

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. SP-5190, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Daniel W. Kluthe, for	) ORDER ACCEPTING
Registration of a New Renewable Energy	) REGISTRATION OF NEW
Facility	) RENEWABLE ENERGY FACILITY

BY THE CHAIRMAN: On February 19, 2015, as amended July 17, 2015, July 27, 2015, and October 7, 2015, Daniel W. Kluthe (Mr. Kluthe), filed a registration statement pursuant to Commission Rule R8-66 for a new renewable energy facility to be located in Dodge in Dodge County, Nebraska. Mr. Kluthe stated that his 110-kW<sub>AC</sub> swine waste fueled electric generating facility became operational on October 6, 2005.

The filing included certified attestations that: 1) the facility will be in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; 2) the facility will be operated as a new renewable energy facility; 3) Mr. Kluthe will not remarket or otherwise resell any renewable energy certificates (RECs) sold to an electric power supplier to comply with G.S. 62-133.8; and 4) Mr. Kluthe will consent to the auditing of his books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On October 26, 2015, the Public Staff filed the recommendation required by Commission Rule R8-66(e) stating that Mr. Kluthe's registration statement as a new renewable energy facility should be considered to be complete. No other party made a filing with respect to these issues.

Based upon the foregoing and the entire record in this proceeding, including the source of fuel stated in the registration statement, the Chairman finds good cause to accept registration of Mr. Kluthe's biogas facility as a new renewable energy facility. If any organic material other than swine waste is used in the anaerobic digester, only that portion of the electricity generated from the biogas that is derived from swine waste is eligible to earn RECs that may be used to meet the swine waste set-aside requirements of the North Carolina Renewable Energy and Energy Efficiency Portfolio Standard. Mr. Kluthe shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year. To the extent that Mr. Kluthe is not otherwise participating in a REC tracking system, he will be required to participate in the NC-RETS REC tracking system ([www.ncrets.org](http://www.ncrets.org)) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

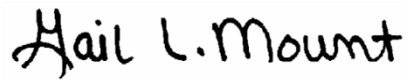
1. That the registration by Mr. Kluthe for his swine waste facility located in Dodge in Dodge County, Nebraska as a new renewable energy facility shall be, and is hereby, accepted.

2. That Mr. Kluthe shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the 22<sup>nd</sup> day of February, 2016.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Gail L. Mount". The signature is written in a cursive, flowing style.

Gail L. Mount, Chief Clerk