## Case No. 2024-00406

Thank you for your comments on the application of Lost City Renewables LLC. Your comments in the above-referenced matter have been received and will be placed into the case file for the Commission's consideration. Please cite the case number in this matter, 2024-00406 in any further correspondence. The documents in this case are available at View Case Filings for: 2024-00406 (ky.gov).

Thank you for your interest in this matter.

From: Kassidy from History for the Ages Sent: Friday, June 27, 2025 6:18 PM To: PSC Public Comment <PSC.Comment@ky.gov> Subject: Letter for Case Number: 2024-00406



Hello,

Attached, please find my letter to be uploaded to case number 2024-00406 (Lost City Renewables).

Thank you!

Best,

Kassidy



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## June 27, 2025 (Case Number: 2024-00406)

Dear Kentucky Public Service Commission Members:

First, I want to thank you all for taking over six hours of your time on June 13, 2025, for the PSC meeting with Lost City Renewables. The communities of Dunmor and Penrod appreciate your careful attention to this matter, as well as your thoughtful questions to the company.

Second, I know that the size of roadways and the safety of equipment and machinery on Dunmor's/Penrod's rural roads was mentioned during the June 13 meeting. Attached, please find photographs of these roads, as well as accompanying descriptions (*Figs. 1-4.3*). Already, individuals have trouble navigating the small, curvy, and hilly Forgy Mill Road. As the photos illustrate, even a box truck takes up the majority of the road, making it impossible for two vehicles to safely meet without one having to either reduce speed drastically or pull off the road entirely. Based on these photographs, images I've seen other area residents provide, and my own experiences, it would not be a matter of *if* an accident happened but *when* an accident happened if this project is allowed to proceed. If someone is seriously injured (or worse, killed), who is responsible? The solar company? The landowners? The county? The state? Although restitution would have to be provided by some party, if someone loses their health due to an accident or even loses their life, money will not provide emotional and mental solace to the grieving families.

Third, I would also like to address a point that was made by Sean Joshi, Lost City Renewables' developer, during the June 13 meeting. At approximately 2:10 p.m., Joshi asserted that some individuals reaching out to Lost City Renewables by phone included the "Cobb family." While it is true that we initially tried phoning the company shortly after learning about the proposed project in an effort to gain additional information and have called a few times since then in an attempt to speak with an actual representative by phone, our calls have been minimal and—especially over the last six or more months—incredibly infrequent.

In regard to the claim that "Mr. Cobb" has been reached out to multiple times and declines a meeting, this is an entirely false statement. "Mr. Cobb" had called Gaylan Spurlin (the local liaison and former county clerk) multiple times inquiring about when the follow-up meeting the company had promised back on October 29, 2024, would occur. Each time, Spurlin was unable to discuss when a future meeting would be held, citing that the company was busy with data requests and other components of the project. We were not even notified personally by Gaylan Spurlin—or anyone else associated with the company—about the May 2025 meeting the company hosted. Instead, a concerned local resident had sent us a picture of the meeting announcement in the newspaper, which was the only information we ever received. Additionally, both "Mr. Cobb" and others within my household have accepted meeting invitations. One such invitation was extended in December 2024 by the landowner's lawyer. Although we accepted the invitation, that meeting never took place. Then, during the conclusion of the May 2025 meeting, Spurlin extended an invitation to meet with him, even letting us know that he would meet us at a local country store to discuss the project. While we agreed to that meeting, it, too, never took place and we were not contacted further by Spurlin or anyone else associated with the company.

Regarding the company's phone number, Joshi noted at approximately 2:14 p.m. on June 13, 2025, that the phone number Lost City Renewables currently has is an 800 number and that every project has a different one because "they have to have one." This claim is also inaccurate based on information provided on Lost City Renewables' website.<sup>1</sup> The 843 area code is not a toll-free number but rather is a South Carolina area code related to a previous project undertaken by Sean Joshi, called Sunrise Renewables.<sup>2</sup> **Based on this information, Joshi stated an untruth while under oath.** What is more, I've spoken with other area residents (those who aren't in the "Cobb family") who have sent multiple emails and attempted multiple phone calls, all with no responses. Certainly, it is curious that a purportedly multi-million-dollar company has no one monitoring the phone lines or email inboxes, nor do they even have their own unique phone number for Lost City Renewables. (*Video of a 6/25 call to Lost City Renewables that went immediately to Sunrise Renewables' voicemail available upon request.*)

