

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION  
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
MUNICIPAL ENERGY AGENCY FOR A	)	
CERTIFICATE OF CONSTRUCTION FOR AN	)	
APPROXIMATELY 75 MEGAWATT MERCHANT	)	CASE NO.
ELECTRIC GENERATING KYMEA ENERGY	)	2024-00290
CENTER I AND TRANSMISSION LINE IN	)	
MADISONVILLE, KENTUCKY PURSUANT TO	)	
KRS 278.700 AND 807 KAR 5:110	)	

SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION  
TO KENTUCKY MUNICIPAL ENERGY AGENCY

Kentucky Municipal Energy Agency (Kentucky Municipal 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 December 2, 2024. The Siting Board directs Kentucky Municipal Energy to the Kentucky Public Service Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> 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

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<sup>1</sup> 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).

representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the 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.

Kentucky Municipal Energy shall make timely amendment to any prior response if Kentucky Municipal 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 Kentucky Municipal Energy fails or refuses to furnish all or part of the requested information, Kentucky Municipal 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, Kentucky Municipal 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. Submit a copy of the lease or purchase agreements, including options, separate agreements, or deeds which Kentucky Municipal Energy has entered into in

connection with the proposed merchant generating facility, including the agreements for each of the parcels of the project.

2. Detail any contracts for which Kentucky Municipal Energy has paid, has negotiated to pay, or any compensation paid to non-participating landowners, whether cash or otherwise, near the project. Include the terms of the agreements and which properties are involved in terms of distance to the project boundaries.

3. Explain whether the natural gas transmission line will be located in an existing right-of-way. If not, provide information about any agreements in place with affected landowners.

4. Explain whether the natural gas transmission line is fully located within the Madisonville city limits. If not, explain what Hopkins County development regulations would apply to the construction and operation of that transmission line.

5. Refer to the Application, Description of Proposed Site at 4. Provide a legal description of the Substation Site (described in the Application as 9.5 acres).

6. State the total number of months which construction of the Project will occur, including construction of the plant, substation sites, and construction of the natural gas transmission line. Identify any potential deviations to that schedule.

7. Provide a detailed description of construction activities, including a construction timeline and schedule by activity, accounting for construction of all Project components (plant site, substation site, and natural gas transmission line).

8. Provide the average number of construction workers on-site each day over the course of the construction period, accounting for construction of all Project components (plant site, substation site, and natural gas transmission line).

9. Provide the number of construction workers on-site during the peak construction period, accounting for construction of all Project components (plant site, substation site, and natural gas transmission line).

10. Refer to Application, Section 4, Compliance with Local Ordinances and Regulations. Per the Madisonville Code of Ordinances 156.031 for General Industrial zones, explain the difference between “minimum development setbacks” and “minimum lot setbacks”.

11. Provide the distance between the Plant building and AC Slaton Road.

12. Provide the distance between:

a. The Substation and AC Slaton Road.

b. The Substation and Bean Cemetery Road.

13. Provide a narrative description of the location of each laydown area to be used during construction.

14. Explain where the construction parking for the workers will be located within the Project site during construction.

15. Explain whether the construction and operational entrances will be locked outside of normal working hours.

16. Explain who will control access to the site during construction and operations.

17. Clarify whether any existing structures on the Project site will be demolished or removed in order to accommodate the Project. If so, identify each structure and its location within the site project boundary.

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

19. If vegetative screening is anticipated, provide a detailed vegetative screening plan, including locations of proposed vegetation, types of vegetation, heights at planting and plan for long-term maintenance.

20. Provide a narrative description of any vegetative clearing that will occur across the project. Include the acreage and a list of any permits that will be required.

21. Provide any sketches of the proposed transmission line support structure(s).

22. Explain how the proposed transmission route was determined. Provide any supporting siting reports or documentation.

23. Explain whether the 69kV generator lead line connecting the plant to the substation will be above ground or underground.

24. Describe the hazard detection systems that will be used within the facility.

25. Describe alert systems that will be in place and who will monitor and maintain those systems. Include in the description whether those systems provide remote alert and annunciation to offsite personnel and a fire department.

26. Refer to Attachment K, Cumulative Environmental Assessment Report, Section 3.4. Describe what possible problems could occur leading to a shut off in the gas supply.

