



434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
☎ 919.755.8700 📠 919.755.8800
WWW.FOXROTHSCHILD.COM

BENJAMIN L. SNOWDEN
Direct No: 919-719-1257
Email: bsnowden@foxrothschild.com

April 29, 2024

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

Re: In the Matter of Petition to Revise Commission Rules R8-63 and R8-64
NCUC Docket E-100 Sub 176
***SunEnergy1 LLC's Petition to Intervene and Motion to Extend Comment
Deadlines***

Dear Ms. Dunston:

Attached for filing on behalf of SunEnergy1 LLC are SunEnergy's Petition to Intervene and Motion to Extend Comment Deadlines in the above referenced docket.

If you have any questions concerning these filings, please do not hesitate to contact me.

Thank you.

Sincerely,

/s/ Benjamin L. Snowden

Benjamin L. Snowden

pbb

Enclosures

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Massachusetts Minnesota Missouri
Nevada New Jersey New York North Carolina Oklahoma Pennsylvania South Carolina Texas Washington

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Ms. A. Shonta Dunston

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Copy to: Parties and Counsel of Record
NC Public Staff

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Apr 29 2024

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-100, SUB 176

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Petition to Revise Commission Rules
R8-63 and R8-64

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SUNENERGY1 LLC'S
PETITION TO INTERVENE

NOW COMES SunEnergy1 LLC ("SE1"), a North Carolina limited liability company, pursuant to the North Carolina Utilities Commission's ("Commission") April 1, 2024, *Order Requesting Comments*, and files this Petition to Intervene in the above-referenced docket pursuant to Commission Rules R1-19. In support thereof, SE1 shows the following:

1. SE1 is a limited liability company formed under the laws of North Carolina, with business members doing business in the State. SE1 currently owns a portfolio of twelve solar photovoltaic generating facilities in North Carolina. SE1's mission is to create affordable, low-risk solar power for its corporate, institutional and utility partners.

2. SE1 is developing a portfolio of merchant solar projects in Dominion Energy's North Carolina service territories, which may sell energy and other products to buyers through the PJM market. These projects will require issuance of CPCNs under Commission Rule R8-63. The Commission's proposed revision to the CPCN Rules may have a significant impact on SE1's ability to continue developing solar projects in North Carolina.

3. SE1's participation in this docket will bring important insight into the potential commercial impacts of any proposed rule changes, including how applicants' ability to comply with the revised rules might be impacted by the PJM interconnection process and/or the processes by which the potential impacts of new generators on affected system are studied.

4. SunEnergy1 has a direct, substantial and vital interest in the matters at issue that cannot be adequately represented by any other party and should be permitted to intervene and participate as a party to this proceeding.

5. SE1's principal office is located at 192 Raceway Drive, Mooresville, NC 28117.

6. All communications and correspondence related to this proceeding should be addressed to counsel for SE1 as follows:

Benjamin L. Snowden
Fox Rothschild LLP
434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Telephone: 919-719-1257
E-mail: BSnowden@foxrothschild.com

7. Pursuant to Commission Rule R1-39, SE1 agrees to electronic service of all pleadings and other filings in this matter.

WHEREFORE, for the reasons set forth above, SE1 prays that it be allowed to intervene in this matter.

Respectfully submitted this the 29th day of April, 2024.

FOX ROTHSCHILD LLP



Benjamin L. Snowden
North Carolina State Bar No. 51745
434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Telephone: 919-719-1257
E-mail: BSnowden@foxrothschild.com



Alexis R. Acree
North Carolina State Bar No. 60726
434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Telephone: 919-719-1279
E-mail: AAcree@foxrothschild.com

Counsel for SunEnergy1 LLC

VERIFICATION

Kenny Habul, being first duly sworn, deposes and says: that he is the President and CEO of SE1, that he has read the foregoing Petition to Intervene and knows the contents thereof to be true and correct of his own personal knowledge, except as to those matters therein stated upon information and belief, and as to those, he believes them to be true and correct. In his capacity as President and CEO he is authorized to sign this Verification on behalf of SE1.

This the 29 th day of April, 2024.



Kenny Habul, President and CEO

Connecticut
~~NORTH CAROLINA~~

COUNTY OF Fairfield

Sworn to and subscribed before me,
this 29th day of April, 2024.



Notary Public

(SEAL)

Terrence P McNicholas

Printed Name of Notary Public

My Commission Expires: 4/30/2029

CERTIFICATE OF SERVICE

I hereby certify that all persons on the Commission's docket service list have been served true and accurate copies of the foregoing Petition to Intervene by hand delivery, first class mail deposited in the U. S. mail, postage pre-paid, or by e-mail transmission with the party's consent.

This the 29th day of April, 2024.

/s/ Benjamin L. Snowden

Benjamin L. Snowden
Fox Rothschild LLP
434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Telephone: 919-719-1257
E-mail: BSnowden@foxrothschild.com

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 176

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In the Matter of:

Petition to Revise Commission Rules
R8-63 and R8-64

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**MOTION TO EXTEND COMMENT
DEADLINES**

NOW COMES putative intervenor SunEnergy1 LLC (“SE1”), by and through the undersigned counsel, and submits this Motion For Extension, seeking a brief extension of the time to file comments on the revisions to Commission Rules R8-63 and R8-64 proposed in this docket.

In support of its Motion, SE1 shows the Commission as Follows:

1. On April 1, 2024, the Commission issued an *Order Requesting Comments* (“Order”) in the above-referenced docket. The Order provides the following: (1) that on or before May 1, 2024, any additional persons having an interest in the Petition to Revise Commission Rules R8-63 and R8-64 (“Petition”) may file petitions to intervene; and (2) all parties may file reply comments on or before May 15, 2024.

2. SE1 has filed this same day a Petition to Intervene in this docket based on its real and substantial interest in the subject matter of the proceeding.

3. Based on the press of business, including filing deadlines in other Commission dockets falling in early May, SE1 requests that the deadline for filing initial comments addressing the proposed revisions to Commission Rules R8-63 and Rule R8-64

attached to the Order be extended to May 15, 2024; and that the date for reply comments be extended to May 31, 2024.

4. SE1 has consulted with all parties in this docket regarding the proposed extension. No party objects to this request.

WHEREFORE, SE1 requests that the Commission enter an order extending the time for filing initial comments on the proposed revisions to Rules R8-63 and R8-64 be extended to May 15, 2024; and that the date for reply comments be extended to May 31, 2024.

Respectfully submitted, this the 29th day of April 2024.

FOX ROTHSCHILD LLP



Benjamin L. Snowden
North Carolina State Bar No. 51745
434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Telephone: 919-719-1257
E-mail: BSnowden@foxrothschild.com



Alexus R. Acree
North Carolina State Bar No. 60726
434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Telephone: 919-719-1279
E-mail: AAcree@foxrothschild.com

Counsel for SunEnergy1 LLC

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the foregoing **Motion to Extend Comment Deadlines** upon all parties of record by electronic mail.

This the 29th day of April 2024.

/s/ *Benjamin L. Snowden*

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