

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 134

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Filing Requirements for New Electric Generators) ORDER AMENDING RULES R8-2,) R8-64, R8-65, AND R8-66
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BY THE COMMISSION: On November 4, 2014, the Commission issued an Order Amending Rules and Requesting Comments on Additional Proposed Rule Changes in which it: 1) amended Rules R8-61, 63 and 64 effective January 1, 2015; 2) requested that the Public Staff file an explanation of additional changes to Rules R8-65 and 66 that it had proposed; 3) allowed other parties to propose changes to Rules R8-65 and 66; 4) invited all parties to comment on the Commission's proposal to amend Rule R8-2; and 5) provided that all parties could file reply comments.

On December 15, 2014, the Public Staff filed comments on additional proposed rule changes. No other party filed comments and no party filed reply comments.

Capacity Stated as Alternating Current (AC)

In its November 4, 2014 Order, the Commission sought comments on whether it should amend Rule R8-2 so that all electric generating capacity reported under Chapter 8 of the Commission's rules (Electric Light & Power) would be in terms of alternating current, as shown below:

Rule R8-2 DEFINITIONS

In the interpretation of these rules the word "utility" shall be taken to mean any person, firm or corporation engaged in the business of supplying electric current to domestic, commercial, or industrial users within this State except a municipality or electric membership corporation organized under G.S. 117-6 et seq. and the word "consumer" shall be taken to mean any person, firm, corporation, municipality, or other political subdivision of the State supplied by any such utility. Unless specifically stated otherwise, capacity of generation facilities is provided in alternating current (AC) delivered at the point of interconnection to the distribution or transmission facilities.

In its December 15, 2014 comments, the Public Staff agreed with the Commission's proposed revision to Rule R8-2. In addition, the Public Staff recommended that any forms approved for use by the Commission continue to include

references to capacity of generation facilities in AC. The Public Staff stated that this would reduce confusion since applicants might rely on the forms rather than look to Rule R8-2 for guidance.

Since no party opposed the Commission's proposal to amend Rule R8-2, the Commission will adopt the revision, as shown in Appendix A to this Order.

Reducing Filing Requirements For Customers Who Self-Generate

In its December 15, 2014 comments, the Public Staff recommended that Rules R8-64(b)(3)(vi) and (vii), as amended by the Commission's November 4 Order, be further amended to read as follows:

(3) Exhibit 3 shall contain:

...

(vi) Any provisions for wheeling of the electricity, if applicable;

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

...

The Public Staff stated that these changes would help reduce confusion because these provisions do not apply to all certificate of public convenience and necessity (CPCN) applications. The Public Staff's proposed amendments have merit and the Commission will, therefore, adopt them as shown in Appendix A of this Order.

Automatic Dismissal of Inactive CPCN Applications

In its October 7, 2014 comments in this proceeding, the Public Staff proposed to amend Rule R8-64(c) to include a new subdivision (2) that reads: "If the applicant does not file the affidavit of publication and certificate of service within six months of the Commission's publication order, the Commission will automatically dismiss the application."

In its November 4, 2014 Order, the Commission invited the Public Staff to file additional information as to the need to dismiss applications under Rule R8-64 after six months if an applicant has not yet filed its affidavit showing publication of notice. In its December 15, 2014 comments the Public Staff stated that it proposed this change due to delays that sometimes result from CPCN applicants not completing the steps required for review and approval in a timely fashion. The Public Staff stated that until the affidavit of publication and certificate of service are filed, the Public Staff and the Commission have little information regarding the status of an application. Because it is impossible to determine the dates of publication, or the sufficiency of notice to the utility, the timeliness of complaints from the general public are difficult to discern. The Public

Staff provided a partial list of CPCN applications for which an Order Requiring Publication of Notice was issued more than six months ago, but for which no affidavit of publication or certificate of service had been filed. The Public Staff stated that, “It appears that many applicants are simply abandoning the application process without notifying the Commission.”

The Public Staff stated further that it is aware that an applicant may have delayed filing its affidavit of publication in order to seek to resolve any complaints that are filed and thereby avoid the need for a hearing on its application. The Public Staff stated that six months “seems sufficient for this purpose,” and that the lack of a filed affidavit of publication and certificate of service results in uncertainty for the Public Staff and the public.

The Commission agrees with the Public Staff that at some point CPCN applications must either move ahead, be withdrawn, or be dismissed due to the potential for the information initially provided and the results of the State Clearinghouse review to become stale. While the Public Staff proposes a six-month deadline, the Commission will instead allow CPCN applicants 12 months from the date of the Commission’s Order Requiring Publication of Notice, after which the Commission will dismiss a pending CPCN application without prejudice to refile. The Commission will, therefore, amend Rule R8-64 as shown in Appendix A of this Order. In future CPCN procedural orders, the Commission will reiterate the twelve-month deadline in orders requiring publication of notice.

Filing Requirements for Reports of Proposed Construction Made Explicit

The Public Staff proposed that Rule R8-65 (Report By Persons Constructing Electric Generating Facilities Exempt From Certification Requirement) be revised so that: 1) the filing requirements for reports of proposed construction (RPC) are explicitly stated in the rule, rather than provided via a reference to Rule R8-64; and 2) facility owners would not be required to include a site plan, which contains highly specific details regarding the facility’s equipment and layout.

Since [RPCs] are not submitted to the State Clearinghouse for review and are not subject to public notice, the Public Staff believes that this level of detail is unnecessary for small net-metered solar photovoltaic facilities, which make up a large percentage of facilities that are filing [RPCs].

No party opposed the Public Staff’s proposed amendments to Rule R8-65, therefore the Commission will adopt them, as shown in Appendix A of this Order.

Commission to Provide Filing Templates

The Public Staff recommended that, to help reduce confusion over the application requirements and to provide guidance for those applicants who do not

regularly make filings with the Commission, the Commission provide application form templates for CPCNs and RPCs, similar to the form the Commission makes available for registration statements. The Public Staff provided sample application forms for CPCNs and RPCs.

The Commission has reviewed the sample application forms that the Public Staff provided and made minor changes and corrections as necessary. The form for CPCNs is attached to this Order as Appendix C, and the form for RPCs is attached to this Order as Appendix D. These forms shall be posted on the Commission's website as soon as practicable.

