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August 18, 2022

VIA ELECTRONIC FILING  
Ms. Shonta Dunston  
Chief Clerk  
North Carolina Utilities Commission  
430 North Salisbury Street, Room 5063  
Raleigh, NC 27603

**RE: In the Matter of Application of Macadamia Solar LLC for a Certificate of Public Convenience and Necessity to Construct a Merchant Plant 484-MW Solar Energy Facility in Washington County, NC; and for a Certificate of Environmental Compatibility and Public Convenience and Necessity to Construct Transmission Line in Washington County, NC Consolidated Docket Nos. EMP-119, Sub 0 and EMP-119, Sub 1 Applicant's Consent Motion to Excuse Witnesses Amanda Corll and Sami Abdulsalam**

Dear Ms. Dunston:

On behalf of Applicant Macadamia Solar LLC ("Macadamia"), please find the attached Consent Motion to Excuse Witnesses Amanda Corll and Sami Abdulsalam from appearance at the Expert Witness Hearing scheduled for September 6, 2022, and to accept their pre-filed testimony into the record.

Please let me know if you have any questions about this request. Thank you.

Sincerely,

A handwritten signature in blue ink that reads 'Benjamin L. Snowden'.

Benjamin L. Snowden

pbb

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota  
Nevada New Jersey New York North Carolina Pennsylvania South Carolina Texas Washington

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. EMP-119, SUB 0  
DOCKET NO. EMP-119, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. EMP-119, SUB 0

In the matter of:  
Application of Macadamia Solar, LLC for  
a Certificate of Public Convenience and  
Necessity to Construct a Merchant Plant  
Solar Energy Facility in Washington  
County, North Carolina

DOCKET NO. EMP-119, SUB 1

In the matter of:  
Application of Macadamia Solar, LLC for  
a Certificate of Environmental  
Compatibility and Public Convenience  
and Necessity to Construct Transmission  
Line in Washington County, North  
Carolina

**APPLICANT'S  
CONSENT MOTION  
TO  
EXCUSE WITNESSES  
AMANDA CORLL  
AND  
SAMI ABDULSALAM**

Macadamia Solar, LLC ("Macadamia" or "Applicant"), pursuant to Rule R1-7, Rules of the North Carolina Utilities Commission, and with the consent of Public Staff, moves for an order excusing Applicant witnesses Amanda Corll and Sami Abdulsalam from the expert witness hearing scheduled before the North Carolina Utilities Commission ("Commission") on September 6, 2022 and, further, accepting their pre-filed testimony into the record. In support of its motion, Applicant states the following:

1. This matter relates to Macadamia's request for approval to construct a solar photovoltaic merchant plant facility and related transmission line, proposed to be located in and around Washington County, North Carolina.

2. The proposed merchant plant facility and transmission line are before the Commission by way of Macadamia's applications for a certificate of public convenience and necessity (docket EMP-119, Sub 0, "CPCN Docket") and certificate of environmental compatibility and public convenience and necessity (docket EMP-119, Sub 1, "CECPCN Docket"), respectively.

3. The CPCN Docket and CECPCN Docket (collectively, "Dockets") are consolidated. *Order Consolidating Dockets, Scheduling Hearings, Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice* (Sept. 24, 2021). An expert witness hearing is scheduled for September 6, 2022 ("Hearing"). *Order Scheduling Hearing and the Filing of Testimony* (June 14, 2022). Expert witness hearings in CPCN proceedings for Sumac Solar, LLC, and Sweetleaf Solar, LLC, two solar projects also under development by Geenex Solar, are scheduled to be held on the same day. *Order Accepting Testimony, Requiring Further Testimony, and Scheduling Hearings*, Docket Nos. EMP-110, Sub 0 and EMP-111, Sub 0 (Aug. 5, 2022).

4. Applicant requests that the Commission excuse Macadamia witnesses Amanda Corll ("Witness Corll") and Sami Abdulsalam ("Witness Abdulsalam") from appearing and testifying at the Hearing.

5. Witness Corll is Manager of GIS and Permitting for Geenex Solar LLC, which is developing the Macadamia Solar project. Witness Corll provided pre-filed testimony in support of Macadamia's application for a CECPCN on September 13, 2021, December 10, 2021, and May 25, 2022. Witness Corll's pre-filed testimony discussed issues related to the siting of the proposed transmission line, including the man-made and

natural features that influenced route selection; attempts made in siting the line to minimize environmental impacts; and consideration of alternative routes.

