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June 14, 2021

VIA ELECTRONIC FILING

Kimberley Campbell
Chief Clerk
North Carolina Utilities Commission
430 North Salisbury Street
Raleigh, N.C. 27603

Re: **Docket No. EMP-118, Sub 0**

Timbermill Wind, LLC's Application for a Certificate of Public Convenience and Necessity For a Merchant Plant and Registration as a New Renewable Energy Facility

Dear Clerk Campbell:

Enclosed for filing is Timbermill Wind, LLC's Application for a Certificate of Public Convenience and Necessity for a Merchant Plant and Registration as a New Renewable Energy Facility.

We propose the following schedule for the Commission's consideration of this application:

Monday, June 28th	Public Staff Certificate of Completeness to be filed
Week of July 5th	Procedural Order Issued
Wednesday, September 15th	Formal discovery requests related to application and Applicant's prefiled testimony
Wednesday, September 29th	Petitions to Intervene & direct testimony of Public Staff and intervenors

PPAB 6309898v1

Monday, October 4th	Formal discovery requests related to Public Staff or intervenors
Week of October 4th	Public Hearing in Chowan County
Tuesday, October 12th	Applicant's Rebuttal Testimony
Friday, October 15th	Formal discovery requests related to Applicant's prefiled rebuttal testimony
Week of October 25th	Evidentiary Hearing in Raleigh

We have discussed the schedule with the Public Staff and understand they are in general agreement with this proposed schedule.

Thank you for your assistance. Please contact me if you have any questions.

Sincerely,

/s/ Katherine E. Ross

Enclosures

cc: Robert Josey, Public Staff

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-118 SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of the Application of) Timbermill Wind, LLC for a) Certificate of Public Convenience) and Necessity and Registration as a) New Renewable Energy Facility)) APPLICATION FOR A CERTIFICATE OF) PUBLIC CONVENIENCE AND) NECESSITY FOR A MERCHANT PLANT) AND REGISTRATION AS A NEW) RENEWABLE ENERGY FACILITY
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Timbermill Wind, LLC ("Timbermill" or the "Applicant"), through counsel, hereby applies to the North Carolina Utilities Commission (the "Commission") pursuant to G.S. § 62-110.1 and Commission Rule R8-63 for a Certificate of Public Convenience and Necessity authorizing construction of a merchant plant wind energy facility with a capacity up to 189 MW_{AC} to be located in Chowan County (the "Facility"). The Applicant also submits its Registration as a New Renewable Energy Facility pursuant to Commission Rule R8-66.

**APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
FOR A MERCHANT PLANT**

In support of its application, Timbermill provides the Commission the attached four exhibits and CPCN Application Addenda 1 through 5 in compliance with Rule R8-63.

REGISTRATION AS A NEW RENEWABLE ENERGY FACILITY

In support of its registration as a New Renewable Energy Facility pursuant to R8-66, Timbermill submits the required form, included as Application Exhibit 4, and states the following:

1. The Applicant incorporates by reference each of the foregoing sections, including all subsections, in support of its Registration as a New Renewable Energy Facility.

2. Dominion Energy North Carolina (“DENC”) will read the energy production meter for the purpose of REC issuance.

3. The Applicant anticipates participating in the North Carolina Renewable Energy Tracking System.

4. The Applicant certifies that it is in substantial compliance with all applicable federal and state laws, regulations and rules for the protection of the environment and conservation of natural resources.

5. The Applicant certifies that the Facility satisfies the requirements of G.S. § 62-133.8(a)(5) as a New Renewable Energy Facility and will continue to be operated as a New Renewable Energy Facility.

6. The Applicant certifies that any renewable energy certificates (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. § 62-133.8 have not, and will not, be remarketed or otherwise resold for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina or any other state or country, and that the electric power associated with the certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.

7. The Applicant certifies that it consents to the auditing of its books and records by the Public Staff in so far as those records relate to transactions with North Carolina electric power suppliers and agrees to provide the Public Staff and the Commission access to those books and records, wherever they are located, and access to the Facility.

WHEREFORE, Timbermill Wind, LLC respectfully requests that the Commission:

(i) issue a Certificate of Public Convenience and Necessity pursuant to G.S. § 62-110.1 and Commission Rule R8-63 for the Facility, as more specifically described herein; and

(ii) accept the Registration of the Facility as a New Renewable Energy Facility pursuant to G.S. § 133.8 and Commission Rule R8-66.

Respectfully submitted this 14th day of June, 2021.

By: Katherine E. Ross
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N.C. State Bar No. 47999
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Attorneys for Timbermill Wind, LLC

**Timbermill Wind, LLC
Application Exhibit 1**

1. The Applicant's full and correct name, business address, and business telephone number are:

Timbermill Wind, LLC
310 4th Street NE
Suite 300
Charlottesville, VA 22902
(434) 282-2105

The electronic mailing address for purposes of this filing is:
Jimmy.merrick@apexcleanenergy.com with copy to Kate.heins@apexcleanenergy.com
and katherineross@parkerpoe.com.

2. Timbermill Wind, LLC is a Delaware limited liability company with its principal place of business in Charlottesville, Virginia. Timbermill was formed January 31, 2012. Timbermill has obtained authority from the North Carolina Secretary of State to conduct business in North Carolina. A true and correct copy of the Application for Certificate of Authority is included as **CPCN Application Addendum 1**. As a single-member managed limited liability company, Timbermill does not have officers or directors.

Timbermill is an indirect subsidiary of Apex Clean Energy Holdings, LLC ("Apex"). Apex is an independent renewable energy company based in Charlottesville, Virginia. Since its founding in 2009, Apex has become one of the fastest-growing companies in the industry. Apex has one of the nation's largest, most diversified portfolios of renewable energy resources, capable of producing more than 18 GW of clean electricity. Apex has completed and sold 24 commercial wind and solar facilities in North America (totaling more than 5 GW), with five additional wind facilities under construction and several more under development. Apex serves as the operator for 11 commercial wind and solar facilities across North America (totaling an operating capacity of over 2 GW). Apex serves a wide range of utilities and load serving entities.

Correspondence, documents, and filings regarding this application should be sent as follows:

Attn: Jimmy Merrick, Development Manager
Apex Clean Energy, Inc.
310 4th Street NE
Suite 300
Charlottesville, VA 22902
Jimmy.merrick@apexcleanenergy.com
(434) 282-2107

with copies to:

Attn: Kate Heins, Associate General Counsel
Apex Clean Energy, Inc.
310 4th Street NE
Suite 300
Charlottesville, VA 22902
Kate.heins@apexcleanenergy.com

and (not for purposes of service):

Katherine E. Ross
Parker Poe Adams & Bernstein LLP
301 Fayetteville Street, Suite 1400
Raleigh, North Carolina 27601
katherineross@parkerpoe.com

3. A copy of Apex's most recent balance sheet and income statement are being provided under seal because they constitute confidential and proprietary information within the scope of G.S. § 132.1.2 and have been labeled **Confidential CPCN Application Addendum 2.**

4. Apex operates the following facilities in the Southeastern Electric Reliability Council region:

Facility Name	Location	Status	Type of Facility	Capacity (MW _{AC})	COD
Hoopeston Wind	Vermilion County, Illinois	Operating	Wind	98	2014
Altavista Solar	Campbell County, Virginia	Under Construction	Solar	80	Exp. 2021
Rocky Forge Wind	Botetourt County, Virginia	In Development	Wind	77	Exp. 2022

Facility Name	Location	Status	Type of Facility	Capacity (MW _{AC})	COD
Carvers Creek Solar	Gloucester County, Virginia	In Development	Solar	150	Exp. 2022
Rivanna Solar	Albemarle County, Virginia	In Development	Solar	12.5	Exp. 2022
Swallowtail Solar	Baldwin County, Georgia	In Development	Solar	150	Exp. 2022
Moody Creek Solar	Charlotte County, Virginia	In Development	Solar	150	Exp. 2023
Red Brick Solar	Lunenburg County, Virginia	In Development	Solar	130	Exp. 2023
Riverstone Solar + Storage	Buckingham County, Virginia	In Development	Solar	200	Exp. 2023
Peach Blossom Solar	Glynn County, Georgia	In Development	Solar	280	Exp. 2023
Island Creek Solar	Jones County, North Carolina	In Development	Solar	80	Exp. 2024
Pinewood Wind	Pulaski County, Virginia	In Development	Wind	150	Exp. 2024
Spruce Run Wind	Randolph County, West Virginia	In Development	Wind	300	Exp. 2024

**Timbermill Wind, LLC
Application Exhibit 2**

The Facility

1. The Facility will be situated on approximately 6,300 acres of privately held property in Chowan County, which includes the Transmission Corridor and the property on which the Interconnection Switching Station will be sited, as those Facility components are defined below (the "Project Area"). As reflected in the site layout included as **CPCN**

Application Addendum 3, the Facility will consist of:

- Up to 45 wind turbine generators, each anticipated to have a nameplate capacity of 4.2 MW;
- Underground 34.5 kilovolt ("kV") electrical collector lines connecting the turbines to each other and to the collector substation;
- A 34.5kV to 230kV collector substation owned by Timbermill;
- An approximately 6 mile above-ground 230kV transmission line;
- A 230kV interconnection switching station owned by Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina ("DENC");
- Access roads to each turbine;
- An operations and maintenance ("O&M") building; and
- Meteorological towers.

2. The Facility will utilize the Vestas V150-4.2MW turbine, or a turbine model with a substantially similar profile (i.e. height, capacity, construction material). Each turbine consists of three major components: the tower, the nacelle, and the rotor. These components are mounted on a foundation to provide structural support to the assembled turbine. The height of the tower, or "hub height" (height from the base of the tower to the center of the rotor hub on top of the tower), will be a maximum of 345 feet. The nacelle sits atop the tower, and the rotor hub is mounted on a drive shaft that is connected to the

gearbox and generator contained within the nacelle. The total turbine height (the height at the highest blade tip position) will be a maximum of 599 feet.

