

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF WEIRS CREEK )	
SOLAR, LLC FOR A CERTIFICATE TO )	
CONSTRUCT AN APPROXIMATELY 150 )	CASE NO.
MEGAWATT MERCHANT SOLAR ELECTRIC )	2024-00099
GENERATING FACILITY IN WEBSTER COUNTY )	
AND HOPKINS COUNTY, KENTUCKY )	
PURSUANT TO KRS 278.700 AND 807 KAR )	
5:110 )	

NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on October 15, 2024 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording; and
- A written log listing, *inter alia*, the date and time of where each witness's testimony begins and ends on the digital video recording of the evidentiary hearing conducted on October 15, 2024.

A copy of this Notice, the certification of the digital video record, and the hearing log has been served upon all persons listed at the end of this Notice. Parties may view the digital video recording of the hearing at <https://youtu.be/IC78FhVqeX8>.

Parties may request a copy of the annotated digital video recording of the hearing by submitting a written request by electronic mail to [pscfilings@ky.gov](mailto:pscfilings@ky.gov). A minimal fee will be assessed for a copy of this recording.

Done in Frankfort, Kentucky, on October 22, 2024.

A handwritten signature in blue ink that reads "Linda C. Bridwell". The signature is written in a cursive style with a large initial 'L'.

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Linda C. Bridwell, PE  
Executive Director

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF WEIRS CREEK )  
SOLAR, LLC FOR A CERTIFICATE TO CONSTRUCT )  
AN APPROXIMATELY 150 MEGAWATT MERCHANT )  
SOLAR GENERATING FACILITY IN WEBSTER )  
COUNTY AND HOPKINS COUNTY, KENTUCKY )  
PURSUANT TO KRS 278.700 AND 807 KAR 5:110 )

CASE NO.  
2024-00099

CERTIFICATION

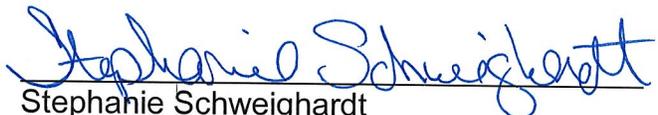
I, Candace H. Sacre, hereby certify that:

1. The attached flash drive contains a digital recording of the Formal Hearing conducted in the above-styled proceeding on October 15, 2024. The Formal Hearing Log is included with the recording on October 15, 2024;
2. I am responsible for the preparation of the digital recording;
3. The digital recording accurately and correctly depicts the Formal Hearing of October 15, 2024; and
4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of October 15, 2024, and the time at which each occurred.

Signed this 22 day of October, 2024.



Candace H. Sacre  
Administrative Specialist Senior



Stephanie Schweighardt  
Kentucky State at Large ID# KYNP 64180  
Commission Expires: January 14, 2027





Date:	Type:	Location:	Department:
10/15/2024	Public Hearing\Public Comments	Hearing Room 1	Hearing Room 1 (HR 1)

Witness: Jason Andrews; Esther Atkinson; Brian Bartels; Bryan Loomis; Lester Morales; Ebone-Alexandria Ross  
 Judge: Thomas Glover; Jansen Hammock; Angie Hatton; Jack Whitfield Jr.; John Will Stacy; John Lyons; Mary Pat Regan  
 Clerk: Candace Sacre

Event Time	Log Event
9:00:38 AM	Session Started
9:00:41 AM	Chairman Hatton Note: Sacre, Candace Preliminary remarks.
9:01:09 AM	Chairman Hatton Note: Sacre, Candace Introductions.
9:01:56 AM	Chairman Hatton Note: Sacre, Candace Recommendations.
9:02:47 AM	Chairman Hatton Note: Sacre, Candace Purpose of hearing.
9:02:50 AM	Chairman Hatton Note: Sacre, Candace Entry of appearance.
9:02:57 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace Heather Temple and Brittany Koenig. for Honaker Law Office.
9:03:05 AM	Staff Atty Williams PSC Note: Sacre, Candace Wright Williams, Commission Staff.
9:04:11 AM	Chairman Hatton Note: Sacre, Candace Public notice.
9:04:23 AM	Chairman Hatton Note: Sacre, Candace Outstanding motion.
9:04:32 AM	Chairman Hatton Note: Sacre, Candace Public comments.
9:06:11 AM	Camera Lock Wireless Mic Cam Activated
9:13:00 AM	Camera Lock Deactivated
9:13:50 AM	Chairman Hatton Note: Sacre, Candace Procedural discussion.
9:14:15 AM	Chairman Hatton Note: Sacre, Candace Call first witness.
9:14:20 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace Lester Morales.
9:14:50 AM	Chairman Hatton Note: Sacre, Candace Witness is sworn.
9:14:59 AM	Chairman Hatton - witness Morales Note: Sacre, Candace Examination. Name and address?
9:15:10 AM	Chairman Hatton - witness Morales Note: Sacre, Candace What brought with you?
9:15:30 AM	Atty Temple Weirs Creek Solar - witness Morales Note: Sacre, Candace Direct Examination. By whom employed?
9:15:36 AM	Atty Temple Weirs Creek Solar - witness Morales Note: Sacre, Candace Job title?
9:15:42 AM	Atty Temple Weirs Creek Solar - witness Morales Note: Sacre, Candace Relationship NextEra have with Weirs Creek Solar?