Additional Registration Filing Requirements for Multi-Fuel and Co-Generation Facilities

In its initial comments, the Public Staff recommended the inclusion of several additional requirements in Rule R8-66 (Registration of Renewable Energy Facilities; Annual Reporting Requirements) that addressed two additional categories of renewable energy facilities: 1) combined heat and power systems that produce both electric and thermal energy; and 2) multi-fuel facilities. The Public Staff stated that these two categories of renewable energy facilities require a significant amount of review on the part of the Public Staff to determine which portion of the energy generated by the facility is eligible to earn renewable energy certificates (RECs). In its December 15, 2014 comments, the Public Staff stated that its goal in proposing to include this information in the initial application is to provide clearer guidance to applicants to ensure that applications for the facilities are treated consistently and reviewed in a timely manner. No party opposed the Public Staff's proposed amendments to Rule R8-66. Therefore, the Commission will adopt those amendments as shown in Appendix A of this Order. The Commission will also amend the registration form template that is available on its website (so that it is consistent with those amendments) as soon as practicable, as shown in Appendix E of this Order.

Additional Time for Reviewing Registrations

In its proposed amendments to Rule R8-66 that the Public Staff filed on October 7, 2014, the Public Staff proposed that it "and other interested persons" be given 30 business days after a registration request is filed to file its own recommendation with the Commission. Currently, Rule R8-66(e) requires the Public Staff to file such recommendations within 10 business days. The Public Staff did not provide a rationale for its proposed change. However, the Commission acknowledges that the volume of registration requests has been large. Further, it is especially critical that the Public Staff complete a thorough review of registrations filed for thermal facilities, co-generation facilities, and multi-fuel facilities in order to assure that the Commission's orders properly inform the issuance of RECs by the North Carolina Renewable Energy Tracking System. On the other hand, it's the Commission's experience that reviewing the registrations of other renewable energy facilities is more straightforward. Therefore, the Commission will approve the Public Staff's

recommendation in part and provide 20 business days for reviewing registrations. These changes are as shown in Appendix A of this Order.

IT IS, THEREFORE, ORDERED as follows:

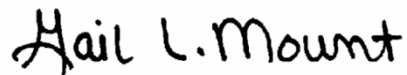
1. That, consistent with the findings in this Order and as provided in Appendix A (black-lined) and Appendix B (changes incorporated), the Commission hereby amends Rules R8-2, R8-64, R8-65, and R8-66, effective April 1, 2015; and

2. That the Commission will take further action to dismiss pending CPCN applications in cases where the applicant has failed to file an affidavit of publication twelve months or more after being ordered to do so by this Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th day of March, 2015.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Gail L. Mount". The signature is written in a cursive, flowing style.

Gail L. Mount, Chief Clerk

R8-2 DEFINITIONS

In the interpretation of these rules the word "utility" shall be taken to mean any person, firm or corporation engaged in the business of supplying electric current to domestic, commercial, or industrial users within this State except a municipality or electric membership corporation organized under G.S. 117-6 et seq. and the word "consumer" shall be taken to mean any person, firm, corporation, municipality, or other political subdivision of the State supplied by any such utility. Unless specifically stated otherwise, capacity of generation facilities is provided in alternating current (AC) delivered at the point of interconnection to the distribution or transmission facilities.

R8-64 APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY BY QUALIFYING COGENERATOR OR SMALL POWER PRODUCER; PROGRESS REPORTS

...

- (b) The Application. The application shall be comprised of the following five exhibits:

...

- (3) Exhibit 3 shall contain:
- (i) The nature of the generating facility, including the type and source of its power or fuel;
 - (ii) A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation;
 - (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);
 - (iv) The projected date on which the facility will come on line; ~~and~~
 - (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;
 - (vi) Any provisions for wheeling of the electricity, if applicable;
 - (vii) Arrangements for firm, non-firm or emergency generation, if applicable;
 - (viii) The service life of the project;
 - (ix) The projected annual sales in kilowatt-hours; and
 - (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.

. . .

(c) Procedure upon receipt of Application. — Upon the filing of an application appearing to meet the requirements set forth above, the Commission will process it as follows:

- (1) The Commission will issue an order requiring the applicant to publish notice of the application once a week for four successive weeks in a newspaper of general circulation in the county where the generating facility is proposed to be constructed and requiring the applicant to mail a copy of the application and the notice, no later than the first date that such notice is published, to the electric utility to which the applicant plans to sell the electricity to be generated. Each electric utility shall provide on its website a mailing address to which the application and notice should be mailed. The applicant shall be responsible for filing with the Commission an affidavit of publication and a signed and verified certificate of service to the effect that the application and notice have been mailed to the electric utility to which the applicant plans to sell the electricity to be generated.
- (2) If the applicant does not file the affidavit of publication and certificate of service within twelve months of the Commission's publication order, the Commission will automatically dismiss the application.
- (3) The Chief Clerk will deliver 2 copies of the application and the notice to the Clearinghouse Coordinator of the Office of Policy and Planning of the Department of Administration for distribution by the Coordinator to State agencies having an interest in the application.
- (34) If a complaint is received within 10 days after the last date of the publication of the notice, the Commission will schedule a public hearing to determine whether a certificate should be awarded and will give reasonable notice of the time and place of the hearing to the applicant and to each complaining party and will require the applicant to publish notice of the hearing in the newspaper in which the notice of the application was published. If no complaint is received within the time specified, the Commission may, upon its own initiative, order and schedule a hearing to determine whether a certificate should be awarded and, if the Commission orders a hearing upon its own initiative, it will require notice of the hearing to be published by the applicant in the newspaper in which the notice of the application was published.
- (45) If no complaint is received within the time specified and the Commission does not order a hearing upon its own initiative, the Commission will enter an order awarding the certificate.

R8-65 REPORT BY PERSONS CONSTRUCTING ELECTRIC GENERATING FACILITIES EXEMPT FROM CERTIFICATION REQUIREMENT

(a) All persons exempt from certification under G.S. 62-110.1(g) shall file with the Commission a report of the proposed construction of an electric generating facility before beginning construction of the facility. The report of ~~proposed construction~~ shall include the information prescribed in subsection ~~(b)(1) of Rule R8-64~~ (g) below and shall be signed and verified by the owner of the electric generating facility or by an individual duly authorized to act on behalf of the owner for the purpose of the filing.

