

1 PLACE: Northampton County Courthouse

2 Jackson, North Carolina

3 DATE: December 7, 2016

4 TIME: 6:00 p.m. - 6:58 p.m.

5 DOCKET NO: SP-5273, Sub 0

6 BEFORE: Hearing Examiner Patrick Buffkin, Presiding

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11 IN THE MATTER OF:

12 Pecan Solar, LLC.

13 Application for a Certificate of Public Convenience
14 and Necessity to Construct a 74.9-MW Solar Facility in
15 Northampton County, North Carolina.
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1 A P P E A R A N C E S:

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3 FOR PECAN SOLAR, LLC:

4 Kiran H. Mehta, Esq.

5 Troutman Sanders, LLP

6 301 South College Street, Suite 3400

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NORTH CAROLINA UTILITIES COMMISSION

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P R O C E E D I N G S

EXAMINER BUFFKIN: Good evening. Let's come to order and go on the record please. My name is Patrick Buffkin. I'm a Staff Attorney with the North Carolina Utilities Commission and the Commission has designated me as the Hearing Examiner for tonight's hearing.

The Commission now calls for hearing Docket Number SP-5273, Sub 0, In the Matter of Application of Pecan Solar, LLC, for a Certificate of Public Convenience and Necessity to Construct a 74.9-MW Solar Facility in Northampton County, North Carolina.

Before we call our public witnesses, I'll make some introductory comments on the procedural background and the format for tonight's hearing.

On August 24, 2015, the Commission issued an Amended Certificate of Public Convenience to Pecan Solar, LLC, whom I will refer to as the Applicant, for a Certificate of Public Convenience and Necessity, which I'll refer to as a CPCN, for the construction of a 74.9-MW solar photovoltaic generating facility to be located east and west of Bethel Church Road, approximately .6 to two miles north of the intersection of Bethel Church Road and Highway 186 in

1 an unincorporated area approximately two miles east of
2 Seaboard in Northampton County, North Carolina.

3 The Applicant plans to sell the electricity
4 generated at the facility to Virginia Electric and
5 Power Company, Dominion North Carolina Power, or one
6 or more wholesale or retail customers in deregulated
7 states that allow for such sales or into the PJM
8 market.

9 On July 27, 2016, the Applicant filed an
10 Application for an Amendment to its CPCN stating,
11 among other things, that the Applicant has decided to
12 add additional parcels of land to be used in the
13 construction of the facility and that the location has
14 been assigned an E-911 address. The Applicant also
15 filed a site plan map showing the additional parcels
16 of land adjacent to the original project site and a
17 proposed substation location.

18 On July 28, 2016, the Commission issued a
19 second Amended Order Requiring Publication of Notice
20 in response to the additional land added to the
21 facility site.

22 On September 23, 2016, the Applicant filed
23 another amendment to its Application for a CPCN
24 stating, among other things, that the Applicant has

1 decided to add additional parcels of land to be used
2 in the construction of the facility. The Applicant
3 also filed a site plan map showing the additional
4 parcels of land adjacent to the project site.

5 On October 3, 2016, the Commission issued a
6 third Amended Order Requiring Publication of Notice in
7 response to the additional land added to the facility
8 site. The third Amended Order Requiring Publication
9 of Notice required the Applicant to (1) publish notice
10 of the Application in the manner required by General
11 Statute 62-82(a) and file an Affidavit of Publication
12 with the Commission; and (2) to mail a copy of the
13 Application and Notice of the -- and Notice to the
14 electric utility to which the Applicant plans to sell
15 and distribute the electricity, and file a signed and
16 verified Certificate of Service that the Application
17 and Notice have been provided to the utility. In
18 addition, the third Amended Order Requiring
19 Publication of Notice directed the Chief Clerk of the
20 Commission to deliver copies of the Notice to the
21 Clearinghouse coordinator of the Office of Policy and
22 Planning of the North Carolina Department of
23 Administration for distribution by the coordinator to
24 state agencies having an interest in the Application.

1 On August 25, 2016, Verlene Stephens --
2 Stephenson filed a Complaint in this docket.

3 On November 2, 2016, based upon the
4 Complaint and the record in this docket, the
5 Commission issued an Order Scheduling Hearing and
6 Requiring Public Notice, setting this matter for
7 hearing on this date, at this time and in this place,
8 and establishing a procedural schedule to prefile
9 direct expert testimony and to allow for intervenors
10 to participate in this docket. The Order also
11 required the Applicant to publish Notice of the
12 hearing in the newspaper which the Applicant
13 previously published Notice of the Application.

14 On November 14, 2016, the Applicant filed an
15 Affidavit of Publication stating that it had published
16 the Notice of Hearing in the *Daily Herald* as required
17 by the Commission's Order Scheduling Hearing.

18 On November 18, 2016, the Applicant filed
19 the direct testimony and exhibits of Doug Copeland.

20 On November 29, 2016, the State
21 Environmental Review Clearinghouse filed comments
22 stating that the North Carolina Department of Natural
23 and Cultural Resources has requested additional
24 information prior to their concurrence with the

1 above-referenced document. Therefore, the State
2 Environmental Review Clearinghouse requests a
3 supplemental document providing the additional
4 information requested by the Department of Natural and
5 Cultural Resources to be submitted to the
6 Clearinghouse for further review and comment.

7 Although not present, the Public Staff's
8 right to intervention and participation is recognized
9 pursuant to General Statute 62-15(d) and Commission
10 Rule R1-19(e). No other parties have intervened in
11 this matter.

12 So that brings us up to the hearing before
13 us tonight, and pursuant to North Carolina General
14 Statute 138A-15(e) I do not have any known conflict of
15 interest with respect to this matter.

16 And now I call upon counsel to enter their
17 appearance for the record, beginning with the
18 Applicant.

19 MR. MEHTA: Thank you, Mr. Buffkin. My name
20 is Kiran Mehta with the Troutman Sanders Firm in
21 Charlotte. I'm appearing for the Applicant.

22 EXAMINER BUFFKIN: Thank you, Mr. Mehta.
23 Let's now briefly go over the format for this hearing.
24 The purpose of tonight's hearing is two-fold. First,

1 we're here to receive evidence in the nature of
2 testimony from the public regarding the proposed
3 facility and whether or not the Applicant should be
4 awarded a CPCN for this facility; second, we're here
5 to receive evidence from the Applicant as to why it
6 should be awarded a CPCN. The public testimony will
7 be taken under oath and transcribed by our Court
8 Reporter. What is said under oath becomes an official
9 part of the record in this matter and will be
10 considered when a determination is made. A final
11 determination will not be made here tonight.

