

Planned Unit Development (P.U.D.) Review Committee Meeting
Meeting Minutes
September 1, 2026, 2:00 PM
460 S. Illinois St., Coal City, IL

Call to order and roll call

The Planned Unit Development (P.U.D.) Review Committee Meeting was called to order on Tuesday, September 1, 2026, at 2:00 P.M. at Coal City Lions Hall, 460 S. Illinois St., Coal City, IL. This meeting was transcribed and recorded.

Present: Bob Koerner (Claypool Drainage District, Chairman); Doug Boresi (Braceville Township Supervisor); Chris Spencer (Coal City School District Superintendent); Mark Heinle (Village of Coal City Attorney); Darrell Olson (Village of Coal City Director of Public Works); Walt Mahaffay (Village of Coal City Planning and Zoning Board); Matt Fritz (Village of Coal City Administrator); Mike Imhof (Coal City Chief of Police); Kyle Watson (Coal City Building Official); Ed Boik (HR Green, Village Planning Reviewer); Gary Grunauer (Resident); Terry Halliday (Resident); Ryan Hansen (Chamlin & Associates, Village Engineer); Alec Macdonald (Grundy County Economic Development Director); Bill Stahler (Maine Township Drainage District); Nick Doerfler (Coal City Fire District). A quorum of 16 members present was established.

Members that left during the meeting: Doug Boresi (Braceville Township Supervisor) left at 3:40pm.

Approval of August 18, 2026 meeting minutes

Mark Heinle motioned for the approval of the August 18, 2026 meeting minutes; seconded by Halliday. The motion carried unanimously by all members present.

Discussion was held regarding public comment being moved to the end of the meeting following public discussion rather than occurring at the beginning of the meeting. Koerner expressed it would provide additional information prior to their time to speak publicly.

Koerner motioned to move public comment to the end of the meeting, seconded by MacDonald. Motion approved with 16 Ayes and 1 Nay by Heinle.

Applicant Presentation – Addressing Round #1 Review Comments

The applicant team, representing Aligned Data Centers, presented a continuation of their design and technical package in response to Round #1 review comments. The presentation covered building materials, exterior elevations, site signage, architectural renderings, and site layout. Representatives noted that Aligned utilizes a consistent brand color palette (dark blue) across all facilities. The presentation illustrated both a single-story ("Apex") building option and a two-story ("Deck 3.0") building option, with renderings depicting berming, landscaping, stormwater retention features, and screened equipment yards. The applicant noted that the final configuration of individual buildings would be driven by tenant requirements and power density needs.

Application Review Discussion

Building Design & Layout

The committee engaged in substantial discussion regarding the flexibility embedded in the PUD application and what, precisely, the village would be approving. The applicant's architect clarified that the PUD establishes design guidelines and zoning parameters—such as maximum parapet heights, setbacks, landscaping requirements, and material standards—within which individual buildings would subsequently be submitted for site plan and building permit approval on a building-by-building basis.

Committee member Mark Heinle raised the concern that many design parameters, including building height, number of stories, and equipment configurations, remained subject to change based on future

tenant demands, and questioned whether conditions such as sound or visual screening would need to scale accordingly with differing configurations. The Chair acknowledged this concern and noted that the flexibility inherent in a PUD runs both ways: the village retains the ability to impose conditions more restrictive than those ordinarily required by code if the circumstances warrant it.

Committee member Terry Halliday raised a concern that multi-story buildings, if permitted, should be located in the interior of the campus or oriented toward the southeast corner of the site—away from residential areas, Reed Road, and Carbon Hill Road—rather than along the perimeter. The applicant acknowledged this as a legitimate planning concern.

Committee member Bob Koerner offered a counterpoint, stating that the PUD process requires the applicant to present a final, specific proposal against which the committee can measure compliance with adopted standards. He expressed concern that soliciting committee members' preferences during the review process was not the appropriate function of the committee, and emphasized that the committee's role is to test the application against existing standards and forward findings accordingly.

