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August 7, 2009

FILED

AUG 07 2009

Clerk's Office
N.C. Utilities Commission

Ms. Renne Vance, Chief Clerk
North Carolina Utilities Commission
430 North Salisbury Street
Raleigh, North Carolina 27603-5918

Re: Application of Public Convenience and Necessity and
Renewable Energy Facility Registration Statement

Dear Ms. Vance:

Enclosed for filing, please find an original and thirty (30) copies of the Application for Certificate of Public Convenience and Necessity and Renewable Energy Facility Registration Statement on behalf of Concord Energy LLC. A separate Application has been filed under seal; the attached may be filed as public.

Also enclosed is one copy to be file-stamped and returned with our courier. Should you have any questions please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,



Andrea R. Kells

Enclosures

FILED

AUG 07 2009

Clerk's Office
N.C. Utilities Commission

**Application for
Certificate of Public Convenience and Necessity
and
Renewable Energy Facility Registration Statement**

This application for a Certificate of Public Convenience and Necessity (CPCN) is filed with the North Carolina Utilities Commission (NCUC) pursuant to Commission Rule R8-64 by Concord Energy LLC (Concord), a qualifying small power producer that is pursuing a new landfill gas-to-energy (LFGE) project in Concord, North Carolina. The required information is provided in Section I of this filing.

This filing also includes information required by Rule R8-66: Registration of Renewable Energy Facility. Concord is a "new" renewable energy facility as that term is defined in G.S. §62-133.7 (a)(5). Additional information in support of this Renewable Energy Facility Registration Statement is provided in Section II of this filing.

I. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY:

A. 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. Full and correct name, business address and business telephone number of the applicant.

**Concord Energy LLC
3005 Douglas Blvd., Suite 105
Roseville, CA 95661
Attn: Trond Aschchoug, (916) 789-2250**

- ii. Is the facility owned by (check one): () an individual, () a partnership, or (x) a corporation or limited liability company?

- a. If a partnership, provide the name and business address of each partner.

NA

- b. If a corporation or limited liability company, provide the following information:

- (1) State and date of incorporation

State of Delaware

March 3, 2009

- (2) Name and business address of an individual duly authorized to act as corporate agent for purposes of this registration.

**Trond Aschehoug
Sr. Vice President
Fortistar Methane Group LLC
3005 Douglas Blvd., Suite 105
Roseville, CA 95661
(916) 789-2250 X106**

- (3) If the owner of the facility is a foreign corporation, is it domesticated in North Carolina? () Yes (X) No

Concord Energy LLC will submit the necessary filing required by the North Carolina Department of the Secretary of State Corporation Division.

- iii. Specify the nature of the facility, including the type and source of its power or fuel.

Two 5.2-MW combustion turbines located at Charlotte Motor Speedway Landfill located in Concord, NC and fueled by landfill gas.

- iv. Describe the location of the facility, in terms of local highways, streets, streams, rivers or other generally known local landmarks. Attach a map, such as a county road map, with the location marked.

Landfill location address is 5105 Morehead Road, Concord, NC. A map is included as Attachment 1.

- v. Identify the owner(s) of the site where the facility is located. If the owner of the facility is not the owner of the site, specify any leasehold or other interest the facility has in the site.

Site owner is BFI Waste Systems of North America, Inc. Concord Energy LLC is pursuing a leasehold interest in the site to allow for the installation of the power generation and interconnection facilities.

- vi. A description of the buildings, structures, and equipment comprising the generating facility and the manner of its operation.

The facility will consist of two landfill gas-fueled combustion turbines located on real property owned by BFI Waste Systems of North America, Inc.

Appurtenant equipment will include compression and landfill gas treatment equipment; blower skid; motor control center (enclosure); above ground storage of diesel fuel (for start-up) and landfill gas condensate; electrical transformers for interconnection and station service, and an office trailer. Unused landfill gas will be controlled (combusted) via two flares owned by the landfill.

Facility operations will be 24/7; non-dispatchable baseload operation.

- vii. The projected maximum dependable capacity of the facility in megawatts.

Net output = 7.5 MW/2 turbines.

- viii. The projected cost of the facility.

The required response is considered CONFIDENTIAL by the Applicant and is submitted under seal to NCUC.

- ix. The projected date on which the facility will come on line.

