

Lawmakers hear data center concerns from across Kentucky at ‘listening session’

BY LIAM NIEMEYER
KENTUCKY LANTERN

More than 60 people filled a committee room for the “listening session” on data centers set up by Rep. Adam Moore, D-Lexington, with speakers coming from counties including Barren, Boyle, Boyd, Carroll, Daviess, Breckinridge, Madison, Mercer, Mason, Oldham, Fayette, Franklin, Jefferson, Pike and Woodford.

All but one of the speakers voiced concerns or outright opposition to the construction of hyperscale data centers, those worries ranging from the loss of farmland, the need for stronger ratepayer protections, a lack of transparency from local government officials reviewing data center proposals, and potential tax breaks that data center developers exploit.

Some of the speakers came from organized groups in local communities that have formed over the past 12 months that are expressing strong concerns about active data center proposals.

Diane Floyd, a member of one of those groups, We Are Mercer County, told the state representatives that the state legislature had a responsibility to regulate data centers after law-

makers “recruited” them, referring to statewide tax breaks benefiting data centers passed in 2025.

“Protect our farmland, historic sites, horse farms, and the precious water our bourbon industry relies on. Protect ratepayers. Protect open records and open meetings. Strengthen ethics and financial disclosures from government officials and companies alike. Require independent environmental and infrastructure studies and make them public,” Floyd said. “Finally, stop expecting local officials without specialized technical, legal, environmental, or utility expertise to negotiate billion-dollar industrial development deals on equal footing with the wealthiest companies on Earth.”

Some speakers were in favor of an outright ban on hyperscale data center construction, others preferred a temporary statewide moratorium. Others called for the repeal of sales tax breaks benefiting data center development.

At one point, Janet Garrison of Mason County, threw a bunch of letters onto a committee room table; she said the letters were sent from across the country to Mason Coun-

ty residents who have refused to sell their land for a hyperscale data center development in the county.

“Not only is Kentucky watching, the whole United States and the world is watching how we do this, how we destroy our communities and our land,” Garrison said.

Boyd County resident Suzanne Griffith, a ratepayer of investor-owned electric utility Kentucky Power, said ratepayer protections are needed especially as Kentucky Power ratepayers face high utility bills.

“There is no more money for people to pay,” Griffith said. “Data centers shall pay for the generation sources needed to power their facilities. The power bills of other customers shall not increase due to data centers.”

Martin Rivers, a retired software engineer from Fayette County, was the only speaker who explicitly supported the influx of data centers and called the potential of artificial intelligence “amazing.”

“I want to see it come in faster. To me, data centers are infrastructure, and in this way, I view them no differently than dams on waterways.”

In regards to regulation, Rivers said he believed



Liam Niemeyer | Kentucky Lantern
Constituents from across the state came to the “listening session” on data centers held at the Kentucky Capitol on Oct. 1.

there were likely state laws already in place that “cover businesses like this.”

Toward the end of the gathering, Pete Lynch, a candidate for Kentucky’s 6th Congressional District, asked people in the room to raise their hands if they supported an outright ban on data center construction; numerous people in the room raised their hands. Lynch is running under the banner of the Kentucky Party.

Lynch told the state lawmakers that both Democratic Gov. Andy Beshear and the “Republican-dominated” state legislature betrayed constituents. He criticized Republican lawmakers for passing statewide sales tax breaks

benefiting data centers, and he criticized Beshear for bringing an overseas company to Kentucky that manufactures data center infrastructure.

Rep. Vanessa Grossl, R-Georgetown, was the one Republican state lawmaker who sat with Democrats and listened. She said she regretted her vote for House Bill 775, the legislation passed into law providing the state tax breaks. The bill was passed in one of the final working days of the legislative session in 2025.

“I think that it was a little rushed there at the end,” Grossl said. “I don’t think we got it right. I think we need to revisit that.”

She said she’s heard

from “several” fellow GOP state lawmakers that the tax breaks are “something that we’ll likely revisit.” Some Republican state lawmakers have suggested the sales tax breaks could be rolled back with the legislature reconvenes in January.

Moore, the Democratic state representative who organized the listening session, said he wished more Republicans had attended the session. He said he heard from Rep. Kim Holloway, R-Mayfield, and Sen. Matthew Deneen, R-Elizabethtown, about not being able to attend.

Both he and Rep. Josh Bray, R-Mount Vernon, say they’re working on data center-related legislation for the upcoming legislative session.

Moore said he believes there’s appetite among lawmakers for ratepayer protections regarding data centers, but he wants the legislature to go further on environmental and local transparency concerns.

“Don’t know if they would meet us there. I really hope so,” Moore said. “We should find a solution and put it into legislation, and I would oppose any new hyperscale data center developments until we have done that.”

Shell thanks Trump for dyed diesel executive order, temporarily easing restrictions, taxes



Contributed
JONATHAN SHELL, KENTUCKY AGRICULTURE COMMISSIONER

BY MESSENGER STAFF

Kentucky Agriculture Commissioner Jonathan Shell praised U.S. President Donald Trump for his executive order allowing dyed diesel on public roads and deferring the applicable federal tax.

Shell called the Oct. 5 executive order “a huge win for Kentucky farmers,” one that “will provide immediate relief and help lower costs,” according to a press release from the Kentucky Department of Agriculture.

“With harvest underway and high fuel costs weighing on farm families, this will provide immediate relief and help lower costs,” Shell said. “Thank you, President

Trump, for standing with our farmers.”

Dyed diesel and regular diesel are essentially the same but are taxed differently, according to a Kentucky Department of Agriculture Oct. 1 press release. Dyed diesel is used in tractors, combines and “other offroad agricultural equipment,” the release stated, and are prohibited on most public roads.

Last week, Shell sent a two-page letter to Kentucky Governor Andy Beshear urging him to take similar action to those already taken by Texas, Nebraska and Louisiana governors and “allow farm vehicles to use dyed

diesel on public roads while harvesting and transporting agricultural products.”

Kentucky Attorney General Russell Coleman supported Shell’s letter, saying Beshear should sign the emergency order.

Calling farmers “essential to the American way of life,” the executive order:

- Directs the Secretary of the Treasury, in consultation with the Secretary of War, to defer payment of the Federal excise tax imposed for on-road use of dyed diesel fuel for the remainder of the year without interest or penalties, and to explore pathways

- to eliminate the obligation to pay the deferred taxes.
- Directs the Secretary of Transportation to coordinate with States, industry leadership, and labor organizations on access to dyed diesel.
- Directs the Secretary of Agriculture to ensure farmers’ access to dyed diesel in high-demand areas, and to encourage corresponding action by States.
- Directs the Director of the White House Office of Intergovernmental Affairs to encourage more States to adopt policies that correspond with the Secretary of the Treasury’s actions pursuant to this Order.

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NOTICE OF FILING

On September 29, 2026, Big Rivers Electric Corporation filed its 2026 Integrated Resource Plan with the Kentucky Public Service Commission in Case No. 2026-00268. This filing includes Big Rivers’ most recent load forecasts, and a description of the existing and planned conservation programs, load management programs, and power supplies it intends to use to meet forecasted requirements in a reliable manner at the lowest possible cost. Any interested person may review the plan, submit written questions to the utility, and file written comments on the plan.

Any person interested in participating in the review of this Integrated Resource Plan should, within ten (10) days of the publication of this notice submit a motion to intervene to Executive Director, Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602.

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