



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

May 24, 2019

Ms. M. Lynn Jarvis, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

Re: Docket No. EMP-103, Sub 0 – Application for CPCN to Construct an 80-MW Electric Merchant Plant in Roper, Washington County, North Carolina

Dear Ms. Jarvis:

In connection with the above-referenced docket, I transmit herewith for filing on behalf of the Public Staff the testimony of Evan D. Lawrence, Utilities Engineer, Electric Division.

By copy of this letter, we are forwarding copies to all parties of record.

Sincerely,

/s/ Megan Jost
Staff Attorney
megan.jost@psncuc.nc.gov

Executive Director
(919) 733-2435

Communications
(919) 733-2810

Economic Research
(919) 733-2902

Legal
(919) 733-6110

Transportation
(919) 733-7766

Accounting
(919) 733-4279

Consumer Services
(919) 733-9277

Electric
(919) 733-4326

Natural Gas
(919) 733-2267

Water
(919) 733-5610

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. EMP-103, SUB 0**

**Testimony of Evan D. Lawrence
On Behalf of the Public Staff
North Carolina Utilities Commission**

May 24, 2019

1 **Q. PLEASE STATE YOUR NAME AND ADDRESS FOR THE**
2 **RECORD.**

3 A. My name is Evan D. Lawrence. My business address is 430 North
4 Salisbury Street, Raleigh, North Carolina.

5 **Q. WHAT IS YOUR POSITION WITH THE PUBLIC STAFF?**

6 A. I am an engineer in the Electric Division of the Public Staff.

7 **Q. WOULD YOU BRIEFLY DISCUSS YOUR EDUCATION AND**
8 **EXPERIENCE?**

9 A. Yes. My education and experience are summarized in Appendix A to
10 my testimony.

11 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

12 A. The purpose of my testimony is to make recommendations to the
13 Commission on the request for a Certificate of Public Convenience
14 and Necessity (CPCN) filed by Albemarle Beach Solar, LLC
15 (Applicant), to construct an 80 megawatt AC (MW_{AC}) solar
16 photovoltaic (PV) merchant electric generating facility in Washington
17 County, North Carolina (the Facility).

1 The purpose of my testimony is as follows:

- 2 1. To discuss the compliance of the application with N.C. Gen.
3 Stat. § 62-110.1 and Commission Rule R8-63;
- 4 2. To discuss any concerns raised by the application; and
- 5 3. To make a recommendation regarding whether the
6 Commission should grant the requested certificate.

7 **Q. PLEASE BRIEFLY DESCRIBE THE GENERATION FACILITY**
8 **PROPOSED TO BE CONSTRUCTED BY THE APPLICANT.**

9 A. The Applicant proposes to construct an 80 MW_{AC} solar PV electric
10 generating facility in Washington County, North Carolina. The Facility
11 will utilize single axis tracking, ground mounted, solar PV modules.
12 Approximately 367,213 solar PV modules will be used along with
13 fifty-four 1.56 MW inverters. A 34.5 kV collector substation will be
14 constructed adjacent to an existing Dominion Energy North Carolina
15 (DENC) 230 kV substation. The point of interconnection (POI) will be
16 located at the existing DENC substation. The Applicant states that
17 either overhead or underground medium-voltage cable will be used
18 to connect the multiple sections of panels. The yearly generation is
19 anticipated to be 193,957 MWh. Due to the fact that solar is an
20 intermittent energy source, the maximum dependable capacity of the
21 plant is 0 MW. The expected life of the facility is a minimum of twenty
22 years.

1 **Q. HAS THE APPLICANT COMPLIED WITH THE COMMISSION'S**
2 **FILING REQUIREMENTS?**

3 A. Yes. The original application for the Facility was filed on September
4 21, 2015, in Docket SP-6476, Sub 0. On November 12, 2018, the
5 Applicant filed an amended application modifying the site layout to
6 reflect both the addition and removal of parcels of land.

7 On November 29, 2018, the Commission issued an Order
8 Transferring Record, Closing Docket, and Finding Application
9 Incomplete. This Order determined that the Applicant erred in
10 applying for a CPCN pursuant to Commission Rule R8-64, the rule
11 governing CPCN applications by CPRE program participants,
12 qualifying cogenerators, or small power producers, and that the
13 application is instead governed by Commission Rule R8-63, the rule
14 governing CPCN applications for merchant plants. Based on this
15 determination, the Order directs that Docket No. SP-6476, Sub 0, be
16 closed, and that the record from that docket be transferred to Docket
17 No. EMP-103, Sub 0. The Order further finds the Applicant's CPCN
18 application, as transferred to Docket No. EMP-103, Sub 0, to be
19 incomplete as it does not include pre-filed direct testimony
20 incorporating and supporting the application, as required by
21 Commission Rule R8-63(b)(5). The Order declares that the
22 Applicant's amended CPCN application filed in Docket No. SP-6476,
23 Sub 0, is an application for a CPCN for the construction of an electric

1 generating facility to be operated as a merchant plant pursuant to
2 Commission Rule R8-63, and that the Commission will consider the
3 application once the Applicant has supplemented it with the pre-filed
4 direct testimony required by Commission Rule R8-63(b)(5).

5 On March 28, 2019, the Applicant filed the direct testimony of Linda
6 Nwadike, Project Manager for SunEnergy1, LLC, along with four
7 accompanying exhibits. On April 11, 2019, the Applicant filed
8 Amended Pre-Filed Direct Testimony of Linda Nwadike along with
9 ten accompanying exhibits.

