

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-102, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Pitt Solar, LLC, for a) MOTION OF THE
Certificate of Public Convenience and) PUBLIC STAFF FOR
Necessity to Construct a 150-MW Solar) EXTENSIONS OF TIME
Facility in Pitt 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 supplemental testimony in the above-referenced docket, and to likewise extend the deadline for Pitt Solar, LLC’s (Pitt Solar or Applicant) filing of reply testimony, if any. In support of this motion, the Public Staff respectfully shows the Commission the following:

1. On August 10, 2020, Pitt Solar 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 150-MW_{AC} solar PV electric generating facility (Facility) to be located in Pitt County, North Carolina.

2. On August 19, 2020, the Public Staff filed a Notice of Completeness stating that it considered the application to be complete.

3. On October 5, 2020, the Commission issued an Order Scheduling Hearings, Requiring the Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice.

4. After filings of testimony and supplemental testimony by the Public Staff and the filing of supplemental testimonies and reply testimony by the Applicant, on December 16, 2020, the Applicant filed a Verified Motion to Excuse Witnesses, Admit Testimony and Exhibits and Cancel Evidentiary Hearing.

5. On August 10, 2021, the Applicant filed a Renewed Motion to Excuse Witnesses, Admit Testimony and Exhibits, and Cancel Evidentiary Hearing, or, Alternatively, Request to Schedule Evidentiary Hearing (Motion). Among other things, the Applicant requested the Commission to give consideration to a proposal to split the two portions of its proposed Facility, as the Applicant recommended in its June 1, 2021, testimony.

6. In response to the Applicant's Motion, the Commission, on September 14, 2021, issued an Order Requiring Amendment of the Application and Revising Procedural Schedule (Revised Procedural Order). The Commission's Revised Procedural Order directed Pitt Solar to amend its application to reflect a two-stage or bifurcated process for the Commission to consider the two different portions of the Applicant's proposed Facility and to provide for a separate Sub number within the EMP-102 docket for consideration of the Phase 2 portion. Additionally, the Commission's Revised Procedural Order required the Applicant to file an amended application reflecting the two-stage or bifurcated process by September 28, 2021. The Commission's Revised Procedural Order required the Public Staff to file by October 5, 2021, supplemental testimony on prescribed questions regarding the Public Staff's views on whether the Commission should bifurcate the proceeding and to address

any of its concerns, and provided that the Applicant shall file a reply to the Public Staff's supplemental testimony, if any, by October 11, 2021.

7. On September 28, 2021, the Applicant filed the direct testimony of Linda Nwadike and an amended application in Docket No. EMP-102, Sub 1 (Sub 1), which reflects a two-stage construction project for the Applicant's original 150 MW facility, wherein, the Sub 1 docket has been amended to only include construction of an 80 MW solar facility, which will take place first and coincides with PJM queue AC1-189. On the same day, the Applicant filed in Docket No. EMP-102, Sub 2, an application for a CPCN for construction of a 70 MW section of the Applicant's initial application in the Sub 1 docket, under Pitt Solar phase 2, which coincides with PJM queue AF2-080. The Applicant also filed the direct testimony of witness Nwadike in this docket.

8. Because of the press of other ongoing dockets and deadlines, the Public Staff requires additional time to conduct a thorough investigation of the Applicant's new bifurcated applications and to draft its supplemental testimony. A two-week extension would provide the Public Staff with sufficient time to review the information in these dockets and file its testimony with the Commission.

9. The Public Staff therefore requests that the Commission extend the deadline for the Public Staff's filing of supplemental testimony by two weeks, to October 19, 2021. The Public Staff further requests that the Commission extend the deadline for the Applicant's filing of a reply, if any, by a commensurate two weeks, to October 25, 2021.

10. The Public Staff has contacted counsel for the Applicant and is authorized to represent that the Applicant does not object to the requested extension.

WHEREFORE, the Public Staff requests that the Commission issue an order extending the Public Staff's time to file its supplemental comments to and including October 19, 2021 and extending the deadline for the Applicant's filing of reply comments, if any, to October 25, 2021.

Respectfully submitted this 1st day of October, 2021.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

Dianna W. Downey
Chief Counsel

Electronically submitted
/s/ Gina C. Holt
Staff Attorney

4326 Mail Service Center
Raleigh, North Carolina 27699-4300
Telephone: (919) 733-6110
Email: gina.holt@psncuc.nc.gov

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 1st day of October, 2021.

Electronically submitted
/s/ Gina C. Holt