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FEB 27 2015

February 26, 2015

Clerk's Office
N.C. Utilities Commission

VIA OVERNIGHT DELIVERY

Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: Henry Gibson Solar Farm, SP-
Henry Gibson Solar LLC Docket # 5962 Sub 0

Dear Chief Clerk:

Enclosed for filing please find an original plus 9 copies of an Application to Register a New Renewable Energy Facility and an original plus 12 copies of Application for a Certificate of Public Convenience and Necessity, for the aforementioned solar farm and LLC.

These filings have also been made online at ncuc.net.

Please also find enclosed a check for \$25.00 for the filing fee for the CPCN.

Please note that Exhibit 5 is labeled Confidential.

Thank you for your assistance. Please contact me at the number or email below if you have any questions.

Sincerely,

Veronika Gunter
vgunter@flsenergy.com

Enclosures

828 350 3993
www.flsenergy.com

130 Roberts Street
Asheville, NC 28801

MAKING SOLAR MAINSTREAM

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w/ cut Confid.
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Henry

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

FILED

FEB 27 2015

Clerk's Office
N.C. Utilities Commission

DOCKET NO. SP- 5262 , SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of the Application of
Henry Gibson Solar, LLC For a
Certificate of Public Convenience
And Necessity to Construct a 4.99
MW AC Solar Facility and
Registration as a New Renewable
Energy Facility

APPLICATION FOR A
CERTIFICATE OF PUBLIC
CONVENIENCE AND
NECESSITY

Henry Gibson Solar, LLC, an Affiliate of FLS Energy, Inc. ("Applicant") hereby applies to the North Carolina Utilities Commission (the "Commission") pursuant to G.S. § 62-110.1 and Commission Rule R8-64 for a Certificate of Public Convenience and Necessity authorizing construction of a 4.99 megawatt (MW) AC solar facility (the "Facility") to be located in Scotland County.

APPLICATION FOR

A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

In support of its application, the Applicant shows the Commission Exhibits 1 through 5 as follows:

Exhibit 1

- (i) The full and correct name, business address, business telephone number, and e-mail address of the facility owner:

Henry Gibson Solar, LLC
130 Roberts Street, Asheville, NC 28801
828.350.3993
interconnect@flsenergy.com

- (ii) A statement of whether the facility owner is an individual, a partnership, or a corporation and, if a partnership, the name and business address of each general partner and, if a corporation, the state and date of incorporation and the name, business address, business telephone number, and electronic mailing address of an individual duly authorized to act as corporate agent for the purpose of the application and, if a foreign corporation, whether domesticated in North Carolina:

Henry Gibson Solar, LLC, is a limited liability company
Organized in North Carolina on February 25, 2015
Corporate agent: Dale Freudenberger
130 Roberts Street, Asheville, NC 28801
828.350.3993
interconnect@flsenergy.com

- (iii) The full and correct name of the site owner and, if the owner is other than the applicant, the applicant's [legal] interest in the site.

***Site owner: Jim Coughenour**
Jim Coughenour has entered into an agreement to lease the site to the applicant

Exhibit 2

(2) See attached maps with applicable requirements as notated on same:

(i) A color map or aerial photo showing the location of the generating facility site in relation to local highways, streets, rivers, streams, and other generally known local landmarks, with the proposed location of major equipment indicated on the map or photo, including the generator,

fuel handling equipment, - **Not applicable.**

plant distribution system, and startup equipment, - **Not applicable.**

the site boundary, planned and existing pipelines, **No pipelines planned nor existing in association with this project.**

planned and existing roads, planned and existing water supplies, and **—No planned and no existing water supplies are associated with this project.**

planned and existing electric facilities.

A U.S. Geological Survey map or an aerial photo map prepared via the State's geographic information system is preferred; and

(ii) The **E911** street address for the site is 8081 Henry Gibson Rd, Gibson NC 28343, in Scotland County. The GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree are 34.7790288765°N, -79.5709467914°W.

