

REDACTED

INFORMATION SHEET

PRESIDING: Commissioner Duffley, Chair Mitchell, and Commissioner Clodfelter  
PLACE: Dobbs Building, Raleigh, NC  
DATE: Tuesday, November 30, 2021  
TIME: 10:00 a.m. – 11:42 a.m.  
DOCKET NOS.: EMP-116, Sub 0  
COMPANY: Juno Solar, LLC  
DESCRIPTION: Application for a Conditional Certificate of Public Convenience and Necessity to Construct a 275-MW Solar Facility in Richmond County, NC

VOLUME NUMBER: 1

APPEARANCES

See Attached

WITNESSES

See Attached

EXHIBITS

See Attached

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**CONFIDENTIAL COPIES OF TRANSCRIPTS AND EXHIBITS ORDERED BY:** Karen Kemerait, Ben Snowden, Layla Cummings and Robert Josey

REPORTED BY: Kim Mitchell  
TRANSCRIBED BY: Kim Mitchell  
DATE FILED: December 29, 2021

TRANSCRIPT PAGES: 92  
PREFILED PAGES: 96  
TOTAL PAGES: 188

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Dec 29 2021

## REDACTED

1 PLACE: Dobbs Building, Raleigh, North Carolina  
2 DATE: Tuesday, November 30, 2021  
3 TIME: 10:00 a.m. - 11:42 a.m.  
4 DOCKET NO: EMP-116, Sub 0  
5 BEFORE: Commissioner Kimberly W. Duffley, Presiding  
6 Chair Charlotte A. Mitchell  
7 Commissioner Daniel G. Clodfelter  
8  
9  
10

11 IN THE MATTER OF:  
12 Application of Juno Solar, LLC,  
13 for a Conditional Certificate of Public  
14 Convenience and Necessity to Construct a 275-MW  
15 Solar Facility in Richmond County,  
16 North Carolina  
17

18 VOLUME 1  
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21  
22  
23  
24

NORTH CAROLINA UTILITIES COMMISSION

1 A P P E A R A N C E S:

2 FOR JUNO SOLAR, LLC:

3 Karen Kemerait, Esq.

4 Ben Snowden, Esq.

5 Fox Rothschild LLP

6 434 South Fayetteville Street, Suite 2800

7 Raleigh, North Carolina 27601

8

9 FOR THE USING AND CONSUMING PUBLIC:

10 Layla Cummings, Esq.

11 Robert B. Josey, Esq.

12 Public Staff - North Carolina Utilities Commission

13 4326 Mail Service Center

14 Raleigh, North Carolina 27699-4300

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NORTH CAROLINA UTILITIES COMMISSION

1	T A B L E O F C O N T E N T S	
2	E X A M I N A T I O N S	
3		PAGE
4	As a Panel,	
5	STEVEN J. LEVITAS and PIPER MILLER	
6	Direct Examination of Piper Miller	
7	by Ms. Kemeraït .....	10
8	Prefiled Direct, Revised Direct, Supplemental	
9	Direct and Rebuttal Testimony .....	14
10	Direct Examination of Steven J. Levitas	
11	by Ms. Kemeraït .....	103
12	Prefiled Rebuttal Testimony .....	106
13	Cross Examination of Steven J. Levitas	
14	by Ms. Cummings .....	140
15	Cross Examination of Piper Miller	
16	by Mr. Josey .....	175
17		
18		
19		
20		
21		
22		
23		
24		

1	E X H I B I T S	
2	Identified / Admitted	
3	Miller Direct Exhibit 2(i), Exhibit	
4	2(ii), Confidential Exhibit 1(iii)	
5	and Confidential Exhibit 1(iv) .....	12/12
6	Miller Revised Direct Exhibit 2(i)	
7	and Confidential Revised Direct	
8	Exhibit 2(i)(a) .....	12/12
9	Confidential Miller Attachment A .....	12/12
10	Exhibit SJL-1 .....	104/104
11	Public Staff Levitas Cross Exhibits	
12	1 through 3 .....	137/---
13	Public Staff Levitas Cross Exhibits	
14	4 and 5 .....	138/---
15	Public Staff Miller Cross Exhibit 1 ....	139/---
16	Public Staff Miller Cross Exhibit 2 .....	140/---
17		
18		
19		
20		
21		
22		
23		
24		