Tower – The tubular towers proposed for the Facility will be conical steel structures. Each tower has a lockable access door, internal lighting, and an internal ladder and lift to access the nacelle. The towers will be painted off-white to ensure that the structures are less visually obtrusive and in accordance with FAA regulations.

Nacelle – The main mechanical and electrical components of the turbine are housed in the nacelle. The nacelle is mounted on a sliding ring that allows it to rotate, or “yaw,” into the wind to maximize energy capture. The nacelle components include the drive train, gearbox, generator, and generator step-up transformer. The nacelle is housed in a steel-reinforced fiberglass shell that protects internal machinery from the environment. The housing is designed to allow for adequate ventilation to cool internal machinery. It is externally equipped with an anemometer and a wind vane to measure wind speed and direction. The generated electricity is conducted through cables within the tower to a switch enclosure mounted at the base of the turbine tower. Attached to the top of select nacelles, per FAA specifications, will be a single, medium-intensity aviation warning light. There will be red flashing lights that will be operated in accordance with FAA requirements. The FAA will determine lighting specifications and which turbines must be equipped with lights.

Rotor – A rotor assembly is mounted on the drive shaft and operates upwind of the tower. Electric motors within the rotor hub vary the pitch of each blade according to wind conditions to maximize turbine efficiency at varying wind speeds.

3. Existing public roads, private roads, and field paths will be utilized to the extent possible to access the Facility. The existing roads may require improvements before, during, or following construction. Where necessary, new access roads will be constructed between existing roadways and the Facility. The new and improved access roads will be

all-weather, gravel surfaced, approximately 20 feet in width. During construction, some access roads will be widened to accommodate movement of the turbine erection crane and turning of turbine components.¹ Temporary matting will be utilized where necessary to limit soil disturbance and establish sufficient bearing capacity to support the crane. The Facility will be accessed by a number of proposed points, as reflected on the site layout included as **CPCN Application Addendum 3**. All driveways will be engineered to NCDOT standards.

4. The electrical collector lines will consist of an underground cable system between the collector substation and the individual turbine locations. The cable system will be designed for operation at 34.5kV. The cables will be installed in a trench at a depth sufficient to avoid potential impact from the existing land uses. The cable will be installed at least 42 inches below ground as well as 42 inches below the bottom elevation of existing ditches and canals in order to allow for the landowners' routine maintenance of the ditches and canals. The cable will be buried with a fiber-optic cable and an additional separate ground wire. The fiber-optic cable will be used for telemetry, control, and communication purposes. Junction boxes will be installed as required for connections and splices.

5. The collector substation will consist of two substation transformers, circuit breakers, switching devices, auxiliary equipment, and a control enclosure containing equipment for proper control, protection, monitoring, and communications (the "Collector Substation"). The principal function of the Collector Substation is to increase the voltage from the collector circuits (34.5kV) to 230kV. A 230kV transmission line will transport the generated electricity of the entire Facility to the interconnection switching station (the "Timbermill Line"). The Collector Substation will be located within a fenced area. The

¹ Certain areas of several access roads will be widened to approximately 150 feet to allow for a turning radius for turbine components.

fence will be designed in accordance with industry standards to provide safety and security.

6. Associated with the Facility, but owned and operated by DENC, will be an interconnection switching station (the “Interconnection Switching Station”). The Interconnection Switching Station will serve as the electrical interconnection between the Facility and the regional transmission system. The Interconnection Switching Station will consist of 230kV circuit breakers, disconnect switches, bus conductors, auxiliary equipment, and a control enclosure containing equipment for proper control, protection, monitoring, and communications. The Interconnection Switching Station will be located within a fenced area. The fence will be designed in accordance with industry standards to provide safety and security.

7. Two temporary 60-meter (m) meteorological towers and 5 temporary sonic detection and ranging (“Sodar”) units have been installed within the Project Area to collect wind resource data. The first Sodar unit was installed on June 18, 2013, and the first met tower was installed on July 10, 2015. All of the temporary met towers and units have been removed. Up to 4 permanent met towers (the “Met Towers”) will be installed along with the Facility. These permanent Met Towers are used to obtain clean and unobstructed wind data for performance management. The permanent Met Towers will be self-supporting with heights not to exceed the hub height of the wind turbines and will be marked and lighted as required by the FAA. The locations of the Met Towers are included on the site layout included as **CPCN Application Addendum 3.**

8. Timbermill will be operated and maintained by a team of approximately 10 personnel, including facility managers, a site manager, and a certified crew of technicians. This team will work out of the O&M building during normal business hours and will perform routine checks, respond to issues, and optimize the performance of the Facility. The team will also have specified personnel on call 24 hours per day, should an issue arise outside

of normal business hours. The O&M building will be a 4,000-to-6,000 square-foot building, which will house operating personnel, offices, operations and communication equipment, parts storage and maintenance activities, and a vehicle parking area (the “O&M Building”). An area for outdoor storage of larger equipment and materials will also be included within a fenced area for safety and security.

9. During operations, the O&M staff will perform scheduled, preventative maintenance on the turbines. This is typically done in conjunction with representatives from the turbine manufacturer for the first one to three years to ensure that maintenance protocol for the specific turbine installed is completely understood by the O&M staff.

10. Timbermill will be built with many safety and control mechanisms in place. These mechanisms are generally monitored using a Supervisory Control and Data Acquisition (“SCADA”) system. SCADA allows for each turbine, which is connected via fiber-optic cable, to be monitored in real time by the O&M staff. Timbermill will also be built in a way that is capable of being remotely monitored, thus increasing the Facility oversight, as well as the performance and reliability of the turbines. Wind projects are designed this way to ensure repetitive and duplicated forms of control. Not only will the local O&M office have full control of the wind turbines, but a 24/7 remote operations facility will also have control of the individual turbines. These two teams coordinate to ensure that the wind turbines operate safely and efficiently. A third mechanism for safety and control is the turbines themselves. Each turbine monitors the wind speed and direction to ensure its current position is most efficient to produce electricity. This data is also used for feathering the blades, applying the brakes in high wind speeds or if there is ice build-up on the blades, and to tell the turbine when the wind is strong enough to begin turning the generator and producing electricity at the “cut-in” wind speed.

11. Included as **CPCN Application Addendum 3** is a color map showing the proposed boundary of the Project Area, the proposed layout, with all major equipment,

including the turbines, collector lines, planned and existing roads, and planned and existing electric facilities. Timbermill has site control over the private property within the Project Area for the Facility. Final site layout will be determined based on additional geotechnical and environmental studies and meteorological data. All components will be sited within the boundary of the Project Area as reflected in **CPCN Application Addendum 3.**

12. An e911 street address has not been assigned to the Facility at this time. The Applicant will notify the Commission of the e911 street address when it is received. The Facility is located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County. The GPS coordinates of the approximate center of the Facility are: Latitude: 36° 08' 45.6409"N; Longitude: 076° 35' 45.3715"W.

Construction and Commercial Operation

13. The anticipated beginning date for construction is November, 2022, beginning with access roads and continuing, in order, to turbine foundations, crane pads, turbine erection, electrical collection systems, substations, the O&M Building, and the Met Towers. After construction, only a small fraction of the Project Area will be occupied by the Facility. The proposed Project Area will continue to be used for traditional land uses, primarily agricultural and forestry. The expected commercial operation date is October, 2023. The expected operational life of the Facility is 30 years. The trend in the wind industry is to “repower” wind energy facilities by upgrading existing towers and other infrastructure with more efficient turbines and related equipment. Based on today’s market for renewable energy, it is likely that the Facility will be upgraded with more efficient equipment, and therefore, with future upgrades, could have a useful life of 35 years or longer. The estimated construction costs are being provided under seal because they constitute confidential and proprietary information within the scope of G.S. §132.1.2 and have been labeled **Confidential CPCN Application Addendum 4.**

Electricity Production

14. Wind is an intermittent resource; therefore, the dependable capacity is zero. Electricity production is dependent on the wind resource and design factors. Preliminary meteorological assessments of the wind resource within the Project Area indicate an expected net capacity factor of 27% - 30%. Based on current assessments, the 189 MW_{AC} Facility is predicted to have a net production of approximately 465,000 megawatt hours ("MWhs") of electricity per year. The output of the Facility is estimated to equal the amount of electricity needed to power almost 40,000 homes in North Carolina.

15. The Facility is not a natural gas fired facility.

Permitting

16. The following federal, state and local approvals will be required for the Facility:

Permitting Agency	Approval / Permit Required	Status
North Carolina Department of Environmental Quality	North Carolina Wind Energy Facility Permit	In progress.
North Carolina Department of Environmental Quality	Erosion and Sedimentation Control Approval	Not yet applied for.
North Carolina Department of Environmental Quality	Section 401 Water Quality Certification	In progress, contemporaneous to Section 404 permit noted below.
North Carolina Department of Transportation	Driveway Permits	Not yet applied for.
United States Army Corps of Engineers	Section 404, Individual Permit	In progress.
United States Environmental Protection Agency	National Pollutant Discharge Elimination System Permit	Not yet applied for.
Federal Aviation Administration	Determination of No Hazard to Air Navigation	In progress. Re-filed September 2020.
Chowan County	Conditional Use Permit	Granted on November, 16, 2016, as amended May 21, 2018. CPCN Application Addendum 5.
Chowan County	Zoning Permit Grading Permit Building Permit Electrical Permit	Not yet applied for.