12 The Commission functions like a court.
13 Public witnesses will have to come up and be sworn or
14 affirmed. Additionally, counsel for the Applicant and
15 the Hearing Examiner will have the opportunity to ask
16 questions based on the public testimony that you
17 provide. Tonight's hearing is the public's
18 opportunity to present evidence, opinions and other
19 thoughts on the project; however, this is not a time
20 to ask questions of or cross-examine the Applicant.

21 There was a sign-up sheet distributed
22 earlier for members of the public who wish to testify
23 to sign up. I will proceed beginning with that list
24 and then, following the completion of the list, I'll

1 make sure there isn't anyone else here who would like
2 to present testimony in this matter. Following the
3 public testimony portion of the hearing, we will
4 receive the expert testimony from the Applicant in its
5 support of its Application.

6 In this matter, the Applicant has filed
7 prefiled direct testimony. Those testifying from the
8 public are not formal parties to this matter and will
9 not have an opportunity to cross-examine the
10 Applicant's witness. However, the Hearing Examiner
11 may ask some questions in response to the testimony
12 provided by the public and the Applicant may choose to
13 address new matters in its testimony that were spoken
14 of here tonight. The Applicant has also indicated
15 that its representatives will remain in the room
16 following tonight's hearing and be available to
17 discuss issues or answer any questions that those in
18 attendance may have.

19 Additionally, the Commission's actions do
20 not preempt any other local, state or federal
21 regulations of the requirements. And, finally, it is
22 noted that the full contents of the docket, including
23 the Application, the letter of Complaint, and once it
24 is transcribed, the transcript of tonight's hearing

1 are available for public view on the Commission's
2 website at ncuc.net.

3 Before we begin with the public witness
4 testimony, are there any preliminary matters we need
5 to address?

6 MR. MEHTA: No.

7 EXAMINER BUFFKIN: Thank you. Then I'll
8 call the first public witness. The first name on the
9 list is Steve Garner. Come on around, we'll have you
10 seated here and we will administer the oath and then
11 you can deliver whatever testimony you have.

12 STEVE GARNER; was duly sworn and
13 testified as follows:

14 EXAMINER BUFFKIN: Thank you, Mr. Garner,
15 you may proceed to give any testimony you wish at this
16 time.

17 DIRECT STATEMENT

18 BY THE WITNESS:

19 My name is Steve Garner. I live at 651
20 Bethel Church Road. I'm opposed to this project. I'm
21 opposed to any project in the State of North Carolina
22 that takes farmland away from us. We need to keep our
23 farmland, we need to keep our wetlands and we need to
24 keep our forests the way they are now. We have

1 wildlife in the area that will be done away with
2 because of this farm.

3 We have safety hazards in this area. I live
4 in the big curve on Bethel Church Road. When I pull
5 out my driveway, I have a clear sight to the next
6 house on the left-hand side. When they bring this
7 fence in that will stop the clear sight for me pulling
8 out of the driveway and for other people coming around
9 this curve which will make a safety hazard in our
10 area.

11 Wetlands should always be maintained for
12 wildlife around here. And going by their map, they're
13 going to be putting fences through wet areas, cutting
14 trees down; it's going to create an environmental
15 hazard, the trees will be gone, the wind velocity will
16 increase, the water runoff will increase, and then
17 it's an unsightly appearance. You'll have a metal
18 fence running down the side of a highway. If you
19 drive through our state now you'll see where most of
20 them have grown up in weeds because the company who
21 puts in the power station doesn't maintain it, and we
22 don't need an unsightly area in our location where we
23 live. Now, we need to maintain our lands in the State
24 of North Carolina, keep them green, keep things

1 growing the way they should be growing and not take
2 away land and not make it unsightly.

3 Plus, I believe - the people I've talked to
4 in the real estate - that our property values will
5 start to fall. I just bought the house to get out of
6 a bad area in Roanoke Rapids, North Carolina, and move
7 out to our area where we are now. If I had known that
8 we were going to put some power company in front of
9 it, I'd have never moved here. Now, the land needs to
10 stay like it is and we need to keep the people out of
11 our county and out of our state and let them go
12 somewhere else. Thank you.

13 EXAMINER BUFFKIN: Thank you, Mr. Garner.
14 Before you step down, any questions from the
15 Applicant?

16 MR. MEHTA: No, sir. Thank you.

17 EXAMINER BUFFKIN: Thank you, Mr. Garner.
18 The witness is excused.

19 (The witness is excused.)

20 EXAMINER BUFFKIN: The second name on the
21 list is Verlene Stephenson. Ms. Stephenson, would you
22 like to provide some testimony for us?

23 VERLENE STEPHENSON; was duly sworn and
24 testified as follows:

1 EXAMINER BUFFKIN: If you would begin with
2 your full name and address for the record, please?

3 THE WITNESS: Verlene Stephenson, 114
4 Eastwood Street, Seaboard, North Carolina.

5 EXAMINER BUFFKIN: Thank you. You may
6 proceed to give any testimony you wish at this time.

7 DIRECT STATEMENT

8 BY THE WITNESS:

9 Well, first of all, I'd like to apologize
10 for not being any more organized in my comments than I
11 am because I was not aware that this was the procedure
12 for this evening. But, yes, I did file a letter of
13 Complaint on this solar farm proposed project, and my
14 main area of concern is the loss of farmland. I'm not
15 sure how many acres of open farmland are involved in
16 this project but it has to be considerable if it's
17 from the corner of 186 two miles down the road on both
18 the east and the west side of Bethel Church Road. So
19 that farmland will no longer be in production for at
20 least 20 years, and there are other projects here in
21 our county. I've called our zoning office and I've
22 found out that there is no limit for Northampton
23 County on how many solar farms we can have so
24 conceivably the whole county could eventually be a

1 solar farm, if people wanted it to be that way. Who
2 is going to feed and clothe the world when all of our
3 farmland is converted to highways and to solar farms?
4 So that's my main concern.

5 My second main concern is the aesthetic
6 value of riding up and down Bethel Church Road and for
7 two miles all you see are solar panels. I understand
8 that there's suppose to be screening, fencing or
9 whatever, but still that is not a pleasant sight to
10 see I don't think.

11 Then another concern I have, we are told
12 that solar energy is suppose to be more efficient,
13 cleaner, better for us. Well, maybe so, but solar
14 panels do not generate electricity for 24 hours a day;
15 however, there is a demand for electricity 24 hours a
16 day. So - and this would be a question I would have
17 for the solar people - don't the power companies have
18 to be generating power even though they are not
19 accepting solar power during that timeframe and, if
20 they're still generating the same power they would be
21 anyway, where is the cost savings? It seems to me
22 that our cost of electricity could possibly even
23 increase instead of decrease due to solar power. And
24 I guess that's my testimony.