The village's planning consultant (Chair) elaborated that PUDs are designed for complex projects and explicitly permit deviations from standard code requirements, provided those deviations are justified by a demonstrably superior design outcome. He noted that the applicant's current submission did not yet clearly demonstrate how the proposed design is superior to what would be achieved under strict code compliance, particularly with respect to building architecture, façade articulation, and landscaping. Specific concerns included:

- The need for more differentiated materials, colors, textures, and step-backs to meet the "superior design" finding required for PUD approval.
- The submitted berming design appearing engineered rather than naturalistic, contrary to what the industrial design guidelines would call for.
- Certain requested setback deviations appearing unnecessary given the apparent dimensions of the site—applicant was directed to only request relief where genuinely needed.
- The need to define where on the site single-story versus two-story buildings may be located, rather than leaving that entirely open.
- The need to clarify that maximum height limitations apply to equipment such as thermal expansion tanks, not just parapets.

Regarding thermal expansion tanks visible in renderings, the applicant's architect confirmed these are insulated vessels that can be painted any color and are not necessarily the reflective silver depicted. The committee directed the applicant to consider height and placement of these tanks in the context of the maximum height standards established in the PUD.

A discussion also arose regarding the orientation of mechanical yards for two of the buildings (identified as approximately Buildings 6 and 7) that currently face Reed Road. Committee member Ed Boik noted that turning the mechanical yards inward between buildings could improve both visual and acoustic mitigation along the public right-of-way. The applicant confirmed this configuration is under active evaluation.

Anticipated Business Operation and Its Impact Upon Public Utilities & Public Safety

Water and Wastewater

The applicant's team clarified the distinction between peak domestic water use and operational water consumption. The domestic water supply (for employees) for a 72-megawatt building was estimated at approximately 1,000–1,500 gallons per day, used for restrooms and sinks. This is entirely separate from the closed-loop chilled water system, which is filled once with approximately 120,000 gallons of deionized water per building and does not consume municipal water in ongoing operations. The fill-and-flush commissioning process, required prior to a building going online, uses approximately 250,000

gallons per building (approximately two full flush cycles). The process is similar to construction for a municipal water main installation.

The committee questioned the frequency and quantity of water losses from the closed-loop system. The applicant stated that only trace amounts of water—equivalent to a few toilet flushes—might be lost during periodic strainer cleaning, and that a complete drain-and-refill has never occurred at any Aligned facility. The applicant confirmed that the PCT-609 pipe cleaning agent used during commissioning is discharged to the sanitary sewer and has been used without issue in numerous other jurisdictions. The committee requested that the applicant obtain from the manufacturer a statement confirming that PCT-609, as diluted in their process, is non-hazardous.

The applicant confirmed that glycol is not used in the closed-loop system; instead, heat-trace wiring is used to protect against freezing.

Diesel Fuel Storage

The applicant noted that each generator would have its own dual-wall belly tank storing approximately 5,000 gallons of diesel fuel. Above-ground storage tank permitting would proceed through the Illinois EPA.

Air Emissions

All generators will be Tier 4 compliant, which the applicant described as the highest available emissions standard. IEPA permitting will govern air emissions from generator operations.

Public Safety

The applicant's security representative described a 24-hour staffed security operation with badged access at all entry points, Knox Box access for first responders, and a secondary emergency-access-only gate on Carbon Hill Road. The main operational entrance is off Reed Road. The applicant committed to conducting walk-throughs with fire and police departments prior to tenant occupancy, and to developing site-specific emergency response protocols in coordination with Coal City public safety personnel. The committee was informed that personnel accountability is maintained at all times through the badge access system, and that fire suppression is achieved via a water-based sprinkler system, supplemented by clean-agent extinguishers in select electrical spaces.

Coal City's Deputy fire chief Nick Doerfler raised questions about specific protocols for law enforcement response, camera access, and how first responders would be escorted through the secured campus during an incident. The applicant committed to addressing these protocols in coordination with the respective departments once the campus design is finalized, consistent with practices established at other Aligned facilities.

