

**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)	ORDER REQUIRING FILING OF
Solar Facility in Currituck County,)	ADDITIONAL INFORMATION
North Carolina)	

BY THE COMMISSION: On September 17, 2020, Oak Trail Solar, LLC (Oak Trail or 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 merchant generating facility (Facility) in Currituck County, North Carolina (Application). Oak Trail noted that the Facility is part of PJM Interconnection Clusters AD2 and AE2 (AD2 Cluster and AE2 Cluster). Oak Trail also filed its registration as a New Renewable Energy Facility in accordance with Commission Rule R8-66.

On October 8, 2021, the Commission issued an Order Issuing Certificate for Merchant Generating Facility granting Oak Trail a CPCN to construct the Facility (CPCN Order). Commission Rule R8-63(f) requires Oak Trail to file Annual Progress Reports on the construction of the Facility, and the CPCN Order requires Oak Trail to file any revisions to cost estimates for the construction of the Facility and any network upgrades within 30 days of becoming aware of the revisions (Annual Progress Reports).

On October 6, 2022, Oak Trail filed confidential and public versions of an Annual Progress Report. Oak Trail reported that construction related to the Facility's interconnection with Dominion Energy North Carolina (DENC) began in April 2022 and was ongoing. The anticipated commercial operation date was reported as June 2023 barring unforeseen delays. The report contained a single number for construction costs, without any breakdown of specific categories of costs for construction of the Facility, interconnection facilities, network upgrades, and affected system upgrades. To aid the Commission's oversight of the construction of merchant generating facilities and their impacts on North Carolina ratepayers, all Annual Progress Reports must include affirmative and specific statements of costs. The Commission directs Oak Trail to amend its Annual Progress Report to itemize the construction costs to show: (1) the cost of the generating plant; (2) the cost of the interconnection facilities; (3) the cost of network upgrades; and (4) the cost of affected system upgrades.

Oak Trail is also directed to provide an updated LCOT calculation assuming that the Facility is responsible for all affected system costs necessitated by the facilities in its cluster, regardless of whether any of those costs presently are assigned or allocated to the Facility or to any other facility in the cluster, or whether any facility has a signed ASOA, and using the expected annual generator output in MWh of only the Facility.

The Commission further directs Oak Trail to update the Commission on the date on which the Facility was placed into service or is anticipated to be placed in service. To the extent the Facility is not yet in service and additional Annual Progress Reports must be filed, the reports should follow the directives set forth in this Order.

IT IS, THEREFORE, ORDERED that Oak Trail shall file an amended Annual Progress Report on or before Monday, May 6, 2024.

ISSUED BY ORDER OF THE COMMISSION.

This the 4th day of April, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "A. Shonta Dunston". The signature is fluid and cursive, with the first name "A." and last name "Dunston" clearly distinguishable.

A. Shonta Dunston, Chief Clerk