Additionally, I would like to address the Hughes Cemetery and other nearby burial grounds. In the June 13, 2025, meeting, Joshi noted at approximately 2:15 p.m. that no panels are being planned for additional properties, as these properties will remain as-is for farming. Joshi then stated every acre being planned for solar use is accounted for in surveys. Because of this, Joshi disregarded the statement that Hughes Cemetery was not included in the Archaeological and Cultural Reviews. This, however, is a false statement and claim.

<sup>&</sup>lt;sup>1</sup> At 1:36 p.m. Central on June 25, 2025, a screenshot (*see Fig. 4.4*) was taken of Lost City Renewables website (<u>https://lostcitysolar.com/</u>). At the bottom of the main page—under the "Contact Us" heading—the company's phone number is provided. While the first number listed is an 8, this is in no way a toll-free 800 number. Instead, the phone number—in an "843" South Carolina area code—goes directly to Sunrise Renewables. Interestingly, Sean Joshi was also the developer of Sunrise Renewables' 2,200 acre solar project (<u>https://wpde.com/news/local/sunrise-renewables-holds-public-meeting-for-proposed-renewable-energy-center-plan-georgetown-plantersville-community-moving-forward-developer-300-500-jobs-construction</u>) that, in September 2024, had faced severe opposition and—much like the ample wildlife in Dunmor/Penrod—abutted a Waccamaw National Wildlife Refuge property (<u>https://coastalobserver.com/dark-clouds-of-opposition-gather-over-proposed-solar-farm/</u>). It seems as

if the companies Joshi serves as a developer for completely lack regard for native flora and fauna across multiple regions.

<sup>&</sup>lt;sup>2</sup> 24 TimeZones, 843 Area Code, <u>https://24timezones.com/843/area-code</u>.

The "Consultants Final Report" provided by Elliot Engineering and uploaded on the PSC website May 12, 2025, clearly shows on the map that Harold Gardner's farm (which abuts Forgy Mill Road) would be used for solar panel installation *and* a proposed substation location (*see Fig. 4.5*). Based on picture 8 Elliot Engineering provided, the Gardner farm that is approximately just 700 feet from Hughes Cemetery **will not** be used for farming, but rather is slated for use within the solar complex. Even during the initial meeting with Lost City Renewables in October 2024, the map on display showed Harold Gardner's property covered in solar panels. A local radio station—Star 107.3 attended the first few minutes of the October meeting and shared a photograph of the aforementioned map (*see Fig. 4.6*). **I would also like to point out that Harold Gardner's property was included on a map just two days after Gardner** *signed the lease agreement with Lost City Renewables.* This meant individuals whose land adjoins Gardner's farm were not given a notice of the meeting with Lost City Renewables, and they were taken by complete surprise that substations and panels would be situated close to their homes.

In March 2024, the Kentucky Public Service Commission filed the "First Request for Information," in which item 45 stated: "Provide the location of all cemeteries within a two-mile radius of the project on a map and explain whether the project will restrict access to the cemeteries in any way (*see Fig. 4.7*)." Lost City Renewables' response simply placed a dot on Hughes Cemetery and a few other local burial grounds, noted that these cemeteries were not included in other maps (like USGS maps), and merely stated that the project will not restrict access to the cemeteries. Considering no additional information was provided about these burial grounds besides a rather baseless written assurance that access will not be impacted, this is in no way an adequate response to item number 45.

Quite frankly, considering Mason Poyner and Forgy Mill Roads' uses as a project entrance, I do not understand how it is feasible to simply claim these cemeteries, specifically Welborn Cemetery, will not have restricted access. What is more, Hughes Cemetery was not included in the Cultural and Archaeological Reviews (as mentioned in a previous letter I sent dated June 7), nor is Harold Gardner's farm included in said surveys. Hughes Cemetery's proximity to the Harold Gardner farm is shown in Fig. 4.8. Figures 4.9 to 5.5 show other cemeteries within a 2-mile radius of the proposed solar site, while Fig. 5.6 show the methodology Lost City used to mark cemeteries on a map.