Sound Mitigation & Air Quality Standards

Greg Miller of Trinity Consultants presented the acoustic analysis for the proposed campus. He provided an overview of sound measurement principles, noting the logarithmic nature of the decibel scale and the distinction between A-weighted (dBA) and C-weighted (dBC) measurements.

Mr. Miller identified two applicable regulatory frameworks. Coal City's local noise ordinance establishes a limit of 75 dBA (70 dBA at night) at the property line of a residence, which he described as not particularly stringent. The Illinois Pollution Control Board (IPCB) standard is considerably more restrictive, requiring 44 dBA at the property line of a residence at nighttime and 55 dBA during the day. The IPCB standard also includes specific octave-band requirements across low, mid, and high frequencies—one of the most comprehensive noise codes in the nation. Mr. Miller stated that the IPCB standard governs, as it is more restrictive than the local ordinance.

Pre-construction ambient noise monitoring was conducted at multiple locations over a 24-hour period. Background noise levels at nighttime were found to be approximately 30 dBA, which is below the IPCB limit; therefore, no upward adjustment was made based on ambient noise. Anomalies in the monitoring

data were explained: elevated readings at 5–6 AM at one location were attributed to consistent freight train activity, and missing data at one location during the 9–10 AM hour was due to delayed equipment activation.

A computer model incorporating all proposed equipment sources—chillers, transformers, and generators—was used to analyze projected noise levels at the nearest residential receptors and commercial receivers. The model confirmed that, without noise control measures, the facility would not comply with IPCB standards. With a comprehensive package of noise control measures applied—including inlet and discharge silencers on chillers, compressor enclosure wraps, acoustically rated generator enclosures with exhaust mufflers, and acoustic barrier walls integrated with visual screening—the analysis showed compliance with IPCB limits at all modeled receptor locations.

The committee raised the following specific topics:

- **Building orientation and acoustic shielding:** A question was raised about the trade-off of placing mechanical yards between two paired buildings versus along an exterior face. Mr. Miller explained that inward-facing yards reduce noise toward the east but can funnel sound northward (toward residences) more efficiently, and vice versa. He stated that either configuration can be engineered to meet IPCB standards.
- **Rooftop vs. ground-level chillers:** Mr. Miller stated that rooftop chillers can provide acoustic advantages in some configurations due to increased path-length for sound traveling over barrier walls, but noted that both configurations can achieve code compliance.
- **Emergency scenario (all generators operating):** The applicant confirmed that the scenario in which all generators operate simultaneously due to a utility outage would exceed IPCB noise limits; however, the IPCB provides an explicit emergency exemption for such scenarios. The applicant further stated that they believe this scenario would remain within Coal City's local noise ordinance, and committed to providing documentation of this analysis. The committee requested that the IPCB emergency exemption be clearly cited in the noise study narrative.
- **Generator count in the model:** A discrepancy was noted between the number of generators listed in the site plan and the number modeled. The applicant and consultant committed to confirming in writing that the model reflects the maximum build-out condition described in the PUD.
- **Early childhood center:** The committee noted that a nearby early childhood center on Carbon Hill Road had been raised repeatedly in public comment and directed the applicant to ensure that this location is included as a modeled receptor in the noise study, with a specific noise level reported.
- **Infrasound:** Mr. Miller clarified that the equipment proposed for this site—standard chilled water chillers—does not generate infrasound at appreciable levels. Infrasound concerns associated with data centers relate specifically to facilities using very large-diameter dry-cooler fans, which is a fundamentally different cooling strategy not proposed here.
- **Post-construction monitoring:** Mr. Miller acknowledged that no code-mandated post-construction noise monitoring requirement exists in Illinois or under Coal City's ordinance, but described industry best practices involving fixed, network-connected noise monitoring stations located to capture conditions at the most sensitive receptor. The applicant committed to evaluating this approach.
- **Noise control device durability:** Mr. Miller stated that passive acoustic control devices (silencers, barrier walls, and enclosure wraps) are highly durable and not subject to meaningful degradation under normal outdoor conditions. Operationally, the applicant noted that equipment condition is actively monitored and maintained by contracted service providers.

