

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-112, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

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| In the Matter of | | |
| Application of Oak Solar, LLC, for a |) | ORDER GRANTING MOTION |
| Certificate of Public Convenience and |) | TO CONTINUE PUBLIC |
| Necessity to Construct a 300-MW Solar |) | WITNESS HEARING |
| Facility in Northampton County, |) | |
| North Carolina |) | |

BY THE PRESIDING COMMISSIONER: On July 15, 2020, Gaston Green Solar, LLC (Applicant, currently Oak Solar, LLC), filed an application pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-63 for a certificate of public convenience and necessity (CPCN) to construct a 300-MW_{AC} solar photovoltaic (PV) electric generating facility to be located in Northampton County, North Carolina, and to be operated as a merchant generating facility.

On July 29, 2020, the Public Staff filed a Notice of Completeness, wherein the Public Staff stated that it reviewed the application as required by Commission Rule R8-63(d) and found the application to be complete. In addition, the Public Staff requested that the Commission issue a procedural order setting the application for hearing, requiring public notice pursuant to N.C.G.S. § 62-82, and addressing any other procedural matters.

On September 28, 2020, the Commission issued a scheduling order which, among other things, scheduled a remote public witness hearing via Webex on Thursday, November 5, 2020, at 7:00 pm, for the purpose of receiving testimony regarding the application, required the Applicant to publish public notice of the hearing in a newspaper having general circulation in Northampton County once a week for four consecutive weeks, and required members of the public who wanted to testify to register in advance of the hearing, no later than 5:00 p.m. on Thursday, October 29, 2020, by contacting the Public Staff.

In addition, in the September 28, 2020 scheduling order, the Commission required the Applicant to file additional testimony on or before October 19, 2020, required the Public Staff to file direct testimony and exhibits on or before November 2, 2020, and allowed the Applicant to file rebuttal testimony on or before November 16, 2020.

Also on September 28, 2020, the Chief Clerk of the Commission electronically transmitted copies of the application and the Public Notice to the Clearinghouse Coordinator of the Office of Policy and Planning of the Department of Administration for distribution by the Coordinator to State agencies having an interest in the application.

On October 19, 2020, the Applicant filed supplemental testimony of Linda Nwadike to answer the questions posed in the Commission's September 28, 2020 scheduling order.

On October 23, 2020, the Applicant filed a Notice of Name Change and Motion to Amend Application and Caption to reflect its new corporate name, Oak Solar, LLC. The Commission acknowledges the name change and has changed the caption and the docket accordingly.

On October 26, 2020, the Public Staff filed a motion for extensions of time seeking an extension of time until November 16, 2020, to file its direct testimony and exhibits, and an extension of time until November 30, 2020, for the Applicant to file its rebuttal testimony and exhibits, if any. On October 30, 2020, the Commission issued an Order granting the extensions of time and canceling the expert witness hearing scheduled for December 7, 2020.

On October 30, 2020, the Applicant filed its Affidavit of Publication of the Public Notice of the Public Witness Hearing which had been published in a newspaper having general circulation in Northampton County once a week for four successive weeks on October 7, 14, 21 and 28, 2020. On November 3, 2020, an amended Affidavit of Publication was filed in this docket.

Also on November 3, 2020, the Applicant filed a motion to continue the remote public witness hearing scheduled for November 5, 2020 in this docket. In support of the motion, the Applicant advises the Commission that due to requests of the counterparty to certain off-take contracts, the Applicant anticipates seeking leave of the Commission to amend its pending Application and divide the project into two separate applications by separate applicants. The Applicant advises further that it is possible that such amendment will necessitate separate scheduling for each new application, including the potential necessity of scheduling additional public and expert witness hearings. Moreover, the Applicant has contacted the Public Staff about this motion and the Public Staff does not object to this motion to reschedule.

Based on the foregoing and the entire record herein, the Presiding Commissioner finds good cause to grant the motion to continue the remote public witness hearing currently scheduled in this docket on Thursday, November 5, 2020, and to reschedule the public witness hearing by subsequent order of the Commission.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 4th day of November, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Kimberley A. Campbell". The signature is written in a cursive, flowing style.

Kimberley A. Campbell, Chief Clerk