9:15:52 AM	Atty Temple Weirs Creek Solar - witness Morales Note: Sacre, Candace	Provide responses to data requests and provide information in application?
9:16:01 AM	Atty Temple Weirs Creek Solar - witness Morales Note: Sacre, Candace	Have any revisions, amendments, or edits?
9:16:22 AM	Chairman Hatton Note: Sacre, Candace	Counsel?
9:16:32 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Cross Examination. Site Assessment Report, anything changed since submitted?
9:16:58 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	As of now, no additional changes?
9:17:21 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Filed into the record?
9:17:29 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	If not, provide post-hearing?
9:17:30 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	STAFF ATTY WILLIAMS PSC - WITNESS MORALES SURPLUS APPLICATION TO ADD BATTERY FACILITY FILED IN RECORD
9:17:40 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	What entity/entities own Weirs Creek Solar?
9:18:10 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	If construction certificate granted, NextEra be carrying out construction phase?
9:18:35 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Vegetative screening, explain planning in more detail?
9:18:57 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Say the same for all vegetative screening questions?
9:19:16 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Can tell when landscaping for vegetative screening proposed to be done?
9:19:59 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Requests to change vegetative screening?
9:20:12 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Public comments filed, vegetative screening fully shield properties?
9:20:50 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	States .85 miles transmission line, what entity own transmission line?
9:21:31 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Know which entity paying interconnection costs?
9:21:50 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Studies completed confirm load studies for connecting to grid and where project in relation to PJM application?
9:22:44 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	First Request, Item 11, discussion with Webster Co Roads Department, any additional discussions taken place?
9:23:26 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Communication with Transportation Cabinet, any additional communications taken place?
9:23:56 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	No haul plan established, any other updates?
9:24:20 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Any updates on when contractor brought on board?

9:24:34 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	The ECT or EPC?
9:25:07 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	States conduct additional geotechnical surveys, underground mines, any update on timeline?
9:25:37 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Subsidence review 10.3 percent project area classified Category 3, possibility of future subsidence, any mitigation planned?
9:26:19 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Stated mist netting unnecessary to identify endangered bat species, elaborate on mitigation measures, any measures taken?
9:26:52 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Purchase power agreement executed?
9:26:58 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Is one planned to be?
9:27:07 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	With BREC?
9:27:21 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Ask for more information in post-hearing data request, provide that?
9:27:22 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace	STAFF ATTY WILLIAMS PSC - WITNESS MORALES
	Note: Sacre, Candace	PURCHASE POWER AGREEMENT EXECUTED WITH BREC
9:27:41 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	What company employ individuals, NextEra responsible for employees overseeing construction phase?
9:28:23 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Please explain involvement or outreach other than public information meetings?
9:29:25 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Fielded complaints by nonparticipating landowners?
9:29:58 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Had requests to alter vegetative screening by nonparticipating?
9:30:05 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Any other requests from anyone in community to change project layout?
9:30:15 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Will just move on to same thing for economic impact questions?
9:31:13 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Which witness that be?
9:31:25 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Decommissioning plan is final plan?
9:31:37 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Any updates to plan?
9:31:53 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Know whether all underground equipment removed in decommissioning plan?
9:32:08 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Explain process taken ensure soil quality maintained?
9:32:51 AM	Chairman Hatton Note: Sacre, Candace	Questions?
9:33:10 AM	Board Member Lyons - witness Morales Note: Sacre, Candace	Examination. Done overlay of project area with Division of Water's flood plain portal?

