



OFFICIAL COPY

FILED

FEB 27 2015

Clerk's Office  
N.C. Utilities Commission

February 26, 2015

VIA OVERNIGHT DELIVERY

Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, NC 27699-4325

Re:

Turner Smith  
Turner Smith Solar

Solar Farm,  
LLC Docket # \_\_\_\_\_ Sub \_\_\_\_\_

SP-5245, Sub 0

pd. FF \$25.00

Dear Chief Clerk:

Enclosed for filing please find an original plus 9 copies of an Application to Register a New Renewable Energy Facility and an original plus 12 copies of Application for a Certificate of Public Convenience and Necessity, for the aforementioned solar farm and LLC.

These filings have also been made online at ncuc.net.

Please also find enclosed a check for \$25.00 for the filing fee for the CPCN.

**Please note that Exhibit 5 is labeled Confidential.**

Thank you for your assistance. Please contact me at the number or email below if you have any questions.

Sincerely,

Veronika Gunter  
vgunter@flsenergy.com

Enclosures

828 350 3993  
www.flsenergy.com

130 Roberts Street  
Asheville, NC 28801

MAKING SOLAR MAINSTREAM

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

**FILED**

FEB 27 2015

Clerk's Office  
N.C. Utilities Commission

DOCKET NO. SP- 5245 , SUB 0

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

**In the Matter of the Application of  
Turner Smith Solar, LLC For a  
Certificate of Public Convenience  
And Necessity to Construct a 4.99  
MW AC Solar Facility and  
Registration as a New Renewable  
Energy Facility**

**APPLICATION FOR A  
CERTIFICATE OF PUBLIC  
CONVENIENCE AND  
NECESSITY**

Turner Smith Solar, LLC, an Affiliate of FLS Energy, Inc. ("Applicant") hereby applies to the North Carolina Utilities Commission (the "Commission") pursuant to G.S. § 62-110.1 and Commission Rule R8-64 for a Certificate of Public Convenience and Necessity authorizing construction of a 4.99 megawatt (MW) AC solar facility (the "Facility") to be located in Guilford County.

**APPLICATION FOR**

**A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

In support of its application, the Applicant shows the Commission Exhibits 1 through 5 as follows:

# Exhibit 1

- (i) The full and correct name, business address, business telephone number, and e-mail address of the facility owner:

**Turner Smith Solar, LLC  
130 Roberts Street, Asheville, NC 28801  
828.350.3993  
interconnect@flsenergy.com**

- (ii) A statement of whether the facility owner is an individual, a partnership, or a corporation and, if a partnership, the name and business address of each general partner and, if a corporation, the state and date of incorporation and the name, business address, business telephone number, and electronic mailing address of an individual duly authorized to act as corporate agent for the purpose of the application and, if a foreign corporation, whether domesticated in North Carolina:

**Turner Smith Solar, LLC, is a limited liability company  
Organized in North Carolina on February 25, 2015  
Corporate agent: Dale Freudenberger  
130 Roberts Street, Asheville, NC 28801  
828.350.3993  
interconnect@flsenergy.com**

- (iii) The full and correct name of the site owner and, if the owner is other than the Applicant, the Applicant's [legal] interest in the site.

**Site owner: Randall Payne  
Randall Payne has entered into an agreement to lease the site to the Applicant**

## Exhibit 2

(2) See attached maps with applicable requirements as notated on same.

(i) A color map or aerial photo showing the location of the generating facility site in relation to local highways, streets, rivers, streams, and other generally known local landmarks, with the proposed location of major equipment indicated on the map or photo, including the generator

fuel handling equipment, - **Not applicable.**

plant distribution system, and startup equipment, - **Not applicable.**

the site boundary, planned and existing pipelines, - **No pipelines planned nor existing in association with this project.**

planned and existing roads, planned and existing water supplies, and –**No planned and no existing water supplies are associated with this project.**

planned and existing electric facilities

A U.S. Geological Survey map or an aerial photo map prepared via the State's geographic information system is preferred; and

(ii) The **E911** street address for the site is 7648 N Carolina 61, Browns Summit, NC 27214, in Guilford County. The GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree are 36.2171352609°N, -79.6022541396°W.

