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May 25, 2021

Ms. Kimberley A. Campbell, Chief Clerk
North Carolina Utilities Commission
430 N. Salisbury Street
Raleigh, NC 27603

**RE: REGISTRATION STATEMENT FOR REGISTRATION OF
A RENEWABLE ENERGY FACILITY
In the matter of the Certificate of Public Convenience and
Necessity Application of Filo Solar, LLC to Construct an 80-
MWac Solar Facility in Montgomery County, North Carolina
NCUC Docket No. 33082, Sub 0**

Dear Ms. Campbell:

On behalf of Filo Solar, LLC, we submit the attached Registration Statement for the Registration of a Renewable Energy Facility pursuant to G.S. 62-133.8 and Commission Rule R8-66 in the above-referenced docket.

Should you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,

Karen M. Kemerait

KK:bs

cc: All parties of record
Enclosures

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada
New Jersey New York North Carolina Pennsylvania South Carolina Texas Virginia Washington

DOCKET NO. SP 33082, SUB 0Filing Fee Tendered \$ 250.00**Registration Statement for the Registration of a Renewable Energy Facility or New Renewable Energy Facility – Commission Rule R8-66**

Pursuant to G.S. 62-133.8 and Commission Rule R8-66, this form is required for use by the owner of a renewable energy facility that intends for the renewable energy certificates the facility earns to be eligible for use by an electric power supplier to comply with G.S. 62-133.8, or for its renewable energy facility to participate in the Competitive Procurement of Renewable Energy Program. This form may be accompanied by any exhibits or additional responses incorporated by reference thereto and attached to this form. This form must be accompanied by the required filing fee of \$250.00.

This form may be electronically filed. Please see www.ncuc.net for instructions.

If this form is filed by hard copy, the original plus 9 copies must be presented at the office of the Chief Clerk, or transmitted by the United States Postal Service or a designated delivery service authorized pursuant to 26 U.S. 7502(f)(2). Regardless of the method of delivery, this form is not deemed filed until it is received by the Chief Clerk, along with the required filing fee.

The mailing address is:

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

| Required Statements | Response |
|---|---|
| Facility name: | Filo Solar LLC |
| Full and correct name of the owner of the facility: | Filo Solar LLC |
| Business address: | 130 Roberts Street, Asheville, NC 28801 |
| Electronic mailing address: | utility@pinegaterenewables.com |
| Telephone number: | (855) 969-3380 |
| Owner's agent for purposes of | Karen Kemerait, Esq, Fox Rothschild LLP |

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| this application, if applicable: | |
| Agent's business address: | 434 Fayetteville St, Suite 2800, Raleigh, NC 27601 |
| Agent's electronic mailing address: | kkemerait@foxrothschild.com |
| Agent's telephone number: | (919) 755-8764 |
| The owner is: | <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation/LLC |
| If a corporation, provide the state and date of incorporation: | State <u>NC</u> Date <u>04/12/2021</u> |
| If a corporation that is incorporated outside of North Carolina, is it domesticated in North Carolina? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 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.) | The facility will be an 80 MWac solar photovoltaic (PV) generation facility that will utilize solar energy to produce electricity. |
| 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. | 80 MWac |

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| 4. The facility's projected dependable capacity in kW AC or Btu/hour. | The dependable capacity of the facility is 34.32 MWac. |
| 5. The E911 address of the facility. | The E911 address has not yet been issued for the facility. |
| 6. The county where the facility will be located. | Montgomery County. |
| 7. GPS coordinates of the approximate center of the facility site to the nearest second or one thousandth of a degree. | 35°21'35.87"N 79°49'11.22"W |
| 8. The location of the facility set forth in terms of local highways, streets, rivers, streams, or other generally known local landmarks. Attach a map, such as a county road map, with the location indicated on the map. | The facility is located along Coggins Road, near the City of Biscoe, Montgomery County, North Carolina. |
| | |
| Site ownership: | |
| 1. Is the site owner other than the facility owner? If yes, who is the site owner? | Yes. The site is owned by the following independent landowners: James J. Schad, Todd M. Schad, and Mark T. Braswell. |
| 2. What is the facility owner's legal interest in the site? | The applicant and facility owner, Filo Solar LLC, have a valid ground lease with each owner. |
| | |
| <p>Federal and State licenses, permits, and exemptions.</p> <p>Note: Responses in this section should provide all federal and state (not local) licenses, permits, and/or exemptions required for construction and operation of the facility and a statement of whether each has been obtained or applied for. A copy of those that have been obtained should be attached to this registration statements. 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> | |
| 1. Federal permits and licenses: | The federal permits and licenses expected to be required are FERC Form 556, Self-Certification of Qualifying Facility, FAA Section 77.9 Notice, EIA-860, and EIA-923. |
| 2. State permits and licenses: | The state permits and licenses that are expected to be required are NC DEQ Stormwater Permit, Sedimentation and Erosion Control Permit, and NCDOT Commercial Driveway Permit. |