Exhibit 3

(i) The nature of the generating facility, including the type and source of its power or fuel:

This is a solar photovoltaic site producing electricity from the sun using solar panels and inverters.

(ii) A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation:

This solar system is mounted to the ground utilizing piers and purlins at a fixed tilt. The modules are wired in series to bring the DC voltage up to a certain threshold then paralleled and connect to inverters. The inverters convert the DC electricity into AC electricity and is then transformed to medium voltage and injected into the grid.

(iii) The gross and net projected maximum dependable capacity of the facility as well as the facility's nameplate capacity, expressed as megawatts (alternating current);

The AC system size is 4.999 MW.

(iv) The projected date on which the facility will come on line:

May 31, 2016

(v) 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:

All electricity will be sold to Duke Energy Progress, Inc.

(vi) Any provisions for wheeling of the electricity:

No provisions for wheeling the electricity.

(vii) Arrangements for firm, non-firm or emergency generation

No such arrangements.

Exhibit 3, continued

(viii) The service life of the project:

30 years

(ix) The projected annual sales in kilowatt-hours:

9,203,840 AC kWh

(x) Whether the applicant intends to produce renewable energy certificates that are eligible for compliance with the State's renewable energy and energy efficiency portfolio standard.

Yes.

Exhibit 4

(i) A complete list of all federal and state [not local] licenses, permits and exemptions required for construction and operation of the generating facility and a statement of whether each has been obtained or applied for.

The following permits will be obtained for construction on a federal or state level:

- **FERC**
- **All required environmental permits from the NC Department of Environment and Natural Resources (NCDENR) including storm water**
- **NCDOT Driveway permit to construct an access point from the solar farm to a government maintained road**

The following permits will be obtained for construction on a local level:

- **Zoning permit**
- **Building**
- **Electrical**

(ii) 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.

None have been filed. None are attached. The applicant will comply with the requirement to file permits with the Commission.

VERIFICATION

STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

By: FLS Energy, Inc., its Managing Member

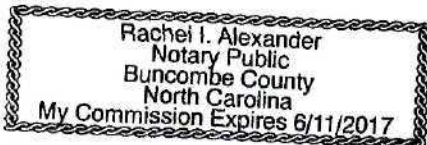
[Signature]
Signature of Owner's Representative or Agent

Chief Executive Officer
Title of Representative or Agent

Dale Freudenberger
Typed or Printed Name of Representative or Agent

The above named person personally appeared before me this day and, being first duly sworn, says that the facts stated in the foregoing application and any exhibits, documents, and statements thereto attached are true as he or she believes.

WITNESS my hand and notarial seal, this 26th day of February, 20 15.