1 EXAMINER BUFFKIN: Thank you,
2 Ms. Stephenson. Any questions from the Applicant?

3 MR. MEHTA: No, sir. Thank you.

4 EXAMINER BUFFKIN: Thank you. The witness
5 is excused.

6 (The witness is excused.)

7 EXAMINER BUFFKIN: And third on our list, is
8 it Tony Mumford? Did I get that right?

9 MR. MUMFORD: You got it right. I don't
10 know that I've got that much to add. Is there anybody
11 behind me?

12 EXAMINER BUFFKIN: Just one more on the list
13 and you're welcome -- we'll just need you to get sworn
14 in. I'm sorry.

15 MR. MUMFORD: Let them go ahead of me,
16 please, and I'll be in the last spot.

17 EXAMINER BUFFKIN: Okay, thank you. Then
18 the next name on the list is Lena Davis.

19 LENA DAVIS; was duly sworn and
20 testified as follows:

21 EXAMINER BUFFKIN: Would you begin with your
22 full name and address for the record, please?

23 THE WITNESS: Lena Davis, 1326 Bethel Church
24 Road in Pleasant Hill.

1 EXAMINER BUFFKIN: Thank you. You may
2 proceed with whatever testimony you'd like to give.

3 DIRECT STATEMENT

4 BY THE WITNESS:

5 First of all, I want to say this was kind of
6 a surprise. This is not what I expected. I thought
7 it would be a question and answer thing because
8 there's a lot I need to know. There are more
9 questions than I have statements, but I do have
10 concerns about what's being planned. (Coughs) Excuse
11 me.

12 My major concern is the use of the farmland
13 that sometime in the future we're going to need, if we
14 keep growing in population the way we are, and the
15 second thing is how much woodland will be cut. How
16 many trees will go down? And where will the animals
17 be able to go? And the world was built -- was made to
18 interact with everything so the trees are very
19 important to our environment and we need them for
20 oxygen and for other things. So I really would like
21 to know more about the long-term results or the impact
22 that it's going to have on our environment and what
23 will happen to the land when they are through using
24 it? Will it be useful to farm again? Will trees grow

1 again? And this is really not a statement I guess but
2 that's my concerns.

3 And the next thing is the -- like the
4 gentleman said -- and riding up -- and Verlene said --
5 riding up and down the road, (Coughs) I'm sorry,
6 riding up and down the road and seeing just rows and
7 rows and rows of solar panels. And I do own a home, I
8 do not own farmland, but what kind of property values
9 will -- what will happen to property values with all
10 of this on our road? So those are my concerns and I
11 just hope we can make everybody happy if anything like
12 that is possible.

13 EXAMINER BUFFKIN: Thank you, Ms. Davis.
14 Any questions from the Applicant?

15 MR. MEHTA: No, sir. Thank you.

16 EXAMINER BUFFKIN: Thank you. The witness
17 is excused.

18 (The witness is excused.)

19 EXAMINER BUFFKIN: And let me go back then
20 to Mr. Mumford.

21 TONY MUMFORD; was duly sworn and
22 testified as follows:

23 EXAMINER BUFFKIN: Thank you. And if you
24 would begin with your full name and address for the

1 record?

2 THE WITNESS: Tony Wilson Mumford, 1224
3 Bethel Church Road, Pleasant Hill.

4 EXAMINER BUFFKIN: Thank you. Please
5 proceed with any testimony you'd like to give.

6 DIRECT STATEMENT

7 BY THE WITNESS:

8 These are my friends and neighbors.

9 Mr. Garner is right. The curve that he's talking
10 about, if that's fenced right up to the corner it
11 would make a terrible, dangerous intersection. He's
12 absolutely right on that. So that needs to be
13 something that comes under the highway department.

14 I'm different from these -- I have consented
15 to lease 40 acres that I can't see from my house.
16 That will be behind woodland that I've got hardwood
17 trees planted on. But another thing that I had to
18 pray about a long time, in conjunction with the
19 federal government, Uncle Sam and I are raising
20 hardwood trees for 15 years in partnership. I have
21 the same concerns they do but everything I had back
22 there was open land and what we do to it would
23 probably improve it, but I've got the same concern
24 about those that do have trees on it, the wetlands and

1 all of that. It took a long time for me to think
2 about it.

3 My family lost everything they owned in 1861
4 and it took 79 years for us to ever have another piece
5 of land. So it takes a long time to think about it
6 and it is important. But if solar works we'll know in
7 25 years; if it doesn't we'll know in 25 years or
8 less. And I've decided to cast my lot with trying it
9 and hope it does work. I know that it functions
10 fairly well hot water wise or for home use. I've
11 talked to several people that used it and then quit
12 because they didn't have the technology quite right
13 and -- but that's just a small thing compared to
14 generating electricity. I know that the substation is
15 going to be close to me but again behind woods that I
16 own so I know the woodland will still be there. So
17 I'm not in the position of these others. I will have
18 to look at the solar panels if it's both sides of the
19 road, which it will be in some places. And, I'm just
20 like them, I was torn but at my age I'm not going to
21 farm that land and I hope to pass it on to my
22 children. Whether they will have to put it back in
23 farming or it will stay in solar we don't know at this
24 time. That's all I've got to say.

1 If it doesn't come, I don't want anybody to
2 think that I'm mad at anybody because I had to go
3 through the same thing that they did, I had to decide.
4 So whatever comes of it, don't worry about me and my
5 feelings because I'm just like you. That land is
6 important. It's seen in "Gone With The Wind". When
7 Charlotte's father takes out to the field and says
8 this is the only thing that's important, he's
9 absolutely right. You cannot do anything without
10 dirt.

11 EXAMINER BUFFKIN: Thank you, Mr. Mumford.
12 Any questions from the Applicant?

13 MR. MEHTA: No questions.

14 EXAMINER BUFFKIN: Thank you. The witness
15 is excused.

16 (The witness is excused.)

17 EXAMINER BUFFKIN: Is there anyone whose
18 arrived late or didn't have an opportunity to sign up
19 before the hearing that would like to provide
20 testimony now?

21 (No response.)

22 Seeing none, then I hereby close the public
23 portion of our hearing. And now, turning to the
24 Applicant, does your witness wish to offer further

1 testimony in this matter?