27. Refer to Attachment K, Cumulative Environmental Assessment Report, Section 4. Provide an update as to which permits Kentucky Municipal Energy has secured.

28. Explain where the reciprocating internal combustion engines (RICE) generation units be located.

29. Explain if the RICE generation units will be located inside of an engine hall to provide sound attenuation. If yes, provide the design of the proposed engine hall.

30. Explain whether the RICE generation units be run on a continuous cycle or only in the case of emergencies.

31. Explain if the RICE generation units be categorized as emergency engines.

32. Provide a summary of what would constitute emergency use of the RICE generation units.

33. Explain if there a time limit (hours) on non-emergency use of the generation units per calendar year.

34. Explain if the RICE generation units could be considered stationary engines. If so, explain how they will be mounted.

35. Provide the horsepower (HP) of each Wartsila engine.

36. Explain if there be a backup fuel source available onsite.

37. Explain how Kentucky Municipal Energy will comply with RICE MACT (Maximum Achievable Control Technology) rules and regulations.

38. Explain how Kentucky Municipal Energy will comply with New Source Performance Standards (NSPS) regulations.

39. Explain whether Kentucky Municipal Energy has had any contact with the Environmental Protection Agency (EPA) regarding the proposed project. If so, provide any documentation that any communication that has occurred.

40. Provide how many tons of hazardous air pollutants (HAP) are expected to be emitted each year.

41. Explain whether the facility be subject to emission limits.

42. Describe which emission standards the facility will be required to comply with.

43. Explain how often performance testing of the RICE engines will occur and who will conduct said testing.

44. Explain whether there are run time limitations on the generation units while in emergency use.

45. Explain who will be responsible for recordkeeping and reporting for the project.

46. Explain how Kentucky Municipal Energy will coordinate with local law enforcement regarding security and emergency protocols during construction and operations.

47. Refer to Site Assessment Report (SAR), Appendix A, Property Value Impact Study at 7. Provide a map to accompany the list of adjoining properties.

48. Refer to SAR, Appendix A, Property Value Impact Study at 7. Explain whether the list of adjoining properties presented on page 7 accounts for both the Plant site and the Substation site. If necessary, provide a revised list and accompanying map accounting for all adjoining parcels surrounding both the plant and substation site.

49. Provide the values of residential structures on properties adjoining the Project site (accounting for both the plant and substation sites).

50. Refer to SAR, Appendix A, Property Value Impact Study. Explain whether the conclusions regarding impacts to property values included in the report would change when accounting for the presence of the substation.

51. Provide descriptions of land uses and ownership of parcels adjacent to the natural gas transmission line.

52. Provide the values of residential structures on properties adjacent to the natural gas transmission line.

53. Provide any observations and conclusions regarding impacts to property values for properties located along the natural gas transmission line.

54. Refer to SAR, Appendix H, Traffic Impact Report, Zoning Map 2. Define the “Other” category of roads, marked in yellow on the map legend.

55. Identify the roadways which will or may be used by heavy trucks traveling from Interstate 69 to reach the Project.

56. Refer to SAR, Appendix H, Traffic Impact Report, Vicinity Map 1. Provide weight limit ratings for the following roadways shown on the Project Vicinity Map:

- a. Interstate 69/Pennyrile Parkway.
- b. KY 281/Nebo Road.
- c. KY 1034/Rose Creek Road.
- d. KY 1302/Pleasant View Road.
- e. KY 70/Princeton Road.
- f. US 41/S Main Street.



- g. Bean Cemetery Road.
- h. AC Slaton Road.

57. Refer to SAR, Appendix H, Traffic Impact Report, Vicinity Map 1. Provide the location and weight limit ratings for any bridges shown within the Project Vicinity Map area. Indicate which bridges will or might be used by Project construction traffic.

58. Refer to SAR, Appendix H, Traffic Impact Report, Methodology: Level of Service and Delay Analysis. Provide a further explanation of the “proposed improvements to the roadway system.”

59. Refer to SAR, Appendix H, Traffic Impact Report, Sight Distance Analysis and Figure 4: Sight Distance Triangles. Update this Analysis and Figure to include sight distance data for the entrance to the Plant site on AC Slaton Rd., as shown in SAR Appendix E (Site Layout Map).