Public Comment

Public comment was received following the Application Review discussion. The Chair noted that a written letter submitted by a member of the public, Donna Petty, prior to the meeting would be entered into the record (Attachment A). The following residents addressed the committee:

Brittany Lenzie expressed frustration with the lack of definitive answers from the applicant regarding the number of buildings, tenants, sound levels, and water usage. She questioned the utility of the closed-loop cooling system characterization and raised concerns about generator noise during testing, citing potential decibel levels of up to 100 dBA. She described the presentation as lacking concrete commitments.

Debra Walters spoke in favor of continued, careful review before any approvals are granted. She raised concerns about visual impacts near the Reed Road and Carbon Hill Road intersection, the apparent disparity between proposed berm and fence heights relative to potential building heights of up to 75 feet, the capacity of Coal City's fire department to respond to incidents at a facility of this scale, and the financial burden on the village's water infrastructure. She referenced fires at data center construction sites in Jerome Township, Ohio, as a cautionary example.

Winter Wills raised concerns about environmental harm, including water contamination risks, noise pollution, heat island effects, increased humidity, and the proximity of the facility to an early childhood center. She questioned whether sufficient independent studies on the long-term impacts on children and local ecosystems had been conducted, and challenged the committee to articulate clear community benefits of the project.

Sue Crawford inquired about the total number of Aligned data center facilities nationally, the number of buildings proposed for the Coal City site, and whether the company operates under union labor agreements. She expressed a preference for an alternative site, specifically referencing a former energy production station near Pine Bluff Road along Route 47. She urged the committee and applicant to more clearly communicate community benefits.

Tina Johnson (Diamond, IL) offered a broader critique of technology industry expansion, expressing concern about the societal effects of AI and widespread data dependency, the financial risks associated with the AI industry, and the lack of public consent for technology infrastructure imposed on communities. She questioned whether local union labor would be employed during construction.

Elizabeth Ashcraft requested that future P.U.D. Review Committee meetings be scheduled during evening hours or on weekends to accommodate working residents who are unable to attend afternoon weekday meetings.

Patrick Wallace stated that while he is not categorically opposed to data centers, he sought additional information on several technical matters, including soil conditions and groundwater table depths, foundation engineering challenges for multi-story construction, the validity of historical coal mine maps in relation to the site, the potential displacement of local wildlife, the acoustic modeling standard used by Trinity Consultants, and the impact of simultaneous generator operation. He encouraged an evidence-based community dialogue.

The Chair clarified for the public that this committee serves as a technical and administrative review body. It does not approve developments but rather reviews applications for compliance and forwards findings to the Zoning Board of Appeals, which hold additional public hearings before any recommendation is made to the Village Board.

Committee Action, if Any (Motions, Votes, Direction to Consultants)

No formal votes or committee actions were taken under this agenda item. Extensive direction was provided to the applicant, including: revising the architectural package to demonstrate superior design relative to Coal City's industrial design guidelines; clarifying setback relief requests to only what is

genuinely required, specifying permissible locations for single-story versus two-story buildings, obtaining a manufacturer statement on the non-hazardous nature of PCT-609 as diluted, confirming the emergency generator noise analysis against Coal City's ordinance, and adding the early childhood center as a modeled receptor in the noise study. In addition, Mr. Koerner provided written questions of the chair regarding process-related items; this has been attached (Attachment B) along with their response.

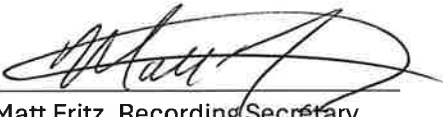
Tentative Scheduling for the Next Meeting

The committee discussed scheduling for the next meeting, which would focus on traffic, stormwater collection and conveyance, environmental review, and utility (Lot 1/ComEd) matters.