2 MR. MEHTA: Yes, I think so, so I will call
3 Doug Copeland.

4 EXAMINER BUFFKIN: Thank you. Mr. Copeland,
5 come on around and be sworn in.

6 DOUG COPELAND; was duly sworn and

7 testified as follows:

8 EXAMINER BUFFKIN: If you would begin by
9 stating your full name for the record, please?

10 THE WITNESS: Sure. Douglas Copeland.

11 EXAMINER BUFFKIN: You may proceed.

12 MR. MEHTA: Thank you.

13 DIRECT EXAMINATION

14 BY MR. MEHTA:

15 Q Thank you, Mr. Copeland, could you also state
16 your business address for the record, please?

17 A Sure. It's at 40 West Evergreen Avenue, Suite
18 101, Philadelphia, Pennsylvania 19118.

19 Q And by whom are you employed, Mr. Copeland?

20 A EDF Renewable Energy.

21 Q And in what capacity?

22 A I'm the -- it's called the Regional Project
23 Development Manager.

24 Q And on whose behalf are you testifying this

1 evening?

2 A The owner of the project is under a company
3 called Pecan Solar, LLC, which is wholly owned by
4 EDF Renewable Energy, so Pecan Solar, LLC.

5 Q Now, Mr. Copeland, did you cause to be filed in
6 this docket direct testimony consisting of nine
7 pages and two exhibits?

8 A Yes.

9 Q And do you have any corrections to the prefiled
10 testimony?

11 A Yes, there's one minor correction on page 3, line
12 10. We said the word "east" and it should be the
13 word "west".

14 UNKNOWN SPEAKER: Excuse me. We can't hear
15 you.

16 Q With that correction, if I were to ask you the
17 same --

18 EXAMINER BUFFKIN: Mr. Mehta --

19 A I'm sorry. I'll speak up louder. I apologize.

20 EXAMINER BUFFKIN: Thank you. So let's back
21 up with that question, please. This was a correction
22 to the prefiled direct testimony.

23 BY MR. MEHTA:

24 Q Could you just repeat the correction in the

1 prefiled testimony?

2 A Yes. On page 3, line 10 of my testimony, the
3 word "east" should be changed to "west".

4 Q A typographical error?

5 A Yes.

6 Q Probably from your lawyers would be my guess.

7 A Probably.

8 Q With that correction, if I were to ask you the
9 same questions that appear in your prefiled
10 testimony, would your answers be the same?

11 A Yes.

12 MR. MEHTA: For the Hearing Examiner, if I
13 could, I'd ask that the prefiled direct testimony of
14 Doug Copeland consisting of nine pages, as corrected,
15 be entered into the record as if given orally from the
16 stand and that Exhibits 1 and 2 to Mr. Copeland's
17 direct testimony be identified as premarked?

18 EXAMINER BUFFKIN: The testimony and
19 exhibits of Mr. Copeland as prefiled shall be admitted
20 into the record.

21 Copeland Exhibits 1 and 2

22 (Identified and Admitted)

23 (WHEREUPON, the prefiled direct
24 testimony of DOUGLAS COPELAND is

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copied into the record as if given
orally from the stand.)

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. SP-5273, SUB 0

In the Matter of
Application of Pecan Solar, LLC for
a Certificate of Public Convenience
and Necessity to Construct a 74.9-MW
Solar Facility in Northampton County,
North Carolina

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DIRECT TESTIMONY OF
DOUG COPELAND
FOR
PECAN SOLAR, LLC

1 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

2 A. My name is Howard Douglas Copeland, and my business address is 40 West Evergreen
3 Avenue, Suite 104, Philadelphia, Pennsylvania.

4 Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

5 A. I am Regional Project Development Manager for EDF Renewable Energy, Inc. ("EDF
6 RE"), the parent company of Pecan Solar, LLC ("Pecan Solar"). EDF Renewable
7 Development, Inc., an EDF RE affiliate, acquired Pecan Solar from Geenex Solar, LLC
8 ("Geenex") in March 2016.

9 Q. PLEASE DISCUSS YOUR PROFESSIONAL QUALIFICATIONS.

10 A. I have worked in the renewable energy industry for over ten years, including nine years
11 on projects in PJM. My experience includes market analysis, site identification and
12 selection, land leasing, environmental and construction permitting, project marketing,
13 project acquisition evaluation, and all aspects of local stakeholder outreach. I have
14 worked on renewable energy projects in fifteen different states and have experience in
15 wind, solar, energy storage, and offshore wind development. Prior to working in
16 renewable energy, I ran a nationally recognized economic development program in St.
17 Paul, Minnesota, working with small business owners, local government bodies, and
18 outside investors. I have a master's degree from Boston College and a bachelor's degree
19 from Villanova University.

20 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?

21 A. My testimony supports Pecan Solar's application to amend the Certificate of Public
22 Convenience and Necessity ("CPCN") previously issued by the North Carolina Utilities

Commission (the "Commission") on June 17, 2015 and amended on August 24, 2015, for the solar photovoltaic ("PV") generating facility that is the subject of this proceeding.

Q. PLEASE DESCRIBE THE FACILITY WHICH IS THE SUBJECT OF THIS PROCEEDING.

*KTM
12-7-16*

A. On August 24, 2015, the Commission issued an Order Issuing Amended Certificate and Accepting Registration of New Renewable Energy Facility in this docket, approving the amended application filed by Pecan Solar for a CPCN to construct a 74.9 megawatt ("MW") solar PV electric generating facility to be located east and west of Bethel Church Road approximately 0.6 to 2 miles north of the intersection of Bethel Church Road and Highway 186 in an unincorporated area approximately two miles ~~east~~ ^{west} of the town of Seaboard, Northampton County, North Carolina (the "Facility"). The proposed Facility is described in detail in the applications to amend the CPCN filed in this docket on July 27, 2016 and September 23, 2016, which are attached hereto as Exhibit 1 and Exhibit 2, respectively. Among other things, the amendments seek to add additional parcels of land to be used in the construction of the Facility. Pecan Solar is leasing the additional real property from the current owners and currently owns 100% of the project. As proposed in the amendments, the Facility will consist of approximately 270,480 330w to 370w PV modules affixed to a single axis-tracking system. The system will utilize thirty 2.5 MW inverters. The Facility will be surrounded by chain link fencing. It is anticipated that the Facility will be commissioned in March 2018.

Q. PLEASE EXPLAIN WHY THE AMENDMENT TO THE CPCN IS NECESSARY.

A. In EDF RE's analysis of the project site, we found that to design the project to most efficiently produce electricity, additional land was needed to maximize the output, while

1 keeping the overall project nameplate size the same. In addition, EDF RE does not seek
2 to impact any wetlands found on site. We determined that while some of the potential
3 land in the original CPCN could be used, it was better to not use certain portions of that
4 land to avoid any water impacts. The addition of new land sought in the amendments
5 allows us to meet that goal. It is important to note that while the additional parcels would
6 help us to optimize the layout of the project and to avoid wetlands, we would not be
7 building out all the project areas covered in the proposed amended CPCN.