60. Refer to SAR, Appendix H, Traffic Impact Report. Explain whether the site trip generation, level of service and delay, intersection, and turn lane analyses account for construction of both the Plant site and the Substation site. If necessary, provide revised analyses that account for both sites.

61. Refer to SAR, Appendix H, Traffic Impact. Revise the figure titled “Right Turn Lane Warrants AC Slaton Rd 2027 AM Build” to include the data point as shown in the Figure titled “Left Turn Lane Warrants Bean Cemetery 2027 AM Build”.

62. Refer to SAR, Appendix H, Traffic Impact. Provide the figure for “Right Turn Lane Warrants AC Slaton Rd 2027 PM Build”, which is missing.

63. Refer to SAR, Appendix H, Traffic Impact. Provide figures for the following:
- a. AM/PM Build Right Turn Lane Warrants for Bean Cemetery Road.

b. AM/PM Build Left Turn Lane Warrants for AC Slaton Road.

64. Provide the average daily number of construction vehicles accessing the Project site by vehicle type (i.e., number of worker vehicles, delivery trucks, water trucks [if utilized], other) for plant and substation construction.

65. Provide the maximum expected truck weights and load weights for each type of delivery for plant and substation construction, including cement and water trucks (if utilized), heavy equipment, gravel for access roads, transformers, RICE generators, etc.

66. Provide the peak daily number of construction vehicles accessing the Project site by vehicle type (i.e., number of worker vehicles, delivery trucks, cement trucks, water trucks [if utilized], other) for plant and substation construction.

67. Explain whether any oversize or overweight deliveries for the Project Plant or Substation will require special permits.

68. Explain the plan for repairing Project-related damage to any roadways, railway crossings, or bridges.

69. Explain whether any traffic stoppages will be necessary to accommodate large truck deliveries for constructing the Project Plant, Substation, and/or transmission lines (natural gas/electric). If yes, provide the expected location(s), frequency, and length of those stoppages.

70. Explain any specific traffic management strategies to be employed during plant and substation construction.

71. Describe any additional access roads to be developed for construction of the natural gas transmission line. For those access roads:

- a. Include on a map and identify the transmission line access roads.
- b. Provide details about the proposed access roads, including total

length, width(s) and material(s) used.

72. Explain whether the Applicant has had any conversations with representatives of CSX Transportation regarding this Project. If so, describe the nature of those conversations, any concerns, and resolutions from those interactions.

73. Describe any additional access roads to be developed for construction of the natural gas transmission line. For those access roads:

- a. Include on a map and identify the transmission line access roads.
- b. Provide details about the proposed access roads, including total

length, width(s) and material(s) used.

74. Refer to SAR, Appendix H, Traffic Impact Report, Vicinity Map 1. Provide the location and weight limit ratings for any railroad crossing on roadways which will or may be used by Project construction traffic.

75. Provide the schedule of CSX trains traveling on the rail line that crosses Bean Cemetery and AC Slaton Roads.

76. State whether a plan to coordinate delivery times around the CSX Railway schedule has been or will be devised. Provide that plan, if available.

77. Explain how the natural gas transmission line construction will be coordinated with the railroad crossings and train operations. Include in the explanation whether the construction of the transmission line will require delays in train schedules and if so, provide the anticipated duration of train delays.

78. Refer to the SAR, Appendix G, Noise Analysis Report. Confirm whether the Project will include the Base or the Low Noise Option design for the RICE facility. If that decision has not been finalized, provide an explanation of what will drive that decision and when it will be made.

79. Refer to the SAR, Appendix G, Noise Analysis Report, Section 8. Provide tables and figures similar to Table 8.1 and Figure F8-1 for the equipment used in construction of:

- a. The project substation.
- b. The natural gas transmission line.

80. Refer to the SAR, Appendix G, Noise Analysis Report. Provide the daytime and nighttime sound levels generated by operation of the Project Substation at a distance of 50 feet and for each of the six monitoring locations.

81. Refer to the SAR, Appendix G, Noise Analysis Report, 6.4 Low Frequency Infrasound. Explain if any mitigation measures will be implemented to reduce infrasound induced vibrations for receptors M-5 and/or M-6.

82. Explain what days of the week construction activities will take place.

83. Explain whether a plan to coordinate construction activities around Faith Missionary Baptist Church's schedule has been or will be developed. Provide that plan, if developed.