A motion to schedule the next P.U.D. Review Committee Meeting for Wednesday, September 9, 2026, at 2:00 P.M. was made by Committee Member Mahaffay and seconded by Grunauer. The motion carried unanimously.

Adjournment

A motion to adjourn was made by Halliday and seconded by Grunauer. The motion carried by unanimously. The meeting was adjourned at 5:18pm.

A handwritten signature in black ink, appearing to read "Matt Fritz", written over a horizontal line.

Matt Fritz, Recording Secretary

ATTACHMENT A

From: Donna Petty <donna09@gmail.com>

Sent: Tuesday, September 1, 2026 8:26 AM

To: edward.boik@hrgreen.com; Matt Fritz <mfritz@coalcity-il.gov>

Subject: Sept. 1, 2026 PUD-Public Comment

Please accept my formal objection regarding the preliminary Planned Unit Development (PUD) application filed by Aligned Data Center for today's PUD Meeting, Sept. 1, 2026.

I kindly request that this letter be formally read aloud into the record during the public comment portion of today's meeting, and that copies be distributed directly to all PUD Committee Members for their official review prior to any deliberations.

Sept. 1, 2026

PUD Meeting

Dear PUD Committee Members,

Before going further, the community requires clear answers to the following operational questions:

Can community members submit questions in advance to be answered during the session?

Can the meeting be scheduled for an evening time to maximize community engagement?

Can a video recording of the meeting be posted within a week so residents can review all questions and answers?

I hereby submit this Formal Objection to the preliminary Planned Unit Development application filed by Aligned Data Center. The current submission is fundamentally incomplete.

Approval in its current state would violate public trust, compromise local health and safety, and shift severe financial and environmental burdens onto residents. The application suffers from the following critical flaws:

Core water metrics jump arbitrarily between 17,000 GPD and peak daily demands of 72,600 GPD, making capacity evaluation impossible.

Mandatory studies (economic reports and acoustic models) analyze a 5-building scenario, while the PUD requests a 9-building campus and a 39-acre ComEd substation. Reviewing a partial footprint while approving a full-scale build-out is irresponsible.

Aligned Data Centers was recently unanimously rejected by the Pataskala City Council in Ohio because they could not provide definitive, complete designs for power sourcing and grid impact. Just as Pataskala officials concluded they could not vote on an elusive plan nor should Coal City.

The application omits total fill and flush volumes for closed-loop cooling systems including chemicals like PCT6009.

The noise study fails to model all buildings including the substation. With roughly 420 emergency diesel generators proposed, there is no binding Generator Testing Operations Plan or maximum emergency sound output modeling at property lines.

The project relies on unapproved waivers for BESS systems and ignores the Grundy County Board's battery storage moratorium.

The proposal relies on speculative job projections without transparent fiscal impact guarantees to offset immense incremental service costs.

I respectfully ask Aligned Data Centers to immediately withdraw its deficient PUD application and stop wasting this community's valuable time, resources, and administrative energy.

Reject, the current PUD application outright should the developer refuse voluntary withdrawal.

Uphold local development protections, environmental standards, and infrastructure safeguards, ensuring taxpayers bear zero financial or operational burden.

Respectfully submitted,

Donna Petty

September 1, 2026.

MINUTES

I have submitted a document amendment for the record concerning DataPUD #1 minutes about to be approved. Basically, that my name is attached to motions either as making or providing a second to a motion. I never performed any of those actions during DataPUD #1 meeting.

Verbal Synopsis of question documents being made to the Chair for producing this record on transcript and video.

I have submitted lengthy documents of questions for the following 6 subject areas relating to policy and procedure of this Committee.

My intent is not to take the time discussing each area of questioning but allow the Chair to review and offer a timely answer to all questions and distribute the answers in document form for the record and distribution to all members of the Committee. These subject (2-7) are in addition to the formal document requesting meeting minute corrections (1) previously stated.