(b) Reports filed on behalf of a corporation are not subject to the provision of Rule R1-5(d) that requires corporate pleadings to be filed by a member of the Bar of the State of North Carolina. Should a public hearing be required, the requirements of G.S. 84-4 and G.S. 84-4.1 shall be applicable.

(c) The owner of the electric generating facility shall provide a copy of the report of ~~proposed construction~~ to the electric public utility, electric membership corporation, or municipality to which the generating facility will be interconnected.

(d) The owner of the electric generating facility shall file the report electronically or file an original and 6 copies of the report of proposed construction with the Chief Clerk of the Utilities Commission. No filing fee is required.

(e) Upon the filing of a report of proposed construction, the Chief Clerk will assign a new docket or sub-docket number to the filing.

(f) The Commission may order a hearing on the report of proposed construction upon its own motion or upon receipt of a complaint specifying the basis thereof. Otherwise, no acknowledgment of receipt of the report of proposed construction will be issued nor will any other further action be taken by the Commission.

(g) The Report.

(1) The report shall be comprised of the following four exhibits:

(i) Exhibit 1 shall contain:

- a. The full and correct name, business address, business telephone number, and electronic mailing address of the facility owner;
- b. 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 report and, if a foreign corporation, whether domesticated in North Carolina; and
- c. The full and correct name of the site owner and, if the owner is other than the facility owner, the facility owner's interest in the site.

(ii) Exhibit 2 shall contain:

- a. A color map or aerial photo showing the location of the generating facility site in relation to local highways, streets, rivers, streams, or other generally known local landmarks; and
- b. The E911 street address, county in which the proposed facility will be physically located, and GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree.

(iii) Exhibit 3 shall contain:

- a. The nature of the generating facility, including the type and source of its power or fuel;
- b. A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation;
- c. The gross and net generating capacity of each unit and the entire facility in alternating current (AC);
- d. The projected date on which the facility will come on line;
- e. The facility owner's general plan for sale of the electricity to be generated, including the utility to which the facility owner plans to sell the electricity;
- f. the service life of the project;
- g. the projected annual sales in kilowatt-hours; and
- h. whether the facility owner intends to produce renewable energy certificates that are eligible for compliance with the State's renewable energy and energy efficiency portfolio standard. ; and

(iv) Exhibit 4 shall contain the expected cost of the proposed facility.

- (2) All reports shall be signed and verified by the facility owner or by an individual duly authorized to act on behalf of the facility owner for the purpose of the report.
- (3) Falsification of or failure to disclose any required information in the report may be grounds for rejecting the report.
- (4) Both before the time construction is completed and after, all facility owners must advise both the Commission and the utility involved of any plans to sell, transfer, or assign the generating facility or of any significant changes in the information set forth in subsection (g) of this Rule.

R8-66 REGISTRATION OF RENEWABLE ENERGY FACILITIES; ANNUAL REPORTING REQUIREMENTS

(a) The following terms shall be defined as provided in G.S. 62-133.8: “electric power supplier”; “renewable energy certificate”; and “renewable energy facility.”

(b) The owner, including an electric power supplier, of each renewable energy facility, whether or not required to obtain a certificate of public convenience and necessity pursuant to G.S. 62-110.1, that intends for renewable energy certificates it earns to be eligible for use by an electric power supplier to comply with G.S. 62-133.8 shall register the facility with the Commission. The registration statement may be filed separately or together with an application for a certificate of public convenience and necessity, or with a report of proposed construction by a person exempt from the certification requirement. All relevant renewable energy facilities shall be registered prior to their having RECs issued in the North Carolina Renewable Energy Tracking System (NC-RETS) pursuant to Rule R8-67(h). Contracts for power supplied by an agency of the federal government are exempt from the requirement to register and file annually with the Commission if the renewable energy certificates associated with the power are bundled with the power purchased by the electric power supplier.

(1) The owner of each renewable energy facility that has not previously done so, including a facility that is located outside of the State of North Carolina, shall include in its registration statement the following information:

- (i) The full and correct name, business address, electronic mailing address, and telephone number of the facility owner;
- (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 telephone number, electronic mailing address, and business 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;
- (iii) The nature of the renewable energy facility, including its technology, the type and source of its power or fuel(s); whether it produces electricity, useful thermal energy, or both; and the facility's projected dependable capacity in ~~megakilowatts~~ AC and/or British thermal units per hour, as well as its maximum nameplate capacity;
- (iv) The E911 address of the facility, the county in which the proposed facility will be physically located, and GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree; ~~location of the facility set forth in terms of local highways, streets, rivers, streams, or other generally known local landmarks together with~~
- (v) a map, such as a county road map, with the location indicated on the map;

(vi) The ownership of the site and, if the site owner is other than the facility owner, the facility owner's legal interest in the site;

(vii) A complete list of all federal and state (not local) licenses, permits, and exemptions required for construction and operation of the facility, and a statement of whether each has been obtained or applied for. A copy of those that have been obtained should be filed with the application. Wind facilities with multiple turbines, where each turbine is licensed separately, may provide copies of such approvals for one such turbine of each type in the facility, but shall attest that approvals for all of the turbines are available for inspection;

(viii) The date the facility began operating. If the facility is not yet operating, the owner shall provide the facility's projected in-service date;

~~(viii)~~ (ix) If the facility is already operating, the owner shall provide information regarding 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;

(ix) The name of the entity that does (or will) read the facility's energy production meter(s) for the purpose of renewable energy certificate issuance; and

(xi) For thermal energy facilities, describe the method to be used to determine the facility's thermal energy production, in Btus per hour, that is eligible for REC issuance;

(xii) Whether the facility participates in a REC tracking system, and if so, which one. If the facility does not currently participate in a REC tracking system, which tracking system the owner anticipates will be used for the purpose of REC issuance; and

(xiii) 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, provide the Commission Docket Number, if available.