8 **Q. TO WHOM WILL PECAN SOLAR SELL THE POWER GENERATED BY THE**
9 **FACILITY?**

10 **A.** In its Order Issuing Certificate entered on June 17, 2015, the Commission granted Pecan
11 Solar a waiver of the requirements of Commission Rule R8-64(b)(6)(i)(c), which would
12 have required Pecan Solar to submit a statement from the electric utility to which Pecan
13 Solar plans to sell the electricity to be generated. As a condition of the waiver, the
14 Commission directed Pecan Solar to make a supplemental filing providing this
15 information upon determining the entity or entities to which the output of the Facility will
16 be sold. Pecan Solar is currently engaged in confidential negotiations with potential
17 buyers of the output of the Facility and will update the Commission in accordance with
18 the Order once it has identified a buyer.

19 **Q. PLEASE EXPLAIN THE STEPS THAT PECAN SOLAR PLANS TO TAKE TO**
20 **MINIMIZE THE DISTURBANCE TO NEIGHBORS DURING THE**
21 **CONSTRUCTION OF THE FACILITY.**

22 **A.** EDF RE has developed almost 8 Gigawatts of renewable energy generation projects
23 across North America, which include over 1100 MW of projects being built this year.

1 We will follow all local permits and rules regarding construction schedules and vehicle
2 movement. In particular, we will observe all requirements of our Road Use Agreement,
3 Conditional Use Permit, and District Regulations, including, without limitation,
4 minimizing the impact of traffic on local roads, using site screening measures, limiting
5 work to daylight hours where possible, and implementing a notification process to
6 adjacent landowners. Appropriate dust control and water runoff measures will also be
7 used, and very little grading or heavy earth movement is anticipated.

8 **Q. PLEASE EXPLAIN THE STEPS THAT PECAN SOLAR PLANS TO TAKE TO**
9 **MAINTAIN THE FACILITY OVER THE COURSE OF ITS OPERATING LIFE.**

10 A. EDF RE's roots in the United States began thirty years ago as an operations and
11 maintenance company. We are currently the largest provider of third-party operations
12 and maintenance services in North America, maintaining wind, solar, biomass, biogas,
13 and energy storage projects across the continent. EDF RE builds every project as if we
14 will own it for the entire operating life. We have trained field staff who monitor and
15 maintain the project, along with 24/7 monitoring from our Operations Center. We will
16 also hire locally to assist with the operations and maintenance of the Facility.

17 **Q. HOW WILL THE COMMUNITY BENEFIT FROM THIS FACILITY?**

18 A. The community will benefit in a number of ways. First, the project will provide over
19 190,000 MW-hours of clean energy every year. As the project will be located in
20 Dominion North Carolina Power's service territory, the addition of this renewable energy
21 to Dominion North Carolina Power's system has the potential to cause Dominion North
22 Carolina Power to defer the addition of fossil fuel-fired generation to its generating fleet.
23 Second, some of the energy generated by the Facility will be consumed locally. Finally,

1 the Facility will involve significant economic development benefits in Northampton
2 County. It is anticipated that this Facility will create 20-50 local construction jobs for
3 approximately six months and will utilize local businesses during construction. In
4 addition, the project will provide additional tax base to local governments resulting in
5 approximately \$300,000 of additional personal property tax revenue annually.

6 **Q. ARE THERE ANY ADDITIONAL BENEFITS THAT WILL RESULT FROM**
7 **THE CONSTRUCTION AND OPERATION OF THE FACILITY?**

8 .A. In 2007, with the enactment of Session Law 2007-397 ("Senate Bill 3"), North Carolina
9 became the first state in the southeastern United States to adopt a renewable energy and
10 energy efficiency portfolio standard ("REPS"). As required by Senate Bill 3, by 2021,
11 investor-owned utilities are required to meet up to 12.5% of energy needs for retail sales
12 through renewable energy resources or energy efficiency measures.

13 Compliance with these REPS requirements is demonstrated through the purchase
14 of renewable energy certificates ("RECs"). The Facility will provide a significant source
15 of RECs for use by electric power suppliers to comply with their REPS obligations. It is
16 anticipated that the Facility will provide over 190,000 RECs annually. In addition to
17 facilitating the compliance of the electric power suppliers in North Carolina with their
18 REPS obligations, the Facility will promote the various objectives of Senate Bill 3,
19 including: (1) diversifying the resources used to meet the energy needs of North Carolina
20 consumers; (2) providing greater energy security through the use of indigenous resources;
21 and (3) encouraging private investment in renewable energy. Further, the electric utilities
22 in North Carolina have acknowledged the generation benefits of distributed base load
23 power to stabilize the grid.

1 The Facility has also self-certified as a qualifying facility for the purposes of the
2 Public Utility Regulatory Policies Act of 1978, which requires utilities to purchase the
3 electrical output from qualifying facilities, thereby helping to fulfill the federal policy
4 objective of promoting greater use of renewable energy as well.

5 **Q. HOW WAS THE SITE SELECTED AS THE LOCATION OF THE FACILITY?**

6 A. EDF RE acquired the site from Geenex earlier this year after looking at a number of
7 project sites and investment opportunities in the region. Geenex chose the site based on
8 proximity to power lines, interest from landowners, open land, and fairly flat topography.
9 These are the same criteria we would use, and the additional land we seek to add to the
10 CPCN by virtue of the proposed amendments was chosen based on the same principles.

11 **Q. HAVE YOU READ THE COMMENTS FILED BY VERLENE STEPHENSON IN**
12 **THIS PROCEEDING?**

13 A. Yes. EDF RE and Pecan Solar are open to hearing the concerns of neighbors and
14 working cooperatively to ensure that any impact to neighbors caused by the construction
15 of the Facility is minimized and that the Facility makes a positive contribution to the
16 community. We seek to be open and transparent with the surrounding community in
17 connection with our development plans. As required by applicable laws and regulations,
18 Pecan Solar notified the public of its plans to construct the Facility as well as the
19 proposed amendments to the CPCN. It is my understanding that Geenex has also reached
20 out to Ms. Stephenson in an attempt to address her concerns.

21 **Q. WHAT IS YOUR RESPONSE TO THE CONCERNS NOTED BY MS.**
22 **STEPHENSON REGARDING LAND USE COMPATIBILITY?**

1 Northampton County considers solar to be an approved and compatible use on farmland.
2 Pecan Solar will work with the local jurisdiction to secure any and all land use approvals
3 and permits necessary to construct the Facility on the parcels outlined in the amendments
4 to the applications. The Facility will be constructed in strict accordance with all
5 applicable laws and regulations, including any local and county zoning ordinances.