## Exhibit 3

- (i) The nature of the generating facility, including the type and source of its power or fuel:

**This is a solar photovoltaic site producing electricity from the sun using solar panels and inverters.**

- (ii) A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation:

**This solar system is mounted to the ground utilizing piers and purlins at a fixed tilt. The modules are wired in series to bring the DC voltage up to a certain threshold then paralleled and connect to inverters. The inverters convert the DC electricity into AC electricity and is then transformed to medium voltage and injected into the grid.**

- (iii) The gross and net projected maximum dependable capacity of the facility as well as the facility's nameplate capacity, expressed as megawatts (alternating current);

**The AC system size is 4.999 MW.**

- (iv) The projected date on which the facility will come on line:

**May 31, 2016**

- (v) The Applicant's general plan for sale of the electricity to be generated, including the utility to which the Applicant plans to sell the electricity:

**All electricity will be sold to Duke Energy Carolinas.**

- (vi) Any provisions for wheeling of the electricity:

**No provisions for wheeling the electricity.**

- (vii) Arrangements for firm, non-firm or emergency generation

**No such arrangements.**

## **Exhibit 3, continued**

(viii) The service life of the project:

**30 years**

(ix) The projected annual sales in kilowatt-hours:

**9,203,840 AC kWh**

(x) Whether the Applicant intends to produce renewable energy certificates that are eligible for compliance with the State's renewable energy and energy efficiency portfolio standard.

**Yes.**

## Exhibit 4

(i) A complete list of all federal and state [not local] licenses, permits and exemptions required for construction and operation of the generating facility and a statement of whether each has been obtained or applied for.

**The following permits will be obtained for construction on a federal or state level:**

- **FERC**
- **All required environmental permits from the NC Department of Environment and Natural Resources (NCDENR) including storm water**
- **NCDOT Driveway permit to construct an access point from the solar farm to a government maintained road**

**The following permits will be obtained for construction on a local level:**

- **Zoning permit**
- **Building**
- **Electrical**

(ii) A copy of those that have been obtained should be filed with the application; a copy of those that have not been obtained at the time of the application should be filed with the Commission as soon as they are obtained.

**None have been filed. None are attached. The Applicant will comply with the requirement to file permits with the Commission.**

VERIFICATION

STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

By: FLS Energy, Inc., its Managing Member



Signature of Owner's Representative or Agent

Chief Executive Officer

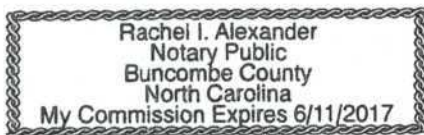
Title of Representative or Agent

Dale Freudenberger

Typed or Printed Name of Representative or Agent

The above named person personally appeared before me this day and, being first duly sworn, says that the facts stated in the foregoing application and any exhibits, documents, and statements thereto attached are true as he or she believes.

WITNESS my hand and notarial seal, this 26<sup>th</sup> day of February, 2015.



My Commission Expires: 6/11/2017

  
Signature of Notary Public

Rachel I. Alexander

Name of Notary Public – Typed or Printed

This original verification must be affixed to the original application, and a copy of this verification must be affixed to each of the copies that are also submitted to the Commission.

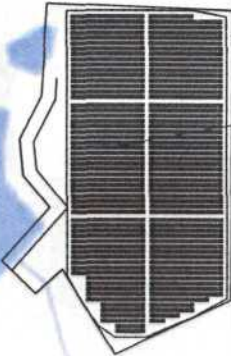


# Exhibit (z)(i)- Map

R

Osceola Ossipee Rd

61



BOUNDARY LINE

GUILFORD COUNTY  
36.2171352609, -79.6022541396  
LOCATION OF SOLAR ARRAY,  
INVERTERS AND PROPOSED  
DRIVEWAYS

2722

Tratwood Rd



A1

VICINITY MAP  
SCALE: NTS

REV	DESCRIPTION	DATE
FINAL		02/18/2015

DESIGN BY	CSH
DRAWN BY	BA, CSH
CHECKED BY	RT
DATE	02/18/2015



PROJECT	TURNER SMITH SOLAR FARM
ADDRESS	7648 N. CAROLINA 61 BROWNS SUMMIT, BROWNS SUMMIT, NC 36.2171352609, -79.6022541396