10 On April 11, 2019, the Public Staff notified the Commission that it
11 considered the application to be complete and requested that the
12 Commission issue a procedural order setting it for hearing. On April
13 26, 2019, the Commission issued an Order requiring public notice,
14 scheduling a hearing on June 4, 2019, for the purpose of receiving
15 public and expert testimony, and addressing other necessary
16 procedural matters. On May 1, 2019, the Commission issued an
17 Amended Order Scheduling Hearing and Requiring Public Notice to
18 correct scrivener's errors in the April 26, 2019, Order.

19 On May 20, 2019, the Applicant filed a certificate of service to show
20 compliance with Ordering Paragraph Number 3 of the Commission's
21 May 1, 2019 Order. This paragraph ordered the Applicant to mail a
22 copy of the public notice, no later than the first day of publication, to

1 each person who has filed a complaint in the proceeding, and to file
2 a certificate of service with the Commission on or before the date of
3 the hearing.

4 **Q. HAS THE APPLICANT SHOWN A NEED FOR ITS PROPOSED**
5 **FACILITY?**

6 A. Yes. The Applicant states that the Facility will interconnect with the
7 transmission system of DENC, which is a member of PJM. The
8 Applicant believes there are strong market conditions in the PJM
9 market that will create sustainable off-take for its power production.
10 The Applicant states that Dominion Energy has committed to
11 increasing its use of renewable power to generate 5,000 MW of
12 electricity by 2028. The Applicant states that it anticipates contracting
13 the sale of energy, capacity, and renewable energy credits (RECs)
14 through PJM. The annual net energy growth rates for PJM over the
15 next ten years is expected to grow by 0.4% for PJM and by 1.1% for
16 the Dominion Virginia Power zone. Summer peak load for PJM and
17 the Dominion Virginia Power zone is expected to grow by 0.9% per
18 year over the next ten years. The winter peak load growth in PJM is
19 expected to grow at an average of 0.4% per year over the next ten
20 year period, and by 1.1% per year for the Dominion Virginia Power
21 zone. The Applicant cites the March 2019 PJM Load Forecast Report
22 to support the growth in PJM, the growth in the Dominion Virginia
23 Power zone, and the need for the facility.

1 **Q. HAS THE STATE CLEARINGHOUSE COMPLETED ITS**
2 **APPLICATION REVIEW?**

3 A. No. The State Clearinghouse has not filed a letter in the docket in
4 response to the Commission's Order Scheduling Hearing and
5 Requiring Public Notice filed on April 26, 2019.

6 **Q. DOES THE PUBLIC STAFF HAVE ANY RECOMMENDATIONS**
7 **REGARDING THE SITING OF THE PROPOSED FACILITY OR ITS**
8 **ENVIRONMENTAL IMPACT?**

9 A. No. The Public Staff has reviewed the consumer statements of
10 position in this docket. With regard to the concerns raised regarding
11 compatibility with existing land uses and environmental impacts, the
12 Public Staff believes that these concerns are more appropriately
13 addressed through the local permitting process and through the
14 environmental permitting process. In its April 24, 2008, Order in
15 Docket No. SP-231, Sub 0, the Commission discussed local
16 authority over the siting of facilities, stating that "such decisions are,
17 in most instances, best left to the local community through the
18 exercise of its zoning authority rather than made by the
19 Commission." The Public Staff notes that, according to the
20 Applicant's witness, Linda Nwadike, Washington County has a Solar
21 Farm Ordinance that requires a solar development permit for all solar
22 projects proposed in the county.

1 In addition, the Public Staff does not have particular expertise in the
2 area of the impacts of electric generation on the environment. Those
3 issues are best left to the purview of environmental regulators who
4 do have this expertise, and who are responsible for issuing specific
5 environmental permits for electric generating facilities. To that end,
6 as stated below, the Public Staff recommends that the Commission
7 require compliance with all permitting requirements as a condition to
8 the issuance of the CPCN.

9 **Q. WHAT IS THE PUBLIC STAFF'S RECOMMENDATION ON THE**
10 **APPLICATION FOR A CPCN AND THE REGISTRATION**
11 **STATEMENT?**

12 A. The Public Staff recommends that the application be approved
13 subject to the following conditions:

- 14 1. The Applicant shall construct and operate the Facility in strict
15 accordance with applicable laws and regulations, including
16 the provisions of all permits issued by the North Carolina
17 Department of Environmental Quality;
- 18 2. The Applicant shall not begin construction until the State
19 Clearinghouse files comments indicating that no further
20 review action by the Commission is required for compliance
21 with the North Carolina Environmental Policy Act;

1 3. The CPCN shall be subject to Commission Rule
2 R8-63(e) and all orders, rules and regulations as are now or
3 may hereafter be lawfully made by the Commission; and

4 4. The Applicant shall file with the Commission in this docket a
5 progress report and any revisions in the cost estimates for the
6 Facility on an annual basis, including any storage systems to
7 be constructed at a later date, with the first report due no later
8 than six months from the date of issuance of the CPCN.

9 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

10 A. Yes, it does.

Evan D. Lawrence

I graduated from East Carolina University in Greenville, North Carolina in May of 2016 earning a Bachelor of Science degree in Engineering and a concentration in Electrical Engineering. I started my current position with the Public Staff in September of 2016. Since that time my duties and responsibilities have focused around the review of renewable energy projects, rate design, and renewable energy portfolio standards compliance. I have filed affidavits in Dominion Energy North Carolina's 2017 and 2018 REPS cost recovery proceeding, testimony in New River Light and Power's (NRLP) most recent rate case proceeding, and testimony in additional small power producer and merchant electric generating facilities (EMPs). I have also assisted other Public Staff personnel with the review and investigation of REPS Compliance Plans filed by the electric power suppliers, previous DEC and DEP REPS cost recovery proceedings, and multiple other cases.