

Red Toad, Inc.

FILED

AUG 04, 2015

July 30, 2015

OFFICIAL COPY

Clerk's Office
N.C. Utilities Commission

Ms. Gail Mount
Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4300

Amended

Amendment to: Red Toad Powhatan Phase 2, LLC (Docket No. SP-5195, Sub 0)

Mr. William,

Per your request, we have made the following changes to the attached document:

- Clarified the issue of legal site control to the question (V) on "The ownership of the site [not facility] and, if the [site] owner is other than the applicant".

Also please note, that the correct spelling of the road where the site will be located is Powhatan Road. ✓ *L2*

If you require any further information please feel free to contact me at 407.620.6206.

Regards,



Reynaldo Rodriguez
President
Red Toad, Inc.
215 New Gate Loop
Lake Mary FL, 32746
Mobile: 407-620-6206

Amendment
(Docket No. SP-5195, Sub 0)

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N.C. Utilities Commission

Commission Rule R8-64(b)(1) and (3); (R8-65)
Report of Proposed Construction
For facility less than 2 megawatts or primarily for own use

(1) The application shall be accompanied by maps, plans, and specifications setting forth such details and dimensions as the Commission requires. It shall contain, among other things, the following information, either embodied in the application or attached thereto as exhibits:

(i) The full and correct name, business address, business telephone number, and electronic mailing address of the facility owner;

✓ *LA* **Red Toad Powhatan Phase 2, LLC**, 215 New Gate Loop, Lake Mary, FL 32746, 407-620-6206, reynaldor@redtoadus.com

(ii) A statement of whether the facility owner is an individual, a partnership, or a corporation and, if a partnership, the name and business address of each general partner and, if a corporation, the state and date of incorporation and the name, business address, business telephone number, and electronic mailing address of an individual duly authorized to act as corporate agent for the purpose of the application and, if a foreign corporation, whether domesticated in North Carolina;

The facility owner is a corporation and is incorporated in Florida as of 9/10/14 and domesticated in North Carolina as of 9/20/14. The individual authorized to act as corporate agent for the purpose of the application is Reynaldo Rodriguez, 215 New Gate Loop, Lake Mary, FL 32746, 407-620-6206, reynaldor@redtoadus.com.

(iii) The nature of the generating facility, including the type and source of its power or fuel;

The generating facility is a solar photovoltaic array and the source of its power is solar.

(iv) The location of the generating facility set forth in terms of local highways, streets, rivers, streams, or other generally known local

landmarks **together with a map** [not driving directions], such as a county road map, with the location indicated on the map;

296 contiguous acres located at 1425 A Powatan Rd., Clayton, NC 27577; NC 27576; NC PIN 168700-53-7983; see map attached as Exhibit 1.

and drawing showing:

- (1) the proposed site layout relative to the map;
- (2) all major equipment, including the generator, fuel handling equipment, plant distribution system, and startup equipment;
- (3) the site boundary; and
- (4) planned and existing pipelines, planned and existing roads, planned and existing water supplies, and planned and existing electric facilities;

(v) The ownership of the site [not facility] and, if the [site] owner is other than the applicant, the applicant's [legal] interest in the site [such as lease, purchase, etc.];

The Applicant has a current site control agreement in place with the landowner. The applicant plans to enter into a long-term lease agreement with the landowner.

(vi) A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation;

The generating facility will consist of a 2 MW AC totaling approximately 2.3 MW DC. The facility will interconnect to the nearby substation or existing electrical distribution line.

(vii) The projected maximum dependable capacity of the facility in megawatts;

Since solar is an intermittent energy source, the maximum dependable capacity is 0MW.

(viii) The projected cost of the facility;
The projected cost is approximately \$5,000,000.

(ix) The projected date on which the facility will come on line;
December 1, 2015.

