

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-111, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Sweetleaf Solar LLC for a) MOTION OF THE
Certificate of Public Convenience and) PUBLIC STAFF FOR AN
Necessity to Construct a 94-MW Solar) EXTENSION OF TIME
Facility in Halifax County, North Carolina)

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and respectfully moves the North Carolina Utilities Commission (Commission) to extend the Public Staff’s time to file its recommendation and supporting testimony in response to the Commission’s Order filed in this docket on July 22, 2020. In support of this motion, the Public Staff respectfully shows the Commission the following:

1. On June 2, 2020, Sweetleaf Solar LLC (Applicant) filed an application in accordance with N.C. Gen. Stat. § 62-20.1 and Commission Rule R8-63 for a certificate of public convenience and necessity to construct a 94-MW solar photovoltaic electric generating facility to be located in Halifax County, North Carolina, operated as a merchant generating facility.

2. On June 15, 2020, the Public Staff filed a Notice of Completeness stating that the Public Staff had reviewed the application and considered the application to be complete.

3. On July 8, 2020, the Commission issued an *Order Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice* (Procedural Order), establishing a procedural schedule for this matter and directing the Applicant to file additional testimony and exhibits addressing a number of questions posed by the Commission. The Procedural Order established a deadline of July 21, 2020, for the Applicant's supplemental testimony and exhibits; August 10, 2020, for direct testimony and exhibits by the Public Staff; and August 25, 2020, for the Applicant's rebuttal testimony and exhibits. The Procedural Order scheduled a public witness hearing via WebEx on Monday, August 24, 2020 at 7 p.m. and an evidentiary hearing on Monday, October 5, 2020 at 2 p.m. via WebEx or in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina.

4. On July 21, 2020, the Applicant requested a three-week extension of the time of the deadlines for supplemental testimony noting that the complexity of the underlying issues related to the PJM interconnection process and that the parent company, Greenex Solar LLC, was simultaneously preparing supplemental testimony in Docket No. EMP-110, Sub 0.

5. On July 22, 2020, the Commission issued an Order granting the request and extending the deadlines for filing the Applicant's additional testimony and exhibits to August 11, 2020, the Public Staff and Intervenors' testimony and exhibits deadline to August 31, 2020, and the Applicant's rebuttal testimony and exhibits to September 15, 2020.

6. On August 11, 2020, the Applicant filed the additional testimony and exhibits of Donna Robichaud.

7. On August 24, 2020, the Commission held the public witness hearing remotely via WebEx.

8. Due to the press of business in the currently ongoing rate cases for Duke Energy Carolinas, LLC (DEC); and Duke Energy Progress, LLC (DEP), and the complexity of the issues related to the PJM interconnection process presented in the Applicant's supplemental testimony, the Public Staff requires additional time to review the Applicant's testimony and prepare testimony in this docket and Docket No. EMP-110, Sub 0, which is similarly situated.¹

9. Based on the foregoing, the Public Staff requests an extension of time to five business days following the conclusion of the DEC and DEP rate case hearings in Docket Nos. E-7, Sub 1214, and E-2, Sub 1219, to file its recommendation and supporting testimony in response to the Commission's Order of July 22, 2020. Depending on the timing of the conclusion of the rate case hearings, in addition for the time needed for the Applicant to file rebuttal testimony, this may also necessitate a delay in the evidentiary hearing scheduled for October 5, 2020.

¹ The Public Staff plans to file a similar Motion for an Extension of Time in Docket No. EMP-110, Sub 0.

10. The Public Staff has contacted counsel for the Applicant to ascertain the Applicant's position on the requested extension, and the Applicant has not responded to the request.

WHEREFORE, the Public Staff requests that the Commission enter an order granting an extension of time to five business days following the conclusion of the DEC and DEP rate case hearings for the Public Staff to file its testimony and to allow a similar extension of time for the Applicant to file its rebuttal testimony.

This the 25th day of August, 2020.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

Dianna W. Downey
Chief Counsel

Electronically submitted
/s/ Megan Jost
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CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing Motion on all parties of record in accordance with Commission Rule R1-39, by United States mail, postage prepaid, first class; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 25th day of August, 2020.

Electronically submitted
/s/ Megan Jost