6 **Q. HOW DO YOU RESPOND TO MS. STEPHENSON'S CONCERN THAT**
7 **FARMLAND WILL BE LOST AS A RESULT OF THE FACILITY?**

8 A. All of the land that EDF RE is using for the project will be leased and returned to the land
9 owners at the end of the project. Pecan Solar will use best practices in construction and
10 maintenance of the Facility to ensure that the productive capabilities of the land for any
11 future agricultural activity will be maintained. The overall grading of the land will not be
12 changed. At the end of the project lifespan, all material from the solar project is removed
13 from site, and the land is able to be farmed. The panels themselves are fully self-
14 contained in glass and do not leak fluid or metals into the soil.

15 **Q. MS. STEPHENSON ASKS WHAT KIND OF WEED CONTROL MEASURES**
16 **WILL BE USED AT THE FACILITY. HOW DO YOU RESPOND?**

17 A. We do not perform any weed control beyond mowing. For our solar projects, we
18 typically plant groundcover grass or clover recommended by local landscaping
19 companies and mow the site three times per year. No other forms of weed control are
20 planned for this project.

21 **Q. DO YOU BELIEVE THE PROJECT WILL HAVE ANY ADVERSE IMPACTS**
22 **ON PUBLIC HEALTH OR THE ENVIRONMENT?**

1 A. No. The Facility will be required to meet environmental standards and obtain applicable
2 permits from North Carolina Department of Environmental and Natural Resources,
3 including a Stormwater Management Permit and an Erosion and Sedimentation Control
4 Plan. In addition, Pecan Solar will work with the local government to secure any and all
5 necessary local approvals for the project. To the best of my knowledge, solar facilities
6 such as the one proposed here do not create a potential for adverse impacts to public
7 health.

8 **Q. HOW DO YOU RESPOND TO MS. STEPHENSON'S COMMENT ABOUT THE**
9 **AESTHETIC IMPACT OF THE FACILITY?**

10 A. The Northampton County zoning requirements include solar as an approved use on this
11 type of land. As part of the right to build solar, they require the solar project to be set one
12 hundred feet back from all roads and non-participating landowners. They also require an
13 evergreen screen around all exterior portions of the project, unless an existing tree buffer
14 exists. Of course, Pecan Solar will comply with these zoning requirements, and these
15 measures will help shield the project from the sightline, including the view from Bethel
16 Church Road.

17 **Q. WHAT IS YOUR RECOMMENDATION WITH RESPECT TO THE**
18 **APPLICATION TO AMEND THE CPCN?**

19 A. It is my recommendation that the Commission issue an order amending the CPCN for the
20 Facility.

21 **Q. DOES THIS CONCLUDE YOUR PRE-FILED DIRECT TESTIMONY?**

22 A. Yes.

1 BY MR. MEHTA:

2 Q Do you have a summary of your testimony that you
3 would like to present?

4 A Yes.

5 MR. MEHTA: I have for your benefit,
6 Mr. Buffkin, a copy as well as one for the Court
7 Reporter, and there's some extras if anybody else
8 would like one.

9 BY MR. MEHTA:

10 Q Would you go ahead and read the summary of your
11 testimony?

12 A Sure.

13 (WHEREUPON, the summary of DOUGLAS
14 COPELAND is copied into the
15 record.)
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My name is Doug Copeland, and I am Regional Project Development Manager for EDF Renewable Energy, Inc., the parent company of Pecan Solar. EDF has developed almost 8 Gigawatts of renewable energy generation projects across North America, which include over 1100 megawatts of projects being built this year. In my ^{over} ten years in the renewable energy industry, I have worked on renewable energy projects in fifteen different states and have experience in wind, solar, energy storage, and offshore wind development.

The purpose of my testimony is to support Pecan Solar's application to amend the Certificate of Public Convenience and Necessity, or "CPCN," previously issued by the North Carolina Utilities Commission for the solar Facility that is the subject of this proceeding. Among other things, the proposed amendments seek to add parcels of land to be used in the construction of the Facility.

We acquired the site from Geenex earlier this year. Geenex chose the site based on proximity to power lines, interest from landowners, open land, and fairly flat topography. During our analysis of the project site, we found that to design the project to most efficiently produce electricity, additional land was needed to maximize the output, while keeping the overall project nameplate size the same. We also determined that while some of the potential land in the original CPCN could be used, it was better to not use certain portions of that land to avoid impacting wetlands. While the addition of new land helps us to optimize the layout of the project and to avoid wetlands, it is important to note that we do not plan to build out all the project areas covered in the proposed amended CPCN.

In order to minimize disturbance to neighbors during the construction of the Facility, we will follow all local permits and rules regarding construction schedules and vehicle movement.

In particular, we will work to minimize the impact of traffic on local roads, use site screening measures, limit work to daylight hours where possible, and implement a notification process to adjacent landowners. Appropriate dust control and water runoff measures will also be used. Once the Facility is built, we have trained field staff who monitor and maintain the project, along with 24/7 monitoring from our Operations Center. We will also hire locally to assist with the operations and maintenance of the Facility.

Northampton County considers solar to be an approved and compatible use on farmland. Pecan Solar will work with the local jurisdiction to secure any and all land use approvals and permits necessary to construct the Facility on the parcels outlined in the proposed amendments. The Facility will be constructed in strict accordance with all applicable laws and regulations, including any local and county zoning ordinances. In accordance with zoning requirements, the Facility will be set one hundred feet back from all roads and non-participating landowners and an evergreen screen will be planted around all exterior portions of the project, unless an existing tree buffer exists. These measures will help shield the project from the sightline, including the view from Bethel Church Road.

All of the land that we are using for the project will be leased and returned to the land owners at the end of the project. Pecan Solar will use best practices in construction and maintenance of the Facility to ensure that the productive capabilities of the land for any future agricultural activity will be maintained. The overall grading of the land will not be changed. At the end of the project lifespan, all material from the solar project is removed from site, and the land is able to be farmed. The panels themselves are fully self-contained in glass and do not leak fluid or metals into the soil. The Facility will be required to meet environmental standards and obtain applicable permits from the North Carolina Department of Environmental and Natural

Resources, including a Stormwater Management Permit and an Erosion and Sedimentation Control Plan. To the best of my knowledge, solar facilities such as the one proposed here do not create a potential for adverse impacts to the public health or environment.

