

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-114, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Oak Trail Solar, LLC, for a)	ORDER RESCHEDULING PUBLIC
Certificate of Public Convenience and)	WITNESS HEARING, REVISING
Necessity to Construct a 100-MW Solar)	DEADLINES RELATED TO PUBLIC
Facility in Currituck County, North Carolina)	WITNESS HEARING AND REVISING
)	REQUIRED PUBLIC NOTICE

BY THE PRESIDING COMMISSIONER: On September 17, 2020, Oak Trail 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 100-MW_{AC} solar photovoltaic (PV) electric generating facility to be located in Currituck County, North Carolina, and to be operated as a merchant generating facility.

On September 29, 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 any other procedural matters.

On December 14, 2020, in the above-captioned docket, the Commission issued a scheduling order (December 14, 2020 Scheduling Order) which, among other things, scheduled a remote hearing via Webex on Monday, January 11, 2021, at 7:00 p.m., for the purpose of receiving public witness testimony regarding the application, required the Applicant to publish public notice of the hearing in a newspaper having general circulation in Currituck County once a week for four consecutive weeks, and required members of the public who wanted to testify to register in advance of the hearing, no later than 5:00 p.m. on Wednesday, January 6, 2021, by contacting the Public Staff.

In addition, the December 14, 2020 Scheduling Order inadvertently provided a time of 10:00 a.m. for the expert witness hearing on Monday, May 17, 2021. Subsequently on December 16, 2020, the Commission issued an Errata Order changing the time of the expert witness hearing to 2:00 p.m. on Monday, May 17, 2021.

The Commission has learned since the December 14, 2020 Scheduling Order was issued that the fourth week of the publication of the Public Notice would be four days after the deadline for public witnesses to register for the January 11, 2021 Public Hearing.

The Presiding Commissioner finds good cause to reschedule the hearing to receive public witness testimony.

IT IS, THEREFORE, ORDERED as follows:

1. That a remote hearing shall be held via Webex on Monday, February 1, 2021, at 7:00 p.m. for the purpose of receiving public witness testimony regarding the Applicant's application for a CPCN. A link to view the hearing will be available at www.ncuc.net. The remote hearing for the purpose of receiving public witness testimony shall be subject to the following conditions:

- (1) On or before January 19, 2021, all parties shall file a statement consenting to holding the public witness hearing by remote means, or a statement objecting to same;
- (2) On or before January 19, 2021, all parties shall send the name, phone number, and email address of each attorney that will participate in the hearing on the party's behalf directly to the Commission via email at ncucwebex@ncuc.net; and
- (3) Members of the public that would like to testify must register in advance of the hearing, no later than 5:00 p.m. on Wednesday, January 27, 2021, by contacting the Public Staff by calling 866-380-9816. When registering, provide your name, docket number (EMP-114, Sub 0), telephone number, and the topic of your testimony. Only individuals registered with the Public Staff by 5:00 p.m. on Wednesday, January 27, 2021, will be allowed to testify at the public witness hearing.

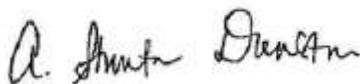
2. That the Commission may cancel the public witness hearing if no substantial written complaints regarding the proposed facility are filed with the Commission on or before Thursday, January 28, 2021; and

3. All other provisions in the December 14, 2020 Scheduling Order, as revised by the December 16, 2021 Errata Order, remain unchanged.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Deputy Clerk

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. EMP-114, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Oak Trail Solar, LLC, for a)
Certificate of Public Convenience and)
Necessity to Construct a 100-MW Solar) PUBLIC NOTICE
Facility in Currituck County, North Carolina)

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission has scheduled a remote public hearing to be held online via Webex on Monday, February 1, 2021, at 7:00 p.m. The purpose of the hearing is to receive public witness testimony regarding the application of Oak Trail Solar, LLC, for a certificate of public convenience and necessity (CPCN) to construct a 100-MW_{AC} solar photovoltaic (PV) electric generating facility to be located in Currituck County, North Carolina, and to be operated as a merchant generating facility. A link to view the hearing will be available at www.ncuc.net. Members of the public that would like to testify must register in advance of the hearing, no later than 5:00 p.m. on Wednesday, January 27, 2021, by contacting the Public Staff by calling 866-380-9816. When registering, provide your name, docket number (EMP-114, Sub 0), telephone number, and the topic of your testimony. Only individuals registered with the Public Staff by 5:00 p.m. on Wednesday, January 27, 2021, will be allowed to testify at the

In support of its application, the Applicant filed the direct testimony of Matt Crook and Wyatt Toolson. In summary, witness Cook states that construction of the 100-MW solar PV facility is anticipated to begin on or about December 2021, with the expected commercial operation date being as December 2022. He further states that the location of the proposed facility is south of S. Mills Road (NC 1227), on the east and west sides of Puddin Ridge Road, and on the north and south sides of Cooper Garrett Road, near the unincorporated community of Moyock, in Currituck County, North Carolina. Witness Crook testifies that the facility will interconnect with the electric transmission system owned by Virginia Electric and Power Company d/b/a Dominion Energy North Carolina (DENC), affording it access to the PJM regional transmission organization, the Applicant has a fully-executed Power Purchase Agreement with a large Commercial and Industrial Customer for the entirety of the facility's output, as well as the Renewable Energy Credits generated by this facility, and the expected service life of the facility is over 30 years.

On September 29, 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.

Additional information about the application is available for review by the public on the Commission's website and online docket system at www.ncuc.net.

The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Written statements to the Public Staff should include any information that the writers wish to be considered by the Public Staff in its investigation of the matter. Such statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4326.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, 9001 Mail Service Center, Raleigh, North Carolina, 27699-9001. Written statements may be emailed to utilityAGO@ncdoj.gov.

Written statements will be considered by the Commission in reaching its decision but do not receive the same consideration as testimony provided by public witnesses at a hearing.

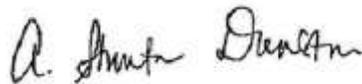
Any person desiring to intervene in the proceeding as a formal party of record should file a petition under North Carolina Utilities Commission Rules R1-5 and R1-19 on or before Friday, March 26, 2021. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325. The direct testimony and exhibits of expert witnesses to be presented by intervenors should also be filed with the Commission on or before Friday, March 26, 2021.

The Commission may cancel the public witness hearing if no substantial written complaints regarding the proposed facility are received by the Commission's Chief Clerk on or before Thursday, January 28, 2021.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Deputy Clerk