

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. RET-8, SUB 17

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of FLS Owner II, LLC, for                    ) ORDER ACCEPTING REGISTRATION  
Registration of a New Renewable                        ) OF NEW RENEWABLE ENERGY  
Energy Facility    ) FACILITY

BY THE COMMISSION: On September 26, 2011, as amended November 21, 2011, FLS Owner II, LLC (FLS), filed a registration statement pursuant to Commission Rule R8-66 for a new renewable energy facility located at the McDowell County Jail in Marion in McDowell County, North Carolina. In its registration statement, FLS stated that its metered solar thermal facility was expected to become operational on or around September, 2011.

The filing included certified attestations that: 1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; 2) the facility will be operated as a new renewable energy facility; 3) FLS will not remarket or otherwise resell any renewable energy certificates (RECs) sold to an electric power supplier to comply with G.S. 62-133.8; and 4) FLS will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On November 21, 2011, the Public Staff filed the recommendation required by Commission Rule R8-66(e) stating that FLS's registration statement as a new renewable energy facility should be considered to be complete. No other party made a filing with respect to these issues.

Based upon the foregoing and the entire record in this proceeding, the Chairman finds good cause to accept registration of FLS's metered solar thermal facility as a new renewable energy facility. FLS shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year. FLS will be required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

1. That the registration by FLS for its metered solar thermal facility located at the McDowell County Jail in Marion in McDowell County, North Carolina as a new renewable energy facility shall be, and is hereby, accepted.

2. That FLS shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the 22<sup>nd</sup> day of December, 2011.

NORTH CAROLINA UTILITIES COMMISSION

*Gail L. Mount*

Gail L. Mount, Deputy Clerk

k2122111.03