THIS DOCUMENT IS THE PROPERTY OF FLS ENERGY. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF FLS ENERGY. FLS ENERGY SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

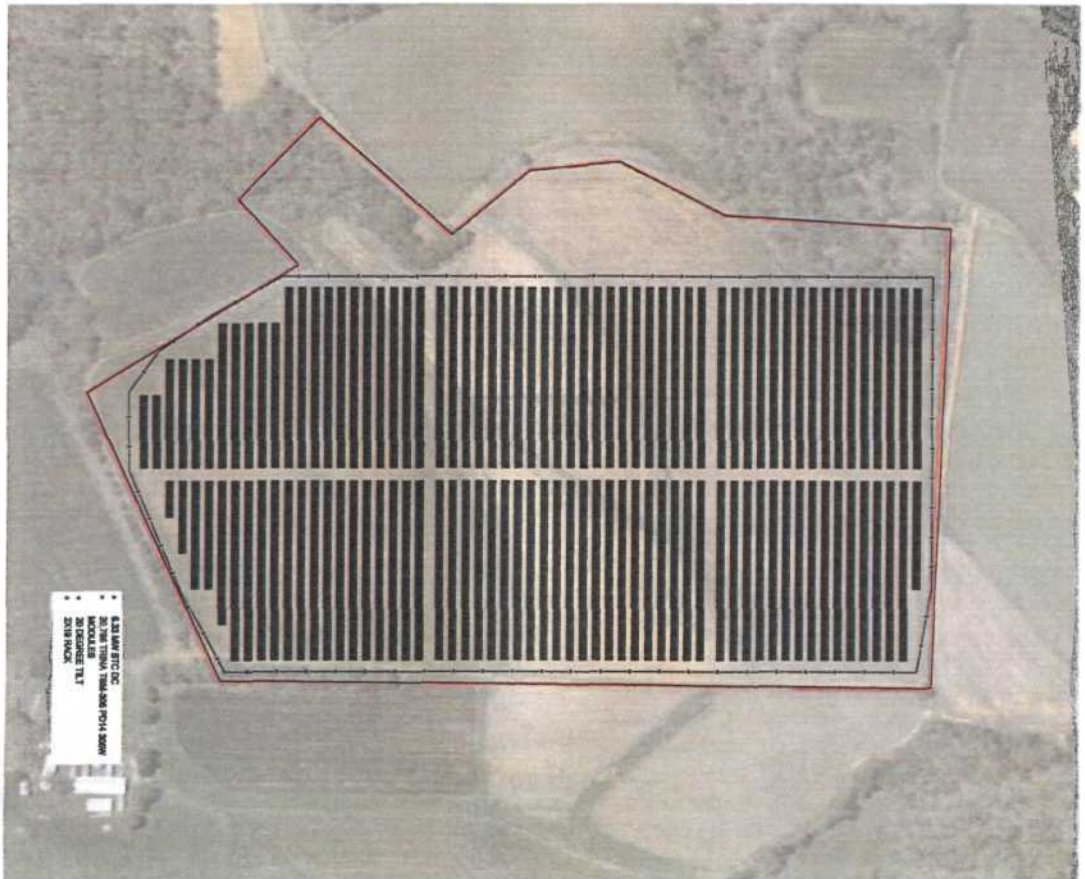
FINAL  
ISSUED  