The community will benefit from this Facility in a number of ways. The project will provide over 190,000 megawatt-hours of clean energy every year, some of which will be consumed locally. The Facility will also involve significant economic development benefits in Northampton County, including the creation of 20-50 local construction jobs for approximately six months and the addition of tax base to local governments resulting in approximately \$300,000 of additional personal property tax revenue annually.

In addition, in 2007, with the enactment of Senate Bill 3, North Carolina became the first state in the southeastern United States to adopt a renewable energy and energy efficiency portfolio standard or "REPS." As required by Senate Bill 3, by 2021, investor-owned utilities are required to meet up to 12.5% of energy needs for retail sales through renewable energy resources or energy efficiency measures. Compliance with these REPS requirements is demonstrated through the purchase of renewable energy certificates or "RECs." It is anticipated that the Facility will provide over 190,000 RECs annually for use by electric power suppliers to comply with their REPS obligations. In addition, the Facility will promote the various objectives of Senate Bill 3, including: (1) diversifying the resources used to meet the energy needs of North Carolina consumers; (2) providing greater energy security through the use of indigenous resources; and (3) encouraging private investment in renewable energy.

For these reasons, it is my recommendation that the Commission issue an order amending the CPCN for the Facility.

1 MR. MEHTA: Mr. Buffkin, just before, in
2 case you have questions but before you get there I
3 would like for Mr. Copeland just to address very
4 briefly the late comments received from the
5 Clearinghouse, if that's all right with you?

6 EXAMINER BUFFKIN: Certainly, please
7 proceed.

8 BY MR. MEHTA:

9 Q Mr. Copeland, have you reviewed the comments that
10 were received on November 29th from the State
11 Clearinghouse?

12 A Yes.

13 Q And in this particular filing the Department of
14 Natural and Cultural Resources make some comments
15 relating to a historic period home and a cemetery
16 that was reported to be located on one of the
17 parcels in the site plan; is that correct?

18 A Yes.

19 Q How does Pecan Solar plan to address these
20 comments?

21 A We plan to engage an archaeologist probably next
22 week to locate the home site and cemetery so as
23 we can avoid disturbing these during
24 construction. The Department has already

1 determined the project as proposed will not have
2 an affect on any historic structures. If the
3 grave site is located inside the project
4 boundary, we will be sure to provide access to
5 descendents and others who wish to visit. Once
6 we receive a report from the archaeologist, we
7 will send the requested information to the
8 Department and Clearinghouse and will file this
9 information with the Commission.

10 MR. MEHTA: Mr. Buffkin, Mr. Copeland is
11 available for questions.

12 EXAMINER BUFFKIN: Thank you. I have just a
13 few.

14 EXAMINATION

15 BY EXAMINER BUFFKIN:

16 Q We've heard from the public witnesses their
17 concern about the taking out of service of
18 farmland and the potential impact on wetlands
19 near the project site or within the project
20 parcel, and related to that the removal of trees
21 in the nature of the forest land that's currently
22 existing. Based on your experience developing
23 projects similar to this and your plans for the
24 project in this matter, what impacts do you

1 anticipate on and to what extent will farmland,
2 wetlands or forest land be impacted by the
3 project?

4 A I'll start with farmland since that's the
5 simplest. So the farmland that's there right
6 now, most of it will have solar panels on it. At
7 the conclusion of the projects, we're obligated
8 to remove all of the equipment at which point the
9 land is turned back over to the landowners to be
10 farmed. As I said in my testimony, there is very
11 little grading done on the site and, while the
12 project is in operations, there's no pesticides
13 applied to the fields. It's mowed two or three
14 times a year. And so once the equipment is
15 removed, the landowners are free to till it and
16 begin farming again if they wish.

17 For the forest lands, there is a
18 portion of this site, I do not remember exactly
19 what percentage of the project area that is
20 forest, primarily plantation pine that will be
21 cleared in some instances, in other instances
22 it's left. The timber that's cleared, the
23 landowners view that timber as a crop and we're
24 planning on clearing it anyway and so that will

1 come out for the project and we will use that
2 land for solar. Again, at the conclusion of the
3 project, they would be free to replant it with
4 crops or with trees, which again qualifies as a
5 crop for those landowners.

6 The wetlands is a very important
7 one to us which is why we've actually gone and
8 secured some additional land for the project,
9 because we wanted to make sure that we were
10 avoiding the wetlands beyond what is just
11 typically required. We, as a company, have a
12 host of best management practices of how we
13 design and operate our projects, and so in order
14 to avoid running fences through wetlands or
15 impacting them in anyway, we have this additional
16 land that folks have included in the project
17 through leases and so that way we will avoid all
18 of the wetlands on the site.

19 Q Could you give us an estimate of how much,
20 percentagewise, of the parcel area within the
21 project is wetlands?

22 A Very little because we've actually designed the
23 project to be around the wetlands. So there's no
24 wetlands that fall inside of the boundaries of

1 the fence that I'm aware of. There might be a
2 small area and in that case we would just not
3 build on it. But the largest wetlands that are
4 on the site, we're basically just avoiding them,
5 so they wouldn't be part of the project, kind of
6 footprint.

7 Q Let's look further out in the future at something
8 we heard from the public witnesses, and you
9 mentioned in your testimony, is the end of the
10 project's life and the so-called decommissioning
11 of the project. Can you tell us a little bit
12 more about that process? What's left on the land
13 after the project has ended and the equipment has
14 been removed or is there anything that's not
15 removed?

16 A Everything is removed from the project. The
17 county ordinance requires us to put up a surety
18 bond so in the event that Pecan Solar, LLC, is
19 bankrupt or does not fulfill their obligation,
20 there's actually financial security that the
21 county has in place so that they can remove the
22 racking system, which is what holds the panels,
23 the panels themselves and all of the associated
24 equipment. At that point, once the project is

1 out, there would be the remnants of the roads but
2 those are going to be, I would assume, if
3 somebody wanted to farm it just tilled over and
4 incorporated back into the farmland.

5 Q So they would be gravel roads then, I guess, no
6 asphalt?

7 A No, not asphalt roads, no.

8 Q Thank you.

9 A No. The one thing I do want folks to understand
10 is that there's not anything added. The panels
11 themselves, of course, are not permeable but the
12 land is left so that it can still absorb water as
13 it has been.

14 Q We heard a couple of witnesses testify tonight
15 about the related issues of setbacks and
16 screening around the projects, in particular, the
17 concerns about the proximity to a curve in Bethel
18 Church Road. Can you give us an illustration of
19 what the screening looks about like, how large
20 the setbacks are including the height of the
21 shrubbery that's included in the screening?