My Commission Expires: 6/11/2017

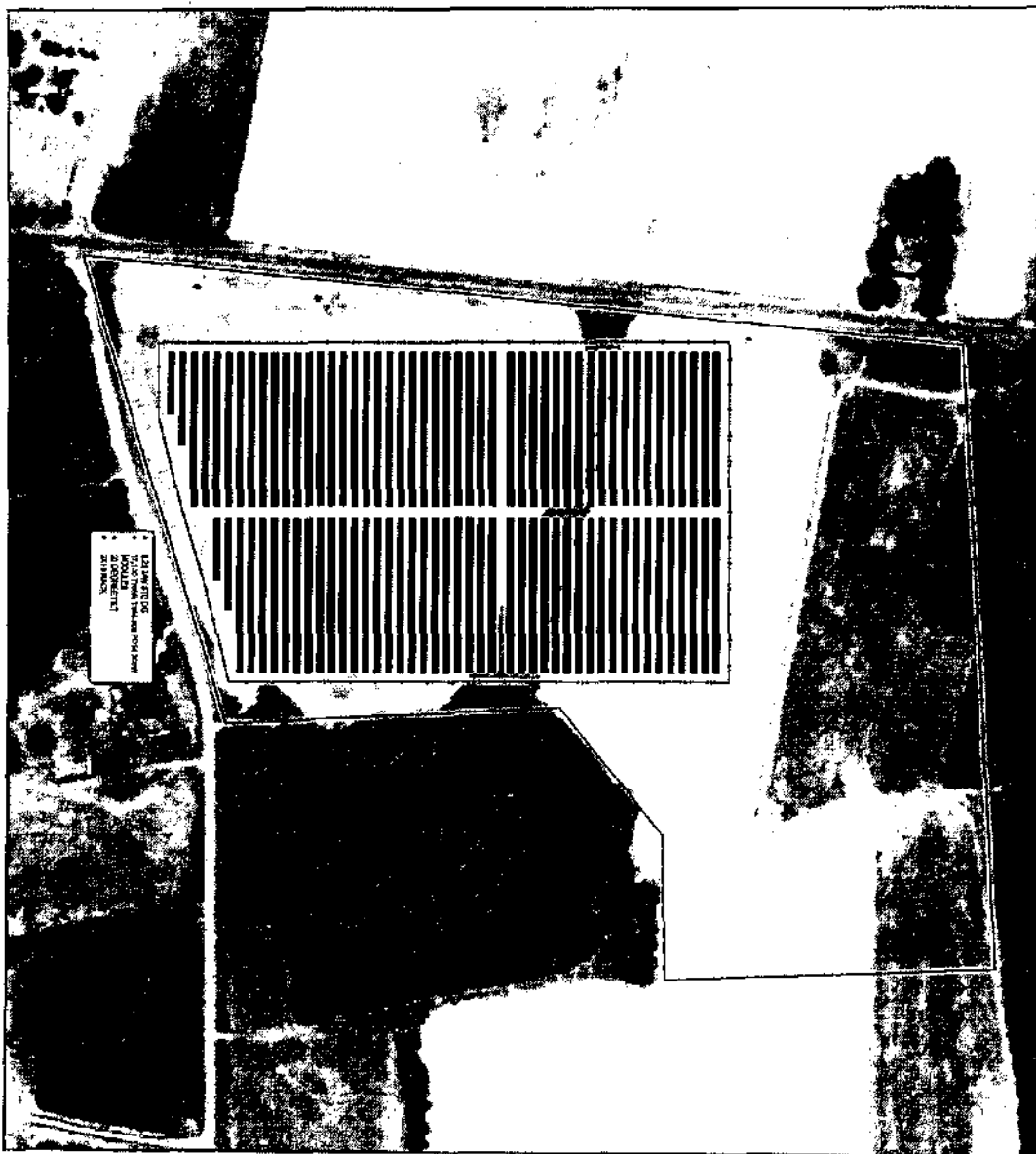
Rachel I. Alexander
Signature of Notary Public

Rachel I. Alexander
Name of Notary Public – Typed or Printed

This original verification must be affixed to the original application, and a copy of this verification must be affixed to each of the copies that are also submitted to the Commission.

Exhibit (2) (i) - Layout

SP-52628UB 0





 PANEL LAYOUT
 SCALE: 1" = 100'