- 2 Question handling
- 3 HR Green documents
- 4 Video, etc. situation
- 5 Spreadsheet Submittals
- 6 Spreadsheet Purpose
- 7 Meeting 1 question status

PUD Advisory Committee

Re: Written Request for Correction of Minutes
Submitted for the Record

1 of 7 documents submitted for the #2 DataPUD meeting. (1 page)

I request that the minutes of the previous PUD Advisory Committee meeting be corrected wherever they identify me as having made a nomination, made a motion, seconded a nomination, or seconded a motion when I did not do so.

This request is limited to correcting the minutes so that the official record accurately reflects my participation in the meeting.

I am satisfied that the minutes otherwise contain an adequate reference to the conflict issue I raised before the voting occurred. I therefore request no additional entry concerning my Point of Order on that matter.

Submitted for the record,
Robert H. Koerner
PUD Advisory Committee Member
September 1, 2026

The minutes of the prior meeting identify several public comments containing legitimate questions capable of factual answers. Without accepting the speakers' statements or conclusions as fact, I identify the following:

Public commenter	Legitimate question identified	Why it meets the test
Bob Jacovec	What is the proposed water-line route, and why was project-related surveying reportedly occurring on Carbon Hill Road?	Seeks a specific, verifiable project fact.
Donna Petty	What is the project's actual water-use figures, and how are differing figures reconciled?	Seeks reconciliation of documented information.
Donna Petty	Does the water balance account for all consumption, evaporation, discharge or other disposition of water?	Seeks explanation of a measurable project operation.
Donna Petty	Does available water capacity provide required fire flow during maximum project demand?	Seeks evidence supporting an important project assumption.
Donna Petty	What equipment was included or excluded from the noise analysis?	Tests the scope and completeness of submitted evidence.
Donna Petty	What generator specifications and emissions assumptions apply?	Seeks identifiable technical facts.
Donald Vilt	Where does water removed from the closed-loop cooling system ultimately go?	Seeks a specific factual explanation of project operation.
Brittany Lindsey	What project-specific evidence addresses potential air, noise, water and other environmental effects on surrounding areas?	Seeks evidence rather than presuming an environmental conclusion.
Tom Crawford	What determined the proposed location of the electrical substation?	Seeks the factual/design basis for an application element.
Tom Crawford	What demands will the project place upon fire, police and emergency services, and how will adequate capacity be demonstrated?	Seeks evidence concerning governmental service capacity.

These questions meet a simple test: they do not require acceptance of the speaker's conclusion. They identify matters capable of being answered with facts, documents, calculations, explanations, or other evidence. The minutes establish that these matters were raised during public comment. How are legitimate questions arising from public comment entered into the PUD record for response?

In a general discussion, how is each question identified and transmitted to the appropriate party for answer, how is the answer connected to the original question, and how is any question noticed in the minutes and verbatim transcript or submitted tracked until the Committee can determine that it has been completely answered?

Submitted for the record,
 Robert H. Koerner
 PUD Advisory Committee Member
 September 1, 2026

PUD Advisory Committee

Re: HR Green Review — Schedule and Availability

3 of 7 documents submitted for the #2 DataPUD meeting. (1 page)

HR Green has been retained to provide professional and technical review of the PUD application, I request clarification of the anticipated schedule and availability of its review materials.

1. What is HR Green's anticipated schedule or sequence for completing its professional reviews of the application? (Will it be piecemeal or cumulative?)
2. What are the subjects (topics, construction phasing, or any other form of organization sequence) that will be listed in each anticipated HR Green review or submittal?
3. Will HR Green's reviews be provided to Committee members in writing before the meeting at which the subject is discussed?
4. How far in advance of the applicable meeting does HR Green anticipate making its review available to Committee members?
5. Where will completed HR Green reviews be maintained so Committee members can retrieve and reference them throughout the PUD proceeding?
6. Will each HR Green review be identified by date, subject, document number or version so that the particular professional review being relied upon can later be identified?
7. Will identification be with a HR Green code exclusively, a DataPUD code exclusively, or any other hybrid code system for document control?
8. When the applicant revises the application in response to an HR Green review, will HR Green provide a subsequent written review identifying whether and how its original comments were resolved?