July 1, 2010

- 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; any provisions for wheeling of the electricity; arrangements for firm, non-firm, or emergency generation; the service life of the project; and the projected annual sales in kilowatt-hours; and

Concord Energy LLC is negotiating with Duke Energy Carolinas LLC for the purchase and sale of all energy, capacity, and Renewable Energy Certificates from the proposed facility. The facility is located within the service territory of Duke Energy Carolinas LLC, therefore no wheeling arrangements are necessary. Energy will be sold as non-firm. The service life of the project is 20 years. Annual sales are projected to be 55,845,000 kilowatt-hours.

- xi. A complete list of all federal and state licenses permits and exemptions required for construction and operating 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.

State

An air emissions permit application was submitted to NC DENR, Division of Air Quality on March 6, 2009. The application is pending. A copy of the air permit issued by NC DENR will be provided to the Commission when available.

Federal

FERC self-certification Form 556. The self-certification was filed on May 11, 2009; see FERC Docket No. QF09-391 and Attachment 3.

- B. In addition to the information required above, an applicant who desires to enter into a contract for a term of 5 years or more for the sale of electricity and who will have a projected dependable capacity of 5 megawatts or more available for such sale shall include in the application the following information and exhibits:
- i. A statement detailing the experience and expertise of the persons who will develop, design, construct and operate the project to the extent such person are known at the time of the application.

| | | |
|------------------------|--|--|
| Trond Aschehoug | Sr. Vice President | <ul style="list-style-type: none">▪ Joined Fortistar in 2007, and Minnesota Methane since 2001.▪ 30 years in the industry with Thermo Ecotek, Magma Power Company, Dow Chemical Company▪ BS degree in Chemical Engineering from Iowa State University. |
| Tony Wetzel | Director | <ul style="list-style-type: none">▪ Joined Fortistar in 2007▪ 25 years with Thermo Ecotek Corporation, Constellation Operating Services, Procter & Gamble in the independent power field.▪ BS degree from Virginia Tech |
| Kevin M. Bonzo | Project Manager - Development | <ul style="list-style-type: none">▪ Joined Fortistar in 2008▪ Over 23 years environmental experience including landfill gas-to-energy project development and management.▪ BS/MS from The University of Akron |
| Tom Gesicki | President Fortistar Renewable Group | <ul style="list-style-type: none">▪ Joined Fortistar in 1990▪ CPA , MBA from State University of New York |
| Anthony Falbo | Vice President, General Manager Fortistar | <ul style="list-style-type: none">▪ Joined Fortistar in 2005. Manager of Fortistar's Lockport facility since 2002.▪ Member of United States Navy Submarine Service focusing on nuclear power and |

| | Methane Group | propulsion |
|--------------|-------------------------------|--|
| Roger Kelley | Senior Advisor | <ul style="list-style-type: none"> ▪ 35 years experience with regulated and independent power producers; 16 years with Fortistar ▪ Past President and CEO of the New York Power Authority ▪ BSEE, Northeastern University, PE New York State |
| Matt Nourot | Project Manager - Development | <ul style="list-style-type: none"> ▪ Joined Fortistar in 2006 ▪ 25 years of landfill gas-to-energy project development and operations experience. Gas Recovery Systems since 1984 ▪ BS in Mechanical Engineering, Sacramento State University, California ▪ Professional Mechanical Engineer, CA |

- ii. Information specifically indentifying the extent to which any regulated utility will be involved in the actual operation of the project.

Concord Energy LLC is negotiating a power purchase agreement (PPA) with Duke Energy Carolinas LLC (Duke), which will have a term of 20 years. Pursuant to the current terms and conditions still under discussion, Duke will be responsible for the design, construction, and O&M of the interconnection facilities required for this project. Duke will not be involved in any other facility operations. A final agreement is expected to be executed in the Fall 2009.

- iii. A statement obtained by the applicant from the electric utility to which the applicant plans to sell the electricity to be generated setting forth an assessment of the impact of such purchased power on the utility's capacity, reserves, generation mix, capacity expansion plan, and avoided costs.

The following statement was provided on June 18, 2009 by Mr. Scott Tharp of Duke Energy Carolinas, LLC via email communication to Mr. Tony Wetzal of Concord Energy LLC.