**NORTH CAROLINA UTILITIES COMMISSION  
APPEARANCE SLIP**

DATE: 11/30/2021 DOCKET NO.: EMP-116

ATTORNEY NAME and TITLE: Karen Kemraich  
Attorney

FIRM NAME: Fox Rothschild

ADDRESS: \_\_\_\_\_

CITY: Raleigh STATE: NC ZIP CODE: \_\_\_\_\_

APPEARANCE ON BEHALF OF: [Signature]  
Juno Solar LLC

APPLICANT: ☒ COMPLAINANT: \_\_\_\_\_ INTERVENOR: \_\_\_\_\_

PROTESTANT: \_\_\_\_\_ RESPONDENT: \_\_\_\_\_ DEFENDANT: \_\_\_\_\_

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**NORTH CAROLINA UTILITIES COMMISSION  
APPEARANCE SLIP**

DATE: 11/30/21 DOCKET NO.: EMP-116 Sub Ø

ATTORNEY NAME and TITLE: Ben Snowden, Partner

FIRM NAME: ~~Watts~~ Fox Rothschild LLP

ADDRESS: 434 S. Fayetteville St., Suite 2800

CITY: Raleigh STATE: NC ZIP CODE: 27601

APPEARANCE ON BEHALF OF: June Solar

APPLICANT: ✓ COMPLAINANT:     INTERVENOR:    

PROTESTANT:     RESPONDENT:     DEFENDANT:    

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Email: BSNOWDEN@FOXROTHSCHILD.COM

SIGNATURE: Ben Snowden

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**NORTH CAROLINA UTILITIES COMMISSION**  
**PUBLIC STAFF - APPEARANCE SLIP**

DATE Nov 30, 2021 DOCKET #: EMP-116, Sub O

PUBLIC STAFF ATTORNEY Layla Cummings, Robert B. Josy

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WHO HAS SIGNED A CONFIDENTIALITY AGREEMENT WILL NEED TO  
SIGN BELOW.

Layla Cummings  
[Signature]



**From:** Steve Levitas  
**Sent:** Thursday, April 22, 2021 1:11 PM  
**To:** 'Cummings, Layla' <[Layla.Cummings@psncuc.nc.gov](mailto:Layla.Cummings@psncuc.nc.gov)>; Josey, Robert <[Robert.Josey@psncuc.nc.gov](mailto:Robert.Josey@psncuc.nc.gov)>  
**Subject:** RE: [External] LCOT

Thanks Layla. Sorry that I didn't recall the prior communications and information. We'll take a look and let you know if we have any questions. And understood on case-by-case. As I mentioned, we'll be in touch in connection with the new FERC-jurisdictional CPCN filing we plan to make in which we plan to address LCOT.

Steve Levitas  
Senior Vice President for Regulatory and Government Affairs

Cell: 919-749-2953



**From:** Cummings, Layla <[Layla.Cummings@psncuc.nc.gov](mailto:Layla.Cummings@psncuc.nc.gov)>  
**Sent:** Thursday, April 22, 2021 12:52 PM  
**To:** Steve Levitas <[slevitas@pgrenewables.com](mailto:slevitas@pgrenewables.com)>; Josey, Robert <[Robert.Josey@psncuc.nc.gov](mailto:Robert.Josey@psncuc.nc.gov)>  
**Subject:** RE: [External] LCOT

**!! External:** This email has originated from outside of Pine Gate Renewables

Steve,

The methodology the Public Staff uses to develop the LCOT calculation comes directly from the LBNL report attached to the joint Metz and Lawrence testimony in the Friesian docket (exhibit 2) and can be found on LBNL's website [here](#). We sent you an example spreadsheet calculation for Friesian in December (email attached). You can see that the formula in row 21 of the spreadsheet matches the formula found on page 7 of the LBNL report.