Purpose

The purpose of these questions is to allow Committee members to know what professional review will be forthcoming, when it will be available, and where it can be found for preparation and later reference as the PUD record develops. The importance of the answers is now, not when it is time to prepare a Findings of Fact based on the record. Traceability backwards for facts is necessary and should be systematic and thorough.

Submitted for the record,
Robert H. Koerner
PUD Advisory Committee Member
September 1, 2026

PUD Advisory Committee

Re: Meeting Record — Video and Transcript

4 of 7 documents submitted for the #2 DataPUD meeting. (1 page)

The Committee minutes refer to video recording of the meetings and a stenographer. As the Committee approaches substantive review, I request clarification of the disposition, preservation, and accessibility of these materials.

Video Recordings

Who is responsible for possession and control of the official meeting video recordings? Where are the recordings maintained following each meeting? Are the complete recordings considered part of the developing PUD record? How may Committee members access and review a prior meeting recording when needed during their continuing review of the application? Are the recordings available to the public, and if so, where and by what means?

Stenographic Record

Is the stenographer preparing a transcript of each meeting? Is the transcript verbatim, Who receives and maintains the completed transcript? Is the transcript considered part of the developing DataPUD record? How may Committee members access and review complete transcripts? Are completed transcripts available to the public, and if so, where and by what means? Relationship to the Developing Record
If meeting videos and/or transcripts are maintained as part of the PUD record:

Is there a method for identifying and retrieving testimony, applicant answers, professional-review statements, Committee questions, and other evidence contained in those records so they can later be related to the particular subject being reviewed for development of the Findings of Fact?

These questions are submitted to establish what meeting records are being created, who maintains them, whether they form part of the PUD record, and how the Committee can access them during its continuing review.

Submitted for the record,

Robert H. Koerner

PUD Advisory Committee Member

September 1, 2026

PUD Advisory Committee

Re: Source Documents Referenced in Committee Spreadsheet

5 of 7 documents submitted for the #2 DataPUD meeting. (1 page)

In reviewing the Committee comment spreadsheet, I noted entries attributed to Berns & Clancy and Chamlin engineering separately and jointly included reference to "reports" that were undefined.

I therefore request clarification:

1. Are the comments attributed to anyone part of a underlying review, report, study, correspondence, or other document referenced or relied upon to make the attributed comment?
2. If such a comment from a document becomes part of the developing record, how is its existence communicated to Committee members and how is the complete original document made available for their review?
3. Where can a Committee member locate and retrieve any underlying documents when reviewing the related spreadsheet entry or preparing for subsequent questioning?
4. Where can a Committee member locate and retrieve any comment submitted before being consolidated, de-duplicated and reconciled?

The purpose of these questions is not presently to address the substance of the current Comment Spreadsheet. It is the need to understand how source documents relied upon during the Committee's review enter the record and are disseminated and made accessible to Committee members.

Submitted for the record,
Robert H. Koerner
PUD Advisory Committee Member
September 1, 2026

PUD Advisory Committee

Re: Committee Comment Spreadsheet — Purpose and Relationship to the Record
6 of 7 documents submitted for the #2 DataPUD meeting, (1 page)

A spreadsheet comment mechanism is being submitted to the Committee members concerning the DataPUD application. As the Committee proceeds into substantive review, I request clarification of the purpose and intended use of this spreadsheet its existence is not a product of the committee but other policy. I ask these questions for clarification for recording into the record.