6. Witness Corll has a conflict and is not able to attend the Hearing. The issues discussed in Witness Corll's pre-filed testimony are not in dispute in this proceeding. As discussed on page 11 of the Supplemental Testimony of Witness Jay B. Lucas filed on behalf of the Public Staff on June 29, 2022, the Public Staff supports issuance of the CECPCN by the Commission. Applicant's counsel has consulted with Public Staff's counsel and Public Staff consents to waive cross examination of Witness Corll, stipulate her testimony and exhibits into the record, and to excuse her from the Hearing.

7. Witness Abdulsalam is the former Senior Consulting Manager for Siemens Industry, Inc., Siemens Power Technologies International ("Siemens"). Mr. Abdulsalam provided pre-filed testimony in support of Macadamia's CPCN application on December 10, 2021. The purpose of Witness Abdulsalam's pre-filed testimony was to respond to certain issues raised by Public Staff witness Jay B. Lucas in his November 23, 2021, prefiled direct testimony, relating to Affected System Upgrades on the Duke Energy Progress ("DEP") system that the parties understood (as of the time of Mr. Abdulsalam's testimony) might be triggered or relied upon by Macadamia ("the DEP Upgrade"). Mr. Abdulsalam provided general testimony about the potential benefits of affected system upgrades on DEP's system, and about the potential benefits of the DEP Upgrade in particular. This testimony was responsive to concerns raised by Witness Lucas (based on the circumstances understood at the time) that construction of the DEP Upgrade could impose approximately \$10 million in costs on DEP ratepayers, while providing (in Witness Lucas's view) few if any benefits to DEP ratepayers.

8. Since Witness Abdulsalam provided his testimony, important developments have occurred which, Applicant submits, make it unnecessary to address the question of whether Affected System Upgrades in general, or the DEP Upgrade in particular, provide material benefits to DEP's ratepayers. First, the Public Staff has recommended that the Commission grant Macadamia's application for a CPCN and CECPCN. Second, DEP has indicated that the DEP Upgrade is required for reliability purposes, and that only the incremental costs of using a larger conductor for that upgrade (currently estimated to be about \$150,000) are attributable to Macadamia.<sup>1</sup> And finally, Macadamia is seeking an Affected System Operating Agreement ("ASOA") with DEP under which it would forego any right to reimbursement for the cost of the DEP Upgrades.

9. Because the Macadamia project is unlikely to impose any costs on DEP ratepayers, it is not necessary for the Commission to address the question of whether construction of the DEP Upgrade will also create benefits for DEP's ratepayers.

10. Witness Abdulsalam is no longer employed by Siemens and is unavailable to testify on behalf of Applicant.<sup>2</sup> Siemens can provide another witness (a member of the team that assisted in the preparation of Witness Abdulsalam's pre-filed testimony) to sponsor Mr. Abdulsalam's testimony. However, given that the issues raised in Mr. Abdulsalam's testimony are no longer necessary to the resolution of the Application, Macadamia submits that it would be less burdensome and more efficient to forego live testimony and excuse Mr. Abdulsalam (or a replacement witness from Siemens).

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<sup>1</sup> As discussed in a letter filed in these consolidated dockets this same day, Macadamia will also incur approximately \$1.6 million in additional costs to expedite construction of the DEP Upgrade. These costs will not be reimbursed by DEP ratepayers.

<sup>2</sup> Witness Abdulsalam is currently employed by PJM Interconnection LLC.

11. Applicant’s counsel has consulted with Public Staff’s counsel and Public Staff consents to waive cross examination of Witness Abdulsalam and to excuse him from the Hearing.

12. Given the foregoing, and in the interest of judicial economy, good cause exists to excuse Witness Corll and Witness Abdulsalam from appearance and in-person testimony during the Hearing, and to accept their pre-filed testimony and exhibits into the record.

WHEREFORE Macadamia requests the Commission enter an order excusing Witness Corll and Witness Abdulsalam from the Hearing and accepting their pre-filed testimony and exhibits into the record.

Respectfully submitted this the 18th day of August , 2022.

FOX ROTHSCHILD LLP

/s/ Benjamin L. Snowden

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*Attorney for Macadamia Solar, LLC*

**CERTIFICATE OF SERVICE**

I certify on August 18, 2022, that I served a copy of the foregoing **MOTION TO EXCUSE WITNESSES AMANDA CORLL AND SAMI ABDULSALAM** on each of the parties of record by United States mail, first class mail, or by means of electronic delivery upon agreement of the receiving party.

FOX ROTHSCHILD LLP

/s/ Benjamin L. Snowden

Benjamin L. Snowden