Landfill gas is included in Duke Energy Carolinas 2008 Integrated Resource Plan as a component to meet the Company's target planning reserve margin of 17% and the Company's obligations under North Carolina Renewable Energy and Energy Efficiency Portfolio Standard (REPS). The NC REPS law requires Duke Energy Carolinas to achieve 3% of retail electrical energy from renewable energy resources by 2012, 6% by 2015, 10% by 2018 and 12.5% by

2021. Based on the assumptions in the Duke Energy Carolinas 2008 Integrated Resource Plan, the 7.5 MW facility located in Cabarrus County when fully operational in 2011 will add 0.04% to the Company's reserve margin (0.03% to the capacity margin). In addition, the projected energy output in 2010, 2011 and 2012 will account for 8% of the 3% requirement in 2012 and thus will make a contribution to meeting the Company's REPS obligations. Because of the size of the facility, the PPA will not have a discernable impact on the Company's capacity expansion plans or avoided costs.

- iv. The most current available balance sheet of the applicant.

The required information is considered CONFIDENTIAL by the Applicant and is submitted under seal to NCUC.

- v. The most current available income statement of the applicant.

The required information is considered CONFIDENTIAL by the Applicant and is submitted under seal to NCUC.

- vi. An economic feasibility study of the project.

The required response is considered CONFIDENTIAL by the Applicant and is submitted under seal to NCUC.

- vii. A statement of the actual financing arrangements entered into in connection with the project to the extent known at the time of the application.

The required response is considered CONFIDENTIAL by the Applicant and is submitted under seal to NCUC.

- viii. A detailed explanation of the anticipated kilowatt and kilowatt-hour outputs, on-peak and off-peak, for each month of the year.

CONCORD ENERGY LLC MONTHLY OUTPUT – ON-PEAK VS OFF-PEAK

| MONTH | DAYS | ON-PEAK CAPACITY 12:00pm- 6:00pm (KW) | OFF-PEAK CAPACITY 6:00pm- 12:00pm (KW) | ON PEAK ENERGY 12:00pm- 6:00pm (KWH) | OFF-PEAK ENERGY 6:00pm- 12:00pm (KWH) | AVG Temp HIGH | AVG Temp LOW |
|---------------|------|---|--|--|---|---------------------|--------------------|
| JANUARY | 31 | 7,500 | 7,500 | 1,283,400 | 3,850,200 | 51 | 28 |
| FEBRUARY | 28 | 7,500 | 7,500 | 1,159,200 | 3,477,600 | 56 | 30 |
| MARCH | 31 | 7,500 | 7,500 | 1,283,400 | 3,850,200 | 64 | 38 |
| APRIL | 30 | 7,500 | 7,500 | 1,242,000 | 3,726,000 | 73 | 46 |
| MAY | 31 | 6,750 | 7,500 | 1,155,060 | 3,850,200 | 80 | 55 |
| JUNE | 30 | 7,013 | 7,500 | 1,161,270 | 3,726,000 | 87 | 64 |
| JULY | 31 | 6,375 | 7,500 | 1,090,890 | 3,850,200 | 90 | 68 |
| AUGUST | 31 | 6,675 | 7,500 | 1,142,226 | 3,850,200 | 89 | 67 |
| SEPTEMBER | 30 | 6,863 | 7,500 | 1,136,430 | 3,726,000 | 83 | 60 |
| OCTOBER | 31 | 7,500 | 7,500 | 1,283,400 | 3,850,200 | 73 | 47 |
| NOVEMBER | 30 | 7,500 | 7,500 | 1,242,000 | 3,726,000 | 64 | 38 |
| DECEMBER | 31 | 7,500 | 7,500 | 1,283,400 | 3,850,200 | 54 | 31 |
| TOTAL | | | | 14,462,676 | 45,333,000 | | |
| ON-PEAK TIME | | 12:00pm- 6:00pm | 6 | Hours | | | |
| OFF-PEAK TIME | | 6:00pm- 12:00pm | 18 | Hours | | | |

During Peak Hours, assume 5% decline in output for every 10F temp increase from 60F.

Assume on-line time of 92.00%

- ix. A detailed explanation of all energy inputs and outputs, of whatever form, for the project, including the amount of energy and the form of energy to be sold to each purchaser.

