

North Carolina Utilities Commission

**Application for a Certificate to Engage in Business as an Electric Generator Lessor
– Rule R8-73**

This form is applicable to applications for a Certificate to Engage in Business as an Electric Generator Lessor (CBEGL) as required by G.S. 62-126.7.

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| <p>You may file this application electronically; please see www.ncuc.net/electronicfiling.html for instructions. If you file a paper version, you must file the original plus three (3) copies. The mailing address is:</p> <p>Chief Clerk NC Utilities Commission 4325 Mail Service Center Raleigh, NC 27699-4300</p> | | |
| | Information required by Rule R8-73 | Applicant's Response |
| <u>1</u> | Applicant's full and correct name | Eagle Solar & Light, LLC |
| <u>2</u> | Applicant's business address | 4005 2nd Avenue South, Birmingham, AL 35222 |
| <u>3</u> | Applicant's business telephone number | (205) 202-2008 |
| <u>4</u> | Applicant's electronic mailing address | syates@eaglesolarandlight.com |
| <u>5</u> | The Applicant is (check one) | <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability Company |
| <u>6</u> | If a partnership, corporation, or LLC, the name, telephone number, and business and electronic mailing address of each general partner, principal managing officer or member/manager (add additional sheets if necessary) | Samuel E Yates (sole member) 120 Lake Drive Birmingham, AL 35213 205-482-4103 syates@eaglesolarandlight.com |
| <u>7</u> | If a corporation, the state and date of incorporation | Alabama-April 4, 2016 |
| <u>8</u> | If a corporation that is incorporated outside of North Carolina, is it domesticated in North Carolina? | No |
| <u>9</u> | Applicant's agent for the purposes of this application, if applicable | Highlands Falls Country Club |
| <u>10</u> | Agent's business address | 1 Club Drive, Highlands, NC 28741 |
| <u>11</u> | Agent's telephone number | (828) 526-4118 |
| <u>12</u> | Agent's electronic mailing address | jmacaulay@clubhfcc.com |
| <u>13</u> | Identify each electric service provider within whose assigned service territory that the Applicant proposes to engage in or solicit business as an electric generator lessor (e.g. Duke Energy Progress, Duke Energy Carolinas, municipal electric service provider*, etc.) | Duke Energy Carolinas Duke Energy Progress |

*An electric generator lessor may seek to engage in or solicit business as an electric generator lessor in the assigned service territory of a municipal electric service provider only in accordance with G.S. 62-126.9 if the municipal electric service provider has itself been deemed an electric generator lessor and offers solar leases within its own service territory.

PROVISIONS

14. A holder of a certificate to engage in business as an electric generator lessor shall notify the Commission within fifteen (15) days of any material change in status, including change in the assigned service territories where the certificate holder is operating as an electric generator lessor.

REQUIRED EXHIBITS

15. If the Applicant is a corporation, limited liability company, limited partnership, or other legal business entity, enclose a copy of the certification from the North Carolina Department of the Secretary of State (Articles of Incorporation or Application for Certificate of Authority for Limited Liability Company, etc.). (Must match name on Line 1 of application.)
16. If the Applicant is a corporation, limited liability company, or partnership, enclose a certified copy of the articles of incorporation, articles of organization, or partnership agreement, respectively. (Must match name on Line 1 of application.)
17. Enclose a description of how the Applicant is fit, willing, and able to own and lease solar energy facilities.
18. Enclose a description of the Applicant's financial solvency, ability to obtain and continue adequate insurance coverage, and ability to maintain its equipment in a safe, dependable manner.
19. Enclose a copy of all forms used for leases to customer generator lessees that comply with the requirements of G.S. 62-126.6.

CERTIFICATIONS

1. ☒ YES ☐ NO

Does the Applicant maintain minimum limits at least \$100,000 of general liability insurance coverage?

2. ☒ YES ☐ NO

Does the Applicant commit that it will register with the Commission each solar energy facility that the Applicant owns and leases to a customer generator lessee by filing an application for a certificate of public convenience of necessity or report of proposed construction, and, if the facility is intended to earn renewable energy certificates eligible for compliance with the North Carolina Renewable Energy and

Energy Portfolio Standard, an application to register the facility as a new renewable energy facility pursuant to Rule R8-66?

3. ☒ YES ☐ NO

Does the Applicant commit that its lease agreements will meet the requirements of G.S. 62-126.6 and the payments made under the lease will not be based upon the metered output of the leased facility?

4. ☒ YES ☐ NO

Does the Applicant consent to the auditing of its books and records by the Commission and the Public Staff insofar as those records relate to transactions with an offering utility or a customer generator lessee that is located in the State?

5. ☒ YES ☐ NO

Does the Applicant commit to conduct its business in substantial compliance with all federal and State laws, regulations, and rules for the protection of the environment and conservation of natural resources, the provision of electric service, and the protection of consumers?

6. ☒ YES ☐ NO

Does the Applicant commit to annually file, on or before April 1 of each year, a certification of continuing compliance with G.S. 62-126.7 and Commission Rule R8-73?

SIGNATURE

Application shall be signed and verified by an authorized representative of the Applicant. (If the Applicant is a limited liability company, a manager of the limited liability company must sign and verify the application. If the Applicant is a partnership, a partner must sign and verify the application. If the Applicant is a corporation, a duly authorized officer of the corporation must sign and verify the application.)

Signature: _____

Printed Name: _____

Title: _____

Date: _____

VERIFICATION

STATE OF _____

COUNTY OF _____

_____ personally appeared before me this day and, being first duly sworn, says that he or she is authorized to submit this application on behalf of the Applicant, has read and knows the content of the application, and the contents of the application are true to the best of his or her information or belief.

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 three (3) copies that are also submitted to the Commission.