22 A Sure. I'm very familiar with this curve, not as
23 familiar as the neighbors, but I've been on the
24 site many times. I drove that curve today. I

1 grew up in the country and have a curve very
2 similar like that near my house and am very aware
3 that if you start to put a wall uptight on that
4 curve it's going to be a big safety issue. So
5 the setback from the county is 100 feet so that
6 means that the fence for the project is set back
7 100 feet from the road and then the screening is
8 in front of that. And I mention that for two
9 reasons, one, is that's important from an
10 aesthetic standpoint but that the other is that
11 on that curve especially we will make sure to
12 design it in a way that the trees are as close to
13 the fence as possible so that there is still a
14 very big line of sight there because I do
15 understand that folks drive too fast around that
16 curve and that you need to have as much
17 visibility as possible. If there is an instance
18 where when the site plan or when the project is
19 in the final design stages that it does appear
20 there's going to be an issue we have a
21 construction manager who would look to work with
22 landowners if perhaps there's some mirrors or
23 some other ways of mitigating it. But I think
24 that we should be able to design it well enough

1 from the start that with the project setbacks
2 that we're not impacting the very important
3 safety sight lines that exist right now.

4 Q And how about the -- there's an evergreen
5 screening around the project; is that correct?

6 A Yes.

7 Q And what kind of shrubs are we talking about, or
8 perhaps they're trees, and how tall do they get
9 at maturity?

10 A The county has some very specific requirements
11 about the height of the trees when they start --
12 when they are at maturity. And they're pine
13 trees so they're going to, probably after 20 or
14 30 years - I defer to folks who know more about
15 trees than I do - but they're probably going to
16 be at least 20 feet tall for the most part. And,
17 again, we have an obligation to put trees in that
18 will fill in and fully screen the project and
19 that would include that if one was to die that it
20 would be replaced with something of kind of equal
21 size to keep that screening intact.

22 Q Thank you. And you've mentioned several times
23 "county zoning requirements". Is the Applicant
24 committed to meeting all of the applicable zoning

1 requirements by the county?

2 A Absolutely.

3 Q Thank you. And then my final question relates to
4 a concern that a number of public witnesses
5 raised related to property values. And based on
6 your experience in developing projects like this
7 and your expectation of what this project will
8 look like, can you forecast any impact on
9 property values of adjoining properties?

10 A Not in this area. I have not seen a study that
11 has shown that solar projects or renewable
12 projects in general have a negative impact on
13 property values. But we have not done something
14 exactly for this site.

15 EXAMINER BUFFKIN: Thank you. That's all
16 the questions I have. Does the Applicant have any
17 questions in the nature of redirect?

18 MR. MEHTA: I think the only question I have
19 relates to one of the public witnesses indicated that
20 solar energy is intermittent and that the concern was
21 that the cost of electricity may increase not
22 decrease, and if you have anything to add or say about
23 that that would be great.

24 THE WITNESS: Sure. This is a great

1 question and one that I get asked many times including
2 by my family at Thanksgiving. Solar energy is
3 producing power during peak demand times of day. So
4 during the day, especially during the summer, you have
5 air conditioners firing up at both home and at work,
6 or offices and other kind of buildings, and so solar
7 typically is producing power at what the utilities
8 consider peak times; it's the most expensive time.

9 We, as consumers, pay an average price on
10 our power bill. Some large industrial customers might
11 pay a rate that adjusts with the hour. But for the
12 average and a homeowner you're paying a price per
13 kilowatt hour that the utility calculates as the
14 average of power at midnight when it's very cheap
15 because there's really not a lot of consumers verses
16 noon when there are a lot. So solar is producing
17 power during the time that it's most expensive and
18 actually decreasing the cost of power. Because
19 there's no fuel cost, the utilities bidden in at zero
20 dollars.

21 Solar does not produce all of the time
22 during the day but the solar is producing power on a
23 very large electrical system called PJM. And PJM is,
24 in essence, the air traffic controller for all of the

1 utilities in this corner of North Carolina, all of
2 Virginia, running up all the way through Delaware,
3 Maryland, Pennsylvania, New Jersey, Ohio, and so that
4 intermittency is managed constantly throughout that
5 system based upon demand and supply throughout the
6 day. On days where it's raining and there's still a
7 lot of demand or during certain times, maybe at six or
8 seven at night, when solar production is dropping and
9 there still might be high demand on a very hot summer
10 night.

11 There's certain types of power plants called
12 peakers. A peaker plant just produces power during
13 peak times and peakers are very expensive to run and
14 only run anywhere from 50 to maybe 200 hours a year.
15 And solar actually prevents those peakers from running
16 which keeps power prices down. And then if there's
17 times that solar is not running or there isn't solar,
18 the peakers run and still produce power. So it's not
19 that there's always the same amount of power being
20 produced. The power being produced fluctuates as
21 demand fluctuates and solar is able to displace very
22 expensive types and, often times, very dirty source of
23 power.

24 MR. MEHTA: Thank you.

1 EXAMINER BUFFKIN: Thank you. Anything
2 further?

3 MR. MEHTA: No, sir. I don't think so.

4 EXAMINER BUFFKIN: Then that concludes the
5 evidentiary hearing. The Commission notes that
6 although not present -- Mr. Copeland, you're excused.
7 Thank you.

8 (The witness is excused.)

9 EXAMINER BUFFKIN: The Commission notes that
10 although not present, the Public Staff has expressed
11 an interest in providing recommendation to the
12 Commission on this Application. So with that in mind,
13 I'll request the Public Staff to file its
14 recommendation regarding the Application within two
15 weeks of the transcript of this hearing being made
16 available.

17 Mr. Mehta, can we have proposed orders
18 within 30 days after the transcript is made available?

19 MR. MEHTA: Yes, that will be fine.

20 EXAMINER BUFFKIN: Thank you. And, again
21 for the public that's here, I'll remind you that the
22 Applicant's representatives have expressed an interest
23 in staying a little late tonight to talk with you and
24 answer any questions you might have. Any other

1 questions before we adjourn tonight's hearing?

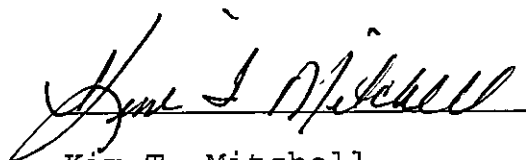
2 (No response.)

3 Seeing none, we stand adjourned pending
4 Commission order.

5 (WHEREUPON, the proceedings were adjourned.)
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C E R T I F I C A T E

I, KIM T. MITCHELL, DO HEREBY CERTIFY that
the Proceedings in the above-captioned matter were
taken before me, that I did report in stenographic
shorthand the Proceedings set forth herein, and the
foregoing pages are a true and correct transcription
to the best of my ability.



Kim T. Mitchell
Court Reporter II