Today (6/27), I noticed Lost City Renewables submitted their post-hearing brief. I was disappointed by many of the statements made within the brief, but one of the most startling to me was found on page 11: "The project is well suited for this site. During operations, the facility will not alter the rural nature of the area, as it will not increase residential density of the area and as it will maintain the relatively quiet environment of the area."<sup>3</sup> Considering the disruption of wildlife patterns, removal of ~609 acres of timber, and grading of hills, I am perplexed as to how this project "will not alter the rural nature of the area." Quite frankly, living near an industrial solar plant is not what individuals anticipate or plan for when they decide to live in the countryside—instead, they expect rolling hills, woods, and largely unrestricted wildlife paths. Additionally, given the pounding of posts into the ground during installation, the increased traffic, and the hum of the inverters during installation and operation, the claim that the area will maintain its "relatively quiet environment" is, in fact, baseless.

In the post-hearing brief uploaded today (6/27), Lost City Renewables said: "Lost City is committed to being a good neighbor."<sup>4</sup> Repeatedly, Lost City has proven that the reverse is actually true. When I need to speak with my neighbors, there's an active phone number I can call them at, or—better yet—I can stop by their home to discuss. When I have an idea I would like to share, my neighbor willingly lends a listening ear. Over and over again, Lost City has worked to silence area residents. First, their attempts included non-disclosure agreements with individuals who signed leases, which meant my actual neighbors (those who are full-time residents) could not discuss the project with anyone else. Then, Lost City Renewables would not correspond with concerned residents by email or over phone. Most recently, the attempts to silence residents came in the post-hearing brief, where the company "moves the Siting Board to strike the Intervenors' written public comments..."<sup>5</sup>

As previously mentioned, please find photographic evidence, screenshots, etc. within the following pages. Based on all of the provided information—as well as research I've shared in previous letters and details provided by the company throughout the project—I again ask that Lost City Renewables be denied a construction certificate. From construction to operation, this project would cause unparalleled harm to Dunmor and Penrod residents, both humans and wildlife alike. Thank you for your careful attention to this matter.

Best,

Kassidy Cobb (B.S. in History, '24; M.A. in History, '27)

<sup>&</sup>lt;sup>3</sup> Lost City Renewables, Lost City Post Hearing Brief Draft, 11. <u>https://psc.ky.gov/pscecf/2024-</u> 00406/tosterloh%40sturgillturner.com/06272025050004/Lost City Post-Hearing Brief Draft.pdf

<sup>&</sup>lt;sup>4</sup> <sup>4</sup> Lost City Renewables, Post Hearing Brief Draft, 33.

<sup>&</sup>lt;sup>5</sup> Ibid., 34.

## **Photographs & Other Documentation**

Figures 1 to 1.6: Photographs of a box truck on various stretches of Forgy Mill Road in Dunmor, Kentucky, on June 25, 2025. All photographs provided are on/near the stretches of Forgy Mill Rd. that Lost City Renewables would be actively using to haul materials to the site they acquired on Forgy Mill Rd. (i.e., Harold Gardner's farm). To protect the company's/truck driver's privacy, close-up images have marked out the company's name.



Fig. 1















Fig. 1.4



Fig. 1.5



Fig. 1.6

Figures 1.7 to 3.4: Photographs of a mobile home hauler on Forgy Mill Road in Dunmor, Kentucky, May 22, 2025. All photographs provided are on the stretches of Forgy Mill Rd. that Lost City Renewables would be actively using to haul materials to the site they acquired on Forgy Mill Rd. (i.e., Harold Gardner's farm).







Fig. 1.8











Fig. 2.0































Fig. 2.8



Fig. 2.9



Fig. 3

















Figures 3.5 to 3.7: Photographs of a box truck on Forgy Mill Road in Dunmor, Kentucky, on April 22, 2025. These photographs are representative of how difficult it is for two vehicles to safely navigate around each other, a task that becomes increasingly more dangerous when box trucks or even larger haulers are involved. It also illustrates how hilly the roads are, but this stretch of road does not even represent the hilly curves that are present on a stretch of Forgy Mill Rd. that would be actively used by trucks hauling supplies if this project is permitted.