(2) If the facility is a combined heat and power system, the owner shall also include in its registration statement the following information:

(i) A narrative description and one-line diagram of the electrical and thermal generation systems to include Btu meters, boilers, steam pressures, valves, turbines, and ultimate uses of the steam. Also, include any crossover of steam, cross connections (even if by spool piece), or the ability to supply steam from other means or to other loads;

(ii) A description of the parasitic electrical and parasitic thermal loads;

(iii) Calculations for the parasitic electrical and parasitic thermal loads and supporting documents;

- (iv) A description of the method of collecting the waste heat from the electrical generating system;
- (v) A description of the host(s) of the waste heat and an explanation of how the waste heat will be used and useful;
- (vi) Calculations of the percent of energy that is delivered to the steam host(s) but not used and useful; and
- (vii) Confirmation if the proposed operation will have any pressure reducing valves operating simultaneously in parallel with any back pressure turbines.

(3) If the facility owner intends to earn multiple types of RECs by using a variety of fuels, the owner shall include in its registration statement the following additional information:

- (i) Example calculations for the energy production associated with each fuel used by the facility as required by the Appendix C (Multi-fuel Generation) to the operating procedures for the North Carolina Renewable Energy Tracking System. These calculations must ultimately show the electrical and thermal energy (if any) attributable to only the renewable fuels and how the number of renewable energy certificates is determined;
- (ii) A description of each fuel to be used by the facility; and
- (iii) A description of how the heat content of each fuel was determined.

(24) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter that it is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources. If a credible showing is made that the facility is not in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources, the Commission shall refer the matter to the appropriate environmental agency for review. Registration shall not be revoked unless and until the appropriate environmental agency concludes that the facility is out of compliance and the Commission issues an order revoking the registration.

(35) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter 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, that the facility will be operated as a renewable energy facility or

new renewable energy facility, and, if the facility has been placed into service, the date when it was placed into service

(46) The owner of each renewable energy facility shall further certify in its registration statement and annually thereafter that 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.

(57) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter that it consents to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers, and agrees to provide the Public Staff and the Commission access to its books and records, wherever they are located, and to the facility.

(68) If the facility is already operating, the owner shall attest that the registration information is true and accurate for all years that the facility has earned RECs for compliance with G.S. 62-133.8. Each registration statement shall be signed and verified by the owner of the renewable energy facility or by an individual duly authorized to act on behalf of the owner for the purpose of the filing.

(79) Renewable energy facilities and new renewable energy facilities that have RECs issued in NC-RETS shall provide their annual certification electronically via NC-RETS. Annual certifications are due April 1 each year.

(810) Registration statements filed on behalf of a corporation are not subject to the provision of Rule R1-5(d) that requires corporate pleadings to be filed by a member of the Bar of the State of North Carolina. Should a public hearing be required, the requirements of G.S. 84-4 and G.S. 84-4.1 shall be applicable.

(911) The applicant may file the registration statement electronically or by filing ~~An~~ original and 9 copies of the registration statement ~~shall be filed~~ with the Chief Clerk of the Utilities Commission. No filing fee is required to be submitted with the registration statement.

(c) Each re-seller of renewable energy certificates derived from a renewable energy facility, including a facility that is located outside of the State of North Carolina, shall ensure that the owner of the renewable energy facility registers with the Commission prior to the sale of the certificates by the re-seller to an electric power supplier to comply with G.S. 62-133.8(b), (c), (d), (e) and (f), except that the filing requirements in

subsection (b) of this Rule shall apply only to information for the year(s) corresponding to the year(s) in which the certificates to be sold were earned.

(d) Upon receipt of a registration statement, the Chief Clerk will assign a new docket or sub-docket number to the filing.

(e) No later than ~~ten (10)~~ twenty (20) business days after the registration statement is filed with the Commission, the Public Staff shall, and any other interested persons may, file with the Commission and serve upon the registrant a recommendation regarding whether the registration statement is complete and identifying any deficiencies. If the Commission determines that the registration statement is not complete, the owner of the renewable energy facility will be required to file the missing information. Upon receipt of all required information, the Commission will promptly issue an order accepting the registration, denying the registration, or setting the matter for hearing.

(f) Any of the following actions may result in revocation of registration by the Commission:

(1) Falsification of or failure to disclose any required information in the registration statement or annual filing;

(2) Failure to remain in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources;

(3) Remarketing or reselling any renewable energy certificate (whether or not bundled with electric power) after it has been sold to an electric power supplier or any other person for compliance with G.S. 62-133.8 or for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina or any other state or country, or offering or selling the electric power associated with the certificates with any representation that the power is bundled with renewable energy certificates;

(4) Failure to allow the Commission or the Public Staff access to its books and records necessary to audit REPS compliance; or

(5) Failure to provide the annual certifications required by Rule R8-66(b).

(g) NC-RETS shall maintain on its website a list of all registration statement revocations.

(h) An owner of a renewable energy facility that has registered with the Commission shall notify the Commission and the tracking system that issues the facility's RECs within fifteen (15) days of any material change in status, including ownership change, fuel change, or permit issuance or revocation. An owner of a renewable energy facility shall also notify the Commission if it wants to withdraw its registration.

R8-2 DEFINITIONS

In the interpretation of these rules the word "utility" shall be taken to mean any person, firm or corporation engaged in the business of supplying electric current to domestic, commercial, or industrial users within this State except a municipality or electric membership corporation organized under G.S. 117-6 et seq. and the word "consumer" shall be taken to mean any person, firm, corporation, municipality, or other political subdivision of the State supplied by any such utility. Unless specifically stated otherwise, capacity of generation facilities is provided in alternating current (AC) delivered at the point of interconnection to the distribution or transmission facilities.

R8-64 APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY BY QUALIFYING COGENERATOR OR SMALL POWER PRODUCER; PROGRESS REPORTS

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- (b) The Application. The application shall be comprised of the following five exhibits:

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 - (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;
 - (vi) Any provisions for wheeling of the electricity, if applicable;
 - (vii) Arrangements for firm, non-firm or emergency generation, if applicable;
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- (2) If the applicant does not file the affidavit of publication and certificate of service within twelve months of the Commission's publication order, the Commission will automatically dismiss the application.
- (3) The Chief Clerk will deliver 2 copies of the application and the notice to the Clearinghouse Coordinator of the Office of Policy and Planning of the Department of Administration for distribution by the Coordinator to State agencies having an interest in the application.
- (4) If a complaint is received within 10 days after the last date of the publication of the notice, the Commission will schedule a public hearing to determine whether a certificate should be awarded and will give reasonable notice of the time and place of the hearing to the applicant and to each complaining party and will require the applicant to publish notice of the hearing in the newspaper in which the notice of the application was published. If no complaint is received within the time specified, the Commission may, upon its own initiative, order and schedule a hearing to determine whether a certificate should be awarded and, if the Commission orders a hearing upon its own initiative, it will require notice of the hearing to be published by the applicant in the newspaper in which the notice of the application was published.
- (5) If no complaint is received within the time specified and the Commission does not order a hearing upon its own initiative, the Commission will enter an order awarding the certificate.