9:33:37 AM	Board Member Lyons - witness Morales Note: Sacre, Candace	What were results of that, portion in flood plain?
9:34:50 AM	Chairman Hatton Note: Sacre, Candace	Questions?
9:34:55 AM	Board Member Whitfield - witness Morales Note: Sacre, Candace	Examination. Comments wildlife and fencing, describe what areas fenced off?
9:35:20 AM	Board Member Whitfield - witness Morales Note: Sacre, Candace	Idea how tall fences be?
9:35:30 AM	Board Member Whitfield - witness Morales Note: Sacre, Candace	Closest be with panels to any residential structure?
9:36:50 AM	Board Member Whitfield - witness Morales Note: Sacre, Candace	Worked with any soil conservation services keep erosion under control?
9:37:10 AM	Chairman Hatton Note: Sacre, Candace	Questions?
9:37:30 AM	Commissioner Regan - witness Morales Note: Sacre, Candace	Examination. Weirs Creek Solar applied for permitting?
9:37:48 AM	Commissioner Regan - witness Morales Note: Sacre, Candace	Said NextEra have all construction workers, be NextEra employees?
9:38:04 AM	Commissioner Regan - witness Morales Note: Sacre, Candace	When project complete, be Weirs Solar employees based in Kentucky?
9:38:28 AM	Commissioner Regan - witness Morales Note: Sacre, Candace	If issue with solar panel, customer service in area, 800 number?
9:39:15 AM	Commissioner Regan - witness Morales Note: Sacre, Candace	No full-time employees other than construction workers located in Kentucky?
9:39:43 AM	Commissioner Regan - witness Morales Note: Sacre, Candace	In post-hearing data request, let us know what positions those will be?
9:39:44 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	COMMISSIONER REGAN - WITNESS MORALES IDENTIFY POSITIONS OF FULL-TIME EMPLOYEES WHO WILL OVERSEE AND MONITOR SITE
9:39:58 AM	Chairman Hatton Note: Sacre, Candace	Questions?
9:40:05 AM	Commissioner Stacy - witness Morales Note: Sacre, Candace	Examination. Responsibility for compliance be with NextEra, what be responsible for?
9:41:13 AM	Commissioner Stacy - witness Morales Note: Sacre, Candace	Transfer all responsibility for project to NextEra, company working for have any responsibility or contracting that away?
9:41:37 AM	Commissioner Stacy - witness Morales Note: Sacre, Candace	Have contract that says that?
9:41:41 AM	Commissioner Stacy - witness Morales Note: Sacre, Candace	With NextEra that says share responsibility, they are responsible for all compliance?
9:42:45 AM	Commissioner Stacy - witness Morales Note: Sacre, Candace	Said distance to nonparticipating landowners was as low as 297 feet?
9:42:59 AM	Commissioner Stacy - witness Morales Note: Sacre, Candace	To a home or to a barn or what is that?
9:43:08 AM	Commissioner Stacy - witness Morales Note: Sacre, Candace	What is plan regarding that particular residence?

9:43:21 AM Commissioner Stacy - witness Morales  
Note: Sacre, Candace Describe that process, the vegetative screen?

9:43:58 AM Commissioner Stacy - witness Morales  
Note: Sacre, Candace Not be herbicides sprayed on property, how control vegetation?

9:44:20 AM Commissioner Stacy - witness Morales  
Note: Sacre, Candace Earthmoving in this project where raise some places lower some places?

9:44:30 AM Commissioner Stacy - witness Morales  
Note: Sacre, Candace Know how many cubic yards earth be moved?

9:44:45 AM Commissioner Stacy - witness Morales  
Note: Sacre, Candace Underground mining under property?

9:44:55 AM Commissioner Stacy - witness Morales  
Note: Sacre, Candace Company done study to see effect on underground mining and earthmoving affect drainage into underground mines and affect other property owners?

9:45:50 AM Commissioner Stacy - witness Morales  
Note: Sacre, Candace If project cause water to migrate into underground mine and came out on adjoining landowner, have studies on possibility of any effects like that?

9:46:58 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Examination. Saying Weirs Creek Solar, LLC, subsidiary of NextEra and no direct employees?

9:47:14 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Weirs Creek Solar have any assets?

9:47:24 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Assuming permit granted, only assets of Weirs Creek Solar?

9:47:40 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Which company name leases be in?

9:47:49 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Anticipate then transfer permit to NextEra or hold in Weirs Creek?

9:48:00 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Public comment earlier inquiring possibility Weirs Creek Solar files bankruptcy, who then responsible?

9:48:22 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace For all requirements of permit and leases?

9:48:35 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Not something worked out in contract already?

9:48:45 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Structure NextEra used before?

9:48:48 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Where just have LLC formed in state where seller facility being built?

9:49:04 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace In Kentucky already?

9:49:06 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace This be fourth in Kentucky?

9:49:16 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Flooding real issue in Kentucky, how closely look at what happens if area floods, what is plan?

9:50:15 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace Stacy asked about mining and what happens if floods, underground mines 300-400 feet underneath solar array, mines collapse when weight put on them?

9:51:04 AM Chairman Hatton - witness Morales  
Note: Sacre, Candace May be not heavy enough?