Fig. 3.6



Fig 3.7

Figures 3.8 to 4.2: Photographs of the falling-in section of Forgy Mill Road. Harold Gardner's farm—which would be part of the solar facility—is seen in the background. Photographs in these figures show how susceptible these smaller roads are to damage like this (which would be more so if larger trucks hauling <u>tons</u> of equipment were permitted) and also indicate how small/narrow Forgy Mill Road is.



Fig. 3.8



Fig. 3.9







Fig. 4.1





Figure 4.3: Photograph of Mason Poyner Road, which illustrates just how small this road (which would be used as a site entrance) is. The sign (circled in red) is for Welborn Cemetery, while the red arrow shows the path one takes to access the historic burial ground.



Fig. 4.4: This screenshot—taken June 25, 2025, shows that the number Lost City Renewables has provided on their website is <u>not</u> an 800 number. <u>https://lostcitysolar.com/</u>



Fig. 4.5: This map—provided by Elliot Engineering and shared in Lost City Renewables' case filings—shows that Harold Gardner's property is <u>not</u> slated to maintain its present-land usage (i.e., agriculture). Instead, this tract of land on Forgy Mill Rd. would include solar panels and even a substation. Hughes Cemetery is only ~700 feet away from Gardner's land (well within a 2-mile radius of the project), yet it was completely omitted from the Archaeological and Cultural Review Lost City Renewables provided the PSC in their "First Request for Information."

https://psc.ky.gov/pscecf/2024-

<u>00406/patriciamartin%40dhec.com/05122025112322/EEI Lost City Solar Consulta</u> <u>nts Final Report.pdf</u>



Fig. 4.6: This map—which was shared during the October 29, 2024, meeting with Lost City Renewables—shows that even at that time (<u>well</u> <u>before</u> the "First Request for Information" was sent to the company), Lost City had plans to use Harold Gardner's land for solar panels and a

*substation*. <u>https://www.star1073.com/post/lost-city-renewables-300-400-million-solar-farm-proposal-details</u>


Fig. 4.7: During the First Request for Information, the PSC asked Lost City to provide the location of all cemeteries "within a <u>two-mile radius</u> of the project on a map and explain whether the project will restrict access to the cemeteries in any way." Hughes Cemetery—just ~700 feet from Harold Gardner's farm that is scheduled for panels and a substation—was completely omitted. During the June 13, 2025, meeting, company representatives appeared surprised by the presence of Hughes Cemetery, although Gardner's nearby farm has been included in project maps for months. https://psc.ky.gov/pscscf/2024%20Cases/2024-

00406//20250307 DATA REQUEST.pdf



Fig. 4.8: This map illustrates the approximate proximity (721.5 feet, +/-) of the Hughes Cemetery to the additional ~113-acre tract of land leased by Lost City Renewables (Harold Gardner's farm, as highlighted). Based on this map, it is reasonable to presume that Hughes Cemetery's viewshed would be impacted by the solar facility's installation and that construction and operational noise would be audible from Hughes Cemetery. The grove of trees circled in red on the map (and within the cemetery's view) may also be slated for removal, which would further alter the cemetery's viewshed and serenity. <u>Certainly, the cemetery falls</u> well within the 2-mile radius outlined in the PSC's "First Request for Information."



Fig. 4.9: This map illustrates that Hope Cemetery is within 2 miles of the proposed project. <u>https://www.findagrave.com/cemetery/2361882/hope-cemetery</u>



*Fig. 5: McPherson Cemetery is approximately 1 mile from the proposed site.* <u>https://www.findagrave.com/cemetery/2514085/mcpherson-cemetery</u>



Fig. 5.1: This map illustrates that one cemetery (name unknown, but marked on map) is less than 700 feet from the proposed project.



Fig. 5.2: This map illustrates that Peter Baker's grave on a nearby landowner's farm is only 3,100 feet to the proposed project.



Fig. 5.3: Under 10,000 feet from Horton Chapel Church of Christ Cemetery, and the other cemetery across the road from the church and on Union Ridge Rd. (map was sent to me by an area resident, who was not aware of the cemetery's name). The proposed project is 7,500 ft. from a Baker Cemetery on Union Ridge Rd.

https://www.findagrave.com/cemetery/1960432/Hortons-Chapel-Church-of-Christ-Cemetery



Fig. 5.4: It's 7,200 ft from a cemetery on Union Ridge Rd., which is just above the bridge and next to Terry Bowersock. This map was sent to me by an area resident, who was not aware of the cemetery's name.