Purpose of the Spreadsheet

What is the intended function of the Committee comment spreadsheet in the PUD review process? Is the spreadsheet intended primarily as an organizational and tracking tool, or is it intended to constitute some portion of the evidentiary record upon which the Committee will ultimately rely? Are the original questions and comments submitted by individual Committee members being preserved so they remain available for comparison with the consolidated or revised entries appearing in the spreadsheet? Who determines how an original Committee question or comment is consolidated, classified, revised, or translated into the spreadsheet statement describing what the applicant is expected to answer or provide?

Continuing Committee Questions

Does inclusion of a subject in the spreadsheet constitute the Committee member's complete or final opportunity to question the applicant concerning that subject? May Committee members continue to ask questions arising from applicant responses, HR Green reviews, testimony, public comments, revised documents, amendments, or other evidence received as the review proceeds? If an applicant response produces additional questions, how will those questions and subsequent answers be identified and tracked? If the applicant changes or amends its application in response to a spreadsheet item, will Committee members have an opportunity to question and review the changed submission?

Relationship to Findings of Fact

What relationship, if any, is intended between the spreadsheet and the development of the findings of fact that will eventually support the Committee's consideration of the applicable PUD standards? Will the Committee later have an opportunity to review the underlying application documents, professional reviews, testimony, questions, answers, and other evidence relevant to a subject before determining the facts it believes have been established?

Purpose of This Request

I ask these questions so that I understand the role of the spreadsheet before relying upon it during substantive review. In particular, I request clarification whether the spreadsheet is a continuing organizational tool used to assist questioning and review, or whether it is intended to define or limit the subjects and questions that Committee members may pursue during the remainder of the PUD proceeding.

Major Clarification

Is the spreadsheet of comments being considered by the Chair as the formal investigation of the DataPUD Committee?

Submitted for the record,
Robert H. Koerner
PUD Advisory Committee Member
September 1, 2026

PUD Advisory Committee

Re: Status of Previously Raised Procedural and Structural Questions

7 of 7 documents submitted for the #2 DataPUD meeting. (1 page)

The minutes of the previous meeting record that I presented a number of procedural and structural subjects that I believed should be resolved as the Committee proceeded with its review.

For clarity of the record, I request confirmation if the Chair is reviewing or processed for answers, and when they will be answered or determined, how the answers will be documented and made part of the Committee record:

1. Meeting times — What regular meeting time will be used?
2. Meeting frequency — How frequently does the Committee anticipate meeting?
3. Regular meetings and workshops — Will there be a policy distinguishing regular meetings from workshop meetings and defining the purpose and procedure for each?
4. Question document control — What process will be used to receive, identify, preserve, track, and retrieve questions submitted by Committee members and by the public?
5. HR Green review of Committee questions — Will HR Green review, coordinate, consolidate, classify, modify, or otherwise process Committee questions before they are transmitted to the applicant? If so, what is that process?
6. Long-term meeting schedule — Will a projected meeting schedule be established so the Committee, applicant, consultants, governmental bodies, and public can anticipate the progression of the review?
7. Sequential review structure — Will there be an identifiable sequence of subjects or portions of the application to be reviewed, including when the applicant presents information and when HR Green provides its professional review?
8. Document-control responsibility — Who is responsible for document control for the Committee, and what document-control system is being used?
9. Agenda format — Will a standard agenda format be established for the Committee's meetings?
10. Placement of public comment — Will public comment be positioned so members of the public have an opportunity to respond to matters developed during the Committee's discussion?
11. Swearing of testimony — What policy will govern who is sworn before providing testimony, answering questions, or otherwise supplying information to the Committee?

Purpose of this submission

These questions are submitted to clarify the status of procedural matters previously raised and recorded in the Committee minutes .

I am not requesting that every question be answered during a Committee meeting. I request that, as policies, procedures, responsibilities, or answers are established, the answers be documented, placed in the Committee record, and made reasonably accessible to Committee members for use during the continuing review.

Submitted for the record,

Robert H. Koerner

PUD Advisory Committee Member

September 1, 2026