Inputs –

Landfill gas; 64 MM BTU/hr per turbine; approximately 2,200 SCFM per turbine.

Outputs –

Electric energy; up to 5,200 MW (gross) output/turbine (10,400 MW total for two turbines). Net output of 3,750 MW/turbine (7,500 MW for two turbines). All net output to be sold to off-taker.

- x. A detailed explanation of arrangements for fuel supply, including the length of time covered by the arrangements, to the extent known at the time of the application.

Concord Energy LLC is negotiating a new gas sale/site lease agreement with the landfill owner. Based on a previous letter of intent executed with the landfill owner, we expect that the term of these agreements will be 25 years

- C. All applications shall be signed and verified by the applicant or by an individual duly authorized to act on behalf of the applicant for the purpose of the application.

The submitted application has been signed and verified by Trond Aschehoug, Sr. Vice President.

II. RENEWABLE ENERGY FACILITY REGISTRATION STATEMENT:

Additional information required by Rule R8-66 is provided in this section.

A. Form EIA-923

The facility has not been constructed as of the date of this filing, therefore Form EIA 923 has not been filed with the U.S. Department of Energy. Relevant information required by Schedules 1, 5, 6, and 9 in Form EIA-923 is summarized below:

Schedule 1 - Identification

Survey Contact :

To be determined

Supervisor of Contact Person for Survey:

**Suparna Chakladar
Director of Environmental
Phone - 951-833-5153
Fax – 866-683-9459
Email – schakladar@fortistar.com
3005 Douglas Blvd., Suite 105
Roseville, CA 95661**

Report for:

**Concord Energy LLC
Cabarrus County, NC
5101 Morehead Road
Concord, NC 28027**

CHP – No

Regulated – No

Schedule 5 (Part B) – Prime Mover Level Generation

Prime mover code – GT

Gross generation – 0 MWh (facility has not been constructed)

Design basis assuming 85% capacity factor

- 1. Based on capacity of turbine at 5.2 MW/turbine =
77,438 MWh/year**
- 2. Based on derated capacity using landfill gas at 4.8 MW/turbine =
71,482 MWh/year**

Net generation – 0 MWh (facility has not been constructed)

**Design basis assuming landfill gas as fuel, station service = 1050 kW/turbine,
85% capacity factor yields 55,845 MWh/year**

Schedule 6 – Nonutility Annual Source and Disposition of Electricity

- 1. Gross Generation (Annual) = estimated to be 71,482 MWh/year**
- 2. Other Incoming Electricity – Not determined at this time. May purchase electricity for startup; assumed insignificant (i.e. 0 MWh/year)**
- 3. Total Sources (1+2) = Same as Gross Generation**
- 4. Station Use – Estimated at 15,637 MWh/year**
- 5. Direct Use (For CHPs Only) – NA**
- 6. Total Facility Use (4+5) = Same as Station Use**
- 7. Retail Sales to Ultimate Customers – NA**
- 8. Sales for Resale – All output to be sold to Duke Energy Carolinas, LLC = 55,845 MWh/year**
- 9. Other Outgoing Electricity – NA**
- 10. Total Disposition (6+7+8+9) = 71,482 MWh/year**

NOTE: Schedule 7 not completed. PPA negotiations between Concord Energy LLC and Duke Energy Carolinas, LLC are still underway.

Schedule 9 – Comments

No comments

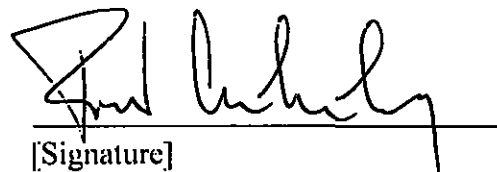
B. Certifications

The undersigned certifies that he or she is the individual owner of the facility, or if the facility is not owned by an individual, that he or she is a duly authorized representative of the owner and makes the certifications below on behalf of the owner.