Timbermill anticipates filing for exempt wholesale generator status pursuant to Section 32 of the Public Utility Holding Company Act of 1935 (PUHCA), as amended by the Energy Policy Act of 1992, and will file a copy of any application for such status as required by Rule R8-63(b)(2)(v) contemporaneous with its submission to the Federal Energy Regulatory Commission.

17. The Applicant will obtain all permits and approvals required by applicable federal, state and local laws and regulations for construction and operation of the Facility. The Applicant does not anticipate any difficulty in demonstrating compliance with all applicable environmental regulations.

Interconnection

18. The Timbermill Line, an approximately 6-mile 230kV transmission line, will connect the Collector Substation to the Interconnection Switching Station and the existing 230kV Winfall-Mackeys transmission line (the “Winfall Line”) owned by DENC. The location of the Interconnection Switching Station and the Winfall Line are shown on **CPCN Application Addendum 3**. Timbermill has control of all property necessary for the Facility, including the Transmission Corridor and the Interconnection Switching Station and no additional easements are required to be obtained. Timbermill Wind will file for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Timbermill Line in Docket EMP-118 Sub 1.

**Timbermill Wind, LLC
Application Exhibit 3**

North Carolina Renewable Energy and Energy Efficiency Portfolio Standard

1. Under North Carolina's Renewable Energy and Energy Efficiency Portfolio Standard ("REPS" or "Senate Bill 3"), investor-owned utilities in North Carolina are required to meet up to 12.5% of their energy needs through renewable energy resources or energy efficiency measures by 2021. Rural electric cooperatives and municipal electric suppliers have been subject to a 10% REPS requirement since 2018. G.S. § 62-133.8(8) defines wind as a renewable energy resource. The Facility will provide a significant source of RECs for use by Electric Power Suppliers to demonstrate compliance with Senate Bill 3. This Facility is expected to generate approximately 465,000 RECs annually. North Carolina has also shown a commitment to clean energy through its Clean Energy Plan finalized by the North Carolina Department of Environmental Quality in October 2019, which sets a statewide carbon neutrality goal by 2050.²

Dominion Energy

2. Dominion Energy, Inc. ("Dominion Energy") has established a company-wide commitment to achieve net-zero carbon dioxide and methane emissions by 2050. Dominion Energy's commitment is consistent with state-level requirements set by the Virginia General Assembly through the Virginia Clean Economy Act ("VCEA"), which became law on July 1, 2020. The VCEA establishes a mandatory renewable portfolio standard aimed at 100% clean energy from Dominion Energy's generation fleet by 2045, requires the development of significant energy efficiency, solar, wind, and energy storage resources, and requires the retirement of all generation units that emit carbon dioxide by 2045 (unless such retirement would threaten grid reliability and security). Notably, the

² https://files.nc.gov/ncdeq/climate-change/clean-energy-plan/NC_Clean_Energy_Plan_OCT_2019_.pdf

VCEA requires Dominion Energy to seek all necessary approvals for at least 16,100 MW of new solar or onshore wind resources by December 31, 2035.³

3. DENC's 2020 IRP, filed May 1, 2020,⁴ forecasts its load serving entity peak and energy requirements are estimated to grow at approximately 1.0% and 1.3% annually throughout the 15-year planning period.⁵ Each Alternative Plan in the IRP calls for a significant amount of retirement of coal-fired and inflexible, higher cost oil-and natural gas-fired generation, ranging from 3,030 MW to 3,183 MW over the 15-year planning period and 4,651 MW to 13,978 MW over the 25-year planning period.⁶ In an analysis of the annual assumed levelized cost of energy of select new renewable capacity options, "onshore wind resources reflect the most economic option in the near-term given the ability to take advantage of production tax credits."⁷ Further, DENC's IRP also states it anticipates it will soon become a full participant in the Regional Greenhouse Gas Initiative, a regional effort to cap and reduce CO2 emissions from the power sector.⁸

The PJM Region

4. In the event Timbermill does not contract RECs to an in-state utility, significant need still exists in the PJM Interconnection ("PJM") region to which the facility will be connected. PJM is a regional transmission organization ("RTO") that coordinates the movement of wholesale electricity in all or parts of Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and the District of Columbia. This region includes over 65 million people, and projections of load are increasing, as described in detail below.

³ Code of Virginia § 56-585.5(D)(2). The VCEA follows the Virginia General Assembly's passage of the Grid Transformation and Security Act of 2018, which found that up to an additional 5,000 MW of utility-scale electric generating facilities powered by solar and wind energy is in the public interest.

⁴ 2020 Integrated Resource Plan of Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina, Docket No. E-100, Sub 165, May 1, 2020.

⁵ *Id.* at 25.

⁶ *Id.* at 5.

⁷ *Id.* Appendix 4Q – Overview of PJM REC Price Forecasting, p. 7.

⁸ *Id.* at 11-13.

5. Summer peak load in PJM is expected to grow by 0.6% per year over the next 10 years, and by 0.5% over the next 15 years.⁹ For the Dominion Virginia Power zone, summer peak load growth is expected to grow by 1.2% per year over the next 10 years, and 1.0% per year over the next 15 years.¹⁰ The anticipated 10-year summer peak load growth in the Dominion Virginia Power zone represents 4.6% growth over the January 2019 load forecast report.¹¹

6. Winter peak load growth in PJM is projected to average 0.4% per year over the next 10-year period, and 0.3% over the next 15 years.¹² Winter peak load growth for the Dominion Virginia Power zone is expected to grow by 1.4% per year over the 10 years, and 1.2% per year over the next 15 years.¹³ The anticipated 10 year winter peak load growth in the Dominion Virginia Power zone represents 15.7% growth over the January 2019 load forecast report.¹⁴ The PJM service area in Dominion Energy territory, including North Carolina, is expected to average between 1.2% and 1.4% per year over the next 10 years versus the PJM RTO load growth projections to average 0.6% over the next 10 years.¹⁵

Duke Energy

7. There is also a showing of need for the Facility in the Integrated Resource Plans of Duke Energy Progress, LLC (“DEP”) and Duke Energy Carolinas, LLC (“DEC”) (together, “Duke”), filed on September 1, 2020.¹⁶ Duke has a goal of net-zero carbon emissions by 2050 that will “require a diverse mix of renewable, and other zero-emitting, load following resources”, including onshore wind.¹⁷ Duke included multiple input

⁹ <https://www.pjm.com/-/media/library/reports-notice/load-forecast/2020-load-report.ashx?la=en> at 37-38.

¹⁰ *Id.*

¹¹ *Id.* at 32.

¹² *Id.* at 41-42.

¹³ *Id.*

¹⁴ *Id.* at 34.

¹⁵ <https://www.pjm.com/-/media/library/reports-notice/state-specific-reports/2019/2019-north-carolina-state-infrastructure-report.ashx?la=en> at 23.

¹⁶ 2020 Integrated Resource Plan of Duke Energy Progress, LLC (“DEP IRP”) and 2020 Integrated Resource Plan of Duke Energy Carolinas, LLC (“DEC IRP”), Docket No. E-100, Sub 165, September 1, 2020.

¹⁷ DEP 2020 IRP, p. 39, DEC IRP, p. 39.

assumptions regarding renewable energy in its 2020 IRPs, including “up to 150 MW of onshore Carolinas wind generation, assumed to be located in the central Carolinas, could be selected by the capacity expansion model annually to provide a diverse source of economic energy and capacity.”¹⁸ Duke also found that adding onshore wind would benefit winter peak demand, which drives the resource planning process.¹⁹

Corporate and Industrial

8. In addition, there remains a large demand for renewable energy capacity from corporate buyers. Renewable energy procurements from major corporations, including numerous Fortune 500 companies, is a large market and will likely increase as more corporations implement or further corporate sustainability goals. The generation of electricity with wind energy will diversify the resources used to meet energy needs. The Facility will provide greater energy security for North Carolina by the use of a truly indigenous and renewable resource available within the state.

Economic Investment

9. Granting this request will also encourage considerable private investment in North Carolina. Timbermill anticipates that the Facility will have the following impacts on North Carolina:

- \$246 million in private investment;²⁰
- \$33 million in cumulative Chowan County tax revenue;
- 152 one-time jobs resulting from construction of the Facility with an associated \$5.5 million in labor income, \$19.8 million in economic output, and \$505,103 in state and local tax revenue in Chowan County; and

¹⁸ DEP IRP p. 40, DEC IRP p. 40.

¹⁹ DEC IRP p. 136, DEP IRP p. 137.

²⁰ See Mangum Economics Timbermill Wind Economic and Fiscal Contribution to Chowan County, NC, available at:

https://d3n8a8pro7vhmx.cloudfront.net/timbermillwind/pages/1092/attachments/original/1617288073/Apex_Timbermill_Report_032521.pdf?1617288073

- Approximately 10 permanent jobs with an associated \$347,709 in annual labor income, and \$1.1 million in annual economic output in Chowan County.

10. Specifically, Timbermill will bring important economic development to Chowan County, which is a rural Tier 1 county. For example, the existing 208 MW Amazon Wind Farm (EMP-49 Sub 0) is the largest taxpayer in both Perquimans and Pasquotank counties, generates over \$620,000 in annual lease payments to landowners, and still allows local farmers to continue farming the land given the small permanent footprint. If Timbermill were added to the Chowan County tax base, it would anticipate having a similar beneficial impact. Timbermill's average assessed value of personal and real property investments of \$135.6 million would make it Chowan County's largest taxpayer, with an average assessed valuation equivalent to approximately 9.0% of the 2019 total countywide assessed valuation.

Environmental Benefits

11. The Facility will rely solely on the local wind resource to generate power. Wind is a form of energy that can be converted into electricity passively, without the need for fuel such as coal or natural gas. Thus, the Facility requires no off-site mining, drilling or transportation of fuel, produces electricity without emitting air pollution, uses virtually no water, and creates no hazardous or radioactive waste.