R8-65 REPORT BY PERSONS CONSTRUCTING ELECTRIC GENERATING FACILITIES EXEMPT FROM CERTIFICATION REQUIREMENT

(a) All persons exempt from certification under G.S. 62-110.1(g) shall file with the Commission a report of the proposed construction of an electric generating facility before beginning construction of the facility. The report of ~~proposed construction~~ shall include the information prescribed in subsection (g) below and shall be signed and verified by the owner of the electric generating facility or by an individual duly authorized to act on behalf of the owner for the purpose of the filing.

(b) Reports filed on behalf of a corporation are not subject to the provision of Rule R1-5(d) that requires corporate pleadings to be filed by a member of the Bar of the State of North Carolina. Should a public hearing be required, the requirements of G.S. 84-4 and G.S. 84-4.1 shall be applicable.

(c) The owner of the electric generating facility shall provide a copy of the report of ~~proposed construction~~ to the electric public utility, electric membership corporation, or municipality to which the generating facility will be interconnected.

(d) The owner of the electric generating facility shall file the report electronically or file an original and 6 copies of the report of proposed construction with the Chief Clerk of the Utilities Commission. No filing fee is required.

(e) Upon the filing of a report of proposed construction, the Chief Clerk will assign a new docket or sub-docket number to the filing.

(f) The Commission may order a hearing on the report of proposed construction upon its own motion or upon receipt of a complaint specifying the basis thereof. Otherwise, no acknowledgment of receipt of the report of proposed construction will be issued nor will any other further action be taken by the Commission.

(g) The Report.

(1) The report shall be comprised of the following four exhibits:

(i) Exhibit 1 shall contain:

- a. The full and correct name, business address, business telephone number, and electronic mailing address of the facility owner;
- b. 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 report and, if a foreign corporation, whether domesticated in North Carolina; and
- c. The full and correct name of the site owner and, if the owner is other than the facility owner, the facility owner's interest in the site.

(ii) Exhibit 2 shall contain:

- a. A color map or aerial photo showing the location of the generating facility site in relation to local highways, streets, rivers, streams, or other generally known local landmarks; and
- b. The E911 street address, county in which the proposed facility will be physically located, and GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree.

(iii) Exhibit 3 shall contain:

- a. The nature of the generating facility, including the type and source of its power or fuel;
- b. A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation;
- c. The gross and net generating capacity of each unit and the entire facility in alternating current (AC);
- d. The projected date on which the facility will come on line;
- e. The facility owner's general plan for sale of the electricity to be generated, including the utility to which the facility owner plans to sell the electricity;
- f. the service life of the project;
- g. the projected annual sales in kilowatt-hours; and
- h. whether the facility owner intends to produce renewable energy certificates that are eligible for compliance with the State's renewable energy and energy efficiency portfolio standard. ~~;~~ and

(iv) Exhibit 4 shall contain the expected cost of the proposed facility.

- (2) All reports shall be signed and verified by the facility owner or by an individual duly authorized to act on behalf of the facility owner for the purpose of the report.
- (3) Falsification of or failure to disclose any required information in the report may be grounds for rejecting the report.
- (4) Both before the time construction is completed and after, all facility owners must advise both the Commission and the utility involved of any plans to sell, transfer, or assign the generating facility or of any significant changes in the information set forth in subsection (g) of this Rule.

R8-66 REGISTRATION OF RENEWABLE ENERGY FACILITIES; ANNUAL REPORTING REQUIREMENTS

(a) The following terms shall be defined as provided in G.S. 62-133.8: “electric power supplier”; “renewable energy certificate”; and “renewable energy facility.”

(b) The owner, including an electric power supplier, of each renewable energy facility, whether or not required to obtain a certificate of public convenience and necessity pursuant to G.S. 62-110.1, that intends for renewable energy certificates it earns to be eligible for use by an electric power supplier to comply with G.S. 62-133.8 shall register the facility with the Commission. The registration statement may be filed separately or together with an application for a certificate of public convenience and necessity, or with a report of proposed construction by a person exempt from the certification requirement. All relevant renewable energy facilities shall be registered prior to their having RECs issued in the North Carolina Renewable Energy Tracking System (NC-RETS) pursuant to Rule R8-67(h). Contracts for power supplied by an agency of the federal government are exempt from the requirement to register and file annually with the Commission if the renewable energy certificates associated with the power are bundled with the power purchased by the electric power supplier.

(1) The owner of each renewable energy facility that has not previously done so, including a facility that is located outside of the State of North Carolina, shall include in its registration statement the following information:

(i) The full and correct name, business address, electronic mailing address, and telephone number of the facility owner;

(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 telephone number, electronic mailing address, and business 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;

(iii) The nature of the renewable energy facility, including its technology, the type and source of its power or fuel(s); whether it produces electricity, useful thermal energy, or both; and the facility’s projected dependable capacity in kilowatts AC and/or British thermal units per hour, as well as its maximum nameplate capacity;

(iv) The E911 address of the facility, the county in which the proposed facility will be physically located, and GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree;

(v) A map, such as a county road map, with the location indicated on the map;

(vi) The ownership of the site and, if the site owner is other than the facility owner, the facility owner’s legal interest in the site;

(vii) A complete list of all federal and state (not local) licenses, permits, and exemptions required for construction and operation of the facility, and a statement of whether each has been obtained or applied for. A copy of those that have been obtained should be filed with the application. Wind facilities with multiple turbines, where each turbine is licensed separately, may provide copies of such approvals for one such turbine of each type in the facility, but shall attest that approvals for all of the turbines are available for inspection;

(viii) The date the facility began operating. If the facility is not yet operating, the owner shall provide the facility's projected in-service date;

(ix) If the facility is already operating, the owner shall provide information regarding 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;

(x) The name of the entity that does (or will) read the facility's energy production meter(s) for the purpose of renewable energy certificate issuance;

(xi) For thermal energy facilities, describe the method to be used to determine the facility's thermal energy production, in Btus per hour, that is eligible for REC issuance;

(xii) Whether the facility participates in a REC tracking system, and if so, which one. If the facility does not currently participate in a REC tracking system, which tracking system the owner anticipates will be used for the purpose of REC issuance; and

(xiii) 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, provide the Commission Docket Number, if available.

