

BY ELECTRONIC SUBMISSION

February 11, 2016

Gail L. Mount
Chief Clerk
North Carolina Utilities Commission
430 North Salisbury Street
Raleigh, North Carolina 27603

Re: Docket No. SP- 5272, Sub 0
Sunflower Solar, LLC – Amended Certificate of Public Convenience and
Necessity and New Renewable Energy Facility

Dear Clerk Mount:

On August 25, 2015, the North Carolina Utilities Commission issued a Certificate of Public Convenience and Necessity for Sunflower Solar. Sunflower Solar is now requesting to amend the CPCN to incorporate additional leased area to facilitate a more efficient equipment layout and provide updates for ownership contact information, size of facility, equipment selection, E911 address and operation date. An updated FERC form 556 and the zoning permit are also being submitted. The following is a list of changes for the CPCN:

1. Exhibit 1, paragraph (i) replace “Sunflower Solar, LLC, 7804-C Fairview Road #257, Charlotte NC 28226, Email: interconnection@geenexsolar.com, Phone: (704) 907-7163” to “Sunflower Solar LLC, c/o BayWa r.e. Development LLC, 17901 Von Karman Ave, Suite #1050, Irvine, CA 92614, E-mail: david.sanders@bawya-re.com, Phone: (720) 474-4851.”
2. Exhibit 1, paragraph (ii) replace “The facility owner, applicant and Walter Putnam, Jr., an individual duly authorized to act as corporate agent for purpose of the application have the same address, telephone number, and electronic mailing address” to “The facility owner, applicant and David Sanders, an individual duly authorized to act as corporate agent for purpose of the application have the same address, telephone number, and electronic mailing address”
3. Exhibit 1, paragraph (iii) replace “The Facility will be a 20 MW AC photovoltaic (PV) array.” to “The Facility will be a 16 MW AC photovoltaic array.”
4. Exhibit 2, paragraph (ii) replace “The final E911 address is obtained after the zoning permit is received.” to “The E911 address is 2439 and 3240 Highway 301, Halifax, NC 27839.” Delete “The proposed facility is located on a parcel with an address of 2979 Highway 301.” Add “The additional leased area is marked in white.”
5. Exhibit 3, paragraph (i) replace “The Facility will generate 20 MW AC.” to “The Facility will generate 16 MW AC.”
6. Exhibit 3, paragraph (ii) replace “The facility will consist of approximately ninety (90,000) 310 – 330 w photovoltaic (PV) modules (or the equivalent) affixed to

- ground-mounted racks, which will be supported by piles driven into the ground. The system will utilize inverters ranging from one (1) to two and a half (2.5) MW” to “The facility will consist of approximately sixty-seven thousand (67,000) 310 to 315 w photovoltaic (PV) modules (or the equivalent) single axis tracking racks affixed to the ground. The system will utilize nine (9) 1833 kW inverters derated to 1777 kW”
7. Exhibit 3, paragraph (iii) replace “The facility’s nameplate capacity is 20 MW. The gross capacity is 20 MW and net projected maximum capacity of 19.9 MW. With full solar resources, the dependable capacity is 20 MW.” To “The facility’s nameplate capacity is 16 MW. The gross capacity it 16 MW and net project maximum capacity of 15.99 MW.”
 8. Exhibit 3, paragraph (iv) replace “June 1, 2016” to “March 2017”
 9. Exhibit 3, paragraph (ix) replace “The projected year one annual sales of the facility is approximately 44,000,000 kWh/yr.” to “The projected year one annual sales of the facility is approximately 38,000,000 kWh/yr.”
 10. Exhibit 4, paragraph (i) replace “None of the above have been obtained at this time.” to “With the exception of FERC Form 556 and the Conditional Use Permit, none of the other permits have been obtained at this time. An updated FERC Form 556 and Conditional Use Permit is attached.”
 11. Exhibit A – The attached map replaces the map in Exhibit A.

Corresponding changes should also be made on the Registration for the New Renewable Energy Facility. Thank you for your time and attention.

Sincerely,



David Sanders
Manager
Sunflower Solar LLC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Orange)On 2-11-2016 before me, Lisa Watson, Notary,
Date Here Insert Name and Title of the Officerpersonally appeared David Sanders
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Lisa Watson
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: 2-11-2016Number of Pages: 2 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Sunflower Solar

16 MW

Exhibit A
SP-5272 Sub 0

2439 Highway 301
Halifax, NC

Dickens Wildwood Rd




Lilly Ln

3240 Highway 301
Halifax, NC

Whitehill Rd

301

Legend

-  Equipment Layout
-  Added Lease Premises
-  Premises

The white area is added to the lease premises for additional equipment layout.