State of North Carolina
Department of the Secretary of State

APPLICATION FOR CERTIFICATE OF AUTHORITY
FOR LIMITED LIABILITY COMPANY

Pursuant to §57C-7-04 of the General Statutes of North Carolina, the undersigned limited liability company hereby applies for a Certificate of Authority to transact business in the State of North Carolina, and for that purpose submits the following:

1. The name of the limited liability company is Apex Atlantic Wind, LLC
and if the limited liability company name is unavailable for use in the State of North Carolina, the name the limited liability company wishes to use is _____
2. The state or country under whose laws the limited liability company was formed is: DELAWARE
3. The date of formation was JANUARY 27, 2012; its period of duration is: PERPETUAL
4. Principal office information: (Select either a or b.)

- a. ☒ The limited liability company has a principal office.

The street address and county of the principal office of the limited liability company is:

Number and Street 310 4th St. NE SUITE 200
City, State, Zip Code CHARLOTTEVILLE, VA 22902 County ALBEMARLE

The mailing address, if different from the street address, of the principal office of the corporation is:
244 EAST High Street, CHARLOTTEVILLE, VA 22902

- b. ☐ The limited liability company does not have a principal office.

5. The street address and county of the registered office in the State of North Carolina is:

Number and Street 1100 MIMM LAKE COURT, SUITE 100
City, State, Zip Code RALEIGH, NORTH CAROLINA 27605 County WAKE

6. The mailing address, if different from the street address, of the registered office in the State of North Carolina is:

7. The name of the registered agent in the State of North Carolina is: NATIONAL CORPORATE RESEARCH, LTD

APPLICATION FOR CERTIFICATE OF AUTHORITY

Page 2

8. The names, titles, and usual business addresses of the current managers of the limited liability company are:
(use attachment if necessary)

<u>Name</u>	<u>Business Address</u>
Apex Wind Energy Holdings, LLC	310 1st Street NE SUITE 200,
	CHARLOTTESVILLE, VA 22902

9. Attached is a certificate of existence (or document of similar import), duly authenticated by the secretary of state or other official having custody of limited liability company records in the state or country of formation. The Certificate of Existence must be less than six months old. A photocopy of the certification cannot be accepted.
10. If the limited liability company is required to use a fictitious name in order to transact business in this State, a copy of the resolution of its managers adopting the fictitious name is attached.
11. This application will be effective upon filing, unless a delayed date and/or time is specified: _____

This the 3 day of June, 2013

Apex Atlantic Wind, LLC
Name of Limited Liability Company

Gordon Trousdale
Signature of Manager

Gordon Trousdale, Member
Type or Print Name

Notes:

1. Filing fee is \$150. This document must be filed with the Secretary of State.

Delaware

PAGE 1

The First State

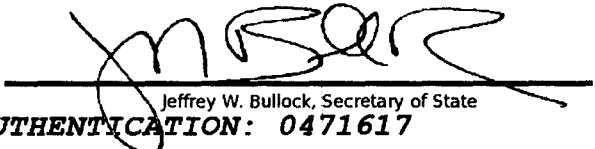
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "APEX ATLANTIC WIND, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRTIETH DAY OF MAY, A.D. 2013.

5103461 8300

130699791

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 0471617

DATE: 05-30-13

OFFICIAL COPY

JUN 14 2021

State of North Carolina
 Department of the Secretary of State

APPLICATION FOR AMENDED CERTIFICATE OF AUTHORITY
 FOR LIMITED LIABILITY COMPANY

Pursuant to §57C-7-05 of the General Statutes of North Carolina, the undersigned limited liability company hereby applies for an Amended Certificate of Authority to transact business in the State of North Carolina, and for that purpose submits the following statement.

1. The name of the limited liability company is: Apex Atlantic Wind, LLC
2. The name the limited liability company is currently using in the State of North Carolina is:
Apex Atlantic Wind, LLC
3. The state or country of formation is: Delaware
4. The date the limited liability company was authorized to transact business in the State of North Carolina is:
June 18th, 2013
5. The changes being made are as follows:
Name amended to: Timbermill Wind, LLC
6. Attached is a certificate of existence (or document of similar import), duly authenticated by the Secretary of State or other official having custody of limited liability company records in the state or country of formation. The certificate of existence must be less than six months old. A photocopy of the certification cannot be accepted.
7. This application will be effective upon filing, unless a date and/or time is specified: _____

This the 17th day of July, 20 13

Timbermill Wind, LLC

Name of Limited Liability Company

Christian Payne
 Signature

Christian Payne, Member

Type or Print Name and Title

Notes:

1. Filing fee is \$50. This application must be filed with the Secretary of State.

Delaware

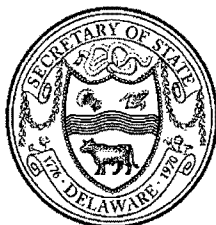
PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "TIMBERMILL WIND, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SEVENTEENTH DAY OF JULY, A.D. 2013.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "TIMBERMILL WIND, LLC" WAS FORMED ON THE THIRTY-FIRST DAY OF JANUARY, A.D. 2012.

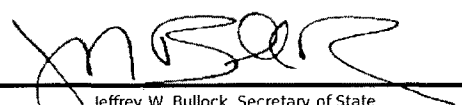
AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



5103461 8300

130889393

You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 0593593

DATE: 07-17-13

OFFICIAL COPY

Jun 14 2021

Timbermill Wind, LLC
CPCN Application Addendum 5

**ORDER GRANTING AMENDMENT TO TIMBERMILL WIND, LLC'S
CONDITIONAL USE PERMIT (CC-CUP-16-02)**

I. DECISION:

Approved with conditions. On May 21, 2018, the Chowan County Board of Commissioners ("BOC") voted to approve an amendment with conditions to the conditional use permit for a Wind Energy Facility Large approved by the BOC on November 4, 2016, and which was the subject of the Order Granting Timbermill Wind LLC's Conditional Use Permit dated November 16, 2016 (the "CUP").

II. SUMMARY OF PROCEEDINGS:

1. On March 14, 2018, Timbermill Wind, LLC ("Timbermill Wind" or "Applicant") filed an application with the Chowan County ("County") Planning Department for an amendment to the CUP (the "CUP Amendment") to add a collection substation, an interconnection switching station and a 230kV overhead transmission line (collectively the "Transmission Facilities").
2. Timbermill Wind is a wholly owned subsidiary of Apex Clean Energy Holdings, LLC ("Apex").
3. By agreement with the County, on March 29, 2018, and May 7, 2018, Timbermill Wind submitted additional materials as part of the CUP Amendment.
4. The County Planning Board held a properly noticed public meeting on April 17, 2018, to review the CUP Amendment.
5. On May 17, 2018, the BOC held a properly noticed quasi-judicial hearing to consider the CUP Amendment.
6. Timbermill Wind was represented by Henry C. Campen, Jr and Katherine E. Ross of Parker Poe Adams & Bernstein LLP ("Parker Poe").
7. The County was represented by Lauren Arizaga-Womble of The Twiford Law Firm ("County Attorney").
8. The County received into evidence the hearing notice and the Staff Report dated May 17, 2018.
9. Don Giecek, Senior Development Manager for Timbermill Wind, testified in support of Timbermill Wind's CUP Amendment. Thereafter, Timbermill Wind offered the expert testimony of: Tracy Butler, Lead Engineer for Timbermill, and Drew Silverman, Senior Manager of Resource Assessment for Timbermill Wind.

10. Timbermill Wind qualified, and the BOC recognized Tracy Butler as an expert in the field of civil engineering and Drew Silverman as an expert in sound modeling for wind farms.
11. The BOC admitted County Exhibit 100 and Timbermill Wind's hearing exhibits numbered 1 – 8 into evidence.
12. No party appeared in opposition to the CUP Amendment.
13. The evidentiary hearing was closed on May 17, 2018.
14. After deliberations, the BOC approved the CUP Amendment, with conditions, with a vote of five (5) in favor and one (1) against.
15. In support of its decision, and based on all of the evidence received by the BOC during the hearing, the arguments of counsel for Timbermill Wind and all applicable County ordinances, plans, policies, and other applicable law, the BOC makes the following Findings of Fact:

III. **FINDINGS OF FACT:**

1. Each witness appearing before the BOC on May 17, 2018, was duly sworn and available for cross-examination.
2. The hearing held by the BOC on May 17, 2018, was properly noticed and advertised in accordance with the requirements of the County Zoning Ordinance (the "Zoning Ordinance") and other applicable law.
3. Section 3.12 H of the Zoning Ordinance requires that the BOC shall approve the requested permit, unless it concludes, based upon information submitted at the hearing, that:
 - a. The requested permit is not within its jurisdiction according to Section 5.01, Table of Permitted Uses; or
 - b. The application is incomplete, or
 - c. If completed as proposed in the application, the development will not comply with one or more requirements of the Zoning Ordinance.
4. Section 3.12 of the Zoning Ordinance states that, even if the BOC finds that a CUP application complies with all other provisions of the Zoning Ordinance, the BOC may still deny the Amendment if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not:
 - a. Will materially endanger the public health or safety; or
 - b. Will substantially injure the value of adjoining or abutting property; or
 - c. Will not be in harmony with the area in which it is to be located; or

- d. Will not be in general conformity with the land use plan or other plans and policies officially adopted by the BOC.
5. The CUP Amendment and all supporting documentation were admitted into evidence.
6. The real property subject to the CUP Amendment (the "Properties") is zoned A-1-Agricultural ("A-1").
7. Timbermill Wind has entered lease and easement agreements with Chowan County property owners for the Transmission Facilities, all of which are necessary components for a "Wind Energy Facility, Large".
8. "Wind Energy Facilities, Large" is among the uses permitted on the Properties pursuant to the section 5.01 – Table of Permitted Uses, of the Zoning Ordinance.
9. The County Planning Board reviewed the CUP Amendment and recommended approval with conditions by unanimous vote. No citizens appeared in opposition of the CUP Amendment.
10. The CUP Amendment Application is complete.
11. Timbermill Wind is actively working with the USACE to minimize impacts through design and to permit impacts in compliance with Clean Water Act Section 404.
12. The components proposed in the CUP Amendment, with recommended conditions, meet or exceed the minimum requirements of the Zoning Ordinance.
13. The Transmission Facilities meet all required setback distances.
14. Audible sound from the Wind Energy Facility approved by the CUP, including the Transmission Facilities which are the subject to the CUP Amendment, will not exceed fifty-five (55) dBA, as measured at any Occupied Building or Residence on the property of a Non-Participating Landowner, as those terms are defined in the Zoning Ordinance.
15. The Transmission Facilities conform to relevant and applicable local, state, and national codes.
16. The Transmission Facilities meet all of the development standards for Utility Related Appurtenances, Substations in Section 8.100 of the Zoning Ordinance.

