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August 1, 2022

Ms. A. Shonta Dunston  
Chief Clerk  
North Carolina Utilities Commission  
430 N. Salisbury Street  
Room 5063  
Raleigh, NC 27603

**Re: *Reidsville Energy Center***  
***Docket No. EMP-92, SUB 0***  
***Statement as to Status of Interconnection Request, to satisfy condition***  
***of CPCN Renewal***

Dear Ms. Dunston:

On January 19, 2017, NTE Carolinas II (“NTE”) received an Order Granting a Certificate of Public Convenience and Necessity issued by the North Carolina Utilities Commission (“Commission”) to own and operate the Reidsville Energy Center (“REC”), a 500-MW natural gas-fired merchant power plant to be located in Rockingham County, North Carolina.

On August 3, 2021, the Commission issued an Order renewing NTE’s CPCN for REC. The extension is subject to the condition that NTE move its Facility out of suspended status in DEC’s interconnection queue by August 4, 2022, or file with the Commission a statement as to the status of its interconnection request.

On May 13, 2022, Duke Energy Carolinas, LLC (DEC) filed a non-conforming revision to a Large Generator Interconnection Agreement (LGIA) between DEC and NTE Carolinas II, LLC (NTE) requesting an extension to the deadline for NTE to recommence work under the LGIA which reflects a change agreed to by the parties to maintain the status quo of the LGIA. On July 12, 2022, the Federal Energy Regulatory Commission accepted DEC’s request for a one-year extension from an effective date of May 14, 2022.

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The parties have been engaged in civil litigation relating to NTE's development of the Reidsville Project, which includes specific disputes concerning the LGIA. That litigation has been ongoing since 2019. Barring an earlier resolution, a jury trial is scheduled to commence in October in the United States District Court for the Western District of North Carolina to adjudicate each party's claims.

The outcome of this litigation will determine NTE's rights and obligations regarding the interconnection, and until it is concluded, it would be premature to move the Facility out of suspended status in DEC's interconnection queue. NTE will file an updated status in this docket within sixty (60) days after the conclusion of that litigation (or any appeal therefrom) reporting on its outcome, NTE's plans for the REC Facility, and its status in DEC's interconnection queue. Further, NTE consents to the Commission memorializing this commitment as a revised condition to the CPCN.

NTE also notes that it has complied (and will, of course, continue to comply) with Commission Rule R8-63(f), and North Carolina General Statute § 62-110.1(f), by submitting the required annual progress reports for the Reidsville Energy Center, and that the outcome of the litigation and status in the interconnection queue will also be part of those future progress reports as well.

This statement as to the status of REC's request in DEC's interconnection queue is hereby provided to fulfill the condition of the renewal of NTE's CPCN and will be supplemented and updated with a new status statement as committed herein. We respectfully request its filing in Docket No. EMP-92, Sub 0 and thank you in advance for your assistance.

Please do not hesitate to contact me if you have any questions or comments regarding this status report.

Sincerely,

*/s/ M. Gray Styers, Jr.*

M. Gray Styers, Jr.,  
Counsel for NTE Carolinas, II

Cc: Michael C. Green, Managing Partner, NTE Carolinas, II  
Maribel Zambrana, Esq., General Counsel, NTE Carolinas, II  
Len Green, Esq., NCUC Senior Staff Attorney  
All parties and counsel of record