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| 3. Exemptions required for construction and operation of the facility: | N/A. |
| 4. Statement of whether each has been obtained or applied for (attach copy of those that have been obtained with this application): | The FERC Form 556, Self-Certification of Qualifying Facility, has been obtained. |
| | |
| 1. If the facility has been placed into service, on what date did the facility begin operating? | N/A. |
| 2. If the facility is not yet operating, on what date is the facility projected to be placed into service? | May 1, 2024. |
| | |
| 1. 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. |
| 2. What entity does (or will) read the facility's energy production meter(s) for the purpose of issuing renewable energy certificates? | Duke Energy Progress, LLC. |
| 3. 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. |
| 4. Does the facility participate | |

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| 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? | The facility anticipates that it will participate in the North Carolina Renewable Energy Tracking System. | |
| 5. 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. | NCUC Docket No. SP-33082, Sub 0 | |
| If the facility is a combined heat and power system, the owner shall also include in its registration statement the following information: | | |
| 1. A narrative description and one-line diagram of the electrical and thermal generation systems to include Btu meters, boilers, steam pressures, valves, turbines, and ultimate uses of the steam. Also, include any crossover of steam, cross connections (even if by spool piece), or the ability to supply steam from other means or to other loads. | N/A. | |
| 2. A description of the parasitic electrical and parasitic thermal loads. | N/A. | |
| 3. Calculations for the parasitic electrical and parasitic thermal loads and supporting documents. | N/A. | |
| 4. A description of the method of collecting the waste heat from the electrical generating system. | N/A. | |
| 5. A description of the host(s) of the waste heat and an explanation of how the waste heat will be used and useful. | N/A. | |
| 6. Calculations of the percent of energy that is delivered to the steam host(s) but not used and useful. | N/A. | |
| 7. Confirmation if the proposed operation will have any pressure reducing valves operating simultaneously in parallel with any back pressure turbines. | N/A. | |
| If the facility owner intends to earn multiple types of RECs by using a variety of fuels, the owner should include in its registration statement the following additional information: | | |
| 1. Example calculations for the energy production associated with each fuel used by the facility as required by the Appendix C (Multi-fuel Generation) to the operating procedures for the North | | |

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| Carolina Renewable Energy Tracking System. These calculations must ultimately show the electrical and thermal energy (if any) attributable to only the renewable fuels and how the number of renewable energy certificates is determined. | N/A. |
| 2. A description of each fuel to be used by the facility. | N/A. |
| 3. A description of how the heat content of each fuel was determined. | 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)

Ben Catt
 (Name - Printed or Typed)

CEO
 (Title)

5/24/21
 (Date)

VERIFICATION

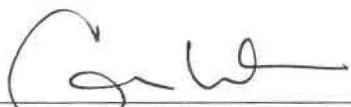
STATE OF NC COUNTY OF Buncombe

Ben Catt, 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 24th day of May, 2021.

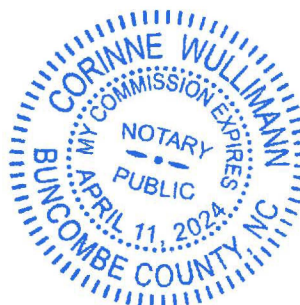
My Commission Expires:

04.11.2024


Signature of Notary Public

Corinne Wullimann

Name of Notary Public – Typed or Printed



The name of the person who completes and signs the annual certification 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 annual certification, and a copy of this verification must be affixed to each of the 15 copies that are also submitted to the Commission at:

Chief Clerk

North Carolina Utilities Commission 4325 Mail

Service Center Raleigh, North Carolina

27699-4325