9:51:27 AM	Chairman Hatton Note: Sacre, Candace	Follow-up questions?
9:51:41 AM	Board Member Whitfield - witness Morales Note: Sacre, Candace	Examination. Three other solar facilities going in, under Weirs or three other subsidiaries under NextEra?
9:52:09 AM	Board Member Whitfield - witness Morales Note: Sacre, Candace	Ask why, instead NextEra doing this, would be four different subsidiaries not have assets or employees?
9:52:37 AM	Board Member Whitfield - witness Morales Note: Sacre, Candace	Flooding issue, more concerned tornado, how well attached to structures?
9:53:27 AM	Chairman Hatton Note: Sacre, Candace	Staff?
9:53:36 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Recross Examination. Stated Weirs Creek seeking payment in lieu of taxes, what is status of applications?
9:54:06 AM	Staff Atty Williams PSC - witness Morales Note: Sacre, Candace	Status of connection to MISO grid, go into depth where Weirs Creek is in process?
9:54:40 AM	Chairman Hatton - witness Morales Note: Sacre, Candace	Examination. What is GIA?
9:54:45 AM	Chairman Hatton - witness Morales Note: Sacre, Candace	Already executed?
9:55:01 AM	Chairman Hatton Note: Sacre, Candace	Redirect?
9:55:15 AM	Chairman Hatton Note: Sacre, Candace	Go ahead, Deputy Secretary.
9:55:17 AM	Board Member Lyons - witness Morales Note: Sacre, Candace	Examination. Speak to toxicity or hazardous waste characteristics of solar panel?
9:55:40 AM	Chairman Hatton Note: Sacre, Candace	Next witness?
9:55:51 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace	Esther Atkinson.
9:56:09 AM	Chairman Hatton - witness Atkinson Note: Sacre, Candace	Examination. Name and address?
9:56:31 AM	Chairman Hatton - witness Atkinson Note: Sacre, Candace	Have same information?
9:56:35 AM	Chairman Hatton - witness Atkinson Note: Sacre, Candace	Otherwise, same documents previous witness had as well?
9:56:46 AM	Chairman Hatton Note: Sacre, Candace	Witness is sworn.
9:57:05 AM	Atty Koenig Weirs Creek Solar - witness Atkinson Note: Sacre, Candace	Direct Examination. State job title?
9:57:11 AM	Atty Koenig Weirs Creek Solar - witness Atkinson Note: Sacre, Candace	With what company?
9:57:16 AM	Atty Koenig Weirs Creek Solar - witness Atkinson Note: Sacre, Candace	Cause testimony be filed?
9:57:26 AM	Atty Koenig Weirs Creek Solar - witness Atkinson Note: Sacre, Candace	Have any changes?
9:57:29 AM	Atty Koenig Weirs Creek Solar - witness Atkinson Note: Sacre, Candace	Asked same questions, give same answers?
9:57:34 AM	Atty Koenig Weirs Creek Solar - witness Atkinson Note: Sacre, Candace	Your intent have testimony incorporated into record?

9:57:44 AM Chairman Hatton  
Note: Sacre, Candace Counsel?

9:57:45 AM Staff Atty Williams PSC - witness Atkinson  
Note: Sacre, Candace Cross Examination. Haul routes, response stated no haul plan established, updates on haul plan or specifics?

9:59:34 AM Staff Atty Williams PSC - witness Atkinson  
Note: Sacre, Candace Site Assessment Report, noise, elaborate on mitigation measures recommended?

10:00:11 AM Staff Atty Williams PSC - witness Atkinson  
Note: Sacre, Candace What does noise blanketing entail?

10:00:30 AM Chairman Hatton - witness Atkinson  
Note: Sacre, Candace Examination. How does that work?

10:00:54 AM Staff Atty Williams PSC - witness Atkinson  
Note: Sacre, Candace So big screen or something?

10:01:07 AM Commissioner Regan - witness Atkinson  
Note: Sacre, Candace Examination. Temporary structure?

10:01:14 AM Chairman Hatton  
Note: Sacre, Candace Counsel?

10:01:20 AM Staff Atty Williams PSC - witness Atkinson  
Note: Sacre, Candace Cross Examination (cont'd). Believe question about panels in case of tornado or inclement weather, detail how installed and safety measures made?

10:02:37 AM Chairman Hatton  
Note: Sacre, Candace Deputy Secretary Lyons?

10:02:45 AM Board Member Lyons - witness Atkinson  
Note: Sacre, Candace Examination. Speak to geotech report?

10:02:56 AM Board Member Lyons - witness Atkinson  
Note: Sacre, Candace Give conclusions of that regarding subsidence underground mines?

10:03:49 AM Board Member Lyons - witness Atkinson  
Note: Sacre, Candace Talked to coal companies that had permits underground on that site?

10:04:04 AM Board Member Lyons - witness Atkinson  
Note: Sacre, Candace How deep piles go in ground?

10:04:25 AM Board Member Lyons - witness Atkinson  
Note: Sacre, Candace Confusion regarding surface mine versus deep mine permits, confirm no surface mining past or present in area?

10:04:51 AM Board Member Lyons  
Note: Sacre, Candace Not think there is, all I have.

10:05:27 AM Chairman Hatton  
Note: Sacre, Candace Judge Whitfield?