In light of the foregoing findings of fact, the BOC makes the following conclusions of law:

IV. CONCLUSIONS OF LAW

1. The CUP Amendment is within the jurisdiction of the BOC.
2. The CUP Amendment Application is complete.
3. If completed as proposed, the Transmission Facilities, meet all required conditions and specifications of the Zoning Ordinance.
4. The use will not materially endanger the public health or safety if located where proposed and approved.
5. The use will not substantially injure the value of adjoining or abutting property.
6. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development for Chowan County.
7. Having considered the expert testimony presented by Timbermill Wind, the BOC hereby concludes that Timbermill Wind's expert testimony and evidence was competent, substantial, material and sufficient to support granting the CUP Amendment.
8. The following conditions apply to the approval of the Amendment:
 - a. Final civil site design (including new road location and building specifications) shall be reviewed by County staff at a subsequent TRC meeting to ensure compliance with state and local building standards.
 - b. Throughout the permit process, the Applicant shall promptly notify Chowan County of any proposed changes to the information contained in the permit application that would materially alter the impact of the project.
 - c. Transmission lines and substations owned by Timbermill shall be decommissioned with the rest of the Project.
 - d. The Applicant shall obtain all applicable NCDOT permits required for any additional access to state-maintained roads.
 - e. All details/improvements shall be installed/constructed according to Chowan County Development Code requirements.

- d. Applicant shall require a North Carolina licensed engineer to design the transmission line in accordance with the National Electrical Safety Code and applicable portions of the N.C. Building Code ("Codes). The engineer will confirm in writing to the County that the transmission line as designed complies with the Codes.
- e. The CUP Amendment is subject to all applicable conditions in the Order Granting Timbermill Wind, LLC's Conditional Use Permit dated November 16, 2016.

V. **ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that the CUP Amendment is approved as submitted, subject to the conditions set forth above.

This the 2nd day of July 2018.

By: Gregory Bonner
Vice Chairman, Chowan County
Board of Commissioners

**ORDER GRANTING TIMBERMILL WIND, LLC'S
CONDITIONAL USE PERMIT (CC-CUP-16-02)**

I. DECISION:

Approved with conditions. On November 4, 2016, the Chowan County Board of Commissioners ("BOC") voted to approve the conditional use permit request with conditions.

II. SUMMARY OF PROCEEDINGS:

1. On May 9, 2016, Timbermill Wind, LLC ("Timbermill Wind" or "Applicant") filed a conditional use permit application ("CUP Application") with the Chowan County ("County") Planning Department.
2. Timbermill Wind is a wholly owned subsidiary of Apex Clean Energy Holdings, LLC ("Apex").
3. By agreement with the County, on June 21, 2016, Timbermill Wind submitted additional materials as part of the CUP Application.
4. The County Planning Board held a public meeting on July 19, 2016 on the CUP Application.
5. The County engaged the engineering firm HDR to serve as a consultant to the County in reviewing the CUP Application.
6. HDR submitted a report on the CUP Application to the County on July 20, 2016. The Applicant submitted to the County responses to two items on which HDR requested clarification in its review of the CUP Application. On August 2, 2016, HDR submitted a memo stating Apex's responses provide sufficient information to answer HDR's comments on the application.
7. On August 22, 2016, the BOC held a properly noticed quasi-judicial hearing to consider the CUP Application.
8. Timbermill Wind was represented by Henry C. Campen, Jr., Steven D. Weber and Katherine E. Ross of Parker Poe Adams & Bernstein LL ("Parker Poe"). William J. Brian, Jr. and Megan Germunder of Morningstar Law Group ("Morningstar") appeared for Renewable Energy Reform of Chowan County, Inc. and Patrick and Belinda Flynn ("Flynn").
9. The County was represented by John Morrison and Lauren Arizaga-Womble of The Twiford Law Firm (collectively, "County Attorney").
10. Morningstar moved to stay the hearing. Parker Poe called as witnesses on the motion to stay Elizabeth Bryant, the County Planner, and Thomas

Blackwell, an environmental scientist employed with HDR. At the conclusion of this testimony and after arguments of counsel, the BOC denied the motion to stay.

11. The County received into evidence the hearing notice, the Staff Report dated August 22, 2016 and related materials.
12. The CUP hearing was recessed and resumed on August 23, September 26, 27, 28, and 29, October 17 and November 4, 2016.
13. Don Giecek, Senior Development Manager for Timbermill Wind, testified in support of Timbermill Wind's CUP. Thereafter, Timbermill Wind offered the expert testimony of: Tracy Butler, Senior Manager of Optimization and Civil Design with Apex Clean Energy; John Hecklau, of Environmental Design and Research; Robert O'Neal of Epsilon Associates; Dave Phillips, Director of Environmental Permitting with Apex Clean Energy; Chuck Moody of Realty Services of Eastern North Carolina; Kendra-Kallevig-Childers of DNV-GL; Mark Bastasch of CH2M; and Dr. Christopher Ollson of Ollson Environmental Health Management. In addition, the Applicant offered the non-expert testimony of Alissa Cale of Weyerhaeuser.
14. Timbermill Wind tendered and the BOC accepted Tracy Butler as an expert in the field of civil engineering in the wind industry; John Hecklau as an expert in the field of visual assessment of wind energy facilities; Robert O'Neal as an expert in utility scale wind turbine ice drop and throw and blade drop and throw; Dave Phillips as an expert in environmental requirements for utility scale wind projects; Chuck Moody as an expert in real estate valuation and impact analysis of proposed uses; Kendra-Kallevig-Childers as an expert in decommissioning of utility scale wind turbine decommissioning; Mark Bastasch as an expert in the field of acoustical analysis and shadow flicker analysis and Dr. Christopher Ollson as an expert in environmental health effects from wind turbines.
15. The BOC admitted County Exhibits 1-3, Timbermill Wind's hearing exhibits numbered 1-12, 14, 18-29, 32-36, 38, 100-102, 208-210 and 500, and Opponents' hearing exhibits 2 and 4-7 into evidence.
16. Opponents of the application (the "Opponents") qualified and the BOC recognized Christopher Mashburn as an expert real estate appraiser, Dr. Ronnie Heniger as an expert in agronomy and Dr. Pamela Dodds as an expert in hydrogeology. Opponents also offered the non-expert testimony of Patrick Flynn, Kimela White, Elizabeth Alons, Robert Kirby and Ethel Copeland.

17. The evidentiary hearing was closed on September 29, 2016. The BOC recessed the proceedings until October 17, 2016 for the sole purpose of setting a date for closing arguments and Board deliberations.
18. The BOC heard closing arguments of the parties on November 4, 2016. The BOC reopened the evidentiary hearing for the sole purpose of receiving into evidence a certification by the NC Division of Costal Management.
19. The BOC voted unanimously to approve the CUP Application with conditions.
20. In support of its decision, and based on all of the evidence received by the BOC during the hearing, the arguments of counsel for Timbermill Wind, the counsel for Renewable Energy Reform, Inc. for Chowan County, NC and Mr. Flynn, pro se, and all applicable County ordinances, plans, policies, and other applicable law, the BOC makes the following Findings of Fact.

III. FINDINGS OF FACT:

1. Each witness appearing before the BOC during the hearing sessions on the CUP Application was duly sworn and subject to cross-examination.
2. The hearing held by the BOC on August 22, 2016, and continued on August 23, September 26, 27, 28, and 29, October 17 and November 4, 2016, was properly noticed and advertised in accordance with the requirements of the County Zoning Ordinance (the "Zoning Ordinance") and other applicable law.
3. Section 3.12 H of the Zoning Ordinance requires that the BOC shall approve the requested permit, unless it concludes, based upon information submitted at the hearing, that:
 - a. The requested permit is not within its jurisdiction according to Section 5.01, Table of Permitted Uses; or
 - b. The application is incomplete; or
 - c. If completed as proposed in the application, the development will not comply with one or more requirements of the Zoning Ordinance.
4. Section 3.12 of the Zoning Ordinance states that, even if the BOC finds that the CUP application complies with all other provisions of the Zoning Ordinance, the BOC may still deny the CUP Application if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not:

- a. Will materially endanger the public health or safety; or
 - b. Will substantially injure the value of adjoining or abutting property; or
 - c. Will not be in harmony with the area in which it is to be located; or
 - d. Will not be in general conformity with the land use plan or other plans and policies officially adopted by the BOC.
5. The CUP Application and all supporting documentation were admitted into evidence.
6. The consultant engaged by the county to review the CUP application, HDR, determined the application was complete.
7. The real property parcels subject to the CUP Application (the "Properties") are zoned A-1-Agricultural ("A-1").
8. Timbermill Wind has entered lease agreements with Chowan County property owners in order to develop a Large Wind Energy Facility (the "Project") on the Properties. The lease agreements were included as part of the CUP Application.
9. "Wind Energy Facilities, Large" is among the uses permitted on the in the A-1 zoning district pursuant to the Section 5.01 – Table of Permitted Uses, of the Zoning Ordinance.
10. On July 19, 2016, the County Planning Board reviewed the CUP Application and made recommendations to the BOC as required by the Zoning Ordinance.
11. An Environmental Assessment as defined by in the Zoning Ordinance is not currently required for Timbermill Wind.
12. The CUP Application is complete.
13. The proposed Project, with recommended conditions, meets or exceeds the minimum requirements of the Zoning Ordinance.

