

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. SP-5273, SUB 0  
DOCKET NO. SP-5434, SUB 0  
DOCKET NO. E-22, SUB 548

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. SP-5273, SUB 0 )

In the Matter of )  
Application of Pecan Solar, LLC, for a )  
Certificate of Public Convenience and )  
Necessity to Construct a 74.9-MW Solar )  
Array in Northampton County, North Carolina )

DOCKET NO. SP-5434, SUB 0 )

In the Matter of )  
Application of Johannes Gutenberg Solar, )  
LLC, for a Certificate of Public Convenience )  
and Necessity to Construct a 79.9-MW Solar )  
Array in Northampton County, North Carolina )

DOCKET NO. E-22, SUB 548 )

In the Matter of )  
Application by Virginia Electric and Power )  
Company, d/b/a Dominion Energy North )  
Carolina, Pecan Solar, LLC, and Johannes )  
Gutenberg Solar, LLC, to Transfer the )  
Certificates of Public Convenience and )  
Necessity to Construct Solar Arrays in )  
Northampton County, North Carolina )

AMENDMENT TO ORDER  
APPROVING TRANSFER OF  
CERTIFICATES SUBJECT TO  
CONDITIONS

BY THE CHAIRMAN: On June 13, 2017, in Docket No. SP-5273, Sub 0, the Commission issued a certificate of public convenience and necessity (CPCN) to Pecan Solar, LLC (Pecan Solar), for the construction of a 74.9 MW<sub>AC</sub> solar photovoltaic (PV) electric generating facility in Northampton County, North Carolina. Pecan Solar is owned by EDF Renewable Energy.

On August 7, 2017, in Docket No. SP-5434, Sub 0, the Commission issued a CPCN to Johannes Gutenberg Solar, LLC (Gutenberg Solar), for the construction of a 79.9 MW<sub>AC</sub> solar PV electric generating facility in Northampton County, North Carolina. Gutenberg Solar is also owned by EDF Renewable Energy.

On October 11, 2017, Pecan Solar, Gutenberg Solar (collectively, the Sellers), and Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina (DENC) (collectively, the Applicants), filed a verified joint notice and request for approval (Joint Notice) to transfer the CPCNs for the two solar PV facilities (collectively, the Facilities) to DENC based on Asset Purchase Agreements (APAs) executed by the Applicants. DENC is an operating subsidiary of Dominion Resources, Inc.

The Public Staff included this matter as an item on the Staff Conference Agenda for the Commission's Regular Staff Conference scheduled to be held on December 11, 2017. The Commission's Regular Staff Conference scheduled for December 11, 2017, was subsequently cancelled.

In the Staff Conference Agenda, the Public Staff stated that it had reviewed the Joint Notice and believed that concerns regarding the accounting procedures and internal controls to be instituted by DENC during the construction period and after commercial operation begins to identify costs associated with the Facilities and isolate those costs from the cost of serving DENC's North Carolina retail ratepayers, and the potential impacts of the operation of the Facilities on DENC's fuel rider, can be appropriately reviewed during the course of applicable ratemaking or other future proceedings.

The Public Staff stated that based on its review it concluded that the proposed transfer of the CPCNs for the Facilities to DENC was justified by the public convenience and necessity and should be approved subject to certain conditions specified by the Public Staff in the Staff Conference Agenda.

On December 8, 2017, the Commission issued an Order Approving Transfer of Certificates Subject to Conditions (Transfer Order). The Transfer Order approved the transfers of the CPCNs to DENC, with the conditions recommended by the Public Staff, cancelled the CPCNs previously issued to Pecan Solar and Gutenberg Solar, and issued new CPCNs for the Facilities to DENC.

On December 14, 2017, Applicants filed a Joint Motion to Amend Order Approving Transfer of Certificates Subject to Conditions. In summary, the Applicants state that they had intended for Pecan Solar to remain the holder of the CPCN until the acquisition by DENC is consummated in mid-to-late 2018, and for Gutenberg Solar to remain the holder of the CPCN until the acquisition by DENC is consummated in early-to-mid 2019. As a result, Applicants requested that the Commission amend the Transfer Order to return the CPCNs to Pecan Solar and Gutenberg Solar until the acquisitions by DENC are consummated. In addition, the Applicants state that they have conferred with the Public Staff and it supports the Applicants' Joint Motion.

Based on the foregoing and the record, the Chairman finds good cause to amend the Transfer Order by reinstating the CPCNs to Pecan Solar and Gutenberg Solar and cancelling the CPCNs issued to DENC. In addition, the Chairman finds good cause to direct that DENC file a motion with the Commission informing the Commission of the date on which DENC's acquisition of each Facility is consummated, and requesting a transfer of the CPCN for each Facility to DENC.

IT IS, THEREFORE, ORDERED as follows:

1. That the transfers of the CPCNs for the Facilities from Pecan Solar and Gutenberg Solar to DENC shall be, and are hereby, cancelled.
2. That the CPCNs issued to DENC shall be, and are hereby, cancelled.
3. That Pecan Solar and Gutenberg Solar shall be, and are hereby, reinstated as the holders of the CPCNs.
4. That Appendix A shall constitute the renewed CPCN reflecting the reinstatement of Pecan Solar as the holder of the CPCN.
5. That Appendix B shall constitute the renewed CPCN reflecting the reinstatement of Gutenberg Solar as the holder of the CPCN.
6. That DENC shall file a motion with the Commission informing the Commission of the date on which DENC's acquisition of each Facility is consummated, and requesting a transfer of the CPCN for the Facility to DENC.
7. That the conditions adopted in the Transfer Order shall remain in full force and effect.

ISSUED BY ORDER OF THE COMMISSION.

This the 2nd day of February, 2018.

NORTH CAROLINA UTILITIES COMMISSION



Linnetta Threatt, Deputy Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. SP-5273, SUB 0

Pecan Solar, LLC  
1925 Isaac Newton Square, Suite 280  
Reston, Virginia 20190

is hereby issued this renewed

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
PURSUANT TO G.S. 62-110.1**

for a 74.9 MW<sub>AC</sub> solar photovoltaic generating facility

to be located  
at 289 Bethel Church Road, Pleasant Hill, Seaboard, North Carolina in  
Northampton County, North Carolina,

subject to all orders, rules, regulations, and conditions  
as are now or may hereafter be lawfully made  
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION,

This the 2nd day of February, 2018.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, appearing to read "Linnetta Threatt".

Linnetta Threatt, Deputy Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. SP-5434, SUB 0

Johannes Gutenberg Solar, LLC  
c/o EDF Renewable Development, Inc.  
40 West Evergreen Avenue, Suite 101  
Philadelphia, Pennsylvania 19118

is hereby issued this renewed

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
PURSUANT TO G.S. 62-110.1**

for a 79.9 MW<sub>AC</sub> solar photovoltaic generating facility

located

east and west of Cornwallis Road (SR-1301) within an approximately 1.5 mile radius of  
the intersection of Cornwallis Road and NC highway 186 in an unincorporated area of  
Garysburg Township Extra Territorial Jurisdiction,  
Northampton County, North Carolina,

subject to all orders, rules, regulations, and conditions  
as are now or may hereafter be lawfully made  
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION,

This the 2nd day of February, 2018.

NORTH CAROLINA UTILITIES COMMISSION



Linnetta Threatt, Deputy Clerk