Fig. 5.5: It's 4,500 ft from James Cemetery to the proposed project.



Fig. 5.6: Rather than provide actual names of cemeteries within a 2-mile radius, Lost City Renewables simply placed a nondescript dot on the map. Since the PSC said to "Provide the location of all cemeteries within a twomile radius of the project on a map and explain whether the project will restrict access to the cemeteries in any way," this response does not address the question due to the absence of detailed information—or even cemetery names—for these locations. <u>https://psc.ky.gov/pscecf/2024-</u> 00406/tosterloh%40sturgillturner.com/03212025051535/01 Response to KSB RFI-1.pdf



## Case No. 2024-00406

Thank you for your comments on the application of Lost City Renewables LLC. Your comments in the above-referenced matter have been received and will be placed into the case file for the Commission's consideration. Please cite the case number in this matter, 2024-00406 in any further correspondence. The documents in this case are available at <u>View Case Filings for: 2024-00406 (ky.gov).</u>

Thank you for your interest in this matter.

From: Mara Cobb Sent: Friday, June 27, 2025 6:01 PM To: PSC Public Comment <PSC.Comment@ky.gov> Subject: Public Comment for case #2024-00406

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Hello, please add the attached document to the case file. The attached document contains a public comment and photos of flooding affecting the proposed solar facility.

Thank you!

Mara Cobb

Case #2024-00406

Dunmor, KY, 42339

# Mara Cobb Lighthouse Literary



### Case #2024-00406

June 27, 2025

Dear Public Service Commission Board,

I am writing today in concern of flooding regarding the proposed 1,413 acre solar facility in the communities of Dunmor and Penrod. This spring alone, the proposed project site suffered from intense flooding—once in February 2025 and once in April 2025. Shane Kelley, a biologist from Stantec, told the PSC on June 13th that the 100 and 500 year floodplain was considered and the project design accounted for those floodplains as possible. However, the proposed project site and the surrounding community has undergone what some might consider once-in-a-lifetime flooding twice so far this year alone. After heavy rains, the floodwater runs across multiple fields within the site, pressing dangerously close to nearby roadways. With hundreds of acres of trees deforested and the soil compacted beneath the solar arrays, what will be left to stop the water? Even just a day or two of steady rains cause flooding issues within the site. Citizens of Dunmor and Penrod have been told repeatedly that this project will not create additional water runoff. Maybe not, but with hills graded, the water that falls—often resulting in flooding now, even with trees in place—must go somewhere.

As you can see from these images, the flooding that is becoming increasingly common in Western Kentucky also affects the areas surrounding the proposed solar facility, including proposed access roads. As the June 13th and June 19th pictures depict, it does not take much water to impact the fields on the proposed solar site or 949, which runs parallel to the proposed site. When biologist Shane Kelley was asked at the June 13th PSC meeting, what would be the effect of having planned for the wrong area flooding, his response was: "I-I don't know that answer." He went on to say that "obviously, electricity and panels and water aren't very compatible." When asked if he has knowledge of what happens to solar panels when they're flooded, his response was: "I'm sure it's not good for them."

My concern for the wildlife inhabiting the 1,413 acre site and the surrounding areas continues to grow. As shown in the images below, bats frequent our communities, and the timber that is proposed to be cut is their home, along with the squirrels, possums, raccoons, and birds. Of equal concern are the deer. Deer are frequently seen on the proposed solar facility, a fact recognized by the majority out-of-county landowner who has leased his land. In a 2019 YouTube video posted by the landowner, promoting the land for a deer hunting lease opportunity, it says, "Folks, if you're looking for a hunting lease that has it all, your search is over. This trophy class whitetail farm lies in the heart of Big Buck Alley in Western Kentucky." The video also acknowledges the hardwood timber and its effect on wildlife, stating the farm contains three fields used for agriculture and is: "perfectly positioned among 600 acres of mature hardwood timber, providing optimum nutrition for big bucks and eastern wild turkeys." It is also stated that seven ponds, a five-acre stocked lake and multiple creeks provide "year-round water sources for game." At the video's end, it is even called a "premier trophy class whitetail farm." https://www.youtube.com/watch?v=EaCuUFP9XHE

Additionally, in a post-hearing brief, Lost City claims that the timber on the farm was cleared in the 1990s and needs another 10-15 years to mature. In one instance in the brief, however, the timber is called "mature." In the above video posted by the land owner, I would like to point out again that it is stated that the agricultural fields are: "...perfectly positioned among 600 acres of *mature hardwood timber.*" I believe that the landowner would know best, rather than an out-of-country company, whether or not the timber is mature.