(2) If the facility is a combined heat and power system, the owner shall also include in its registration statement the following information:

(i) A narrative description and one-line diagram of the electrical and thermal generation systems to include Btu meters, boilers, steam pressures, valves, turbines, and ultimate uses of the steam. Also, include any crossover of steam, cross connections (even if by spool piece), or the ability to supply steam from other means or to other loads;

(ii) A description of the parasitic electrical and parasitic thermal loads;

(iii) Calculations for the parasitic electrical and parasitic thermal loads and supporting documents;

(iv) A description of the method of collecting the waste heat from the electrical generating system;

(v) A description of the host(s) of the waste heat and an explanation of how the waste heat will be used and useful;

- (vi) Calculations of the percent of energy that is delivered to the steam host(s) but not used and useful; and
- (vii) Confirmation if the proposed operation will have any pressure reducing valves operating simultaneously in parallel with any back pressure turbines.

(3) If the facility owner intends to earn multiple types of RECs by using a variety of fuels, the owner shall include in its registration statement the following additional information:

- (i) Example calculations for the energy production associated with each fuel used by the facility as required by the Appendix C (Multi-fuel Generation) to the operating procedures for the North Carolina Renewable Energy Tracking System. These calculations must ultimately show the electrical and thermal energy (if any) attributable to only the renewable fuels and how the number of renewable energy certificates is determined;
- (ii) A description of each fuel to be used by the facility; and
- (iii) A description of how the heat content of each fuel was determined.

(4) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter that it is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources. If a credible showing is made that the facility is not in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources, the Commission shall refer the matter to the appropriate environmental agency for review. Registration shall not be revoked unless and until the appropriate environmental agency concludes that the facility is out of compliance and the Commission issues an order revoking the registration.

(5) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter 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, that the facility will be operated as a renewable energy facility or new renewable energy facility, and, if the facility has been placed into service, the date when it was placed into service

(6) The owner of each renewable energy facility shall further certify in its registration statement and annually thereafter that 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.

- (7) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter that it consents to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers, and agrees to provide the Public Staff and the Commission access to its books and records, wherever they are located, and to the facility.
- (8) If the facility is already operating, the owner shall attest that the registration information is true and accurate for all years that the facility has earned RECs for compliance with G.S. 62-133.8. Each registration statement shall be signed and verified by the owner of the renewable energy facility or by an individual duly authorized to act on behalf of the owner for the purpose of the filing.
- (9) Renewable energy facilities and new renewable energy facilities that have RECs issued in NC-RETS shall provide their annual certification electronically via NC-RETS. Annual certifications are due April 1 each year.
- (10) Registration statements filed on behalf of a corporation are not subject to the provision of Rule R1-5(d) that requires corporate pleadings to be filed by a member of the Bar of the State of North Carolina. Should a public hearing be required, the requirements of G.S. 84-4 and G.S. 84-4.1 shall be applicable.
- (11) The applicant may file the registration statement electronically or by filing an original and 9 copies of the registration statement with the Chief Clerk of the Utilities Commission. No filing fee is required to be submitted with the registration statement.
- (c) Each re-seller of renewable energy certificates derived from a renewable energy facility, including a facility that is located outside of the State of North Carolina, shall ensure that the owner of the renewable energy facility registers with the Commission prior to the sale of the certificates by the re-seller to an electric power supplier to comply with G.S. 62-133.8(b), (c), (d), (e) and (f), except that the filing requirements in subsection (b) of this Rule shall apply only to information for the year(s) corresponding to the year(s) in which the certificates to be sold were earned.
- (d) Upon receipt of a registration statement, the Chief Clerk will assign a new docket or sub-docket number to the filing.
- (e) No later than twenty (20) business days after the registration statement is filed with the Commission, the Public Staff shall, and any other interested persons may, file with the Commission and serve upon the registrant a recommendation regarding whether the registration statement is complete and identifying any deficiencies. If the Commission determines that the registration statement is not complete, the owner of the renewable energy facility will be required to file the missing information. Upon receipt of

all required information, the Commission will promptly issue an order accepting the registration, denying the registration, or setting the matter for hearing.

(f) Any of the following actions may result in revocation of registration by the Commission:

(1) Falsification of or failure to disclose any required information in the registration statement or annual filing;

(2) Failure to remain in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources;

(3) Remarketing or reselling any renewable energy certificate (whether or not bundled with electric power) after it has been sold to an electric power supplier or any other person for compliance with G.S. 62-133.8 or for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina or any other state or country, or offering or selling the electric power associated with the certificates with any representation that the power is bundled with renewable energy certificates;

(4) Failure to allow the Commission or the Public Staff access to its books and records necessary to audit REPS compliance; or

(5) Failure to provide the annual certifications required by Rule R8-66(b).

(g) NC-RETS shall maintain on its website a list of all registration statement revocations.

(h) An owner of a renewable energy facility that has registered with the Commission shall notify the Commission and the tracking system that issues the facility's RECs within fifteen (15) days of any material change in status, including ownership change, fuel change, or permit issuance or revocation. An owner of a renewable energy facility shall also notify the Commission if it wants to withdraw its registration.

North Carolina Utilities Commission

Application for a Certificate of Public Convenience and Necessity – Rule R8-64

This form is applicable to applications for a CPCN filed by a person seeking the benefits of 16 U.S.C. 624-3 or G.S. 62-156 as a qualifying co-generator or a qualifying small power producer as defined in 16 U.S.C. 796(17) and (18) or as a small power producer as defined in G.S. 62-3(27a), except persons exempt from certification pursuant to G.S. 62-110.1(g).