• ELEVATION: 1000
 • TOTAL PANEL AREA: 1000000
 • TOTAL WATERSHED: 1000000
 • TOTAL WATERSHED: 1000000



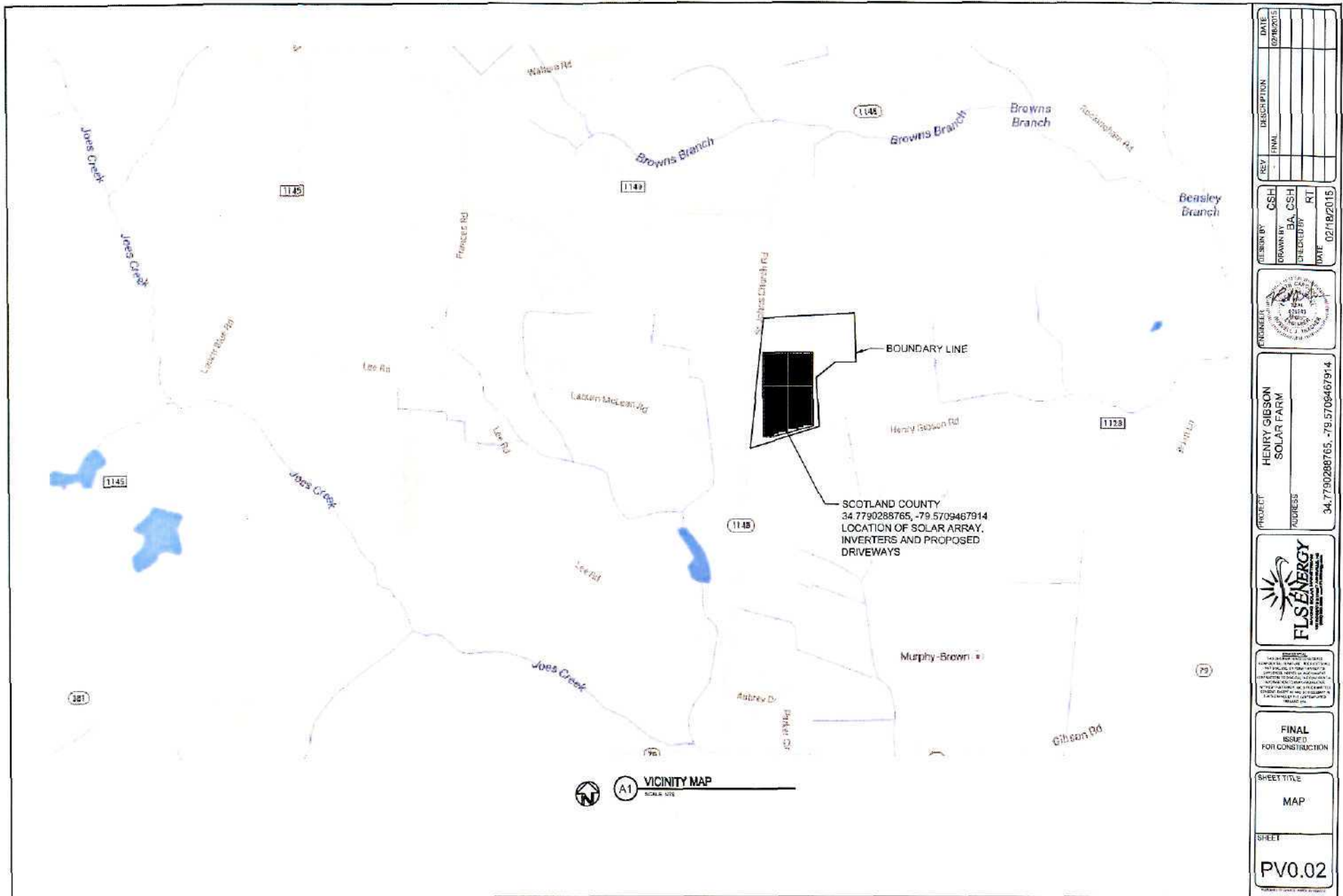
SHEET PV0.01	PRELIMINARY	SHEET DATE 02/18/2015	FINAL ISSUED FOR CONSTRUCTION		PROJECT HENRY GIBSON SOLAR FARM ADDRESS 34.7790288765, -79.5709467914		DESIGN BY CSH DRAWN BY BA, CSH CHECKED BY RT DATE 02/18/2015	REV 1 FINAL	DESCRIPTION 1 FINAL	DATE 02/18/2015

Exhibit (z)(i) - Map



REV	DESCRIPTION	DATE
01	FINAL	02/18/2015

DESIGN BY	CSH
DRAWN BY	BIA, CSH
CHECKED BY	RT
DATE	02/18/2015



PROJECT	HENRY GIBSON SOLAR FARM
ADDRESS	34.7790288765, -79.5709467914



DISCLAIMER:
 THIS DOCUMENT IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE CLIENT ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS.

