

1 PLACE: Via WebEx Videoconference
2 DATE: Monday, August 24, 2020
3 TIME: 7:00 p.m. - 7:14 p.m.
4 DOCKET NO: EMP-111, Sub 0
5 BEFORE: Hearing Examiner Fennell, Presiding
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11 IN THE MATTER OF:

12 Application of Sweetleaf Solar LLC
13 for a Certificate of Public Convenience
14 and Necessity to Construct a 94-MW
15 Solar Facility in Halifax County,
16 North Carolina
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18 VOLUME 1
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1 A P P E A R A N C E S:

2 FOR SWEETLEAF SOLAR LLC:

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6 Raleigh, North Carolina 27609

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8 FOR THE USING AND CONSUMING PUBLIC:

9 Megan Jost, Esq.

10 Public Staff - North Carolina Utilities Commission

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T A B L E O F C O N T E N T S

E X A M I N A T I O N S

LAWRENCE WATTS

Direct Statement..... 8

E X H I B I T S

Identified / Admitted

No exhibits of record

P R O C E E D I N G S

HEARING EXAMINER FENNEL: Good evening. My name is Heather Fennell. I'm a Staff Attorney with the North Carolina Utilities Commission and I will be the Hearing Examiner for this hearing. Let's come to order and please go on the record.

I now call for hearing Docket Number EMP-111, Sub 0, In the Matter of the Application of Sweetleaf Solar LLC, for the Certificate of Public Convenience and Necessity for a Merchant Plant Located at Justice Branch Road, between Delmar Road and Beaverdam Road, north of Enfield, in North Carolina, in Halifax County.

On June 2nd, 2020, Sweetleaf Solar filed the Application for a Certificate of Public Convenience and Necessity, along with the prefiled testimony of Donna Robichaud and Kara Price.

On June 15th, 2020, the Public Staff filed a Notice required by Commission Rule R8-63(d) with respect to the completeness of the Application filed by the Applicant.

On July 8th, 2020, the Public Staff filed a letter sent to the State Clearinghouse notifying them of Sweetleaf Solar's Application for Public

1 Convenience and Necessity.

2 On July 8th, the Commission issued its Order
3 requiring the filing of testimony, establishing
4 procedural guidelines and requiring public notice.

5 On July 21st, 2020, the Applicant filed a
6 Motion requesting an extension and they extended their
7 testimony to September 15th, 2020.

8 On August 7th, 2020, Sweetleaf Solar filed
9 its Affidavit of Publication.

10 On August 11th, Sweetleaf Solar filed its
11 supplemental prefiled testimony of Donna Robichaud,
12 some of which contains confidential information.

13 In compliance with the State Ethics Act, I
14 remind all members of the Commission of their duty to
15 avoid conflicts of interest and note at this time that
16 no member has a known conflict of interest with
17 respect to the matter before us this morning (sic).

18 I will now call for the appearances of the
19 counsel, beginning with the Applicant.

20 MR. SNOWDEN: Good evening, everybody. My
21 name is Ben Snowden with the Law Firm of Kilpatrick
22 Townsend here in Raleigh, North Carolina. I represent
23 the Applicant, Sweetleaf Solar. It's nice to be with
24 you all tonight.

1 MS. JOST: Good evening. My name is Megan
2 Jost with the Public Staff of the North Carolina
3 Utilities Commission. I am appearing, as Ms. Fennell
4 mentioned, with our engineer Jay Lucas who is
5 attending. We represent the Using and Consuming
6 Public.

7 HEARING EXAMINER FENNELL: Before we begin,
8 I would like to say a few words on the process that
9 we'll use tonight. I appreciate you calling in to
10 voice your views on this important matter, and we
11 welcome your testimony.

12 Because the Commission functions as a court,
13 we cannot respond to any questions that may be raised,
14 but we're rather here tonight to listen, to hear from
15 the public, and to receive evidence in the form of
16 your testimony.

17 I will note that the Commissioners -- this
18 recording will be made available and the transcript
19 will be made available to the Commissioners who are on
20 the panel who will decide this matter before them.

21 As far as logistics, I will unmute our
22 speaker and then the Public Staff will call your name,
23 and then I will affirm you for your testimony, and
24 then the court reporter will record all of this so

1 please be sure to speak as clearly and as slowly as
2 you can. Once you've completed your testimony, the
3 attorney for the parties and I may have further
4 questions for you. These questions are not intended
5 to challenge you or embarrass you, but they're rather
6 to make sure that everyone understands the testimony
7 that you're giving. We will generally give you five
8 minutes for your testimony and that will start when
9 you start your statement, not when you are being
10 affirmed.

11 Ms. Jost, will you please call your first
12 witness.

13 MS. JOST: The Public Staff calls Lawrence
14 Watts.

15 HEARING EXAMINER FENNELL: Mr. Watts, are
16 you there? I have now unmuted you.

17 MR. WATTS: I could not understand my own
18 name --

19 HEARING EXAMINER FENNELL: I'm sorry.

20 MR. WATTS: -- when she called it out.

21 HEARING EXAMINER FENNELL: Okay.

22 MR. WATTS: Can you understand me?

23 HEARING EXAMINER FENNELL: I can hear you
24 now. Can I give you the affirmation now? Are you

1 ready?

