

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-5262, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application of Henry Gibson Solar, LLC, for)	
a Certificate of Public Convenience and)	ORDER ISSUING AMENDED
Necessity to Construct a 4.99-MW Solar)	AND RENEWED CERTIFICATE
Facility in Scotland County, North Carolina)	

BY THE COMMISSION: On August 16, 2016, the Commission issued an order granting Henry Gibson Solar, LLC (Applicant), a certificate of public convenience and necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1 for construction of a 4.99-MW_{AC} solar photovoltaic generating facility to be located at 8081 Henry Gibson Road, Gibson, Scotland County, North Carolina. In addition, the Commission accepted registration of the facility as a new renewable energy facility.

On July 30, 2021, the Applicant filed a request to renew the CPCN for five years pursuant to Commission Rule R8-64(d)(2), which requires CPCNs to be renewed if the applicant does not begin construction of the facility within five years of the issuance of the CPCN. In its request, the Applicant states that construction of the facility has not yet begun, and that it expects to begin construction in the second quarter of 2022. The Applicant also asserts that the need for the facility remains unchanged and describes the prerequisites to the commencement of construction that have occurred since the CPCN was issued. In addition, the Applicant filed a completed application for a CPCN with its request to demonstrate re-compliance with the requirements set forth in Commission Rule R8-64.

On October 7, 2021, the Applicant filed an amended site plan map. The Applicant stated that it updated the site plan map to include the proposed location of the generation tie line within a corridor in response to discussions with the Public Staff.

On November 5, 2021, the Public Staff filed a letter stating that the amended site plan map added new land to the east of the original site boundary and a proposed corridor for an underground generation tie line that extends approximately 4,000 feet south to Gibson Road. The Public Staff attached a map highlighting the updates to the site plan. Based on the changes to the site plan, the Public Staff recommended that the Commission send the application to the State Clearinghouse for further review and, if the Commission believed additional notice was warranted, issue an order requiring publication of notice.

On November 9, 2021, the Commission issued an Order Requiring Further Review by State Clearinghouse.

On December 17, 2021, and January 12, 2022, the State Clearinghouse filed comments. The cover letters indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

The Public Staff presented this matter to the Commission at its Staff Conference on January 24, 2022. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. Therefore, the Public Staff recommended that the Commission amend and renew the CPCN issued to the Applicant.

After careful consideration, the Commission finds good cause to amend and renew the CPCN for the 4.99-MW_{AC} solar photovoltaic generating facility to be located in Scotland County, North Carolina.

IT IS, THEREFORE, ORDERED as follows:

1. That the request filed by Henry Gibson Solar, LLC, to amend and renew its certificate of public convenience and necessity shall be, and is hereby, granted, subject to all requirements and conditions included in the CPCN;

2. That Appendix A shall constitute the amended and renewed certificate of public convenience and necessity issued to Henry Gibson Solar, LLC, for the 4.99-MW_{AC} solar photovoltaic generating facility located at 8081 Henry Gibson Road, Gibson, Scotland County, North Carolina; and

3. That the amended and renewed certificate of public convenience and necessity shall expire five years following the date on which this Order is issued if construction has not begun, unless it is revoked pursuant to Commission Rule R8-64(d)(1).

ISSUED BY ORDER OF THE COMMISSION.

This the 26th day of January, 2022.

NORTH CAROLINA UTILITIES COMMISSION

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Joann R. Snyder, Deputy Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-5262, Sub 0

Henry Gibson Solar, LLC
45 Banks Avenue
Asheville, North Carolina 28801

is hereby issued this

**AMENDED AND RENEWED CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY PURSUANT TO N.C. Gen. Stat. § 62-110.1**

for a 4.99-MW_{AC} solar photovoltaic generating facility

located

at 8081 Henry Gibson Road, Gibson, Scotland County, North Carolina,

subject to all orders, rules, regulations, and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 26th day of January, 2022.

NORTH CAROLINA UTILITIES COMMISSION

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Joann R. Snyder, Deputy Clerk