FINAL
 ISSUED
 FOR CONSTRUCTION

SHEET TITLE
 MAP

SHEET
 PV0.02

DATE: 02/18/2015

Note: Please complete the form, print it, have it signed, notarized, make 15 copies and send them to the Chief Clerk of the Commission. Be sure to print a copy for your records as you cannot save data onto the form, nor can you file it online. Be sure to attach additional information, such as maps, as required.

Application to Register a Renewable Energy Facility or New Renewable Energy Facility Pursuant to Rule R8-66


FILED
FEB 27 2015

(Applicants should consult Rule R8-66 while completing this form in order to ensure they provide sufficient information.)

Clerk's Office
N.C. Utilities Commission

Facility name:	Henry Gibson Solar
Full and correct name of the owner of the facility:	Henry Gibson Solar, LLC
Business address:	130 Roberts Street, Asheville, NC 28801
Electronic mailing address:	interconnect@flsenergy.com
Telephone number:	828.350.3993
Owner's agent for purposes of this application, if applicable:	n/a
Agent's business address:	n/a
Agent's electronic mailing address:	n/a
Agent's telephone number:	n/a
The owner is: Henry Gibson Solar, LLC	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation (including LLC)
If a corporation, state and date of incorporation.	State <u>NC</u> Date <u>2.25.15</u>

If a corporation that is incorporated outside of North Carolina, is it domesticated in North Carolina?	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <input type="checkbox"/> Yes </div> <div style="text-align: center;"> <input type="checkbox"/> No </div> </div>
If a partnership, the name and business address of each general partner. (Add additional sheets if necessary.)	n/a
Nature of the renewable energy facility:	<div style="background-color: black; height: 40px;"></div>
1. Describe the facility, including its technology, and the source of its power and fuel(s). Thermal facilities should describe how its host uses the facility's thermal energy output. (Add additional sheets if necessary.)	4.99 MW AC Fixed Tilt Photovoltaic System
2. Whether it produces electricity, useful thermal energy, or both.	Electricity.
3. Nameplate capacity in kW/MW (AC) and/or maximum Btu per hour for thermal facilities.	4.99 MW AC

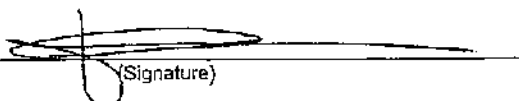
<p>The location of the facility set forth in terms of local highways, streets, rivers, streams, or other generally known local landmarks. Attach a map, such as a county road map, with the location indicated on the map.</p>	<p>The E-911 address is 8081 Henry Gibson Rd, Gibson NC 28343 The site is on the north side of Henry Gibson Rd. The site is east side of St. Johns Church Rd. Please see the map that is supplied.</p>
<p>Site ownership:</p>	
<p>1. Is the site owner other than the facility owner? If yes, who is the site owner?</p>	<p>Yes. <u>Jim Coughenour</u> is the landowner.</p>
<p>2. What is the facility owner's legal interest in the site?</p>	<p><u>Jim Coughenour</u> has entered into an agreement to lease the site to the facility owner.</p>
<p>List the approvals that are required to build and/or operate this facility, and attach copies of those that have been obtained. Wind facilities with multiple turbines, where each turbine is licensed separately, may provide copies of approvals for one such turbine but shall add an attestation that approvals for all of the turbines are available for inspection.</p>	
<p>1. Federal permits and licenses:</p>	<ul style="list-style-type: none"> • FERC
<p>2. State permits and licenses:</p>	<ul style="list-style-type: none"> • All required environmental permits from the NC Department of Environment and Natural Resources (NCDENR) including storm water • NCDOT Driveway permit to construct an access point from the solar farm to a government maintained road
<p>3. Exemptions required for construction and operation of the facility:</p>	<p>n/a</p>
<p>4. Statement of whether each has been obtained or applied for (attach copy of those that have been obtained with this application):</p>	<p>None have been filed. None are attached. The applicant will comply with the requirement to file permits with the Commission.</p>