(x) The applicant's general plan for sale of the electricity to be generated, including the utility to which the applicant plans to sell the electricity; *See below.*

any provisions for wheeling of the electricity; arrangements for firm, non-firm or emergency generation; *See below.*

the service life of the project; *See below.*

the projected annual sales in kilowatt-hours; *See below.*

whether the applicant intends to produce renewable energy certificates that are eligible for compliance with the State's renewable energy and energy efficiency portfolio standard; and *See below.*

The applicant plans to sell the electricity to Duke Energy, under the schedule PP-N (NC) Non Hydroelectric Qualifying Facilities Purchased Power. There are no provisions for wheeling the electricity, nor any arrangements for firm, non-firm or emergency generation. The projected lifetime of the equipment is 20 years. The project annual sales in kilowatt hours are 3,300,000. The applicant intends to produce renewable energy certificates that are eligible for compliance with both the State's renewable energy and energy efficiency portfolio standard.

(xi) A complete list of all federal and state [not local] licenses, permits and exemptions required for construction and operation of the generating facility and a statement of whether each has been obtained or applied for. A copy of those that have been obtained should be filed with the application; a copy of those that have not been obtained at the time of the application should be filed with the Commission as soon as they are obtained.

The applicant has applied for self certification as a Qualifying Facility under FERC and will file with the Commission as soon as it is received. The applicant has not yet filed for any other permits yet, but will file each with the Commission as they are received.

(3) All applications shall be signed and verified [notarized statement] by the applicant or by an individual duly authorized to act on behalf of the applicant for the purpose of the application.

(see next page for a blank verification)



(Signature)

Reynaldo Rodriguez
(Name - Printed or Typed)

Manager
(Title)

7/30/15
(Date)

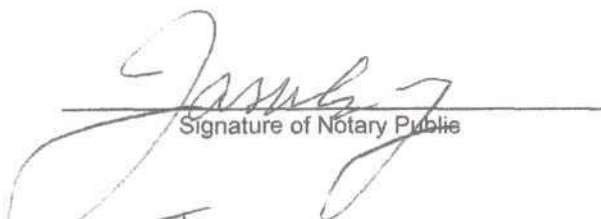
VERIFICATION

STATE OF Florida COUNTY OF Seminole

Reynaldo Rodriguez personally appeared before me this day and, being first duly sworn, says that the facts stated in the foregoing document and any exhibits, documents, and statements thereto attached are true as he or she believes.

WITNESS my hand and notarial seal, this 30th day of July, 2015.