As we have discussed before and stated in testimony, we consider the LCOT a benchmark for reasonableness and we do not have a target number that we have set as reasonable. We think that should be determined on a case by case basis. Please let us know if you have any further questions.

Thanks, Layla

**From:** Steve Levitas <[slevitas@pgrenewables.com](mailto:slevitas@pgrenewables.com)>  
**Sent:** Wednesday, April 21, 2021 3:50 PM  
**To:** Cummings, Layla <[Layla.Cummings@psncuc.nc.gov](mailto:Layla.Cummings@psncuc.nc.gov)>; Josey, Robert <[Robert.Josey@psncuc.nc.gov](mailto:Robert.Josey@psncuc.nc.gov)>  
**Subject:** [External] LCOT

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Greetings, In connection with our prior conversations about LCOT for FERC-jurisdictional projects, can you provide me with the detailed methodology that Public Staff has used to calculate LCOT? It would be helpful if we could get on the same page on this as soon as possible. We are working towards making a conditional CPCN application of the sort we have discussed, some time in the near future and want to run that past you before we file. Many thanks. S.

Steve Levitas  
Senior Vice President for Regulatory and Government Affairs

Cell: 919-749-2953



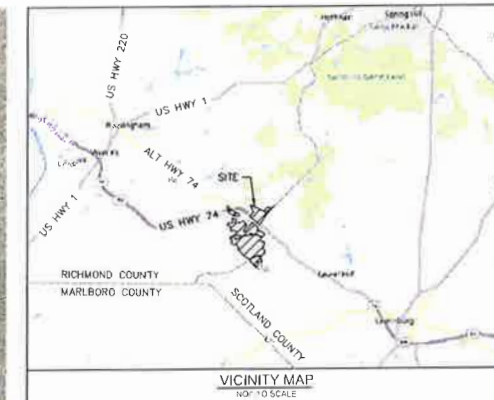
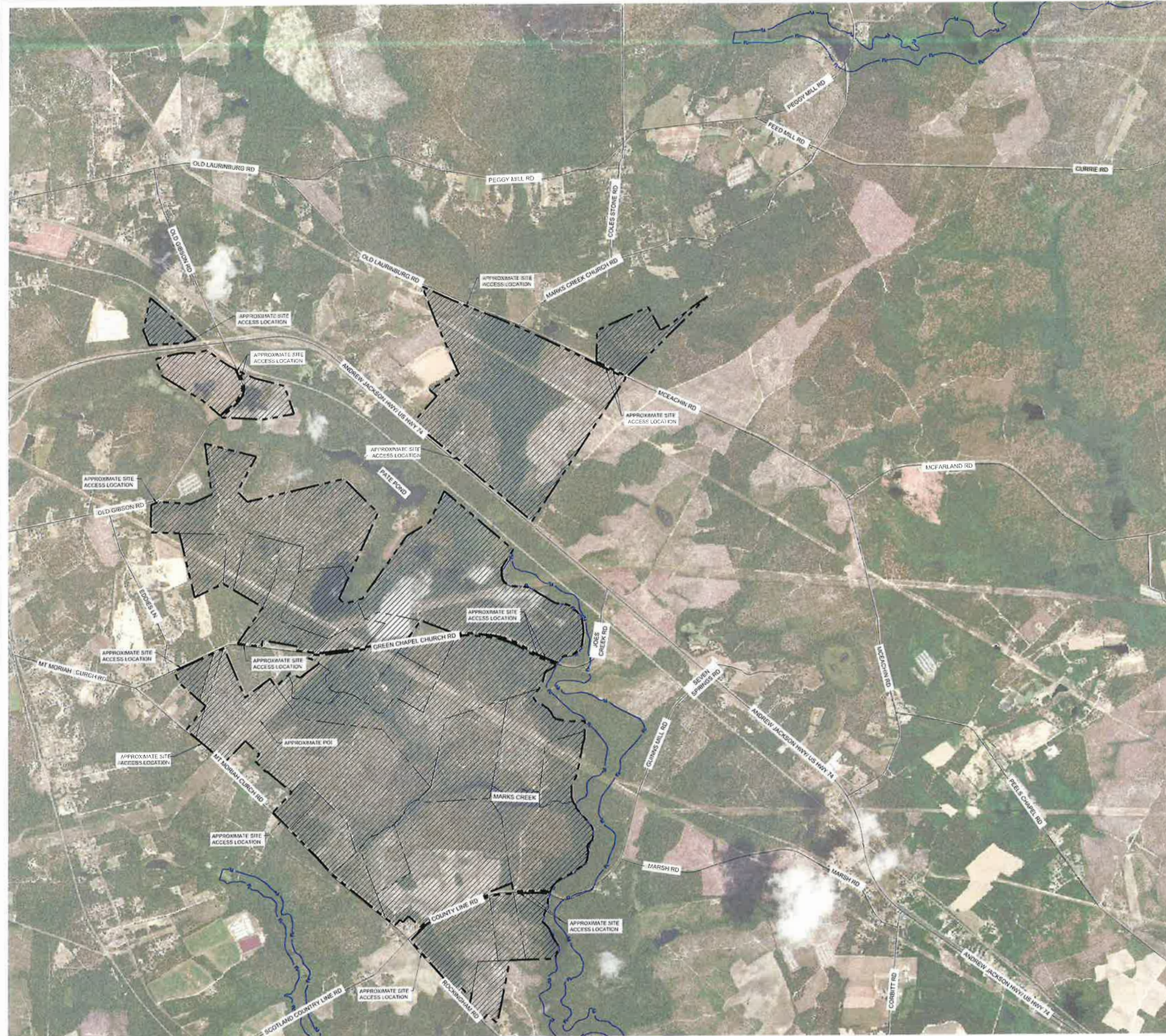
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SITE DATA TABLE	
PROJECT COORDINATES	34° 50' 36" N 79° 38' 10.8" W
JURISDICTION	RICHLAND COUNTY

