

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-5195, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Red Toad Powhatan Phase 2,) ORDER ACCEPTING
LLC, for Registration of a New Renewable) REGISTRATION OF NEW
Energy Facility) RENEWABLE ENERGY FACILITY

BY THE CHAIRMAN: On February 20, 2015, as amended August 4, 2015, Red Toad Powhatan Phase 2, LLC (Red Toad), filed a registration statement pursuant to Commission Rule R8-66 for a new renewable energy facility to be located in Clayton in Johnston County, North Carolina. Red Toad stated that its 1.99MW_{ac} solar photovoltaic (PV) facility will become operational in December, 2015.

The filing included certified attestations that: 1) the facility will be in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; 2) the facility will be operated as a new renewable energy facility; 3) Red Toad will not remarket or otherwise resell any renewable energy certificates (RECs) sold to an electric power supplier to comply with G.S. 62-133.8; and 4) Red Toad will consent 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.

On September 2, 2015, the Public Staff filed the recommendation required by Commission Rule R8-66(e) stating that Red Toad's registration statement as a new renewable energy facility should be considered to be complete. No other party made a filing with respect to these issues.

Based upon the foregoing and the entire record in this proceeding, the Chairman finds good cause to accept registration of Red Toad's solar PV facility as a new renewable energy facility. Red Toad shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year. Red Toad will be required to participate in the NC-RETS REC tracking system (www.ncrets.org) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

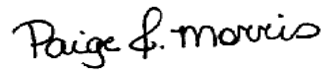
1. That the registration by Red Toad for its solar PV facility located in Clayton in Johnston County, North Carolina as a new renewable energy facility shall be, and is hereby, accepted.

2. That Red Toad shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the 9th day of October, 2015.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Paige J. Morris". The signature is written in a cursive style with a large, stylized "P" and "M".

Paige J. Morris, Deputy Clerk