My Commission Expires: 10/25/2016


Signature of Notary Public
Jason Eddy
Name of Notary Public - Typed or Printed

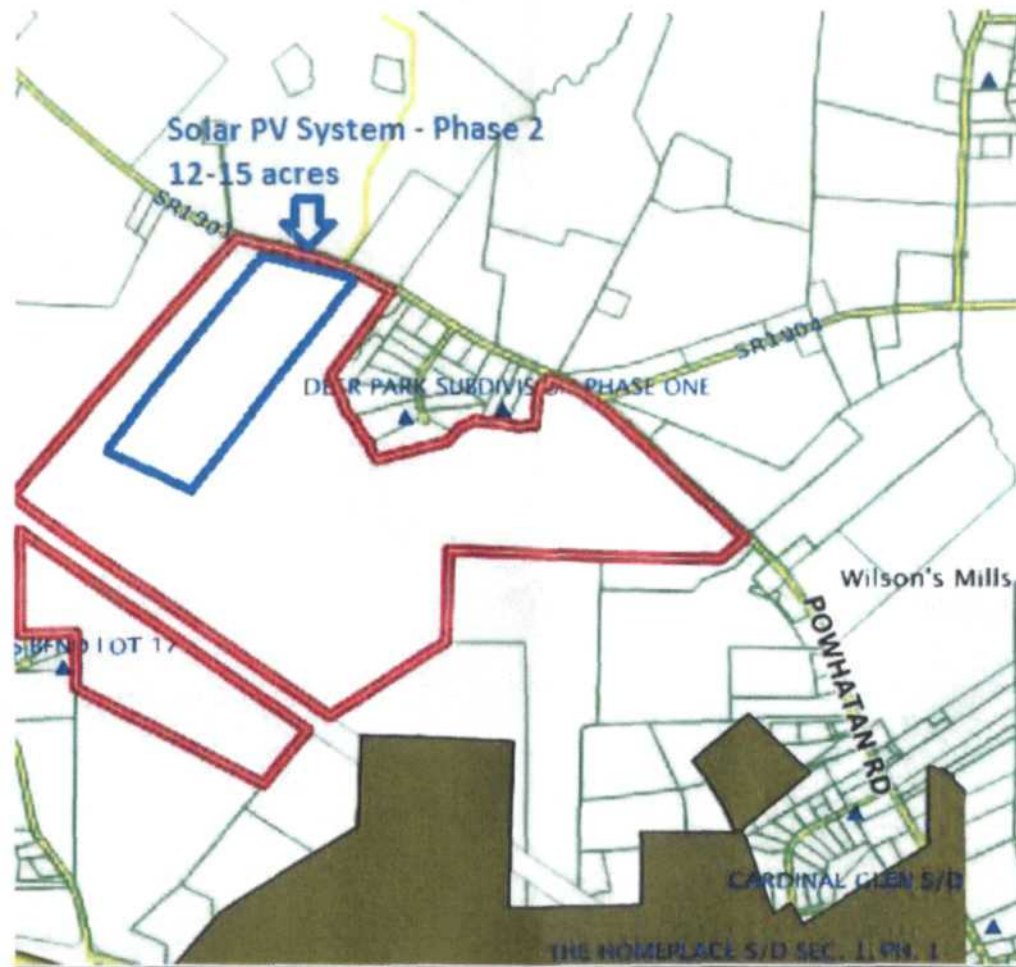


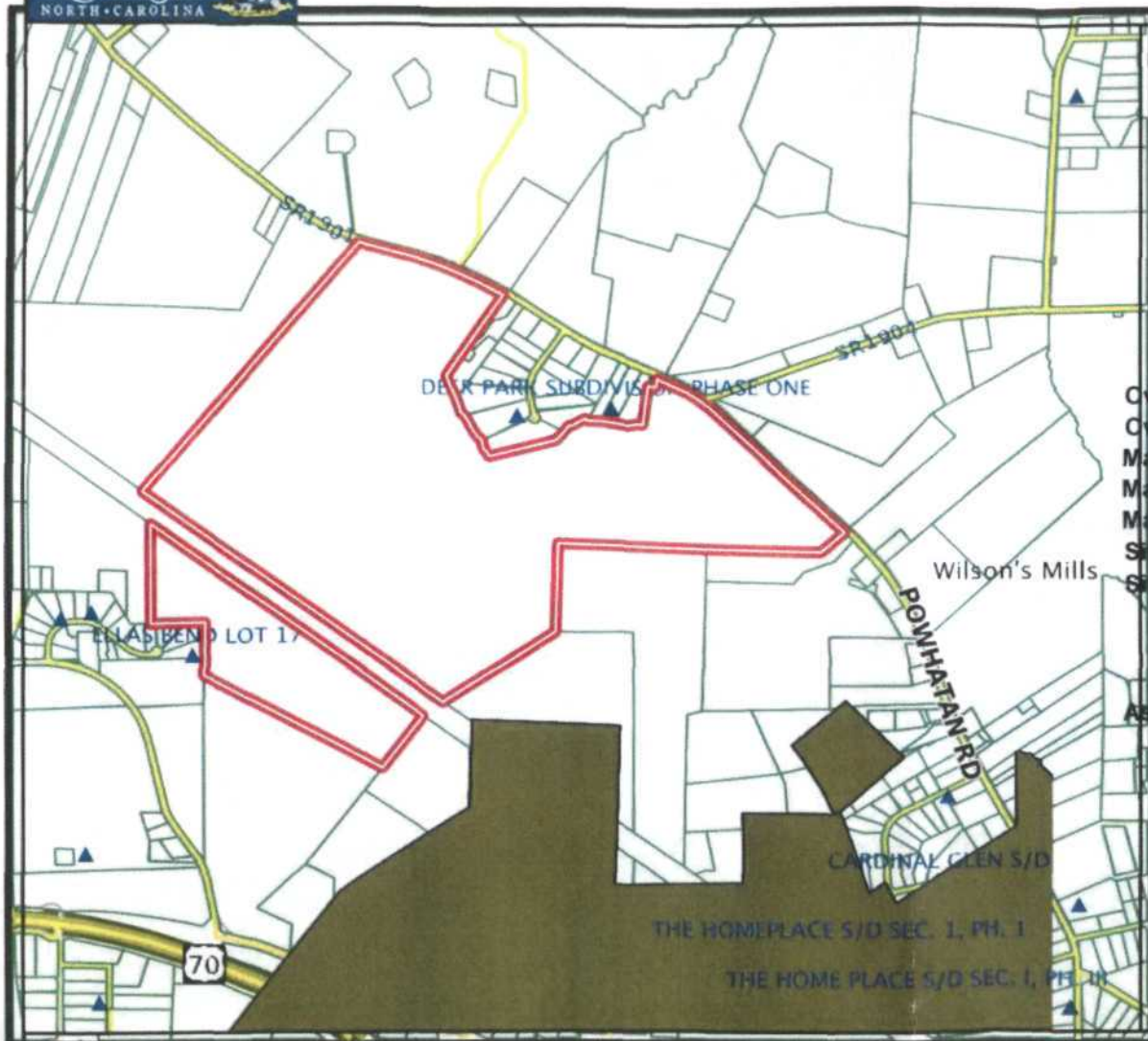
Jason Eddy
State of Florida
MY COMMISSION # EE 846589
Expires: October 25, 2016