If the facility has been placed into service, on what date did the facility begin operating?	n/a
If the facility is not yet operating, on what date is the facility projected to be placed into service?	May 31, 2016
If the facility is already operating, what is the amount of energy produced by the facility, net of station use, for the most recent 12-month or calendar-year period? Energy production data for a shorter time period is acceptable for facilities that have not yet operated for a full year.	n/a
What entity does (or will) read the facility's energy production meter(s) for the purpose of issuing renewable energy certificates?	Duke Energy Progress
For thermal energy facilities, describe the method to be used to determine the facility's thermal energy production, in BTUs, that is eligible for REC issuance.	n/a
Does the facility participate in a REC tracking system and if so, which one? If not, which tracking system will the facility participate in for the purpose of REC issuance?	NC-RETS

<p>If this facility has already been the subject of a proceeding or submittal before the Commission, such as a Report of Proposed Construction or a Certificate of Public Convenience and Necessity, please provide the Commission Docket Number, if available.</p>	<p>n/a</p>
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The owner of the renewable energy facility shall provide the following attestations, signed and notarized:

1. ☒ Yes ☐ No I certify that the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources.
2. ☒ Yes ☐ No I certify that the facility satisfies the requirements of G.S. 62-133.8(a)(5) or (7) as a:
☐ renewable energy facility, or
☒ new renewable energy facility,
and that the facility will be operated as a:
☐ renewable energy facility, or
☒ new renewable energy facility.
3. ☒ Yes ☐ No I certify that 1) my organization is not simultaneously under contract with NC GreenPower to sell our RECs emanating from the same electricity production being tracked in NC-RETS; and 2) any renewable energy certificates (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. 62-133.8 have not, and will not, be remarketed or otherwise resold for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina (such as NC GreenPower) or any other state or country, and that the electric power associated with the certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.
4. ☒ Yes ☐ No I certify that I consent to the auditing of my organization's books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers, and agree to provide the Public Staff and the Commission access to our books and records, wherever they are located, and to the facility.
5. ☒ Yes ☐ No I certify that the information provided is true and correct for all years that the facility has earned RECs for compliance with G.S. 62-133.8.
6. ☒ Yes ☐ No I certify that I am the owner of the renewable energy facility or am duly authorized to act on behalf of the owner for the purpose of this filing.


(Signature)
By: FLS Energy, Inc., its Managing Member: Dale Freudenberger
(Name - Printed or Typed)

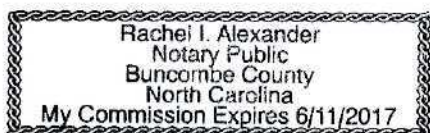
Chief Executive Officer
(Title)
2/25/2015
(Date)

VERIFICATION

STATE OF North Carolina COUNTY OF Buncombe

Dale Freudenberger, personally appeared before me this day and, being first duly sworn, says that the facts stated in the foregoing application and any exhibits, documents, and statements thereto attached are true as he or she believes.

WITNESS my hand and notarial seal, this 25th day of February, 2015.



My Commission Expires: 6/11/2017

Rachel I. Alexander
Signature of Notary Public

Rachel I. Alexander
Name of Notary Public – Typed or Printed

The name of the person who completes and signs the application must be typed or printed by the notary in the space provided in the verification. The notary's name must be typed or printed below the notary's seal. This original verification must be affixed to the original application, and a copy of this verification must be affixed to each of the 15 copies that are also submitted to the Commission.