FOR CONSTRUCTION

SHEET TITLE:  
MAP

SHEET

PV0.02

## Exhibit (z) - Layout

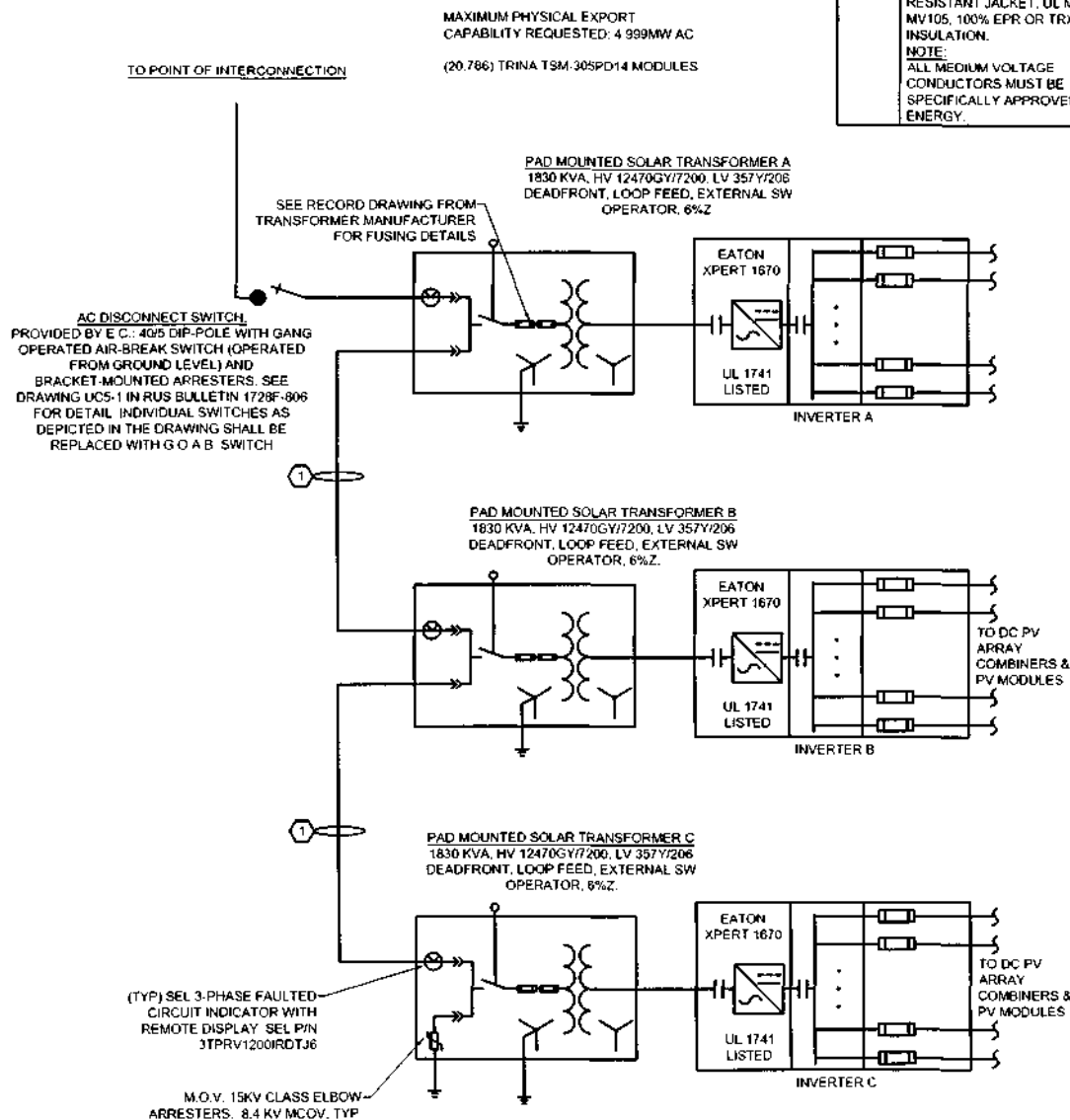


A1



### PANEL LAYOUT

- 6.53 MW BTG DC
- 20.756 THERM THERM-500 PO-14 SCGM
- MODULES
- 20 DEGREE TILT
- 2018 RACK

[illegible]