10:05:32 AM Board Member Whitfield - witness Atkinson  
Note: Sacre, Candace Examination. Any panels built here adhere to codes in effect in Florida to mitigate wind events?

10:06:08 AM Board Member Whitfield - witness Atkinson  
Note: Sacre, Candace Asking if could consider adhering to Florida, just a request I am making?

10:06:31 AM Board Member Whitfield - witness Atkinson  
Note: Sacre, Candace And, if not have same requirements, could install them to standards here?

10:06:48 AM Commissioner Regan - witness Atkinson  
Note: Sacre, Candace Examination. Think is asking, would be willing to look at that?

10:07:02 AM Chairman Hatton - witness Atkinson  
Note: Sacre, Candace Examination. Who would be best person to testify what standards are, differences in Kentucky and Florida, how deeply pile driving?

10:07:09 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace	Not think have anyone here today, discussion.
10:07:51 AM	Board Member Whitfield - witness Atkinson Note: Sacre, Candace	Examination. In regards to mining, not very concerned with panels, mapping in regards to substation or heavy structures, may see subsidence, maps available through Alliance Coal or Mines and Minerals?
10:09:03 AM	Commissioner Regan - witness Atkinson Note: Sacre, Candace	Examination. Worked on solar projects in Florida?
10:09:11 AM	Commissioner Regan - witness Atkinson Note: Sacre, Candace	Assuming have solar down there?
10:09:16 AM	Commissioner Regan - witness Atkinson Note: Sacre, Candace	Know how fared during hurricane?
10:09:24 AM	Commissioner Regan - witness Atkinson Note: Sacre, Candace	Something could request?
10:09:35 AM	Chairman Hatton Note: Sacre, Candace	Commissioner Stacy?
10:09:37 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Examination. Been involved with other solar projects anywhere?
10:09:44 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Tell us where those are?
10:09:52 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Tell us the location of that?
10:09:56 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Go ahead, others?
10:10:32 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Are some or all of projects completed and operational?
10:10:53 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Asked about haul route plan, give example what plan might be on small rural road in projects worked on?
10:11:22 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Named number of solar projects, haul route plan worked on in previous project?
10:12:28 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	What involved in developing plan, all issues that might damage adjoining landowners or county government, what done in past to alleviate problems?
10:13:07 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace	Do have Andrews testifying later.
10:13:21 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Examination. Mitigation measures for dust?
10:14:09 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	And who required to do that?
10:14:23 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	NextEra involved in that?
10:14:48 AM	Commissioner Stacy - witness Atkinson Note: Sacre, Candace	Heard two witnesses, not a lot of definite answers, give me one or two definite things have a plan for in place to alleviate concerns?
10:16:23 AM	Commissioner Stacy Note: Sacre, Candace	Wish we had more definite answers.
10:17:08 AM	Chairman Hatton - witness Atkinson Note: Sacre, Candace	Examination. Know whether permit in place with Division of Water to operate in flood plain?

10:17:33 AM	Chairman Hatton - witness Atkinson Note: Sacre, Candace	If area covered by flood plain, construction areas avoid those areas?
10:18:01 AM	Chairman Hatton Note: Sacre, Candace	Questions?
10:18:59 AM	Chairman Hatton Note: Sacre, Candace	Call next witness.
10:19:10 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace	Brian Bartels.
10:19:23 AM	Chairman Hatton Note: Sacre, Candace	Witness is sworn.
10:19:33 AM	Chairman Hatton - witness Bartels Note: Sacre, Candace	Examination. Name and address?
10:19:52 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Direct Examination. By whom employed?
10:19:57 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Job title?
10:20:02 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Had involvement in Weirs Creek Solar project?
10:20:08 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Provided responses to data requests?
10:20:16 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Revisions, amendments, or edits anything previously filed?
10:20:26 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Adopt responses today?
10:20:31 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace	Go over questions referred.
10:20:59 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Direct Examination (cont'd). One of issues left was the vegetative screening plan, provide Board with more information about that?
10:21:20 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Know how tall be when matured?
10:21:43 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Said be double row staggered?
10:21:48 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Best screening possible for nonparticipating residences and church?
10:21:56 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Fairly fast growing but will have some time before full maturity?
10:22:12 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Native to area?
10:22:20 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Other vegetation, talk about within fenced area and under panels to deal with erosion?
10:22:54 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Public comments about livestock, not planned for this project?
10:23:07 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	How ground cover maintained?
10:23:15 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Fencing, explain fencing surrounds project as a whole and around substation and battery storage area?
10:23:39 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Special ways fencing be installed prevent wildlife getting caught in it?