84. Provide the cumulative noise levels at the Faith Missionary Baptist Church, to account for the ambient noise level and operating noise levels for both the plant and substation.

85. Refer to the SAR, Appendix G, Noise Analysis Report. Provide a table stating the cumulative construction noise levels at each noise sensitive area receptor within 2,000 ft of the Project boundary, to account for the ambient noise level and construction noise levels for both the Plant and Substation.

86. Describe the physical characteristics of the power plant (engine hall building), to include the four RICE generators and associated infrastructure, i.e., footprint acreage, height.

87. Provide a visual rendering of the power plant (engine hall building) or a photo of a similar type of structure in another location.

88. Describe the physical characteristics of the Project Substation, i.e., footprint acreage, height.

89. Describe the physical characteristics of the generator lead line connecting the Plant to the Substation, including length, number of poles, height.

90. Describe the physical characteristics of the transmission lines connecting the Substation to existing transmission lines along:

- a. The south side of AC Slaton Road.
- b. The west side of Bean Cemetery Road, including length, number of poles, and height.

91. Refer to Attachment I of the Application (Decommissioning Plan), Section 3. Explain the statement “KYMEA agrees to communicate with each affected Landowner at the end of the facility’s useful life” given that “KYMEA will retain ownership and continue to be the Landowner of this site after decommissioning efforts have been completed.” In that explanation, identify the other affected landowners.

92. Provide any additional information or details about the decommissioning of the Substation Site, including associated decommissioning costs.

93. Refer to the SAR, Appendix A, Property Value Impact Analysis. Regarding the statement that “supplemental vegetation is proposed to enhance the areas where the existing trees do not currently provide a proper screen”, explain and provide a map illustrating the locations where landscape screening would be planted as a visual buffer.

94. Provide any available transcripts of the public meetings and any written or oral comments offered by the public or government agencies, from public meetings or through other avenues, including those comments on the Project website, if that exists.

95. Describe any plans to coordinate with local landowners or others in case of complaints or other issues that might arise during the course of construction or operations.

96. Refer to the Application, Attachment H, Economic Impact at 7. Explain whether the \$130 million investment includes the development of both the Plant and the Substation sites and the construction of the one-mile-long gas transmission line. If not, provide the total amount of investment for the Project, including both the plant site, the substation site, and the natural gas transmission line by project item.

97. Refer to the Application, Attachment H, Economic Impact at 7. Provide the text for footnote 3.

98. Refer to the Application, Attachment H, Economic Impact at 7. If necessary, provide a revised table “Economic Impact of Construction Phase, Hopkins County” that reflects the full Project, including both the Plant and Substation sites and the natural gas transmission line.

99. Refer to the Application, Attachment H, Economic Impact at 8. If necessary, provide a revised table “Annual Economic Impact of Operations Phase, Hopkins County” that reflects the full Project, including both the plant and substation sites and the natural gas transmission line.

100. Refer to the Application, Attachment H, Economic Impact at 9. Explain whether the portion of the Project site that will be deeded to Louisville Gas & Electric/Kentucky Utilities (LG&E/KU)(the substation site) will be exempt from property taxes. If not, provide the annual and total (over the Project life) taxes to be paid to individual entities from that portion of the Project site.

101. Refer to the Application, Attachment E, Public Meeting Information, Response to Question 6. Define the location meant by the term “local investment” as it relates to the geographic area in which materials and supplies would be acquired.

102. Refer to the Application, Attachment I, Decommissioning Plan. Explain which corporate entity, i.e. LG&E/KU, will be responsible for the decommissioning of the substation site.



Linda C. Bridwell, PE  
Executive Director  
Public Service Commission *on behalf*  
of the Kentucky State Board on  
Generation and Transmission Siting  
P.O. Box 615  
Frankfort, KY 40602

DATED NOV 19 2024

cc: Parties of Record

\*Doug Buresh  
President and CEO  
Kentucky Municipal Energy Agency  
1700 Eastpoint Parkway  
Suite 220  
Louisville, KENTUCKY 40223

\*Hopkins County Joint Planning Commission  
67 North Main Street  
Madisonville, KENTUCKY 42431

\*Michael Peyton  
Sturgill, Turner, Barker & Moloney, PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KENTUCKY 40507

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

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