



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

June 3, 2019

Ms. M. Lynn Jarvis, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

Re: Docket No. EMP-104, Sub 0 – Fern Solar, LLC
Application for Certificate of Public Convenience and Necessity 100 MW_{AC}
solar photovoltaic generating facility located in Edgecombe County, North
Carolina

Dear Ms. Jarvis:

On November 27, 2018, Fern Solar, LLC (Applicant) filed a request for a Certificate of Public Convenience and Necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-63. Consistent with the affidavit of Evan D. Lawrence, an engineer in the Electric Division, filed on January 28, 2019, the Public Staff believes the Applicant has satisfied all requirements necessary to be granted the CPCN.

On February 6, 2019, the Commission issued an *Order Suspending Expert Witness Hearing*. In its Order, the Commission stated that it would will proceed appropriately in considering the application upon receipt of the State Clearinghouse's review and comments of State agencies. On May 3, 2019, the State Clearinghouse indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act. In the additional comments of the State Clearinghouse, the State Historic Preservation Office recommended that the Applicant use high-visibility fencing in construction around the buffer avoidance area around the Lawrence Family Cemetery.

On May 13, 2019, the Applicant filed a letter in this docket agreeing to implement the recommendation made by the State Historic Preservation Office and requested approval of its CPCN application. The Public Staff has not received any protests or any other comments on the application; therefore, the Public Staff recommends that the hearing be canceled. Furthermore, based on the Public Staff's review, the Clearinghouse's

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determination of no further action needed, and the Applicant's agreement to implement the recommendation made the in additional comments from the State Historic Preservation Office, it recommends that the CPCN be granted.

Regards,

Electronically submitted
/s/ Layla Cummings
Staff Attorney
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cc: Benjamin Snowden

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