 22 2024

cc: Parties of Record

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