

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. EMP-110, SUB 0  
DOCKET NO. EMP-111, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	
Application of Sumac Solar, LLC, for a	)	
Certificate of Public Convenience and	)	
Necessity to Construct an 80-MW Solar	)	
Facility in Bertie County, North Carolina	)	ORDER ACCEPTING TESTIMONY,
	)	REQUIRING FURTHER TESTIMONY,
In the Matter of	)	AND SCHEDULING HEARINGS
Application of Sweetleaf Solar, LLC, for	)	
a Certificate of Public Convenience and	)	
Necessity to Construct a 94-MW Solar	)	
Facility in Halifax County, North Carolina	)	

BY THE PRESIDING COMMISSIONER: On April 16, 2020, Sumac Solar, LLC (Sumac or Applicant) filed an application for a certificate of public convenience and necessity (CPCN) to construct a solar energy facility with a capacity of 120 MW (Sumac Facility) in Bertie County, North Carolina.<sup>1</sup>

On June 2, 2020, Sweetleaf Solar, LLC (Sweetleaf or Applicant) filed an application for a CPCN to construct a solar energy facility with a capacity of 94 MW (Sweetleaf Facility) in Halifax County, North Carolina.

On May 27, 2021, Sumac and Sweetleaf jointly filed a Motion for Stay of Proceedings pending further order of the Commission so that the parties and the Commission could have the benefit of additional interconnection-related information regarding the Applicants' projects before the filing of additional testimony or the conducting of evidentiary hearings. The Applicants stated that their motion was necessitated by further delays in the delivery of interconnection studies by PJM Interconnection (PJM). The Applicants were anticipating retooled PJM studies for the PJM AD1 cluster, which includes both Sumac and Sweetleaf, in the fall of 2021. Further, the Applicants expected that PJM's retooled studies would require Duke Energy Progress, LLC (DEP) to revise its Affected System Study Report based on the results of the retooled PJM studies, and the Applicants had no timeline for the expected delivery of a revised Affected System Study Report. The Applicants maintained that the revised interconnection studies and the revised Affected

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<sup>1</sup> In prefiled supplemental testimony of witnesses Donna Robichaud and Amanda Mack filed on June 1 and June 2, 2022, the Applicant stated that Sumac had downsized its proposed Facility from 120 MW to 80 MW.

System Study Report would be crucial to the Public Staff's recommendations and to the Commission's consideration of the applications.

On June 3, 2021, the Commission issued an Order Granting Request for Stay of Proceedings in each docket, Docket No. EMP-110, Sub 0 and Docket No. EMP-111, Sub 0.

In Docket No. EMP-110, Sub 0, Sumac filed supplemental testimony on June 1 and June 2, 2022, and additional interconnection studies on July 22, 2022.

In Docket No. EMP-111, Sub 0, Sweetleaf filed a System Impact Study Report on January 3, 2022, and supplemental testimony on June 24, 2022.

On July 25, 2022, the Public Staff filed a Consent Motion for Procedural Order in Docket Nos. EMP-110, Sub 0, EMP-111, Sub 0, and EMP-119, Sub 0 and Sub 1. Docket No. EMP-119, Sub 0 and Sub 1 involve applications filed by Macadamia Solar, LLC (Macadamia) for a CPCN to construct a 484-MW solar facility in Washington County, North Carolina (Sub 0) and for a Certificate of Environmental Compatibility and Public Convenience and Necessity (CEPCN) to construct a transmission line in Washington County, North Carolina. On June 14, 2022, the Commission issued an Order Scheduling Hearing and the Filing of Testimony, scheduling an expert witness hearing in Docket No. EMP-119, Sub 0 and Sub 1 for September 6, 2022, at 1:00 p.m. in Commission Hearing Room 2115.

The Public Staff notes that all the projects referenced in its motion are in the PJM AD1 cluster and trigger an Affected System Upgrade on the Greenville-Everetts transmission line in DEP territory. The Public Staff states that Geenex Solar, LLC (Geenex) has primary responsibility for the development of all three projects. Sumac and Sweetleaf were formerly owned by Geenex but were subsequently acquired by EDF Renewables Development, Inc. (EDF). Geenex owns Macadamia, but EDF is partnering with Geenex in the development of that project and has an option to acquire the Facility. The Public Staff further notes that there is quite a lot of overlap of expert witnesses filing testimony in all three CPCN dockets. Because of the relationship between the Applicants and the overlap in witnesses, the Public Staff moves to hold all three CPCN hearings on the same day, September 6, 2022, when the hearing for EMP-119, Sub 0 and Sub 1 is already scheduled.

The Public Staff proposes that it file supplemental testimony in Docket Nos. EMP-110, Sub 0 and EMP-111, Sub 0 on or before July 29, 2022, and that Sumac and Sweetleaf file supplemental reply testimony, if any, in their respective dockets on or before August 12, 2022. The Public Staff states in its motion that Sumac and Sweetleaf agree to the proposed schedule.

On July 29, 2022, the Public Staff filed supplemental testimony in Docket Nos. EMP-110, Sub 0 and EMP-111, Sub 0 in accordance with its proposed procedural schedule.

Considering the foregoing, the Presiding Commissioner finds good cause to grant the Public Staff's motion and accept its proposed procedural schedule. Accordingly, the supplemental testimony filed by the Public Staff in Docket Nos. EMP-110, Sub 0 and

EMP-111, Sub 0 is accepted into each respective docket. Sumac and Sweetleaf may file supplemental reply testimony, if any, in each respective docket on or before August 12, 2022. Hearings for the purpose of receiving expert witness testimony from the parties shall be scheduled in Docket Nos. EMP-110, Sub 0 and EMP-111, Sub 0, to be held consecutively, beginning immediately following the hearing for Docket No. EMP-119, Sub 0 and Sub 1, scheduled to begin on Tuesday, September 6, 2022, at 1:00 p.m.

IT IS, THEREFORE ORDERED AS FOLLOWS:

1. That the supplemental testimony filed by the Public Staff in Docket Nos. EMP-110, Sub 0 and EMP-111, Sub 0 is accepted in each respective docket;
2. That Applicants Sumac and Sweetleaf may file supplemental reply testimony, if any, in each respective docket on or before August 12, 2022;
3. That a hearing for the purpose of receiving expert witness testimony in Docket No. EMP-110, Sub 0 is scheduled to begin immediately following the hearing for Docket No. EMP-119, Sub 0 and Sub 1, which is scheduled to begin on Tuesday, September 6, 2022, at 1:00 p.m.; and
4. That a hearing for the purpose of receiving expert witness testimony in Docket No. EMP-111, Sub 0, is scheduled to begin immediately following the hearing for Docket No. EMP-110, Sub 0.

ISSUED BY ORDER OF THE COMMISSION.

This the 5th day of August, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Joann R. Snyder", is written over a faint, light-colored background.

Joann R. Snyder, Deputy Clerk