2 MR. WATTS: You certainly may.

3 LAWRENCE WATTS;

4 having been duly affirmed,

5 testified as follows:

6 HEARING EXAMINER FENNELL: Okay. You may
7 make your statement.

8 DIRECT STATEMENT BY THE WITNESS:

9 I would like very much to have a copy of the
10 recording of this proceedings. And I'll take it in
11 any form I can get it.

12 Now, the starting of my statement, I'm
13 concerned about solar farm construction in North
14 Carolina. Every month in Greenville and all over the
15 State of North Carolina, people who use electric power
16 in their homes receive a bill. Very few of the people
17 that receive that bill look at anything other than the
18 dollar amount that they need to pay. Also on that
19 bill in front of the dollar amount is the cost per
20 kilowatt hour.

21 My concern for solar farms is the cost per
22 kilowatt hour and the quantity of electric power they
23 generate each month. The price of a kilowatt hour in
24 Greenville to residents is \$0.12 per kilowatt. The

1 cost of generating electric power when I was in the
2 business was less than \$0.02 per kilowatt in nuclear
3 plants and less than \$0.05 per kilowatt in
4 conventional steam turbine plants.

5 And my concern now is what is the production
6 cost in a solar farm. And I think that figure should
7 be made public to satisfy a lot of questions that are
8 being raised about solar farms.

9 The second item that I wanted to talk about
10 was the relationship of the kilowatt hour to the
11 demand load on the distribution system. When you
12 drive down a highway in North Carolina you pass under
13 transmission lines. Usually in North Carolina they're
14 250,000 volt lines. They stand 60 feet above the
15 highway. These lines and the quantity of electric
16 power that go through them are really very regulated.
17 And solar farms feed into these systems. Every one of
18 these systems that you see on a highway feed into
19 substations and in turn feed into other systems. The
20 ultimate system is one in which would feed several
21 buildings in a hospital layout or several buildings in
22 a college layout.

23 I live in a community, in a retirement
24 community, and we have several buildings. We have a

1 large industrial electric rate. Any large industrial
2 electric system has a factor called a demand factor
3 which is more or less high enough to make the customer
4 realize there is a period during the day when there is
5 such a thing existing on the system called demand peak
6 load.

7 The demand is the load on the system 24
8 hours a day. The baseload is on the system, that's
9 between midnight and sunrise in the morning. The peak
10 demand load usually occurs in the late afternoon. We
11 were really not conscious of peak demand load until
12 air conditioning came along and added so many
13 kilowatts to the summer load that were not
14 available in the winter -- the market was not
15 available in the winter. So the electric industry put
16 a lot of effort in selling electric heat which more or
17 less balanced out the kilowatt demand on the
18 distribution systems.

19 HEARING EXAMINER FENNELL: Mr. Watts, you've
20 exceeded your five minutes. Do you have a few more
21 comments you'd like to make to wrap up your statement?

22 THE WITNESS: (Laughing) Is that five
23 minutes?

24 HEARING EXAMINER FENNELL: Yes. You got a

1 lot in there.

2 THE WITNESS: Oh! (Laughing) Oh my! I'm
3 sorry I didn't have a clock.

4 But I'm concerned about the quantity of
5 electric power and the cost to the solar farm to
6 manufacture it. And that number should be made public
7 to the world. And that's really the summation of my
8 remarks.

9 HEARING EXAMINER FENNELL: Thank you.

10 Mr. Snowden, do you have questions for the
11 witness?

12 MR. SNOWDEN: No, we have no questions.
13 Thank you.

14 HEARING EXAMINER FENNELL: Ms. Jost, do you
15 have questions for the witness?

16 MS. JOST: We do not have any questions for
17 the witness. Thank you.

18 HEARING EXAMINER FENNELL: Okay. The
19 Commission doesn't have any questions for you at this
20 time, Mr. Watts, but I do again thank you for your
21 time. If you would like a copy of this recording it
22 will be in the docket. And you can also get -- you'll
23 get a transcript and there will be an audio recording
24 that you can listen to. If you have further questions

1 you can call the Public Staff. They might be able to
2 help you find that. But it will be available on the
3 Commission's website.

4 (The witness is excused)

5 HEARING EXAMINER FENNELL: So unless we have
6 any procedural matters before us before -- by the
7 parties? Seeing none --

8 MS. JOST: None.

9 MR. SNOWDEN: No.

10 HEARING EXAMINER FENNELL: Okay. I believe
11 this hearing is concluded. And I thank you for your
12 time.

13 (The proceedings were adjourned)

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C E R T I F I C A T E

I, KIM T. MITCHELL, DO HEREBY CERTIFY that
the Proceedings in the above-captioned matter were
taken before me, that I did report in stenographic
shorthand the Proceedings set forth herein, and the
foregoing pages are a true and correct transcription
to the best of my ability.

Kim T. Mitchell

Kim T. Mitchell
Court Reporter