Google earth

© 2015 Google

Pearces Pk

3000 ft



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HALIFAX COUNTY

CERTIFICATE OF ZONING COMPLIANCE

P.O. BOX 69, HALIFAX, NC 27839
PHONE # (252)583-1082 FAX # (252)583-2735

(Article V, Section 501 – Halifax County Zoning Ordinance)

GENERAL DATA: APP# 5843

CERTIFICATE NO.: 12602

Application Date: 04/21/2015

Previous Certificate No.:

Applicant: SUNFLOWER SOLAR LLC
7804-C FAIRVIEW RD
CHARLOTTE, NC 28226
704-574-1587

Owner: PIERCE, WILLIAM A III
916 WEST 2ND ST
ROANOKE RAPIDS, NC 27870
252-536-3423

Contractor:

Location : 2439 & 3240 HWY 301

Parcel Id Number:
12-01894 & 12-00339

Tax Map Number

Lot Number:

Alt. Parcel Number

SITE DATA: Zoning District: RA – Residential / Agriculture
Permit(s) : CUP, ZONING, BLDG & VARIOUS PERMITS

Description : CONSTRUCT AND OPERATE SOLAR FARM - 135± ACRES leased area
Existing Use : FARMLAND
Proposed Use: SUNFLOWER SOLAR FARM – 16 Mw

<u>SETBACK REQUIREMENTS</u>	<u>Principle Structure</u>	<u>Accessory Structure</u>
	FRONT: 40.00	FRONT: 40.00
	REAR: 30.00	REAR: 30.00
	LEFT SIDE: 15.00	LEFT SIDE: 15.00
	RIGHT SIDE: 15.00	RIGHT SIDE: 15.00

Lot Size in sq. ft./Acres : 5,880,600 SQ FT /135±ac

Is lot located in 100 yr floodplain : NO

****Is lot located in watershed area:** NO

FEMA Panel No.: 3703274916J

Watershed Area : N/A

Source of Water : N/A

Will structure be in R-O-W : NO

Type of Sewer Disposal: N/A

Right of Way : PUBLIC

Is this a subdivision or part thereof: NO

Type :

No. of Lots:

Does lot have proper access: YES

**** Will you be disturbing (grading) one (1) acre or more of land:** YES

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HALIFAX COUNTY

CERTIFICATE OF ZONING COMPLIANCE

(Article V, Section 501 – Halifax County Zoning Ordinance)

NO PERMIT SHALL BE ISSUED UNTIL APPLICABLE FEDERAL, STATE AND LOCAL PERMITS ARE GRANTED. THESE PERMITS MAY INCLUDE, BUT ARE NOT LIMITED TO, DRIVEWAY PERMIT (NCDOT); SOIL EROSION CONTROL PERMIT (NC DEPT. OF ENVIRONMENTAL HEALTH).

ONLY ONE (1) PRINCIPLE STRUCTURE IS PERMITTED PER LOT. (Article III, Section 1203.02 of the Halifax County Zoning Ordinance.)

** If lot is within the 100 year floodplain, Volume I, Chapter XXXIV, Section 3408, of the North Carolina Building Code will have to be complied with.

** If one (1) acre or more of land is being disturbed, a permit from the Division of Land Resources will have to be obtained. (919) 571-4700.

IF YOU HAVE QUESTIONS CONCERNING THE ZONING DISTRICT THAT YOUR PROPERTY IS LOCATED, THE SETBACK REQUIREMENTS OR ANY OTHER QUESTIONS/CONCERNING THIS PERMIT, PLEASE ASK NOW OR CALL LATER. (252) 583-1082. BE SURE THAT THE STRUCTURE COMPLIES WITH THE SETBACK REQUIREMENTS AS STATED HEREIN. (THIS HAS TO DO WITH THE DISTANCES OF THE STURCTURE FROM THE PROPERTY LINES.)

I HEREBY CERTIFY THAT THE INFORMATION HEREIN IS CORRECT TO THE BEST OF MY KNOWLEDGE. THIS PERMIT SHALL EXPIRE UNLESS THE WORK AUTHORIZED IN IT IS BEGUN WITHIN TWELVE (12) MONTHS FROM THE DATE OF ISSUANCE.