**LEGEND**

	PROJECT BOUNDARY
	INTERVAL PROPERTY LINE
	100 YEAR FEMA FLOOD RAIN
	PROPOSED PROJECT AREA
	APPROXIMATE EXISTING ROAD

- NOTES**
1. PROJECT BOUNDARY SHOWN IS BASED ON FILES RECEIVED FROM PINE GATE RENEWABLES ON 12/22/2020
  2. THE LOCATION OF PROPOSED EQUIPMENT INCLUDING BUT NOT LIMITED TO FENCING SOLAR ARRAY RACKING ELECTRICAL CONTROL OVERHEAD POLES AND LINES IS SHOWN ARE APPROXIMATE AND MAY BE SUBJECT TO MODIFICATIONS DUE TO SITE CONDITIONS ADDITIONAL PERMITTING REQUIREMENTS EQUIPMENT AND/OR OTHER CONSTRAINTS
  3. THIS PLAN IS PRELIMINARY AND WILL NOT BE RELEASED FOR CONSTRUCTION
  4. NO SOLAR PANELS OR MAJOR EQUIPMENT WILL BE LOCATED WITHIN THE FLOODPLAIN OF THE PROJECT FOOTPRINT ANY DEVELOPMENT WITHIN THE FLOODPLAIN WILL BE LIMITED TO UTILITY LINES OR SITE ACCESS AND WILL FOR LOW-LEVEL APPLICABLE FEDERAL STATE AND LOCAL REGULATIONS FOR FLOODPLAIN DEVELOPMENT
  5. 100 YR FLOODPLAIN LINEWORK IS BASED ON PUBLICLY AVAILABLE FEMA GIS DATA ACCESSED ON 1/8/2021

