

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. SP-5259, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of Aulander Holloman Solar, LLC,     )  
for a Certificate of Public Convenience and     )     ORDER ISSUING CERTIFICATE  
Necessity to Construct an 80-MW Solar     )  
Facility in Bertie County, North Carolina     )

BY THE COMMISSION: On February 27, 2015, Aulander Holloman Solar, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to G.S. 62-110.1(a) for construction of an 80-MW<sub>AC</sub> solar photovoltaic electric generating facility to be located east of NC Highway 42/Highway 11 near the intersection of Joe Holloman Road and Brickmill Road, near Aulander, in Hertford and Bertie Counties, North Carolina. The Applicant stated that it plans to sell the electricity generated by this facility to Dominion North Carolina Power (DNCP) or to one or more retail customers in deregulated states that allow for such sales, or to sell the output in the PJM market.

On March 11, 2015, the Commission issued an Order Requiring Publication of Notice.

On March 13, 2015, and March 17, 2015, the Applicant filed amendments to its original application.

On April 10, 2015, the Applicant filed an amendment providing that the E911 address assigned for the facility is 111 East Brickmill Road, Millennium, North Carolina, 27805.

On April 23, 2015, 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 April 29, 2015, the Applicant filed a certificate of service stating that a copy of the Application and the related public notice were provided to DNCP on March 23, 2015.

Also on April 29, 2015, the Applicant filed affidavits of publication from the Bertie-Ledger (Windsor, North Carolina) and the Roanoke-Chowan News-Herald (Ahoskie, North Carolina) stating that the publication of notice was completed on April 15, 2015.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on June 15, 2015. The Public Staff noted that Exhibit 3 of the Application indicated that the Applicant “is in discussions to sell the output through a negotiated Power Purchase Agreement (PPA) to DNCP or to one or more wholesale or retail customer in deregulated states that allow for such sales, or to sell the output in the PJM market.” Pursuant to Commission Rule R8-64(b)(6)(i)(c)), however, an applicant for a CPCN for a solar facility exceeding 25 MW<sub>AC</sub> in capacity must submit “[a] statement obtained by the applicant from the electric utility to which the applicant plans to sell the electricity to be generated setting forth an assessment of the impact of such purchased power on the utility’s capacity, reserves, generation mix, capacity expansion plan, and avoided costs.” The Applicant, therefore, requested a waiver of this requirement since it has not yet determined to what entity or entities the output of the facility will be sold.

The Public Staff indicated that it supports the Applicant’s request for a waiver, both due to the uncertainty at this time of what entity the applicant plans to sell the power, as well as the fact that DNCP’s obligation under the Public Utility Regulatory Policies Act of 1978 to purchase energy and capacity from qualifying facilities (QFs) is limited to QFs with a net capacity of 20 MW or less. See Virginia Electric and Power Company, 124 FERC ¶ 61,045 (2008). Because DNCP does not have a mandatory purchase obligation for the output from this facility, requiring the utility to prepare a statement of this nature seems unnecessary unless DNCP ultimately does become the purchaser. The Public Staff, therefore, requested that the Commission require the Applicant, upon determining the entity or entities to which the output of the facility will be sold, to make a supplemental filing to provide this information to the Commission.

The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of G.S. 62-110.1(a) and Commission Rule R8-64. Therefore, the Public Staff recommended approval of the certificate for the facility.

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

IT IS, THEREFORE, ORDERED as follows:

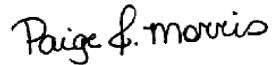
1. That the application of Aulander Holloman Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved.
2. That the Applicant’s request for a waiver from the requirements of Rule R8-64(b)(6)(i)(c) is granted, on condition that the Applicant make a supplemental filing with the Commission identifying the entity or entities to which the output of the facility will be sold, once that determination is made.

3. That Appendix A shall constitute the certificate of public convenience and necessity issued to Aulander Holloman Solar, LLC, for the 80-MW<sub>AC</sub> solar photovoltaic electric generating facility located at 111 East Brickmill Road, near Millennium in Bertie and Hertford Counties, North Carolina.

ISSUED BY ORDER OF THE COMMISSION.

This the 17<sup>th</sup> day of June, 2015.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Paige J. Morris". The signature is written in a cursive, flowing style.

Paige J. Morris, Deputy Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

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Aulander Holloman Solar, LLC  
192 Raceway Drive  
Mooresville, North Carolina 28117

is hereby issued this

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
PURSUANT TO G.S. 62-110.1**

for an 80-MW<sub>AC</sub> solar photovoltaic electric generating facility

located at

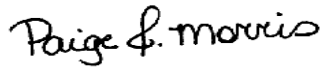
111 East Brickmill Road, near Millennium, in Bertie and Hertford Counties, North  
Carolina,

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 17<sup>th</sup> day of June, 2015.

NORTH CAROLINA UTILITIES COMMISSION



Paige J. Morris, Deputy Clerk