TAG #	CONDUCTORS	CONDUIT
①	THREE, 1/C, 1/0 STRANDED AL. 15 KV 1/3 CONCENTRIC NEUTRAL, UV RESISTANT JACKET, UL MV90 OR MV105, 100% EPR OR TRXLPE INSULATION. NOTE: ALL MEDIUM VOLTAGE CONDUCTORS MUST BE SPECIFICALLY APPROVED BY FLS ENERGY.	2-1/2" MIN DIA SCHEDULE 40 PVC OR HDPE UNDERGROUND ALL RISERS TO BE SCHEDULE 80 PVC

DATE	02/18/2015
DESCRIPTION	
REV	
DESIGN BY	CSH
DRAWN BY	BA, CSH
CHECKED BY	RT
DATE	02/18/2015
	
<b>TURNER SMITH</b> <b>SOLAR FARM</b> ADDRESS 7648 N. CAROLINA ST. BROWNS SUMMIT, BROWNS SUMMIT, NC 36.2171352809, -79.6022541396	
	
FINAL ISSUE FOR CONSTRUCTION	
SHEET TITLE M-DIGS VOLTAGE OVER LINE SHEET <b>PV0.03</b>	

Note: Please complete the form, print it, have it signed, notarized, make 15 copies and send them to the Chief Clerk of the Commission. Be sure to print a copy for your records as you cannot save data onto the form, nor can you file it online. Be sure to attach additional information, such as maps, as required.

## Application to Register a Renewable Energy Facility or New Renewable Energy Facility Pursuant to Rule R8-66

(Applicants should consult Rule R8-66 while completing this form in order to ensure they provide sufficient information.)

*SP-5245, Sub D*

Facility name:	Turner Smith Solar	<b>FILED</b> <b>FEB 27 2015</b> Clerk's Office N.C. Utilities Commission
Full and correct name of the owner of the facility:	Turner Smith Solar, LLC	
Business address:	130 Roberts Street, Asheville, NC 28801	
Electronic mailing address:	interconnect@flsenergy.com	
Telephone number:	828.350.3993	
Owner's agent for purposes of this application, if applicable:	n/a	
Agent's business address:	n/a	
Agent's electronic mailing address:	n/a	
Agent's telephone number:	n/a	
The owner is: Turner Smith Solar, LLC	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation (including LLC)	
If a corporation, state and date of incorporation.	State <u>NC</u> Date <u>2.25.15</u>	

If a corporation that is incorporated outside of North Carolina, is it domesticated in North Carolina?	<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 150px; height: 40px; display: flex; align-items: center; justify-content: center;">Yes</div> <div style="border: 1px solid black; width: 150px; height: 40px; display: flex; align-items: center; justify-content: center;">No</div> </div>
If a partnership, the name and business address of each general partner. (Add additional sheets if necessary.)	n/a
Nature of the renewable energy facility:	
1. Describe the facility, including its technology, and the source of its power and fuel(s). Thermal facilities should describe how its host uses the facility's thermal energy output. (Add additional sheets if necessary.)	4.99 MW AC Fixed Tilt Photovoltaic System
2. Whether it produces electricity, useful thermal energy, or both.	Electricity.
3. Nameplate capacity in kW/MW (AC) and/or maximum Btu per hour for thermal facilities.	4.99 MW AC

<p>The location of the facility set forth in terms of local highways, streets, rivers, streams, or other generally known local landmarks. <b>Attach a map, such as a county road map, with the location indicated on the map.</b></p>	<p>7648 North Carolina Highway 61, Browns Summit, NC. The site is on the east side of NC Highway 61. The site is north of Route 2722. The site is southwest of Osceola Ossipee Road. Please see the map that is supplied.</p>
<p>Site ownership:</p>	
<p>1. Is the site owner other than the facility owner? If yes, who is the site owner?</p>	<p>Yes. Randall Payne is the landowner.</p>
<p>2. What is the facility owner's legal interest in the site?</p>	<p>Randall Payne has entered into an agreement to lease the site to the facility owner.</p>
<p>List the approvals that are required to build and/or operate this facility, and attach copies of those that have been obtained. Wind facilities with multiple turbines, where each turbine is licensed separately, may provide copies of approvals for one such turbine but shall add an attestation that approvals for all of the turbines are available for inspection.</p>	
<p>1. Federal permits and licenses:</p>	<ul style="list-style-type: none"> <li>• FERC</li> </ul>
<p>2. State permits and licenses:</p>	<ul style="list-style-type: none"> <li>• All required environmental permits from the NC Department of Environment and Natural Resources (NCDENR) including storm water</li> <li>• NCDOT Driveway permit to construct an access point from the solar farm to a government maintained road</li> </ul>
<p>3. Exemptions required for construction and operation of the facility:</p>	<p>n/a</p>
<p>4. Statement of whether each has been obtained or applied for (attach copy of those that have been obtained with this application):</p>	<p>None have been filed. None are attached. The applicant will comply with the requirement to file permits with the Commission.</p>