10:24:07 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Other wildlife mentioned threatened or endangered bat species, how dealing with bats?
10:24:55 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	As far as flood plain issues, explain what done to mitigate issues?
10:25:30 AM	Atty Temple Weirs Creek Solar - witness Bartels Note: Sacre, Candace	Include storm water permit if needed?
10:26:03 AM	Commissioner Regan Note: Sacre, Candace	Ready?
10:26:15 AM	Staff Atty Williams PSC - witness Bartels Note: Sacre, Candace	Cross Examination. Subsidence review found 10.3 percent project area classified as Category 3, possibility of future subsidence, what mitigation measures planned?
10:27:02 AM	Staff Atty Williams PSC - witness Bartels Note: Sacre, Candace	Endangered bats, any other endangered aware of?
10:27:27 AM	Staff Atty Williams PSC - witness Bartels Note: Sacre, Candace	Explain process ensure soil quality maintained and useful for agriculture?
10:28:26 AM	Commissioner Regan Note: Sacre, Candace	Deputy Secretary?
10:28:39 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Examination. Toxicity or hazardous waste nature of panels, tell us about that?
10:29:12 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Generally considered hazardous waste when replace them?
10:29:23 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Not leach any type of chemicals or other pollutants?
10:29:38 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Threatened and endangered species, complying with regulations, Staff Second Request, provided IPaC and made reference KY-BAT, not see response to that, summarize KY-BAT response said that IPaC not cover?
10:31:13 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Threatened plants, appreciate providing that as well?
10:31:42 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Phase 1 assessment, farm dump or dumps, not sure how many, clean those up or final disposition?
10:32:30 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Responsibility for those remains with landowner?
10:32:42 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Oil wells, four identified in project area, one inside fence line, plugged, correct?
10:33:13 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Mineral rights, any agreements or discussions with operating oil and gas wells and mineral rights they have, come on property and drill, spoken to them?
10:34:24 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	Noted in record water wells on property, speak to that, what be done with water wells, used, plugged, within fenced area?
10:35:16 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	If do buffer 25 feet, means leave in place as is and not plug?
10:35:40 AM	Board Member Lyons - witness Bartels Note: Sacre, Candace	If are abandoned, prefer be plugged if not used, if agreement like to see that?

10:36:49 AM Board Member Lyons - witness Bartels  
Note: Sacre, Candace Flood plains be avoided at all cost, looking at maps and compare on another screen, appears to me conflict?

10:37:53 AM Commissioner Regan  
Note: Sacre, Candace Judge?

10:37:55 AM Board Member Whitfield - witness Bartels  
Note: Sacre, Candace Examination. Vegetative screening, if problems, call me, who do I call make sure taken care of?

10:38:41 AM Commissioner Regan - witness Bartels  
Note: Sacre, Candace Commissioner Stacy?

10:38:50 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Examination. Mix of what plant, know exactly what consists of?

10:39:26 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Tell us about trees be buffer home and panels, size initially and growth rate, how does that work?

10:40:07 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Propose to plant seedlings?

10:40:18 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Talking about size of tree, just a seedling?

10:40:28 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace What size estimate plan on using?

10:40:35 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Kinda be described as a seedling, I would think, wouldn't you?

10:40:41 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace There is a way to plant mature trees, familiar with that?

10:41:00 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Have opinion on that?

10:41:27 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Explain a little bit more?

10:41:36 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace What if purchased a ten-foot tree and plant that, something have considered?

10:42:15 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Weather in Kentucky can be bad everywhere, toxicity of panels, leach out onto soil?

10:43:43 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace If broken by large hailstorm?

10:44:06 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Told us not decided on what panels be installed?

10:44:29 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace Not know what inside panels?

10:44:53 AM Commissioner Stacy - witness Bartels  
Note: Sacre, Candace What that consist of, tell what inside panel?

10:45:43 AM Commissioner Regan  
Note: Sacre, Candace Take a break?

10:45:47 AM Atty Temple Weirs Creek Solar  
Note: Sacre, Candace Procedural discussion.

10:46:30 AM Commissioner Regan  
Note: Sacre, Candace Recess.

10:46:57 AM Session Paused

10:58:54 AM Session Resumed

10:58:56 AM Camera Lock Deactivated

10:59:00 AM Commissioner Regan  
Note: Sacre, Candace Next witness?