SPECIFIC ORDINANCE REQUIREMENTS

14. The Project meets all required setback distances in the Zoning Ordinance based on a turbine model using the maximum potential height.
15. Audible sound from the Project will not exceed fifty-five (55) dBA, as measured at any Occupied Building or Residence on the property of a Non-Participating Landowner, as those terms are defined in the Zoning Ordinance.

16. Shadow Flicker on any Occupied Building or Residence on a Non-Participating Landowner's property caused by the Project will not exceed thirty (30) hours per year, as those terms are defined in the Zoning Ordinance.
17. The Project will conform to applicable industry standards, including those of the American National Standards Institute, taking into account local conditions.
18. All structural, electrical and mechanical components of the Project will conform to relevant and applicable local, state, and national codes.
19. Turbines used in the Project will be off-white in color.
20. Turbines used in the Project will not be artificially lighted except to the extent required by the Federal Aviation Administration.
21. Turbines used in the Project will not display advertising.

PUBLIC HEALTH AND SAFETY

22. Timbermill Wind will coordinate with local Emergency Management Services on emergency response plans.
23. Timbermill Wind's in-house construction management staff includes quality assurance inspectors and safety managers who will ensure that Project facilities are built in accordance with design specifications and that construction is performed in a safe and appropriate manner.
24. All engineering plans for Timbermill Wind will be stamped by North Carolina licensed professional engineers.
25. Timbermill has the managerial and technical expertise to safely undertake the construction and operation of the Project.
26. Existing field paths, private and public roads will be used during construction and operation of Timbermill Wind,
27. Timbermill Wind will improve existing field paths and roads, as needed prior to construction.
28. Roads that provide access to the Project will be maintained over the life of the project by Timbermill Wind to accommodate emergency equipment.
29. Timbermill Wind will coordinate with the North Carolina Department of Transportation and transportation consultants to have a transportation plan.

30. Underground electrical lines installed by Timbermill Wind in connection with this Project will be buried a minimum of forty-two inches (42") below ground.
31. At a depth of 42", underground electrical lines will not present safety issues and will not interfere with the maintenance of access roads or farming operations.
32. Underground yellow caution tape will be buried above the underground electrical lines in order to alert persons disturbing the earth as to the presence of the electrical lines beneath the caution tape.
33. Fiber optic cables will be buried with the electrical cable and will provide communications and control of each turbine and associated equipment, including meteorological towers.
34. The engineering firms performing structural and civil engineering work on the Project employ North Carolina-licensed professional engineers who are familiar with the North Carolina Building Code and experienced in constructing wind farms.
35. Turbines and other components of the Project will comply with the North Carolina Building Code.
36. Timbermill Wind is designed and will be constructed and operated to meet all applicable local, state, federal and safety standards.
37. Timbermill Wind will maintain a locally based staff to operate and maintain the Project during normal business hours and will have local personnel on call in the event of an after business hours emergency.
38. The Project will be monitored 24 hours a day, 7 days a week by an Operations Control Center.
39. At all times, the Project will be monitored by the automated Supervisory Control and Data Acquisition ("SCADA") system. The SCADA system monitors all metrics of the turbines used in the Project and can trip or shut down any turbine in the event a turbine is not operating within established parameters.
40. An Environmental Assessment as defined in the Zoning Ordinance is not currently required for Timbermill Wind.
41. There is no federal funding involved in the development of Timbermill Wind.
42. SEPA does not apply to the Project.

43. Timbermill Wind, using expert consultants, is conducting wetland studies and will coordinate with the United States Army Corps of Engineers (the "Corps") to determine what permit, if any is needed for compliance with Section 404 of the Clean Water Act.
44. In connection with its permit from the Corps, Timbermill Wind will apply for and receive Section 401 Water Quality Certification from the Division of Water Quality of the North Carolina Department of Environmental Quality ("DEQ")
45. Timbermill Wind is coordinating with the United States Fish and Wildlife Service concerning potential impacts to threatened and endangered species.
46. Timbermill Wind has conducted pre-construction surveys that determined that the Project has a low risk for potential avian impacts.
47. Timbermill Wind has coordinated, and will continue to coordinate, with the North Carolina Division of Coastal Management and the North Carolina Wildlife Resources Commission in its evaluation of applicable federal and state environmental requirements.
48. Timbermill Wind is conducting a review of cultural resources, which includes sampling for subsurface and surface evidence or artifacts and a detailed mapping of any sites of significance and a review of architectural resources on the site.
49. The applicable permits and Timbermill Wind's coordination with numerous federal and state agencies will ensure that the Project will not have a significant adverse impact to wildlife or the natural environment.
50. Timbermill will secure all required governmental approvals prior to applying for a building permit from Chowan County.

PROPERTY VALUES

51. There are 72 parcels within 150 feet of the Project, representing the adjoining and abutting property. The property adjoining and abutting the Project is primarily used for agriculture and forestry with sporadic improvements on approximately 19 of the 72 parcels.
52. The property adjoining and abutting the Project is not well suited for intensive development.
53. The siting of a turbine does not change or alter the use of adjacent land.
54. In December 2009, the Ernest Orlando Lawrence Berkeley National Laboratory published a study entitled *The Impact of Wind Power Projects*

on Residential Property Values in the United States: A Multi-State Hedonic Analysis by Ben Hoen, et al (the "Hoen Study").

55. The Hoen Study analyzed the impact of twenty-four (24) existing wind energy facilities on the property values of nearby residential properties.
56. Included among the wind energy facilities analyzed in the Hoen Report is the Mendota/GSG wind energy facility in Lee County Illinois.
57. In May 2010, Illinois State University published a study entitled *Wind Farm Proximity and Property Values: A Pooled Hedonic Regression Analysis of Property Values in Central Illinois* by Jennifer L. Hinman (the "Hinman Study").
58. The Hinman Study analyzed the impact of the Twin Groves wind energy facility in McLean County, Illinois on the property values of nearby residential properties.
59. A second study by the Ernest Orlando Lawrence Berkley National Laboratory in August 2013, by Hoen et al., entitled *A Spatial Hedonic Analysis of the Effects of Wind Energy Facilities on Surrounding Property Values in the United States*, found no evidence that homes prices surrounding wind facilities are consistently, measurably and significantly affected by either the view of the wind facility or the distance between the home and the wind facility.
60. In January 2014, Carol Atkinson-Palombo and Ben Hoen authored a peer-reviewed article entitled *Relationship between Wind Turbines and Residential Property Values in Massachusetts*.
61. Timbermill Wind submitted the peer-reviewed studies by Hoen et al and Hinman with the CUP Application.
62. The peer-reviewed articles included with the CUP application found that the wind facilities studied did not substantially injure the value of adjoining or abutting property.
63. Cayuga Ridge is a large wind energy facility located in Livingston County, Illinois.
64. The area in the vicinity of the Timbermill Project site is similar in population, land use, geography, economic demographics, and residential property values to the areas in the vicinity of the Cayuga Ride facility located in Illinois and the facilities studied in the peer-reviewed articles included with the CUP application.

- 65. The conclusions reached in the Hoen Report and the Hinman Report, as well as the conclusions reached from a study of the Cayuga Ridge facility, are applicable to the Project.
- 66. The Project provides buffers between its wind turbine sites and occupied residential dwellings that will minimize the visual and noise impact of the Project.
- 67. Substantial portions of the area in the vicinity of the Project are wooded and will provide additional screening and buffer to mitigate potential noise and visual impacts.
- 68. A limited number of residential dwellings are located in the area in which the Project is to be located.
- 69. The property in the area of the proposed Project is prime farmland and the Project will preserve the land for agriculture use.

HARMONY

- 70. The Properties are zoned A-1 and large wind energy facilities are permitted in the A-1 zoning district with a conditional use permit.
- 71. The dominant land use on the Properties and in the vicinity of the Project is for agricultural crop and timber production.
- 72. A large proportion of the property on which Timbermill Wind will be constructed is timberland leased from Weyerhaeuser.
- 73. Turbines used in the Project have a small footprint post-construction and will cause a minimal amount of interference with agricultural or forestry activities.
- 74. The Project will maintain open land and will preserve agricultural land.
- 75. The Project is compatible with Weyerhaeuser's timber operations and with the surrounding rural agriculture land uses.
- 76. The Project will be substantially screened from a majority of visually sensitive sites.
- 77. The Project will be located in an area with large forested areas.
- 78. Existing woodlands and land uses will partially screen or completely obscure views of the Project from many vantage points in the vicinity of the Project.

- 79. The off-white color of turbines used in the Project will lessen the visual contrast of the turbines against the sky.
- 80. No advertising elements will appear on turbines or any of the Project's facilities.

LAND USE PLAN

- 81. The existing land use is agricultural and forestry. The land suitability classification is primarily low suitable and least suitable, some medium suitability.
- 82. The Project uses low/least to medium suitability land in a productive manner.
- 83. The future land use classification is residential agricultural. Approximately 91.6 percent of the total County land area is Residential Agricultural.
- 84. The Residential Agricultural classification and the underlying A-1 (Agricultural) zoning district allows commercial uses.
- 85. The Project promotes the purposes for which the district was established, including continued use of the land for agricultural, forestry and open space purposes and discourages use which creates premature or extraordinary public infrastructure and service demands.
- 86. The Project will allow continued active agricultural and forestry operations of the Properties and the area in the vicinity of the Project.