If the facility has been placed into service, on what date did the facility begin operating?	n/a
If the facility is not yet operating, on what date is the facility projected to be placed into service?	May 31, 2016
If the facility is already operating, what is the amount of energy produced by the facility, net of station use, for the most recent 12-month or calendar-year period? Energy production data for a shorter time period is acceptable for facilities that have not yet operated for a full year.	n/a
What entity does (or will) read the facility's energy production meter(s) for the purpose of issuing renewable energy certificates?	Duke Energy Carolinas
For thermal energy facilities, describe the method to be used to determine the facility's thermal energy production, in BTUs, that is eligible for REC issuance.	n/a
Does the facility participate in a REC tracking system and if so, which one? If not, which tracking system will the facility participate in for the purpose of REC issuance?	NC-RETS

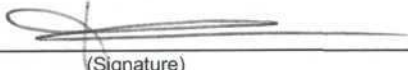
If this facility has already been the subject of a proceeding or submittal before the Commission, such as a Report of Proposed Construction or a Certificate of Public Convenience and Necessity, please provide the Commission Docket Number, if available.

n/a



The owner of the renewable energy facility shall provide the following attestations, signed and notarized:

1. ☒ Yes ☐ No I certify that the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources.
2. ☒ Yes ☐ No I certify that the facility satisfies the requirements of G.S. 62-133.8(a)(5) or (7) as a:  
☐ renewable energy facility, or  
☒ new renewable energy facility,  
and that the facility will be operated as a:  
☐ renewable energy facility, or  
☒ new renewable energy facility.
3. ☒ Yes ☐ No I certify that 1) my organization is not simultaneously under contract with NC GreenPower to sell our RECs emanating from the same electricity production being tracked in NC-RETS; and 2) any renewable energy certificates (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. 62-133.8 have not, and will not, be remarketed or otherwise resold for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina (such as NC GreenPower) or any other state or country, and that the electric power associated with the certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.
4. ☒ Yes ☐ No I certify that I consent to the auditing of my organization's books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers, and agree to provide the Public Staff and the Commission access to our books and records, wherever they are located, and to the facility.
5. ☒ Yes ☐ No I certify that the information provided is true and correct for all years that the facility has earned RECs for compliance with G.S. 62-133.8.
6. ☒ Yes ☐ No I certify that I am the owner of the renewable energy facility or am duly authorized to act on behalf of the owner for the purpose of this filing.

  
(Signature)

By: FLS Energy, Inc., its Managing Member: Dale Freudenberger  
(Name - Printed or Typed)

Chief Executive Officer  
(Title)

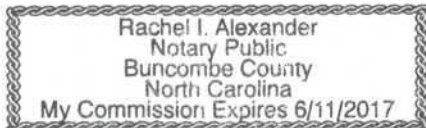
2/25/2015  
(Date)

VERIFICATION

STATE OF North Carolina COUNTY OF Buncombe

Dale Freudenberger, personally appeared before me this day and, being first duly sworn, says that the facts stated in the foregoing application and any exhibits, documents, and statements thereto attached are true as he or she believes.

WITNESS my hand and notarial seal, this 25<sup>th</sup> day of February, 2015.



My Commission Expires: 6/11/2017

Rachel I. Alexander  
Signature of Notary Public

Rachel I. Alexander  
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 15 copies that are also submitted to the Commission.