

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-33082, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Filo Solar, LLC, for a Certificate)
of Public Convenience and Necessity to)
Construct a 70 MW Solar Facility in)
Montgomery County, North Carolina)
	ORDER ISSUING AMENDED CERTIFICATE

BY THE COMMISSION: On October 12, 2021, the Commission issued an order granting Filo Solar, LLC (Applicant), a certificate of public convenience and necessity (CPCN), pursuant to N.C. Gen. Stat. § 62-110.1, for construction of an 80 MW solar photovoltaic generating facility to be located along Coggins Road, near the City of Biscoe, Montgomery County, North Carolina. The Commission had previously accepted registration of the facility as a new renewable energy facility.

On October 5, 2022, Applicant filed a notice that the facility's footprint had been changed and that the facility's capacity had been reduced from 80 MW to 75 MW.

On October 21, 2022, the Commission issued an Amended Order Requiring Publication of Notice and Further Clearinghouse Review.

On November 29, 2022, the State Clearinghouse filed comments. Because of the nature of the comments, the cover letter indicated that no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On March 24, 2023, Applicant filed a letter informing the Commission that due to zoning proceedings, Applicant had not yet published the Public Notice required by the Commission's October 21, 2022 Order. Applicant further stated that it wanted to continue with the Public Notice process and that although the footprint of the project remained the same, the capacity of the facility had been further reduced to 70 MW.

On March 27, 2023, the Commission issued a Second Amended Order Requiring Publication of Notice.

On April 11, 2023, Applicant filed a verified certificate of service stating that the application and the related Public Notice were provided to Duke Energy Progress, LLC, on March 24, 2023.

On May 24, 2023, Applicant filed an affidavit of publication from the Montgomery Herald (Troy, North Carolina) stating that the publication of notice was completed on May 3, 2023. No complaints concerning the facility have been received by the Commission.

On June 20, 2023, the Public Staff filed a letter indicating that it had reviewed the amended application, comments from the State Clearinghouse, Applicant's verified certificate of service, and the affidavit of publication and determined that these materials are 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 issue an amended CPCN to Applicant.

After careful consideration, the Commission finds good cause to approve the application and issue the attached amended certificate for the solar photovoltaic generating facility.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Filo Solar, LLC, for an amended certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Filo Solar, LLC, for the 70 MW solar photovoltaic generating facility to be located along Coggins Road, near the City of Biscoe, Montgomery County, North Carolina; and
3. That the amended certificate of public convenience and necessity shall expire five years after the date of the issuance of the original CPCN Order or a renewal Order if construction of the facility has not begun.

ISSUED BY ORDER OF THE COMMISSION.

This the 26th day of June, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "A. Shonta Dunston". The signature is fluid and cursive, with the first name "A." and last name "Dunston" clearly distinguishable.

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-33082, SUB 0

Filo Solar, LLC
130 Roberts Street
Asheville, North Carolina 28801

is hereby issued this

AMENDED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. GEN. STAT. § 62-110.1

for a 70 MW solar photovoltaic generating facility

located

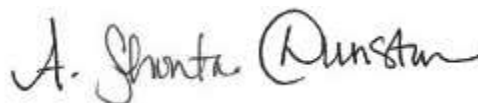
along Coggins Road, near the City of Biscoe,
Montgomery County, North Carolina,

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 June, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "A. Shonta Dunston". The signature is fluid and cursive, with the first name "A." and last name "Dunston" clearly distinguishable.

A. Shonta Dunston, Chief Clerk