EXTRAORDINARY CIRCUMSTANCES FOR VARYING CONDITION

- 87. The Project is a very large, complex development covering 8,000 acres.
- 88. The Project requires extensive permitting from multiple agencies of the state and federal government. These include, among others:
 - a. A Wind Energy Permit from the North Carolina Department of Environmental Quality (DEQ). This permit cannot be granted until all other permits and certifications are received including a Conditional Use Permit from the County. The DEQ process will take over twelve (12) months to complete.
 - b. Potentially a Section 404 Individual Wetlands permit from the United States Army Corps of Engineers (USACE). The wetlands process will take up to two (2) years to complete.
 - c. Determinations of No Hazard from the Federal Aviation Administration (FAA). This determination requires collaboration with

the Department of Defense and the U.S. Navy. It is unknown how long this determination will take as the FAA will not issue a decision of No Hazard until the DOD collaboration has been completed.

- d. Consultations with U.S. Fish and Wildlife Services and North Carolina Wildlife Resources Commission on avian, bat and wildlife issues. It is unknown how long this process will take. The purpose of these consultations is to ensure that both agencies are satisfied that Timbermill has identified all potential impacts to birds, bats and other wildlife and has taken all appropriate steps to avoid, minimize and mitigate any such impacts.
89. All state and federal permitting must be complete prior to Timbermill receiving a building permit.
 90. Timbermill witnesses Don Giecek, Tracy Butler and Dave Phillips testified about the extensive state and federal permitting process and the length of time it will take to complete. The process will take well over a year. It is estimated it will take Timbermill approximately fifty-four (54) months to complete all required permitting.

In light of the foregoing findings of fact, the BOC makes the following conclusions of law:

IV. CONCLUSIONS OF LAW

1. The use meets all required conditions and specifications of the Zoning Ordinance.
2. The use will not materially endanger the public health or safety if located where proposed and approved.
3. The use will not substantially injure the value of adjoining or abutting property.
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the land use plan or other plans and policies officially adopted by the BOC.
5. Having considered the expert testimony presented by Timbermill Wind, the BOC hereby concludes that Timbermill Wind's expert testimony and evidence was competent, substantial, material and sufficient to support granting the CUP Application.
6. Extraordinary circumstances for a varying condition exist for The Project given the extensive and complex permitting required by multiple state and

federal agencies. A varying condition for an expiration period of fifty-four (54) months is justified.

7. The following conditions apply to the approval of the CUP Application:

- Final civil site design (including new road location and building specifications) shall be reviewed by County staff at a subsequent TRC meeting to ensure compliance with state and local building standards.
- Throughout the permit process, the Applicant shall promptly notify Chowan County of any proposed changes to the information contained in the permit application that would materially alter the impact of the project.
- Changes to the approved application that do not materially alter the initial site plan may be administratively approved by the Zoning Administrator. Major modifications to the approved Conditional Use Permit will require a new Application and approval by the Planning Board and Board of County Commissioners in the same manner as the original Conditional Use Permit. Major Modification is defined as an expansion of the project boundary or an increase in the number of turbines. A decrease in the number of turbines or the relocation of any turbine on the site plan within the project boundary is not a Major Modification so long as the turbine locations conform to development standards of the ordinance.
- No turbine may be moved to any location outside of the blue grid, of Tab 18 of the Application, without subsequent permission of the Chowan County Board of Commissioners.
- Decommissioning
 - a. The Wind Energy Facility Owner shall have twelve (12) months to complete decommissioning of the Wind Energy Facility if no meaningful amount of electricity is generated for a continuous period of twelve (12) months. For purposes of this Section, this twelve (12) month period shall not include delay resulting from Force Majeure.
 - b. Decommissioning shall include removal of Wind Turbines, buildings, cabling, electrical components, roads, and any other associated facilities down to thirty-six (36) inches below grade.
 - c. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.

- d. Prior to the issuance of a building permit, the owner of a Medium or Large Wind Energy Facility shall provide a *cash bond* in favor of the County in an amount equal to the estimated removal cost of the Wind Energy Facility. The bond shall remain in full force and effect until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the Conditional Use Permit. An every two years reassessment of the amount of the cash bond shall be established to ensure that the bond will cover the full cost of decommissioning completely and thereby protect the County's interest.
- The Applicant shall obtain all applicable NCDOT permits required for any additional accesses to state maintained roads.
 - If required by the US Army Corps of Engineers as part of a 404 Individual Permit, an Environmental Assessment must be completed and submitted to the County for review prior to any issuance of a Building/Zoning Permit.
 - All other required State and Federal Permits must be issued prior to any issuance of a Building/Zoning Permit from Chowan County.
 - All details/improvements shall be installed/constructed according to Chowan County Development Code requirements.
 - Applicant will engage in a sound monitoring program to be developed by the Applicant and Chowan County Planning and Zoning Staff prior to issuance of a building permit.
 - The CUP in this case shall expire if, within fifty-four (54) months from the date of issuance:
 - a. The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use; or,
 - b. Less than ten percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site; or,
 - c. Timbermill has not applied for a building permit.
 - The study of the impact of the Timbermill Project on natural resources and uses, including avian, bat, and endangered and threatened

species required by N.C.G.S. § 143-215.119(a)(10) must be provided to the County at the time Timbermill submits its Wind Permit Application to DEQ.

- Applicant will notify the County that it has applied for any State or Federal permits at the time Timbermill applies for the permit. Timbermill will also provide the notice of the agency decision to the County either approving or disapproving the permit application.

V. ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that the CUP Application is approved as submitted, subject to the conditions set forth above.

This the 15th day of November, 2016.

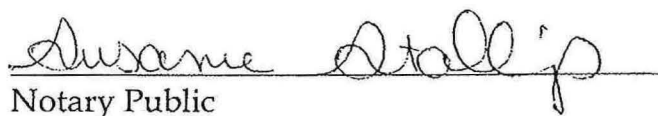
By: 
Vice-Chairman, Chowan County
Board of Commissioners

NORTH CAROLINA
CHOWAN COUNTY

I, Susanne Stallings, a Notary Public for Gates County, North Carolina, do hereby certify that D. Keith Nixon personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 15th day of November, 2016.




Notary Public

My commission expires June 26, 2021



Timbermill Wind, LLC
Application Exhibit 4

DOCKET NO. EMP 118, SUB 0

Filing Fee Tendered \$ ²⁵⁰_____

Registration Statement for the Registration of a Renewable Energy Facility or New Renewable Energy Facility – Commission Rule R8-66

Pursuant to G.S. 62-133.8 and Commission Rule R8-66, this form is required for use by the owner of a renewable energy facility that intends for the renewable energy certificates the facility earns to be eligible for use by an electric power supplier to comply with G.S. 62-133.8, or for its renewable energy facility to participate in the Competitive Procurement of Renewable Energy Program. This form may be accompanied by any exhibits or additional responses incorporated by reference thereto and attached to this form. This form must be accompanied by the required filing fee of \$250.00.

This form may be electronically filed. Please see www.ncuc.net for instructions.

If this form is filed by hard copy, the original plus 9 copies must be presented at the office of the Chief Clerk, or transmitted by the United States Postal Service or a designated delivery service authorized pursuant to 26 U.S. 7502(f)(2). Regardless of the method of delivery, this form is not deemed filed until it is received by the Chief Clerk, along with the required filing fee.

The mailing address is:

Chief Clerk
NC Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325

Required Statements	Response
Facility name:	Timbermill
Full and correct name of the owner of the facility:	Timbermill Wind, LLC
Business address:	310 4th Street NE, Suite 300 Charlottesville, VA 22902
Electronic mailing address:	jimmy.merrick@apexcleanenergy.com
Telephone number:	(434) 282-2107
Owner's agent for purposes of	

this application, if applicable:	
Agent's business address:	
Agent's electronic mailing address:	
Agent's telephone number:	
The owner is:	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation/LLC
If a corporation, provide the state and date of incorporation:	State <u>DE</u> Date <u>01/31/2012</u>
If a corporation that is incorporated outside of North Carolina, is it domesticated in North Carolina?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If a partnership, the name and business address of each general partner. (Add additional sheets if necessary.)	N/A
Nature of the renewable energy facility:	
1. Describe the facility, including its technology, and the source of its power and fuel(s). Thermal facilities should describe how its host uses the facility's thermal energy output. (Add additional sheets if necessary.)	<p>The facility will consist of up to 45 wind turbine generators, each with a nameplate capacity of 4.2 MW.</p> <p>The Facility will utilize the Vestas V150-4.2MW turbines, or a turbine model with a substantially similar profile.</p>
2. Whether it produces electricity, useful thermal energy, or both.	Electricity
3. Nameplate capacity in kW/MW (AC) and/or maximum Btu per hour for thermal facilities.	189-MWac

