

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. EMP-109, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of Camden Solar LLC for a                    )     ORDER ALLOWING LIMITED  
Certificate of Public Convenience and                    )     CONSTRUCTION WITH  
Necessity to Construct a 20-MW Solar                    )     CONDITIONS  
Facility in Camden County, North Carolina             )

BY THE PRESIDING COMMISSIONER: On April 1, 2020, Camden Solar LLC (Applicant) 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 20-MW solar photovoltaic (PV) electric generating facility to be located in Camden County, North Carolina, and operated as a merchant generating facility.<sup>1</sup>

On April 15, 2020, the Public Staff filed a Notice of Completeness stating that the Public Staff has reviewed the application as required by Commission Rule R8-63(d) and that the Public Staff considers 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 other procedural matters.

On April 24, 2020, the Commission issued an Order Scheduling Hearing, Requiring Testimony, Establishing Procedural Guidelines, and Requiring Public Notice (Scheduling Order). The Scheduling Order, among other things, scheduled a hearing on Monday, July 6, 2020, at 2:00 p.m. in Raleigh, North Carolina, for the purpose of receiving expert witness testimony regarding the application.

On May 15, 2020, the Public Staff filed testimony recommending the Commission cancel the CPCN issued in Docket No. SP-8831, Sub 0, and issued a new CPCN subject to certain conditions.

On June 2, 2020, the Applicant filed a Motion to Cancel Hearings requesting that the Commission cancel the public witness hearing scheduled for June 22, 2020, and the expert witness hearing scheduled for July 6, 2020. The Applicant states that the Public Staff consents to the cancellation of the hearings.

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<sup>1</sup> As a part of its application, the Applicant states that this facility is the same as that for which the Commission issued a CPCN in Docket No. SP-8831, Sub 0 pursuant to Commission Rule R8-64. The Applicant further states that it now intends to operate the facility as an electric merchant plant and requests that the Commission cancel the previously issued CPCN.

On June 8, 2020, the Commission cancelled the hearing scheduled for the purpose of receiving public witness testimony. On June 22, 2020, the Commission issued an Order Cancelling Expert Witness Hearing and Requiring Additional Testimony.

On June 15, 2020, Camden Solar filed a Motion for Limited Construction Authority to construct perimeter fencing, erosion control measures, pile installation, equipment pads, and underground wiring. Applicant committed that limited construction will be undertaken without prejudice to any Commission action concerning Applicant's application, and that Applicant assumes all risks regarding the Commission's disposition of the application. Applicant further submitted that the grant of limited construction authority is in the public interest and will lead to the timely construction of a new renewable energy generation facility and increased investment in North Carolina. The Applicant notes the Clearinghouse has provided comments on the project in Docket No. SP-8831, Sub 0. The Applicant also states that no risk to North Carolina ratepayers will result from the limited construction as the Applicant is proceeding at its own risk. The Applicant consulted with the Public Staff regarding this request, and the Public Staff indicated it does not object to the motion.

Based on the foregoing and the record, the Presiding Commissioner finds good cause to grant Applicant the authority to engage in construction of perimeter fencing, erosion control measures, pile installation, equipment pads, and underground wiring.

IT IS, THEREFORE, ORDERED as follows:

1. That Applicant is hereby granted the authority to engage in construction of perimeter fencing, erosion control measures, pile installation, equipment pads, and underground wiring.
2. That Applicant shall bear all costs and other risks of the limited construction activities in the amendment area, and, specifically, the risk that the Commission may deny Applicant's application for a certificate of public convenience and necessity to construct the facility.

3. That this Order is based on the unique facts and circumstances involved in this docket and shall not be cited by Applicant or any other party as precedent in support of a request for future Commission action.

ISSUED BY ORDER OF THE COMMISSION.

This the 23rd day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "Janice H. Fulmore". The signature is written in a cursive style with a large initial "J" and "F".

Janice H. Fulmore, Deputy Clerk