[illegible]

**Kimley»»Horn**

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1145 TREVILLE STREET, SUITE 600, RAINIER, NC 27601  
PHONE 919-677-2020 FAX 919-677-2050  
WWW.KIMLEY-HORN.COM  
K\* -0102

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CONSTRUCTION

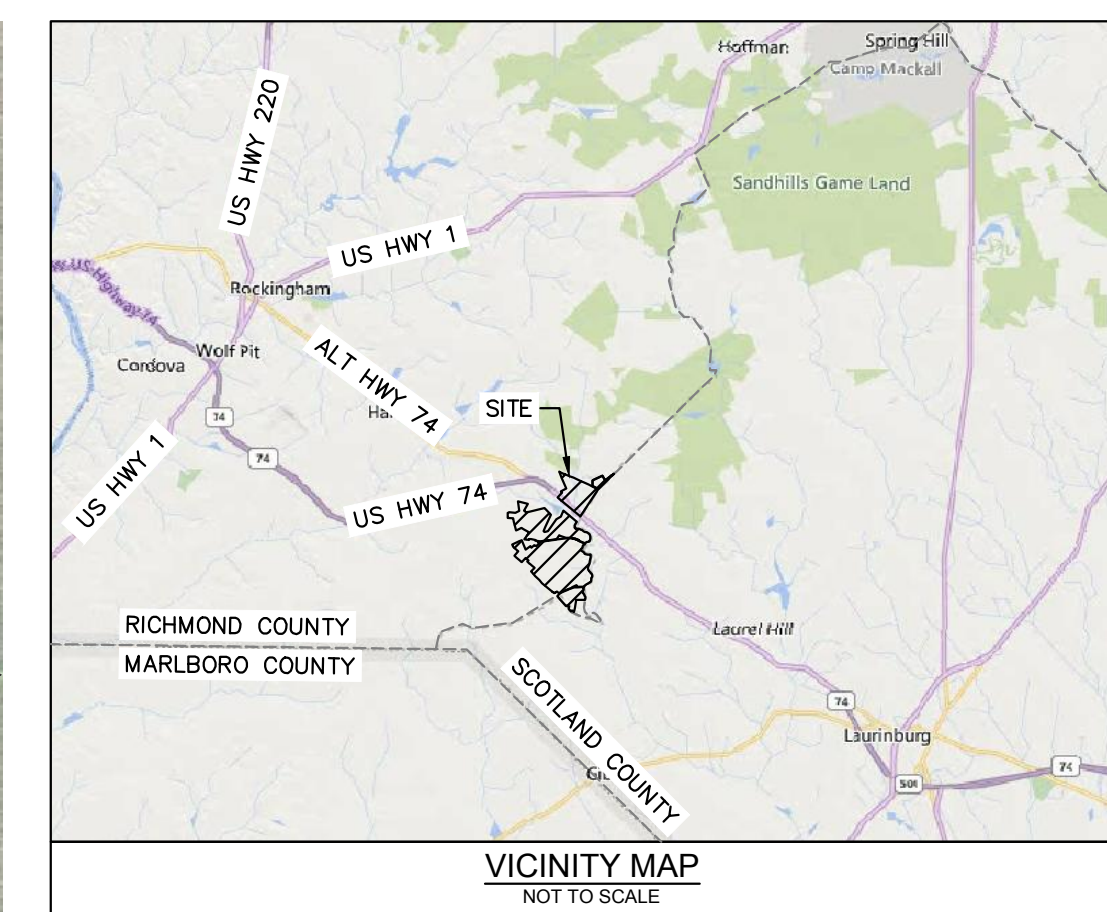
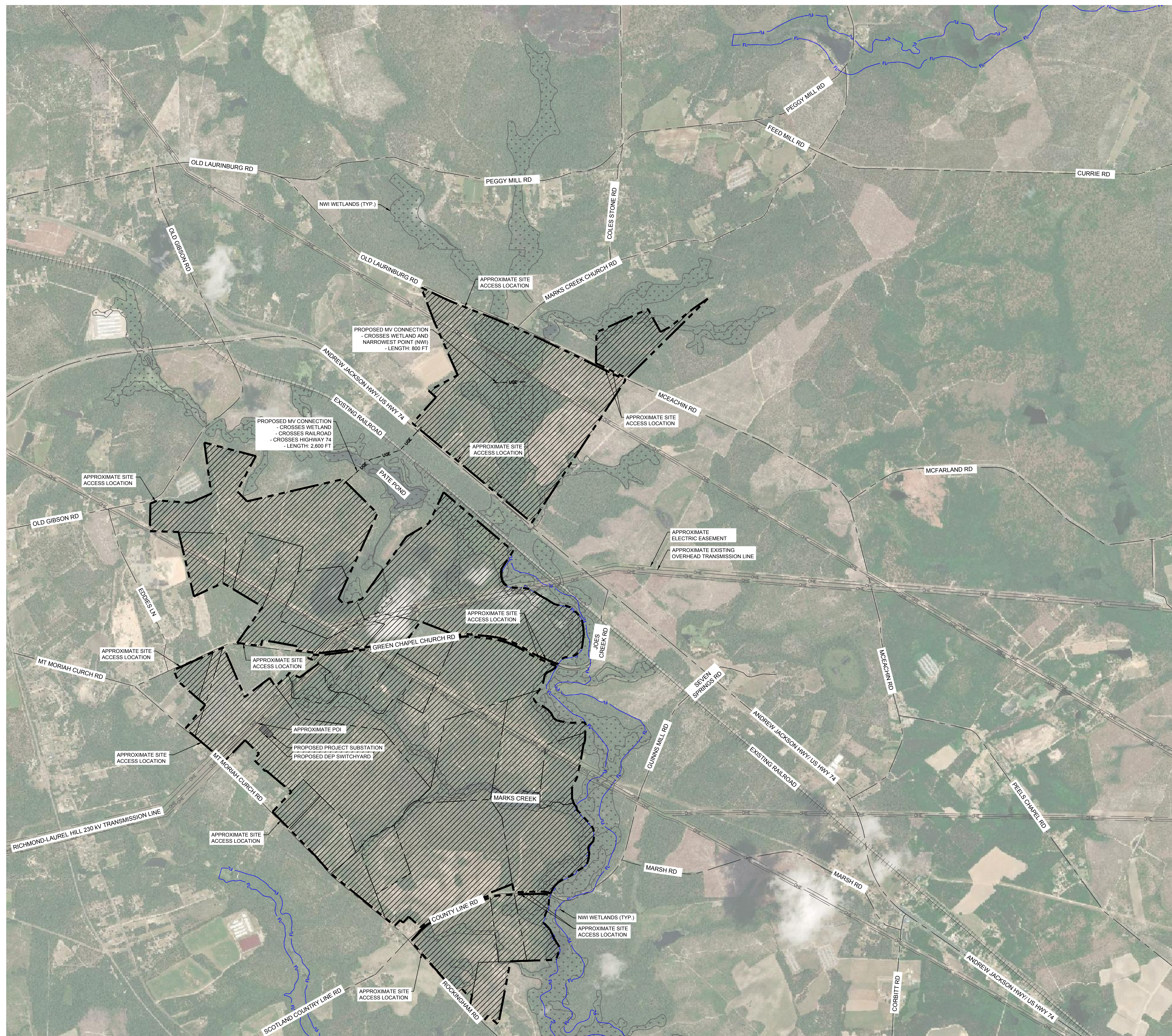
KHA PROJECT	DATE	AS SHOWN	NRD	NRD	JSL
013673004	04/26/2021		DESIGNED BY	DRAWN BY	CHECKED BY