The name of the person who completes and signs the application must be typed or printed by the notary in the space provided in the verification. The notary's name must be typed or printed below the notary's seal. This original verification must be affixed to the original application, and a copy of this verification must be affixed to each of the 10 copies that are also submitted to the Commission.

Driving directions from Raleigh, NC

1. Start out going west on W Edenton St toward N McDowell St/US-70 W/US-401 N/NC-50.
2. Turn left onto N Dawson St/US-70 E/US-401 S/NC-50. Continue to follow US-70 E/US-401 S/NC-50.
3. Merge onto I-40 E via the ramp on the left.
4. Merge onto US-70 E via EXIT 306 toward Smithfield/Goldsboro/Clayton.
5. US-70 E becomes US-70 Bus E.
6. Turn left onto Powhatan Rd.





id: 17J06011
 Tag: 17J06011
 Tax Unique Id: 3874416
 NCPin: 168700-53-7983
 Mapsheet No: 1687
 Owner Name 1: ROBERTS & WELLONS INC
 Owner Name 2:
 Mail Address 1: P O BOX 299
 Mail Address 2:
 Mail Address 3: SMITHFIELD, NC 27577-0000
 Site Address 1: 1425 A POWHATAN RD
 Site Address 2: CLAYTON, NC 27520-
 Book: 00561
 Page: 0113
 Market Value: 798900
 Assessed Acreage: 296.38
 Calc. Acreage: 298.44
 Sales Price: 0
 Sale Date: 1958-01-01

Reynaldo Rodriguez

From: cgmccclure3@gmail.com on behalf of Charles G. McClure, III
<charles.mcclure@holocene-energy.com>
Sent: Thursday, July 30, 2015 6:40 PM
To: Reynaldo Rodriguez
Cc: Ralph Thompson Holocene; stan allison
Subject: Red Toad 14 MW Portfolio

Reynaldo,

We've discussed internally your counter-offer of \$0.04/Wdc purchase price (\$560k) with an interconnection cap of \$0.05/Wdc (\$700k).

The payment schedule and milestones would be the following:

7/31 - 10% (\$56k) deposit at MIPA execution

8/23 (deadline?) - \$10k for DEP deposit requests (confirmed) + \$100k DEP deposit requests (probable) <<<
both are applied to final interconnection costs

10/31 (estimated) - 40% (\$224k) for receipt of ballpark estimates

11/30 (estimated) - 40% (\$224k) for receipt of executable IA's (and completion of all other CP's)

2/28 - 10% (\$56k) at COD or date certain

We're inclined to make this deal work. However, we won't be able to execute any documents or transfer funds prior to your departure tomorrow.

Can you send us a copy of the deposit request letter(s) from Duke? We'd like to know the exact date(s) they are due so we can be prepared to make the payments when needed. We also need to confirm whether or not any additional funds will be required from Duke in order to remain in the queue.

Please call me if you have any questions,
Charlie

Charles G. McClure, III

Vice President of Development

Holocene Clean Energy

727 W. Hargett Street, Suite 201

Raleigh, NC 27603

(o) 919 829 0037

(c) 919 649 2277

