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October 27, 2023

Ms. A. Shonta Dunston
Chief Clerk
N.C. Utilities Commission
430 N. Salisbury Street
Room 5063
Raleigh, NC 27603-5919

**Re: In the Matter of Application of Cherry Solar, LLC, for a Certificate of
Public Convenience and Necessity to Construct a 180-MW Solar Facility in
Northampton County, North Carolina
NCUC Docket No. EMP-115, Sub 0
*Updated Site Plan, Exhibit 2(i) to the CPCN Application***

Dear Ms. Dunston:

I write on behalf of Cherry Solar LLC (“Cherry”), to notify the Commission of a change in the site plan for the proposed facility. As described below, the Applicant proposes to reallocate a parcel of land that is currently part of the planned layout of Cherry’s sister project, Oak Solar LLC (“Oak”), which holds a CPCN issued in docket no. EMP-112, Sub 0, allowing Cherry to avoid construction on potentially sensitive areas of the project site.

Oak and Cherry were originally under development as a single 300-MW merchant facility (originally named Gaston Green Acres Solar LLC, but subsequently redubbed Oak Solar LLC), which filed an application for a CPCN under Rule R8-63 in docket no. EMP-112, Sub 0 on July 15, 2020. On November 12, 2020, Oak filed a motion to amend its CPCN application to divide the 300 MW of capacity into two separate facilities, Oak and Cherry, with capacities of 120 and 180 MW, respectively. On November 21, 2021, the Commission issued an Order granting Oak’s application for a CPCN to construct the 120 MW plant.

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As discussed in the letter and updated site plan for Oak filed this same day in docket no. EMP-112, Sub 0, increases in the efficiency of solar PV modules and other components have enabled Oak to reduce the footprint of that facility while still achieving the same projected output. This has freed up a 972-acre parcel of land, which the Applicant wishes to reallocate to the Cherry facility. Allocating this land to Cherry will allow Cherry to avoid developing near potentially sensitive areas of the site.

Although the Commission generally requires public notice and Clearinghouse review when an additional parcel of land is added to the footprint of a proposed facility, in this case the Applicant is simply reallocating land from a certificated facility to another project. Construction of a solar facility on the land in question has already been reviewed by the State Clearinghouse and relevant state agencies, and has been subject to public notice and an opportunity to comment and/or intervene. Accordingly, the proposed revision to Cherry's site plan should not require further public notice or Clearinghouse review.

The revised site plan for Cherry (which also depicts the relative location of Oak) is enclosed, along with a 2020 site plan for comparison.

If you have any questions concerning this filing, please let me know. Thank you for your assistance.

Sincerely,

/s/ Benjamin L. Snowden

Benjamin L. Snowden

pbb

Enclosures

Copy to: Counsel of Record
Erin Duffy, Commission Staff – Legal
NC Public Staff - Legal

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