You may file this application electronically; please see www.ncuc.net for instructions. If you file a paper version, you must file the original plus 12 copies. The mailing address is:

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

Exhibits required by Rule R8-64(b)		Applicant's Response
(1)(i)	Full and correct name of the owner of the facility	
	Facility name	
	Business address	
	E-mail address	
	Telephone number	
(ii)	The owner is (check one)	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation
	If a partnership, the name and business address of each general partner	
	If a corporation, the state and date of incorporation	
	If a partnership, the name and address of each general partner (add additional sheets if necessary)	
	Owner's agent for purposes of this application, if applicable:	
	Agent's business address	
	Agent's e-mail address	
	Agent's telephone number	
(iii)	The full and correct name of the site owner and, if the site owner is other than the applicant, the applicant's legal interest in the site	

(2)(i)	Attach 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, plant distribution system, startup equipment, the site boundary, planned and existing pipelines, planned and existing roads, planned and existing water supplies, and planned and existing electric facilities;. A U.S. Geological Survey map or an aerial photo map prepared via the State's geographic information system (found at www.gis.ncdcr.gov/hpoweb/) is preferred.	
(ii)	E911 street address of the proposed facility	
	County in which the proposed facility will be physically located	
	GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree	
(3)(i)	The nature of the facility, including its technology, and the source of its power and fuel(s)	
(ii)	A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation	
(iii)	The gross and net projected maximum dependable capacity of the facility in megawatts – Alternating Current	
	The facility's nameplate capacity in megawatts – Alternating Current	
(iv)	The projected date on which the facility will come on line	
(v)	The applicant's general plan for sale of the electricity to be generated, including the name of utility to which the applicant plans to sell the electricity	
(vi)	Any provisions for wheeling of the electricity, if applicable	

(vii)	Arrangements for firm, non-firm, or emergency generation, if applicable	
(viii)	The service life of the project	
(ix)	The projected annual sales in kilowatt-hours	
(x)	<p>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</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
(4)(i)	A complete list of all federal and state 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	
(ii)	Attach a copy of those licenses, permits and exemptions that have been obtained; 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	
(5)	The expected cost of the proposed facility	\$
<p>(6) An applicant who desires to enter into a contract for a term of 5 years or more for the sale of electricity, and whose facility will have a projected dependable nameplate capacity of 5 megawatts alternating current or more, and whose facility is not a solar photovoltaic facility, available for such sale shall include in the application the following information as described in R8-64(b)(6)(i), (ii), and (iii) below, except that an applicant who desires to enter into a contract of 5 years or more for the sale of electricity from a solar photovoltaic facility of 25 megawatts alternating current or more shall also include the information below:</p>		
(i)a	A statement detailing the experience and expertise of the persons who will develop, design, construct, and operate the project to the extent such persons are known at the time of the application	
b	Information specifically identifying the extent to which any regulated utility will be involved in the actual operation of the project	
c	A statement obtained by the applicant from the electric utility to which the applicant plans to sell the electricity to be generated setting forth an assessment of the impact of such purchased power on the utility's capacity, reserves, generation mix, capacity expansion plan, and avoided costs	
(ii)a	The most current available balance sheet of the applicant	
b	The most current available income statement of the applicant	
c	An economic feasibility study of the project	
d	A statement of the actual financing arrangements entered into in connection with the project to the extent known at the time of the application	

(iii)a	A detailed explanation of the anticipated kilowatt and kilowatt-hour outputs, on-peak and off-peak, for each month of the year. The explanation shall include a statement of the specific on-peak and off-peak hours underlying the applicant's quantification of anticipated kilowatt and kilowatt-hour outputs
b	A detailed explanation of all energy inputs and outputs, of whatever form, for the project, including the amount of energy and the form of energy to be sold to each purchaser
c	A detailed explanation of arrangements for fuel supply, including the length of time covered by the arrangements, to the extent known at the time of the application
<p>Confidentiality If an applicant considers certain of the required information above to be confidential and entitled to protection from public disclosure, it may designate said information as confidential and file it under seal. Documents marked as confidential will be treated pursuant to applicable Commission rules, procedures, and orders dealing with filings made under seal and with nondisclosure agreements.</p>	
<p>Please read the "After You File" instructions on the last page of this document.</p>	
<p>All applications shall be signed and verified (notarized) by the applicant or by an individual duly authorized to act on behalf of the applicant for the purpose of the application. A blank verification page is attached below:</p>	

VERIFICATION

STATE OF _____ COUNTY OF _____

Signature of Owner's Representative or Agent

Title of Representative or Agent

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 _____ day of _____, 20____.

My Commission Expires: _____

Signature of Notary Public

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.

After You File

1. After you file an application for a CPCN, the Utilities Commission will automatically send a copy to the State Clearinghouse for a government agency review and will issue an Order Requiring Publication of Notice.
2. The State Clearinghouse will post the application on its website for a 30-day review by government agencies.
3. You must publish the Commission's Public Notice once a week for four successive weeks in a newspaper of general circulation in the county where the facility is proposed to be constructed.
4. You must send a copy of the application and the Commission's Public Notice to the interconnecting utility no later than the first date that publication begins in the newspaper. You must also file a notarized letter called a "certificate of service" that states you completed this requirement.
5. After the publication period, the publishing newspaper should send you a notarized affidavit of publication. You must file the affidavit of publication with the Chief Clerk of the Utilities Commission.
6. If a complaint is received within 10 days after the last date of the publication of the notice, the Commission will schedule a public hearing to determine whether a certificate should be awarded and will give reasonable notice of the time and place of the hearing to the applicant and to each complaining party and will require the applicant to publish notice of the hearing in the newspaper in which the notice of the application was published. If no complaint is received within the time specified, the Commission may, upon its own initiative, order and schedule a hearing to determine whether a certificate should be awarded and, if the Commission orders a hearing upon its own initiative, it will require notice of the hearing to be published by the applicant in the newspaper in which the notice of the application was published.
7. If no complaint is received within the time specified and the Commission does not order a hearing upon its own initiative, the Commission will enter an order awarding the certificate.

