

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. EMP-103, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Amended Application of Albemarle Beach	)	
Solar, LLC, for a Certificate of Public	)	ORDER DETERMINING
Convenience and Necessity to Construct a	)	AMENDED APPLICATION TO BE
140-MW Solar Facility in Washington	)	INCOMPLETE
County, North Carolina	)	

BY THE PRESIDING COMMISSIONER: On July 15, 2019, the Commission issued Recommend Order Issuing Certificate, granting a certificate of public convenience and necessity to Albemarle Beach Solar, LLC (Applicant) to construct a 80 MW merchant plant solar photovoltaic (PV) electric generating facility in Washington County, North Carolina, subject to certain conditions.

On January 20, 2020, the Applicant filed an amended application for a Certificate of Public Convenience and Necessity pursuant to N.C.G.S. § 62-110.1 and Commission Rule R8-63 to increase the capacity of the facility to 140 MW.

On June 22, 2020, the Public Staff filed a letter pursuant to Commission Rule R8-63(d), stating that the Public Staff finds the Applicant's amended application to be deficient. The Public Staff recommends that the Applicant be required to file a complete amended application, with all required exhibits. The Public Staff further recommended that the Applicant be required to file testimony on the application, including testimony regarding the need for the additional capacity and the cost of any required system upgrades.

No additional filings have been received in this docket as of the date of this Order.

The Presiding Commissioner notes that the Commission has seen an increase in the number of merchant plant facility applications. Due to the increase in non-utility generation on the North Carolina system and the Commission's statutory duty to examine the long-range needs for the generation of electricity in North Carolina, the Presiding Commissioner finds good cause to require the filing of additional testimony and exhibits in this proceeding addressing the following questions:

1. Provide the amount of network upgrades on DENC's or any affected system's transmission system, if any, required to accommodate the operation of the Applicant's proposed facility

2. Provide the Levelized Cost of Transmission (LCOT) information for any required transmission system upgrades or modifications.

3. Provide any interconnection study received for the proposed facility. If you have not received a study, provide a date by when the study is expected to be completed.

4. Are you aware of any system other than the studied system that is or will be affected by the interconnection? If yes, explain the impact and basis.

5. If the Applicant proposes to sell energy and capacity from the facility to a distribution utility regulated by the Commission, provide a discussion of how the facility's output conforms to or varies from the regulated utility's most recent IRP.

6. If the Applicant proposes to sell energy and capacity from the facility to a distribution utility not regulated by the Commission but serving retail customers in North Carolina (e.g., a co-op or muni), provide a discussion of how the facility's output conforms to or varies from the purchasing distribution utility's long-range resource plan.

7. If the Applicant proposes to sell energy and capacity from the facility to a purchaser who is subject to a statutory or regulatory mandate with respect to its energy sourcing (e.g., a REPS requirement or Virginia's new statutory mandate for renewables), explain how, if at all, the facility will assist or enable compliance with that mandate. Provide any contracts that support that compliance.

8. Provide any PPA agreements, REC sale contracts, or contracts for compensation for environmental attributes for the output of the facility.

After careful review of the entire record in this proceeding, the Presiding Commissioner concludes that the application is not complete, and finds good cause to require the Applicant to file an amended application, correcting the deficiencies identified by the Public Staff as well as filing testimony to address the additional questions provided in this Order before the application may be set for hearing. The Presiding Commissioner will allow the Applicant sixty (60) days in which to file the amended application, required exhibits, and supporting testimony, or the Commission will deem the amended application withdrawn.

IT IS, THEREFORE, ORDERED that on or before Friday, October 16, 2020, the Applicant shall file the additional information necessary to complete its application, or the amended application pending in this proceeding will be deemed withdrawn. Upon receipt of the amended application, required exhibits, and supporting testimony, and the filing of a Notice of Completeness by the Public Staff, the Commission will issue a procedural order setting this matter for hearing and requiring public notice.

ISSUED BY ORDER OF THE COMMISSION.

This the 13th day of August, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Kimberley A. Campbell". The signature is written in a cursive, slightly slanted style.

Kimberley A. Campbell, Chief Clerk