- 1. The undersigned certifies that the facility, when constructed, will be in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of resources.**
- 2. The undersigned certifies that the proposed facility satisfies the requirements of G.S. 62-133.7 (a)(7) as a renewable energy facility and will be operated as a renewable energy facility, and further certifies that the proposed facility satisfies the requirements as a new renewable energy facility as provided for in G.S. 62-133.7 (a)(5)?**
- 3. The undersigned certifies that any renewable energy certificates from this facility (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. 62-133.7 will not be remarketed or otherwise resold for any purpose including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina or any other state or country, and that the electric power associated with these certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.**

C. Consent to Audit

As the individual owner of the proposed facility, or as a duly authorized representative of the owner if the owner is not an individual, the undersigned consents to the auditing of the owner's books and records by the Public Staff insofar as those records relate to the transaction with North Carolina electric power suppliers, and further agrees to provide the Public Staff and the Commission access to the owner's books and records, wherever they are located, and to the facility.


[Signature]

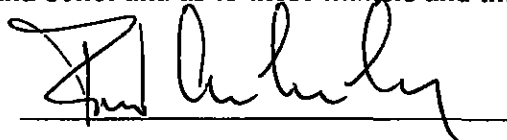
STATE OF NORTH CAROLINA
UTILITIES COMMISSION
Docket No. SP-____, Sub ____

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:

| | | |
|--|---|--------------|
| Application of Concord Energy LLC for |) | |
| Certificate of Public Convenience and |) | |
| Necessity |) | VERIFICATION |
| and |) | |
| Renewable Energy Facility Registration |) | |
| Statement |) | |

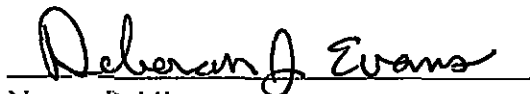
Trond Aschchoug, being first duly sworn, deposes and says that (i) he is Senior Vice President of Concord Energy LLC, (ii) he has read the foregoing Application for Certification of Public Convenience and Necessity and Renewable Energy Facility Registration Statement and knows the contents thereof, and (iii) the same are true of his own knowledge, except for those matters and things therein alleged on information and belief and as to those matters and things he believes them to be true.

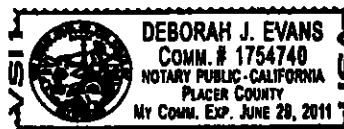


Trond Aschchoug
Concord Energy LLC

State of California
County of Placer

I, Deborah J. Evans, Notary Public of said County, do hereby certify that Trond Aschchoug personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This is the 5th day of August, 2009.


