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March 24, 2023

Ms. A. Shonta Dunston
Chief Clerk
N.C. Utilities Commission
430 N. Salisbury Street
Room 5063
Raleigh, NC 27603-5919

Re: In the Matter of
Application of Filo Solar, LLC for a Certificate of Public Convenience and
Necessity to Construct a 75-MW Solar Facility in Montgomery County, NC
NCUC Docket No. SP-33082, Sub 0
Update on Status of Amended Application Request Filed on October, 5, 2022,
and Notice of Further Changes in Capacity of Facility

Dear Ms. Dunston:

On October 5, 2022, on behalf of Filo Solar, LLC ("Filo", "Facility" or "Applicant"), we filed a Notice of Change in Footprint and Capacity of Facility, Projected Date for Commercial Operation and Supplemental Filings in order to update the record for this facility.

In our Notice of October 5, 2022, we advised the capacity of the facility would be changed from an 80 to 75 MW. An Amended Order was issued by the Commission on October 21, 2022, Requiring Publication of Notice and Further Clearinghouse Review. Due to rezoning proceedings with Montgomery County on the property when the Amended Order was issued, the Applicant did not initiate Public Notice or serve the Amended Application and Notice at that time.

At this time, the Applicant wishes to continue with the Public Notice process. However, while the footprint of the project remains the same, the capacity of the Facility has been further reduced to 70 MW.

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Because the form of public notice attached to the October 21, 2022, Order indicated that the capacity of the proposed facility would be 75 MW, it is our understanding that a **Second Amended Order Requiring Publication of Notice**, reflecting the revised capacity, will need to be issued before Notice can be provided. Accordingly, we respectfully request that the Commission issue an updated Order and public notice reflecting the revised capacity.

If you have any questions concerning this request to proceed with the Amended Application and the updated information provided herewith, please let me know.

Thank you for your assistance.

Sincerely,

/s/ Benjamin L. Snowden

Benjamin L. Snowden

pbb

Enclosures

Copy to: Counsel of Record
Parties of Record
Mr. Len Green, Commission Staff – Legal
Ms. Anne Keyworth, NC Public Staff – Legal
Ms. Lucy Edmondson, NC Public Staff – Legal
Ms. Jessica Heironimus, NC Public Staff - Legal