CPCN EXHIBIT









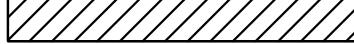

JUNO SOLAR

SHEET NUMBER  
EX-01





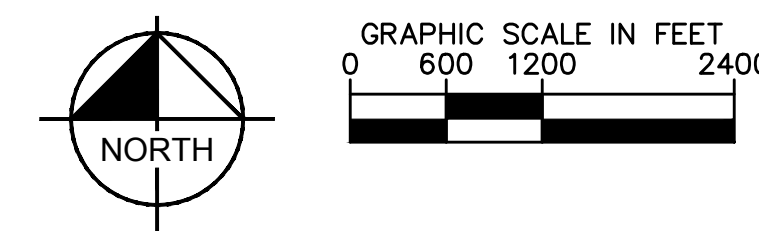
SITE DATA TABLE	
PROJECT COORDINATES	34° 50' 36.26" N, 79° 38' 10.84" W
JURISDICTION	RICHMOND COUNTY

LEGEND	
	PROJECT BOUNDARY
	INTERNAL PROPERTY LINE
	100-YEAR FEMA FLOODPLAIN
	APPROXIMATE EXISTING OVERHEAD TRANSMISSION LINE
	APPROXIMATE ELECTRIC EASEMENT
	APPROXIMATE PROPOSED UNDERGROUND ELECTRIC
	APPROXIMATE EXISTING ROAD
	APPROXIMATE EXISTING RAILROAD
	PROPOSED PROJECT AREA
	NWI WETLANDS

## NOTES

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1. PROJECT BOUNDARY SHOWN IS BASED ON FILES RECEIVED FROM PINE GATE RENEWABLES ON 12/22/2020.
2. THE LOCATION OF PROPOSED EQUIPMENT INCLUDING BUT NOT LIMITED TO: FENCING SOLAR ARRAY RACKING, ELECTRICAL EQUIPMENT, OVERHEAD POLES AND LINE, ETC. SHOWN ARE APPROXIMATE AND MAY BE SUBJECT TO MODIFICATIONS DUE TO SITE CONDITIONS, ADDITIONAL PERMITTING REQUIREMENTS, EQUIPMENT AND/OR OTHER CONSTRAINTS.
3. THIS PLAN IS PRELIMINARY AND WILL NOT BE RELEASED FOR CONSTRUCTION
4. NO SOLAR PANELS OR MAJOR EQUIPMENT WILL BE LOCATED WITHIN THE FLOODPLAIN OF THE PROJECT FOOTPRINT. ANY DEVELOPMENT WITHIN THE FLOODPLAIN WILL BE LIMITED TO UTILITY LINES, OR SITE ACCESS AND WILL FOLLOW ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS FOR FLOODPLAIN DEVELOPMENT.
5. 100-YR FLOODPLAIN LINEWORK IS BASED ON PUBLICLY-AVAILABLE FEMA GIS DATA, ACCESSED ON 1/8/2021.
6. ALL EXISTING TRANSMISSION LINES SHOWN ARE APPROXIMATE LOCATIONS BASED ON PUBLICLY AVAILABLE GIS DATA ACCESSED ON 04/21/2021.
7. NWI WETLANDS AND STREAMS SHOWN ARE BASED ON PUBLICLY AVAILABLE GIS DATA ACCESSED ON 04/21/2021.

[illegible]

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421 FAYETTEVILLE STREET, SUITE 600, RALEIGH, NC 27601  
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KHA PROJECT 013673004
DATE 07/23/2021
SCALE AS SHOWN
DESIGNED BY NRD
DRAWN BY NRD
CHECKED BY JSL