Notary Public



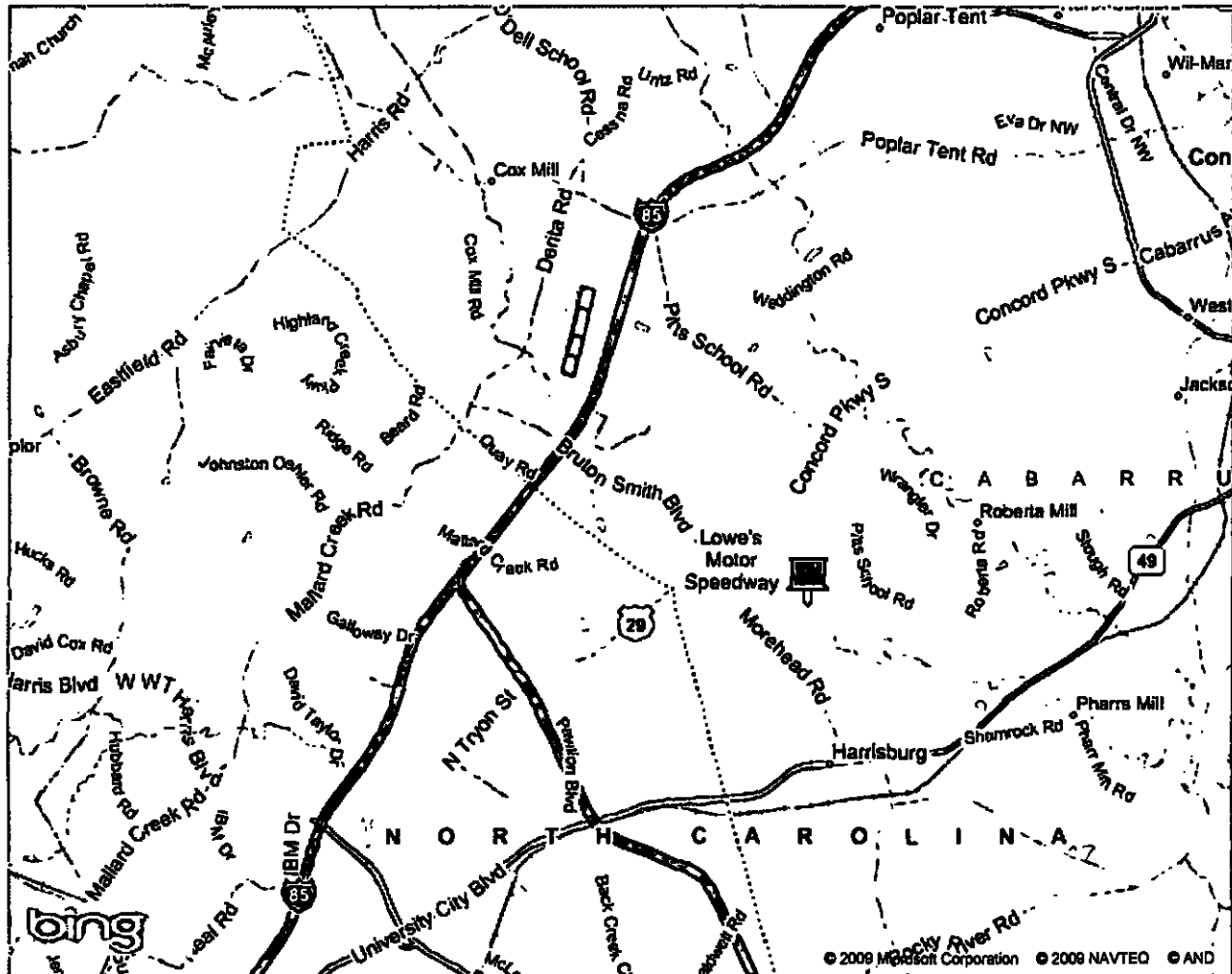
Commission Expires: June 29, 2011

ATTACHMENT 1
FACILITY LOCATION MAP

Bing Maps

Concord Energy LLC

1. Concord Energy LLC



ATTACHMENT 2
FINANCIAL INFORMATION

The required information is considered confidential and is submitted under seal to NCUC.

ATTACHMENT 3
FERC QF SELF-CERTIFICATION

READ AND LANIADO, LLP

ATTORNEYS AT LAW
25 EAGLE STREET
ALBANY, NEW YORK 12207-1901

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DAVID B. JOHNSON
SAM M. LANIADO

STEVEN D. WILSON

RICHARD C. KING
HOWARD J. READ
Of Counsel

May 11, 2009

Via Electronic Filing

Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Concord Energy LLC
Docket No. QF09-

Dear Secretary Bose:

Attached is a notice of self-certification of Concord Energy LLC ("Applicant") for its small power production facility located in Concord, North Carolina, as a qualifying small power production facility under the Public Utility Regulatory Policies Act of 1978, as amended.

As required pursuant to sections 292.207(a)(1) and 131.80 of the Commission's regulations, this notice of self-certification is submitted in the format prescribed by the Commission's Form 556.

Very truly yours,

David B. Johnson
Counsel for Concord Energy LLC

Attachment

**FERC FORM 556
CERTIFICATION OF QUALIFYING FACILITY STATUS
FOR A PROPOSED SMALL POWER PRODUCTION FACILITY**

PART A: GENERAL INFORMATION

1a. Full name of Applicant:

Concord Energy LLC

Docket number assigned to immediately preceding submittal: none

Purpose of instant filing:

The purpose of instant filing is self-certification pursuant to 18 C.F.R. § 292.207(a)(1)

1b. Full address of Applicant

Concord Energy LLC
3005 Douglas Blvd., Suite 105
Roseville, CA 95661

1c. Owners/operators of Facility:

One hundred percent of all classes of shares in Concord Energy LLC are owned by Fortistar Methane Group LLC, a Delaware limited liability company. Fortistar Methane Group LLC is owned 100% by Fortistar Renewables LLC, which is owned 100% by Fortistar Projects LLC, which is owned 100% by Fortistar LLC. Fortistar LLC ("Fortistar") is a Delaware limited liability company. Neither Fortistar nor any of its affiliates operates or controls any electric facilities other than QFs, exempt wholesale generators or foreign utility companies and neither Fortistar nor any of its affiliates owns or controls 5% or more of the voting securities, as defined in PUHCA 2005, 42 U.S.C. §16451(17), in any company that owns or operates electric facilities, other than QFs, exempt wholesale generators or foreign utility companies under PUHCA. Operations of Concord Energy LLC are provided by employees of Fortistar Services LLC, a Delaware limited liability company, under the direction of Fortistar Methane Group LLC management. Fortistar Services LLC is wholly-owned by Fortistar Projects LLC, which is wholly owned by Fortistar LLC.