North Carolina Utilities Commission

Report of Proposed Construction (RPC)

[Building an electric generating facility in North Carolina with an alternating current capacity of less than 2 MW or an electric generating facility primarily for your own use per Commission Rule R8-65 and R8-64(b)(1) through (5)]

You may file this report electronically; please see www.ncuc.net for instructions. If you file a paper version, you must file the original plus 6 copies. The mailing address is:

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

Exhibits required by Rule R8-64(b)		Applicant's Response
(1)(i)	Full and correct name of the owner of the facility	
	Facility name	
	Business address	
	E-mail address	
	Telephone number	
(ii)	The owner is (check one)	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation
	If a partnership, the name and business address of each general partner	
	If a corporation, the state and date of incorporation	
	If a partnership, the name and address of each general partner (add additional sheets if necessary)	
	Owner's agent for purposes of this report, if applicable:	
	Agent's business address	
	Agent's e-mail address	
	Agent's telephone number	
(iii)	The full and correct name of the site owner and, if the site owner is other than the applicant, the applicant's legal interest in the site	

(2)(i)	Attach 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, plant distribution system, startup equipment, the site boundary, planned and existing pipelines, planned and existing roads, planned and existing water supplies, and planned and existing electric facilities;. A U.S. Geological Survey map or an aerial photo map prepared via the State's geographic information system (found at www.gis.ncdcr.gov/hpoweb/) is preferred.	
(ii)	E911 street address of the proposed facility	
	County in which the proposed facility will be physically located	
	GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree	
(3)(i)	The nature of the facility, including its technology, and the source of its power and fuel(s)	
(ii)	A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation	
(iii)	The gross and net projected maximum dependable capacity of the facility in megawatts – Alternating Current	
	The facility's nameplate capacity in megawatts – Alternating Current	
(iv)	The projected date on which the facility will come on line	
(v)	The applicant's general plan for sale of the electricity to be generated, including the name of utility to which the applicant plans to sell the electricity	
(vi)	Any provisions for wheeling of the electricity, if applicable	

(vii)	Arrangements for firm, non-firm, or emergency generation, if applicable	
(viii)	The service life of the project	
(ix)	The projected annual sales in kilowatt-hours	
(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 <input type="checkbox"/> Yes <input type="checkbox"/> No	
(4)(i)	A complete list of all federal and state 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	
(ii)	Attach a copy of those licenses, permits and exemptions that have been obtained; a copy of those that have not been obtained at the time of the report should be filed with the Commission as soon as they are obtained	
(5)	The expected cost of the proposed facility	\$
Confidentiality If an applicant considers certain of the required information above to be confidential and entitled to protection from public disclosure, it may designate said information as confidential and file it under seal. Documents marked as confidential will be treated pursuant to applicable Commission rules, procedures, and orders dealing with filings made under seal and with nondisclosure agreements.		
All reports shall be signed and verified (notarized) by the applicant or by an individual duly authorized to act on behalf of the applicant for the purpose of the report. A blank verification page is attached below:		

VERIFICATION

STATE OF _____ COUNTY OF _____

Signature of Owner's Representative or Agent

Title of Representative or Agent

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 report and any exhibits, documents, and statements thereto attached are true as he or she believes.

WITNESS my hand and notarial seal, this _____ day of _____, 20____.

My Commission Expires: _____

Signature of Notary Public

Name of Notary Public – Typed or Printed

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

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**

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

Facility name:	
Full and correct name of the owner of the facility:	
Business address:	
Electronic mailing address:	
Telephone number:	
Owner's agent for purposes of this application, if applicable:	
Agent's business address:	
Agent's electronic mailing address:	
Agent's telephone number:	
The owner is:	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation/LLC
If a corporation, state and date of incorporation.	State _____ Date _____

<p>If a corporation that is incorporated outside of North Carolina, is it domesticated in North Carolina?</p>	<p>Yes <input type="checkbox"/> <input type="checkbox"/> No</p>
<p>If a partnership, the name and business address of each general partner. (Add additional sheets if necessary.)</p>	
<p>Nature of the renewable energy facility:</p>	
<p>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.)</p>	
<p>2. Whether it produces electricity, useful thermal energy, or both.</p>	
<p>3. Nameplate capacity in kW/MW (AC) and/or maximum Btu per hour for thermal facilities.</p>	
<p>4. The facility's projected dependable capacity in kW AC or Btu/hour.</p>	

5. The E911 address of the facility.	
6. The county where the facility will be located.	
7. GPS coordinates for the center of the facilities site.	

<p>8. 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>Site ownership:</p>	
<p>1. Is the site owner other than the facility owner? If yes, who is the site owner?</p>	
<p>2. What is the facility owner's legal interest in the site?</p>	
<p>List the federal and state 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>	
<p>2. State permits and licenses:</p>	
<p>3. Exemptions required for construction and operation of the facility:</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>	

1. If the facility has been placed into service, on what date did the facility begin operating?	
2. If the facility is not yet operating, on what date is the facility projected to be placed into service?	
1. 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.	
2. What entity does (or will) read the facility's energy production meter(s) for the purpose of issuing renewable energy certificates?	
3. 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.	
4. 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?	

5. 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.	
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If the facility is a combined heat and power system, the owner shall also include in its registration statement the following information:

1. A narrative description and one-line diagram of the electrical and thermal generation systems to include Btu meters, boilers, steam pressures, valves, turbines, and ultimate uses of the steam. Also, include any crossover of steam, cross connections (even if by spool piece), or the ability to supply steam from other means or to other loads.	
2. A description of the parasitic electrical and parasitic thermal loads.	
3. Calculations for the parasitic electrical and parasitic thermal loads and supporting documents.	
4. A description of the method of collecting the waste heat from the electrical generating system.	
5. A description of the host(s) of the waste heat and an explanation of how the waste heat will be used and useful.	
6. Calculations of the percent of energy that is delivered to the steam host(s) but not used and useful.	
7. Confirmation if the proposed operation will have any pressure reducing valves operating simultaneously in parallel with any back pressure turbines.	

If the facility owner intends to earn multiple types of RECs by using a variety of fuels, the owner should include in its registration statement the following additional information:

1. Example calculations for the energy production associated with each fuel used by the facility as required by the Appendix C (Multi-fuel Generation) to the operating procedures for the North Carolina Renewable Energy Tracking System. These calculations must ultimately show the electrical and thermal energy (if any) attributable to only the renewable fuels and how the number of renewable energy certificates is determined.	
2. A description of each fuel to be used by the facility.	
3. A description of how the heat content of each fuel was determined.	

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)

 (Title)

 (Name - Printed or Typed)

 (Date)

VERIFICATION

STATE OF _____ COUNTY OF _____

_____, 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 _____ day of _____, 20_____.

My Commission Expires: _____

Signature of Notary Public

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.