10:59:25 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace	Ebone-Alexandria Ross.
10:59:33 AM	Commissioner Regan Note: Sacre, Candace	Witness is sworn.
10:59:43 AM	Commissioner Regan - witness Ross Note: Sacre, Candace	Examination. Name and address?
10:59:56 AM	Atty Temple Weirs Creek Solar - witness Ross Note: Sacre, Candace	Direct Examination. By whom employed?
11:00:03 AM	Atty Temple Weirs Creek Solar - witness Ross Note: Sacre, Candace	Title?
11:00:10 AM	Atty Temple Weirs Creek Solar - witness Ross Note: Sacre, Candace	Provided responses to data requests?
11:00:16 AM	Atty Temple Weirs Creek Solar - witness Ross Note: Sacre, Candace	Any revisions, amendments, or edits?
11:00:23 AM	Atty Temple Weirs Creek Solar - witness Ross Note: Sacre, Candace	Adopt today?
11:00:41 AM	Board Member Lyons - witness Ross Note: Sacre, Candace	Examination. Battery storage, how works, restrictions, anything give idea how storage units work?
11:01:57 AM	Board Member Lyons - witness Ross Note: Sacre, Candace	What is storage capacity?
11:02:12 AM	Board Member Lyons - witness Ross Note: Sacre, Candace	Lithium ion, in all likelihood?
11:02:20 AM	Board Member Lyons - witness Ross Note: Sacre, Candace	Possibility of fire, something talk to locals, proper response capability?
11:03:14 AM	Board Member Whitfield - witness Ross Note: Sacre, Candace	Examination. Size, weight of batteries would be?
11:03:38 AM	Board Member Whitfield - witness Ross Note: Sacre, Candace	Training local responders, what is danger of flooding, discharge across area?
11:04:32 AM	Board Member Whitfield - witness Ross Note: Sacre, Candace	Lithium leaking out on ground?
11:05:03 AM	Board Member Whitfield - witness Ross Note: Sacre, Candace	What happens if are damaged?
11:05:37 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Examination. Tell me about batteries?
11:06:22 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Inside shipping container?
11:07:03 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Not call them batteries, call them what?
11:07:22 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Multiple batteries in each pack?
11:07:37 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	If pierced, pierce one pack?
11:08:01 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Heat generated when charging?
11:08:07 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Heat generated when discharging?
11:08:22 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	What is that management system, fans?
11:08:34 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Have to have running water running over chiller or fans?

11:08:45 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Looks much like a commercial building, chiller on top, same process?
11:09:07 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	How much heat expect generate?
11:09:28 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Inside one of these containers?
11:09:44 AM	Commissioner Stacy - witness Ross Note: Sacre, Candace	Know what manufacturer, know who is?
11:10:20 AM	Commissioner Regan Note: Sacre, Candace	Next witness?
11:10:36 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace	Jason Andrews.
11:10:55 AM	Commissioner Regan Note: Sacre, Candace	Witness is sworn.
11:11:02 AM	Commissioner Regan - witness Andrews Note: Sacre, Candace	Examination. Name and address?
11:11:12 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Direct Examination. By whom employed?
11:11:19 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Title?
11:11:23 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Worked on Weirs Creek Solar project?
11:11:31 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Not file responses and not file any information but been working with team?
11:11:56 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Relationship between Weirs Creek, NextEra, and contractor be hired, Weirs Creek have assets?
11:12:40 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Reason four projects in Kentucky, each owns its assets?
11:13:11 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	If construction certificate granted, NextEra hire contractor who will build project?
11:14:58 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	NextEra hires contractor, brings to NextEra?
11:15:28 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Contractor not making decisions to go against regulations, mitigation measures, whatever agreements NextEra has with counties?
11:15:42 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Goes for haul routes, also dust, mitigation measures contractor make plan, presented to NextEra, decide if complies with Siting Board?
11:16:08 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Discussion what happens if bankruptcy how land returned?
11:17:05 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Based on outside estimates of cost of decommissioning?
11:18:08 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	What happens when complaints to him, process people can get into contact if issues, explain that?
11:20:04 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Sound blanketing pile driver noise used on other projects, explain further?
11:21:21 AM	Atty Temple Weirs Creek Solar - witness Andrews Note: Sacre, Candace	Panels if broken or damaged, chemical leaching, possibility?

11:23:08 AM Atty Temple Weirs Creek Solar - witness Andrews  
Note: Sacre, Candace NextEra committing not be panels contain material that could leak?

11:23:30 AM Atty Temple Weirs Creek Solar - witness Andrews  
Note: Sacre, Candace If panel is broken, not create issues?

11:23:38 AM Atty Temple Weirs Creek Solar - witness Andrews  
Note: Sacre, Candace Underground mines, coal contracts, any of that, give overview?

11:25:45 AM Atty Temple Weirs Creek Solar - witness Andrews  
Note: Sacre, Candace Anything else felt needed addressed or added on to in any way?

11:26:10 AM Staff Atty Williams PSC - witness Andrews  
Note: Sacre, Candace Cross Examination. EPC hiring contractors for construction phase, where is Weirs Creek in process of contracting EPC?

11:26:41 AM Staff Atty Williams PSC - witness Andrews  
Note: Sacre, Candace General timeline for that going forward?

11:26:58 AM Commissioner Regan  
Note: Sacre, Candace Questions?

11:27:09 AM Board Member Whitfield - witness Andrews  
Note: Sacre, Candace Examination. What legal entity responsible for decommissioning?