1d. Signature of authorized individual evidencing accuracy and authenticity of information provided by Applicant:

/s/Scott Contino
Scott Contino
Chief Financial Officer

2. Person to whom communications regarding the filed information may be addressed:

Name: Tony Wetzel
Title: Director, Business Development
Telephone number: 916-789-2250
Mailing address: 3005 Douglas Blvd., Suite 105, Roseville, CA 95661

3a. Location of facility to be certified:

State: North Carolina
County: Cabarrus
City: Concord
Street Address: 5101 Morehead Road

3b. Electric utility transactions with Facility:

Electric utilities interconnecting with the Facility: Duke Energy Carolinas LLC
Electric utilities purchasing the useful electric power output: To be determined.
Electric utilities providing supplementary power, backup power, maintenance power, and/or interruptible power service: Duke Energy Carolinas LLC

4a. Description of principal components of Facility:

The facility will beneficially utilize landfill gas recovered from Charlotte Motor Speedway Landfill located in Concord, North Carolina. The principal components

described in this application include the installation of two new Solar Taurus combustion turbines fueled by landfill gas, landfill gas compression equipment, landfill gas treatment/conditioning equipment, electrical switch gear, and interconnection to the utility system.

4b. Electric Power Production of Facility:

Maximum Facility Gross Generation Capacity: 9,600 kW

Maximum Facility Net Electrical Output: 7,900 kW

The difference between gross and net output is the parasitic loads used within the facility that power gas compression and cooling equipment.

4c. Installation/operation dates of Facility:

The date of commercial operation of the facility is anticipated to occur in first quarter 2010.

4d. Primary energy input of Facility:

This facility uses landfill gas generated and recovered directly from Charlotte Motor Speedway Landfill as its primary fuel.

5. Average annual hourly energy input of fossil fuel to Facility:

A. Natural Gas: None

B. Oil: Diesel fuel may be used for "cold" startup of the turbines. The hourly input of fossil fuel (when used) per turbine will be approximately 64 MM BTU/hr.

6. Particular characteristics of Facility that bear on its qualifying status:

This facility generates electricity by burning methane in landfill gas that would otherwise

be wasted by venting into a flare. The US EPA has recognized control of landfill gas methane as a significant measure in the control of greenhouse gas.

PART B: DESCRIPTION OF THE SMALL POWER PRODUCTION FACILITY

7. Fossil fuel use:

The facility's use of such fossil fuels is zero during most operating periods, and in any event, will not exceed 25% of the total annual energy input to the facility, and such use will be limited to ignition, start-up, testing, flame stabilization, control use, and minimal amounts of fuel required to alleviate or prevent unanticipated equipment outages and emergencies directly affecting the public, all as prescribed in 18 C.F.R. §§ 292.202 and 292.204, and Section 3(17)(B) of the Federal Power Act, and Commission decisions construing such rules.

8. Eligible facility status:

Facility Name: Gas Recovery Systems, LLC, Charlotte Motor Speedway Electric Gas Power Plant

Docket Number: QF97-133

Name of Common Owner: Fortistar LLC

Common primary energy source used as energy input: landfill gas

Power production capacity (MW): 4,800 kW

CERTIFICATE OF SERVICE

Pursuant to Sections 292.207(a)(ii) and 385.2010 of the Commission's regulations, I hereby certify that I have this day served a copy of the foregoing notice of self-certification which contains a completed Form 556, on the electric utility with which the Concord Energy LLC transacts, Duke Energy Carolinas LLC and the North Carolina Utilities Commission (the State regulatory authority of the state where the Facility and each affected utility is located.)

Dated: May 11, 2009

David B. Johnson
Read and Laniado, LLP
25 Eagle Street
Albany, NY 12207
518-465-9313