ON FILE (CUP)

(Applicant Signature)

Date: 06/10/2015

Application: APPROVED

Date: 06/10/2015

Inspector: CDR

PLEASE BE SURE THAT WHOEVER WILL BE RESPONSIBLE FOR SETTING UP YOUR MOBILE HOME OR BUILDING YOUR STRUCTURE IS AWARE OF THE SETBACK REQUIREMENTS AND UNDERSTANDS THE SAME. IF THERE ARE QUESTIONS PLEASE CALL. DO NOT ASSUME THAT SOMEONE KNOWS THIS INFORMATION.

Comments: CUP#2015-09 APPROVED BY BOA ON 6-9-15 SUBJECT TO ATTACHED CONDITIONS



Inspector name

Zoning Department

- 1- Original Certificate to: Zoning Department.
- 2- Copy of Certificate to Health Department (If Applicable) take by applicant.
- 3- Copy of Certificate to Building Inspector.
- 4- Copy of Certificate to the Applicant



Halifax County

Planning & Development Services

PO Box 69 - 15 W. Pittsylvania Street, Halifax, NC 27839

(252) 583-1082 Planning & Zoning (252) 583-4891 Building Inspections

(252) 583-2288 E911 Addressing (252) 583-2735 Fax

June 10, 2015

Sunflower Solar, LLC
7804-C Fairview Rd
Charlotte, NC 28226

Re: Conditional Use Permit #2015-09

Dear Mr. Fehr:

On June 9, 2015, the Board of Adjustment approved your application for the construction and operation of a Solar Farm along Hwy 301 on the Pierce Farm (parcel #12-01891 & #12-00339), Halifax, NC, contingent upon certain conditions. The conditions for the request are as follows:

1. All federal, state, and local regulations and requirements shall be complied with.
2. All construction plans for the Sunflower Solar Farm shall be reviewed and approved by the Planning & Development department prior to construction.
3. Vegetative screening of evergreen shrubs shall be planted along Hwy 301 and other property lines as needed to meet Planning Staff approval. The screening shall be planted at intervals evenly spaced to provide an unbroken hedgerow along the section of fencing at a mature height of 6-10 feet. The screening shall be maintained for the period the property is used as a solar farm.

A Zoning Permit is enclosed for the proposed project. We request a copy of all permits received from other agencies prior to beginning construction. (NCDOT, NCDENR, etc.) Please coordinate with the Building Inspections Dept for all required permits / inspections.

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Feb 11 2016

If you have any questions, please contact our office at (252) 583-1082.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris D. Rountree". The signature is written in a cursive style with a large, stylized "C" and "R".

Chris D. Rountree, Director
Planning and Development Services

CONDITIONAL USE PERMIT HALIFAX COUNTY

THIS SIGNIFIES THAT THIS LAND AND / OR BUILDING, LOCATED IN THE RA – Residential / Agriculture DISTRICT, Weldon TOWNSHIP, HAS BEEN APPROVED BY THE HALIFAX COUNTY BOARD OF ADJUSTMENT TO BE USED IN ACCORDANCE WITH THE CONDITIONS LISTED BELOW:

Applicant: Sunflower Solar, LLC

Name of Business: Sunflower Solar, LLC

Address: 7804-C Fairview Road, Charlotte, NC 28226

Property Owner: William A. Pierce, III

Address: 916 W. 2nd St., Roanoke Rapids, NC 27870

Location of Property: Hwy 301, Halifax, NC 27839 – Parcel #12-01891 / #12-00339

Request: To construct & operate a Solar Farm – 16Mw

Condition(s) of Approval: (See attached sheet)

Approval Date: June 9, 2015



Zoning Administrator

If at any time after a conditional use permit has been issued, the Board of Adjustment finds that the conditions imposed and agreements made have not been or are not being fulfilled by the holder of a conditional use permit, the permit shall immediately be revoked and the operation of such a use discontinued. Violations of such conditions, when made part of the ordinance and punishable under Section 907 thereof. If a conditional use permit is terminated for any reason, it may be reinstated only after a public hearing is held. **THIS PERMIT SHALL BE RETURNED TO THE ZONING ADMINISTRATOR'S OFFICE WHEN THE BUSINESS IS TERMINATED.**