ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2026-494
August 6, 2026

Kentucky is on a historic winning streak.

In six years, the Commonwealth has announced more than 1,300 private sector new-location and expansion projects, created more than 70,000 jobs, and attracted over $50 billion in new investment – the highest figures for any Administration in our history.

What's more, the jobs we are attracting pay an average wage of $30 per hour. This year, that number is closer to $31.50 an hour. Despite economic headwinds, Kentucky continues to grow, establishing itself as a national leader in the automotive, aerospace, and energy sectors.

Kentucky welcomes companies that want to invest in our communities, create good-paying jobs, and contribute to our state's red-hot economy. But with the opportunity to invest comes responsibility. As Kentucky looks toward the future, the rapid expansion of digital infrastructure has led to surging demand for data centers and energy resources across our country.

This Administration is committed to ensuring economic development projects will benefit our people and help secure our future. We remain steadfast in our commitment to keeping costs low while making certain economic growth does not come at a cost to the health, safety, and wellbeing of our families.

Data center companies looking to do business in Kentucky, at a minimum, must demonstrate they will be good neighbors by investing responsibly, operating transparently, and working in partnership with our people and communities to make certain these projects deliver lasting benefits for Kentucky's working families.

NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution and the laws of the Commonwealth, do hereby ORDER and DIRECT that the following three commitments shall be demonstrated:

I. Ensuring No Detrimental Impact on Ratepayers or the Environment:

A. Ratepayer Protection: Data center project developers are required to submit an energy plan to the Energy and Environment Cabinet showing how it will protect residential ratepayers, including assurances it can meet its energy needs now, into the near term, and long term without imposing additional costs on other utility ratepayers.

B. Public Service Commission: The Public Service Commission shall not allow a utility to increase rates paid by other ratepayers to recover costs caused by the development and operation of a data center.

C. Environmental Protection: The Energy and Environment Cabinet is directed to deny any permitting applications where a data center would negatively impact Kentucky's air quality, water use, water quality, water supply, federal jurisdictional wetlands, or natural resources. Data center developers must also

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demonstrate compliance with all applicable environmental laws and public engagement requirements.

II. Pay Its Fair Share of Local and School Taxes: Data center project developers must commit to paying their full and fair share of state and local taxes and not attempt to avoid paying taxes, especially those for our local communities and schools.

III. Build a Meaningful Relationship with the Community: Data center project developers must commit to engaging in public discussions with local community leaders and members where the project is proposing to locate, addressing with full transparency the community's questions, including how the data center will create local job opportunities.

Nothing in this Order shall impact decisions made by local communities regarding the operation of data centers within their jurisdiction.

My Office will actively monitor data center projects and hold them accountable for the commitments they make to our local communities and people.

This Order is effective August 6, 2026.

ANDY BESHEAR, Governor
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State