Clearing the timber that houses these animals would be detrimental to not only their well-being, but to the well-being of nearby farmers as the deer are pushed onto their lands, potentially disturbing the gardens and crops they rely on. In a post-hearing brief, it is stated that: "Any clearing of forested land will minimally impact deer population because deer naturally disperse in their grazing and migration pattern." It is correct that in their quest to obtain new shelter and food, the deer will disperse. Deer will not only spread out to surrounding areas, but to the roadways. Deer in our roadways are already a concern in Dunmor and Penrod with deer/vehicle collisions occurring regularly. Though Shane Kelley from Stantec is unconcerned as he told the PSC in the June 13, 2025, meeting that, "Deer are always in the road, right?", increased deer in the roadways is a concern for area residents. Daily, people utilize country roads to get to school, work, doctor appointments, and extracurricular activities.

Is it fair to ask them to take on additional risks with "trophy class whitetail" and "big bucks" being pushed from their current location to the surrounding roadways? When asked at the PSC meeting on June 13 whether drastically underestimating wildlife is a fatal flaw, Shane Kelley from Stantec said he didn't think so. While it may not be a fatal flaw regarding the logistics of installing solar panels, it could indeed become a fatal flaw for residents in southern Muhlenberg County and visitors to Lake Malone State Park should their cars, their trucks hauling boats, or their RVs collide with any number of the wildlife not estimated in the wildlife studies.

In a post hearing brief, it was stated that: "Lost City ensured the project is located on a suitable site." I disagree, and I respectfully ask that, based on a multitude of factors and findings, such as wildlife, impacts to roadways, length of the transmission line, and flooding risks, that the Public Service Commission deny Lost City Solar a construction certificate at this proposed site. While Lost City claims steps have been taken to alleviate local residents' traffic and environmental concerns, this has not been accomplished via Lost City's current plans.

At the very least, I ask the PSC to uphold the 1,000 foot statutory setbacks from property lines to mitigate impacts to the dozens of homes surrounding the site. While a 150-foot setback was approved for the Mt Olive Creek solar project, it was only 440 acres. Walton 2 also has a 150-foot setback—however, the Walton 1 and 2 projects are only 60 acres. These projects are much smaller, thus affecting a much smaller number of adjoining residents and farms.

Thank you for your time and consideration,

Mara Cobb



February 15th, 2025—site of the proposed solar facility



February 15th, 2025—site of the proposed solar facility



February 15, 2025—site of the proposed solar facility



April 4, 2025–site of the proposed solar facility



April 4th, 2025–site of the proposed solar facility



April 4, 2025—site of the proposed solar facility



April 4, 2025—site of the proposed solar facility



April 5, 2025—Free Lane (adjoining the proposed solar facility)



April 5th, 2025–Forgy Mill Rd. (proposed access road)

# June 13, 2025—site of the proposed solar facility





June 13, 2025–site of the proposed solar facility



June 19th, 2025—site of the proposed solar facility

June 19th, 2025—road in front of the proposed solar facility

## WILDLIFE

# May 15th, 2025—bat found on Forgy Mill Rd.





June 19th, 2025—deer at the proposed solar site

### Case No. 2024-00406

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Thank you for your interest in this matter.

From: KY Public Service Commission Public Comments <psc.comment@ky.gov>
Sent: Friday, June 27, 2025 6:03 PM
To: PSC Public Comment <PSC.Comment@ky.gov>
Subject: Public Comments for Case: 2024-00406 - Lost City Renewables LLC

Public Comments for Case 2024-00406 submitted by (<u>mara@lighthouseliterary.com</u>) on Friday, June 27, 2025 at 6:03 PM

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