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Oct 12 2018

October 12, 2018

VIA ELECTRONIC FILING

Ms. M. Lynn Jarvis, Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27603

Re: Docket No. SP-5273, Sub 0
Docket No. E-22, Sub 548

Dear Ms. Jarvis:

Enclosed for filing in the above-referenced dockets please find Dominion Energy North Carolina's Notice of Acquisition and Motion for Transfer of Certificate of Public Convenience and Necessity.

Thank you for your assistance with this matter, and feel free to contact me with any questions.

Very truly yours,

/s/Andrea R. Kells

ARK:kjg

Enclosure

cc: Elizabeth D. Culpepper
Tim R. Dodge

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-5273, SUB 0
DOCKET NO. E-22, SUB 548

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Pecan Solar, LLC for a)	NOTICE OF ACQUISITION AND
Certificate of Public Convenience and)	MOTION FOR TRANSFER OF
Necessity to Construct a 74.9-MW(ac))	CERTIFICATE OF PUBLIC
Solar Facility in Northampton County,)	CONVENIENCE AND NECESSITY
North Carolina)	

Pursuant to Rule R1-7 of the Rules and Regulations of the North Carolina Utilities Commission (“Commission”) and Ordering Paragraph 6 of the Commission’s *Amendment to Order Approving Transfer of Certificates Subject to Conditions* issued on February 2, 2018, in the above-captioned dockets (“Amendment Order”), Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina (“DENC” or the “Company”), hereby notifies the Commission that the Company’s acquisition of the 74.9 MW solar photovoltaic (PV) electric generating facility (“Pecan Facility”) previously owned by Pecan Solar, LLC (“Pecan Solar”) has been consummated, and requests, by motion (“Motion”), that the Commission issue an order transferring the certificate of public convenience and necessity (“CPCN”) for the Pecan Facility to DENC effective as of October 12, 2018. The Company also provides notice herein of a change to the information provided with respect to the amended CPCN for the Pecan Facility issued on May 27, 2017, that results in one of the conditions of the CPCN for this facility becoming inapplicable. In support of this Motion, the Company states as follows:

1. On October 11, 2017, the Company, Pecan Solar, and Gutenberg Solar, LLC (“Gutenberg Solar” and together with DENC and Pecan Solar, “Applicants”) filed a verified joint notice and request for Commission approval to transfer the CPCNs for the Pecan Facility and a 79.9 MW solar PV electric generating facility owned by Gutenberg Solar (the “Gutenberg Facility”) to DENC.

2. On December 8, 2017, the Commission issued an *Order Approving Transfer of Certificates Subject to Conditions* (“Transfer Order”), which approved the transfers of the CPCNs to DENC, with certain conditions recommended by the Public Staff. With the Transfer Order, the Commission also cancelled the CPCNs previously issued to Pecan Solar and Gutenberg Solar and issued new CPCNs for the facilities to DENC.

3. On December 14, 2017, the Applicants filed a Joint Motion to amend the Transfer Order. The Applicants explained that their intent was that Pecan Solar remain the holder of the CPCN for the Pecan Facility until the acquisition of that facility by DENC is consummated in mid-to-late 2018, and that Gutenberg Solar remain the holder of the CPCN for the Gutenberg Facility until the acquisition of that facility by DENC is consummated in early-to-mid 2019. The Applicants requested that the Commission amend the Transfer Order to return the CPCNs to Pecan Solar and Gutenberg Solar until the acquisitions by DENC have occurred.

4. In the Amendment Order, the Commission reinstated the CPCNs to Pecan Solar and Gutenberg Solar and cancelled the CPCNs issued to DENC. The Commission also directed the Company to file a motion informing the Commission of the date on

which DENC's acquisition of each facility is consummated, and requesting a transfer of the CPCN for each facility to DENC.

5. Consistent with this directive, with this Motion the Company provides notice to the Commission that DENC's acquisition of the Pecan Facility was consummated on October 12, 2018, and requests that the Commission issue an order transferring the CPCN for the Pecan Facility to the Company effective as of that date. The acquisition of the Gutenberg Facility is still anticipated to occur in early-to-mid 2019, and the Company will file a motion to request transfer of the Gutenberg Facility CPCN at that time. This Motion therefore requests that only the CPCN for the Pecan Facility be transferred to DENC; the CPCN for the Gutenberg Facility should remain with Gutenberg Solar until that acquisition is consummated. Consistent with Ordering Paragraph 7 of the Amendment Order, the Company acknowledges that the conditions adopted in the Transfer Order remain in full force and effect.

6. As reflected in the *Recommended Order Amending Certificate* issued on May 26, 2017, in Docket No. SP-5273, Sub 0 ("Recommended Order"), one of the conditions of the amended CPCN for the Pecan Facility was that Pecan Solar would construct and operate the facility consistent with the findings of the archeologist's report filed in that docket on February 27, 2017. The archeologist's report recommended that a historically significant cemetery located within the footprint of the Pecan Facility site be marked and avoided during any land alteration and construction, and that information regarding how to access the cemetery be provided to descendants or others who wished to visit. Pecan Solar committed to abide by these conditions. Subsequently, and prior to the Company's acquisition of the Pecan Facility, Pecan Solar amended its lease for the parcel

on which the cemetery is located such that the cemetery is no longer located on Pecan Solar's leasehold. As a result, the Pecan Facility site no longer includes the cemetery and descendants or others who wish to visit the cemetery need not contact the Company for access thereto. Accordingly, this condition of the amended CPCN no longer applies. The Company will continue to comply with the other conditions and requirements associated with the Pecan Facility CPCN as contained in the Recommended Order.

WHEREFORE, Dominion Energy North Carolina respectfully requests that the Commission issue an order transferring to DENC the CPCN previously issued to Pecan Solar, LLC in Docket No. SP-5273, Sub 0, with such transfer effective as of October 12, 2018.

Respectfully submitted, this the 12th day of October, 2018.

/s/Andrea R. Kells

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STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. SP-5273, SUB 0
DOCKET NO. E-22, SUB 548

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Pecan Solar, LLC for a)	
Certificate of Public Convenience and)	VERIFICATION
Necessity to Construct a 74.9-MW(ac))	
Solar Facility in Northampton County,)	
North Carolina)	

I, Keith Windle, Vice President – Business Development for Virginia Electric and Power Company, verify that the contents of the Notice of Acquisition and Motion for Transfer of Certificate of Public Convenience and Necessity, submitted on October 12, 2018, in the above-captioned proceedings are true and correct to the best of my knowledge. I am duly authorized to act on behalf of Dominion Energy North Carolina.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

VIRGINIA ELECTRIC AND POWER
COMPANY

K-WZ

Name: Keith Windle
Title: Vice President – Business
Development

COMMONWEALTH OF VIRGINIA)

City of Richmond)

) to wit:

The foregoing instrument was sworn to and acknowledged before me this 26
day of September, 2018.

Karen Marie McCormick
Notary Public

My registration number is 7676489 and my commission expires:

Nov 30, 2020



Karen Marie McCormick
Commonwealth of Virginia
Notary Public
Commission No. 7676489
My Commission Expires 11/30/2020

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Acquisition and Motion for Transfer of Certificate of Public Convenience and Necessity, as filed in Docket Nos. SP-5273, Sub 0 and E-22, Sub 548, was served via electronic delivery or mailed, first-class, postage prepaid, upon all parties of record.

This, the 12th day of October, 2018.

/s/Andrea R. Kells

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