CPCN EXHIBIT

JUNO SOLAR

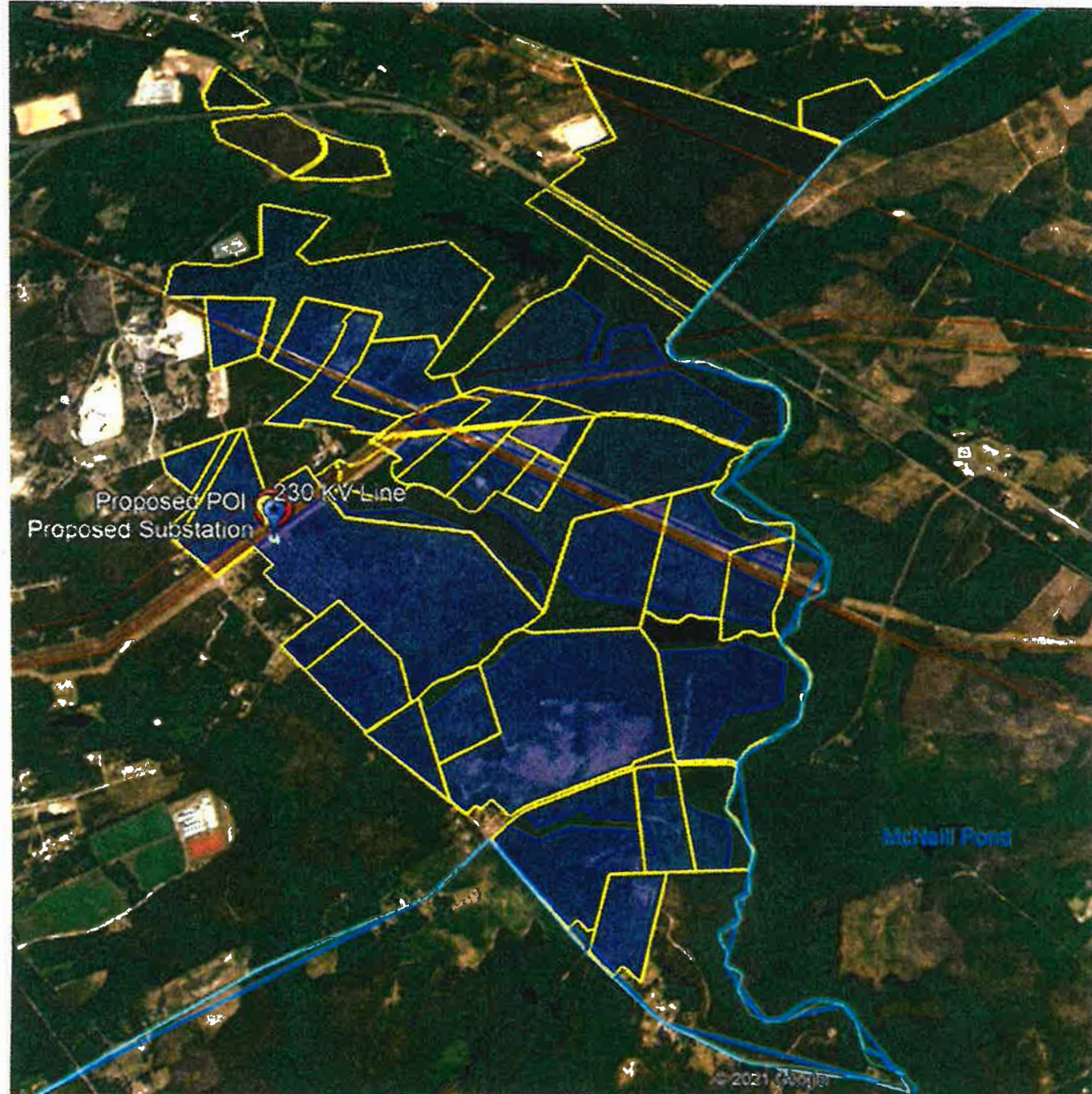
SHEET NUMBER  
**EX-01**



I/A

Juno Solar, LLC  
Merchant Plant CPCN Application  
Docket No. EMP-116, Sub 0

Miller Direct EXHIBIT NO. 2(ii)



Dec 29 2021

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