11:27:57 AM Board Member Whitfield - witness Andrews  
Note: Sacre, Candace Know what cost per kWh be compared to traditional supplies of coal ???

11:29:04 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace Examination. Panels and leakage, not purchased panels?

11:29:19 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace Know where panels might come from?

11:29:33 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace Where most panels made?

11:29:39 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace China a big manufacturer?

11:29:51 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace If buy panel from them, how ensure that panel is safe?

11:30:28 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace How big is project, many acres?

11:30:41 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace Buy enough panels to cover 800 acres without some kind of test, take manufacturer's word?

11:31:15 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace See if could get a more definitive answer?

11:31:44 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace Asked about wells and dumps and offset, how many acres of offsets now have?

11:32:08 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace Anybody answer that?

11:32:32 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace How many acres of those avoidances are in this project?

11:32:48 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace Runoff when put post in ground, moving material, flatten this ground?

11:34:16 AM Commissioner Stacy - witness Andrews  
Note: Sacre, Candace In Kentucky, history of mining, runoff from deep mines, when change surface might change runoff, taken into consideration?

11:36:43 AM Commissioner Regan - witness Andrews  
Note: Sacre, Candace Examination. Operations center monitoring all project?

11:37:04 AM	Commissioner Regan - witness Andrews Note: Sacre, Candace	Been any thought to moving center out of Florida or redundant path if other operations center taking calls?
11:37:49 AM	Commissioner Regan - witness Andrews Note: Sacre, Candace	Operations center not redundant path if that go down?
11:38:08 AM	Commissioner Stacy - witness Andrews Note: Sacre, Candace	Examination. Have problem not resolve with you, what are options?
11:40:51 AM	Commissioner Stacy - witness Andrews Note: Sacre, Candace	Had subsidence, heavy equipment, how get fixed in timely manner?
11:42:17 AM	Commissioner Regan - witness Andrews Note: Sacre, Candace	Examination. Something in contract with EPC that would address that?
11:42:48 AM	Commissioner Regan Note: Sacre, Candace	Redirect?
11:42:53 AM	Commissioner Regan Note: Sacre, Candace	Procedural discussion.
11:43:21 AM	Atty Temple Weirs Creek Solar Note: Sacre, Candace	Bryan Loomis.
11:43:36 AM	Commissioner Regan Note: Sacre, Candace	Witness is sworn.
11:43:42 AM	Commissioner Regan - witness Loomis Note: Sacre, Candace	Examination. Name and address?
11:44:04 AM	Atty Temple Weirs Creek Solar - witness Loomis Note: Sacre, Candace	Direct Examination. By whom employed?
11:44:09 AM	Atty Temple Weirs Creek Solar - witness Loomis Note: Sacre, Candace	Title?
11:44:13 AM	Atty Temple Weirs Creek Solar - witness Loomis Note: Sacre, Candace	In that role, worked on Weirs Creek Solar application?
11:44:23 AM	Atty Temple Weirs Creek Solar - witness Loomis Note: Sacre, Candace	In what capacity?
11:44:30 AM	Atty Temple Weirs Creek Solar - witness Loomis Note: Sacre, Candace	Amendments or edits?
11:44:37 AM	Atty Temple Weirs Creek Solar - witness Loomis Note: Sacre, Candace	Adopt as testimony?
11:44:47 AM	Staff Atty Williams PSC - witness Loomis Note: Sacre, Candace	Cross Examination. Economic Impact Analysis, how came to conclusions, methods used?
11:46:25 AM	Staff Atty Williams PSC - witness Loomis Note: Sacre, Candace	Job creation, 273 during construction, how local defined in report?
11:47:11 AM	Staff Atty Williams PSC - witness Loomis Note: Sacre, Candace	Property Value Impact Report, Exhibit 1, Site Assessment Report, elaborate on methodology?
11:48:15 AM	Commissioner Regan Note: Sacre, Candace	Questions?
11:48:30 AM	Commissioner Regan - witness Loomis Note: Sacre, Candace	Examination. When do economic impact, go to location?
11:48:38 AM	Commissioner Regan - witness Loomis Note: Sacre, Candace	Never been to location?
11:49:06 AM	Commissioner Regan Note: Sacre, Candace	No more witnesses?
11:49:08 AM	Commissioner Regan Note: Sacre, Candace	Further motions.
11:49:13 AM	Commissioner Regan Note: Sacre, Candace	Final order.

11:49:30 AM	Commissioner Regan Note: Sacre, Candace	Requests for information.
11:50:02 AM	Commissioner Regan Note: Sacre, Candace	Briefing.
11:50:40 AM	Commissioner Regan Note: Sacre, Candace	Hearing adjourned.
11:51:06 AM	Camera Lock PTZ Activated	
11:51:25 AM	Session Ended	

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