4. The facility's projected dependable capacity in kW AC or Btu/hour.	Wind is an intermittent energy source and therefore, the maximum dependable capacity is 0 kW.
5. The E911 address of the facility.	The applicant will notify the Commission of the e911 street address when it is received.
6. The county where the facility will be located.	Chowan
7. GPS coordinates of the approximate center of the facility site to the nearest second or one thousandth of a degree.	36.146 N; 76.596 W
8. The location of the facility set forth in terms of local highways, streets, rivers, streams, or other generally known local landmarks. Attach a map, such as a county road map, with the location indicated on the map.	The Facility is located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County.
Site ownership:	
1. Is the site owner other than the facility owner? If yes, who is the site owner?	See Attachment A.
2. What is the facility owner's legal interest in the site?	The Applicant has entered into lease agreements and/or easement agreements with the participating landowners.
<p>Federal and State licenses, permits, and exemptions.</p> <p>Note: Responses in this section should provide all federal and state (not local) licenses, permits, and/or exemptions required for construction and operation of the facility and a statement of whether each has been obtained or applied for. A copy of those that have been obtained should be attached to this registration statements. Wind facilities with multiple turbines, where each turbine is licensed separately, may provide copies of approvals for one such turbine, but shall add an attestation that approvals for all of the turbines are available for inspection.</p>	
1. Federal permits and licenses:	FAA Determination of No Hazard to Air Navigation, USACE Clean Water Act Section 404 Individual Permit, National Pollutant Discharge Elimination System Permit
2. State permits and licenses:	NC Wind Energy Facility Permit, Erosion and Sedimentation Control Approval, Section 401 Water Quality Certification, NC DOT Driveway Permits

3. Exemptions required for construction and operation of the facility:	N/A
4. Statement of whether each has been obtained or applied for (attach copy of those that have been obtained with this application):	The FAA Determinations of No Hazard to Air Navigation were re-filed in September, 2020. All other applications have not yet been applied for. The Applicant will file a copy of the federal and state licenses, permits and exemptions if any are received, once they are obtained.
1. If the facility has been placed into service, on what date did the facility begin operating?	N/A
2. If the facility is not yet operating, on what date is the facility projected to be placed into service?	October, 2023
1. If the facility is already operating, what is the amount of energy produced by the facility, net of station use, for the most recent 12-month or calendar-year period? Energy production data for a shorter time period is acceptable for facilities that have not yet operated for a full year.	N/A
2. What entity does (or will) read the facility's energy production meter(s) for the purpose of issuing renewable energy certificates?	Virginia Electric and Power Company d/b/a Dominion Energy North Carolina
3. For thermal energy facilities, describe the method to be used to determine the facility's thermal energy production, in BTUs, that is eligible for REC issuance.	N/A
4. Does the facility participate	

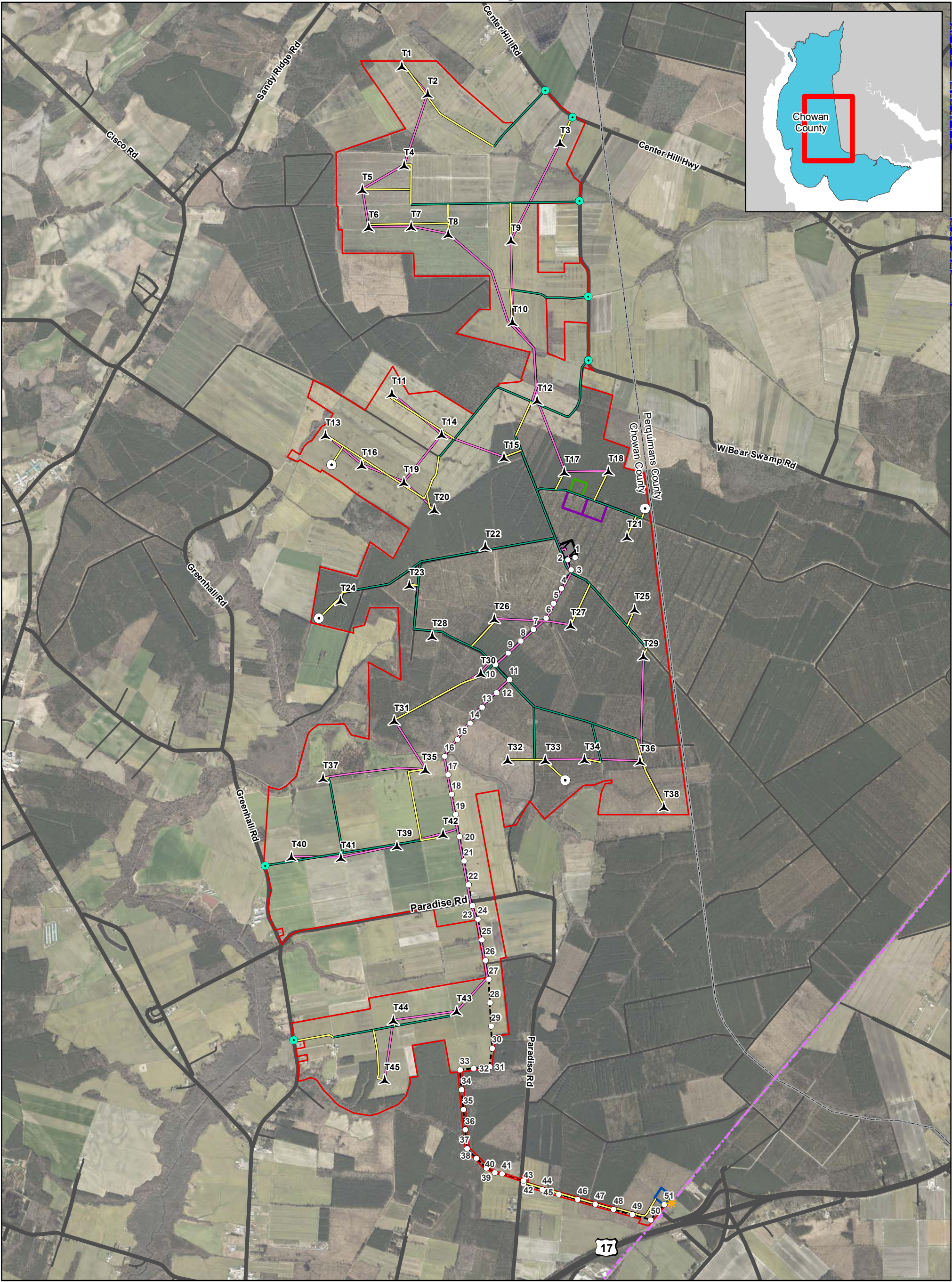
in a REC tracking system and if so, which one? If not, which tracking system will the facility participate in for the purpose of REC issuance?	The facility will participate in NC-RETS for the purpose of REC issuance.	
5. If this facility has already been the subject of a proceeding or submittal before the Commission, such as a Report of Proposed Construction or a Certificate of Public Convenience and Necessity, please provide the Commission Docket Number, if available.	N/A	
If the facility is a combined heat and power system, the owner shall also include in its registration statement the following information:		
1. A narrative description and one-line diagram of the electrical and thermal generation systems to include Btu meters, boilers, steam pressures, valves, turbines, and ultimate uses of the steam. Also, include any crossover of steam, cross connections (even if by spool piece), or the ability to supply steam from other means or to other loads.		
2. A description of the parasitic electrical and parasitic thermal loads.		
3. Calculations for the parasitic electrical and parasitic thermal loads and supporting documents.		
4. A description of the method of collecting the waste heat from the electrical generating system.		
5. A description of the host(s) of the waste heat and an explanation of how the waste heat will be used and useful.		
6. Calculations of the percent of energy that is delivered to the steam host(s) but not used and useful.		
7. Confirmation if the proposed operation will have any pressure reducing valves operating simultaneously in parallel with any back pressure turbines.		
If the facility owner intends to earn multiple types of RECs by using a variety of fuels, the owner should include in its registration statement the following additional information:		
1. Example calculations for the energy production associated with each fuel used by the facility as required by the Appendix C (Multi-fuel Generation) to the operating procedures for the North		

Carolina Renewable Energy Tracking System. These calculations must ultimately show the electrical and thermal energy (if any) attributable to only the renewable fuels and how the number of renewable energy certificates is determined.	
2. A description of each fuel to be used by the facility.	
3. A description of how the heat content of each fuel was determined.	

**Timbermill Wind, LLC
Registration Statement
Attachment A – List of Site Owners**

1. Weyerhaeuser Company
2. Larry S. Kilby and Cheryl H. Kilby
3. Adrien J Smith, Jr & Sons Inc.
4. Raymond Earl Davenport
5. Fenton T Eure, Jr. and Margie C. Eure
6. J. Wallace Goodwin, III
7. Wilson Edward Reid, Jr.
8. Thomas Brent Griffin and Meri Beth G. Griffin
9. Parrish Farms, Inc.
10. Jimmie M Parrish, Jimmie M Parrish, Jr., and Anne L. Parrish
11. Jacob Cameron Boyce, Jr. and James Robert Boyce
12. Sadie B. Eure
13. Eugene N. Jordan, Jr.
14. William A. Jordan
15. Robert E. Jordan and Jill C. Jordan
16. Eugene N. Jordan, Inc.
17. Keith Williams Jordan and Peggy Jordan
18. Walt Spruill, LLC
19. Sylvia Pierce Monds
20. Ruth Peele Monds
21. William Preston Monds
22. James K. Copeland, Jr. and Constance B. Copeland
23. James T. White
24. C. T. Mansfield

25. Ruth Boyce Mansfield
26. Judith A. Peele
27. Connie Monds Parrish Farm Partnership
28. W.J. Privott
29. Peggy Monds Spivey Farm Partnership



OFFICIAL COPY

JUN 14 2021



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Feet
1:38,000



For Environmental Review Purposes Only
Preliminary Not for Construction

Location Map/Facility Overview

Timbermill Wind Project

Chowan County, North Carolina

- | | |
|-------------------------------|----------------------------------|
| ▲ Turbine | Collector Substation |
| ● Access Point | ○ Transmission Structure |
| ✱ Point of Interconnect | --- Alignment of Timbermill Line |
| ○ Permanent Met Tower | ▭ Switching Station |
| — Access Road | ▭ County Boundary |
| — Existing Access Roads/Paths | — State Maintained Road |
| — Collection Line | — Local Road |
| ▭ Project Area | --- Existing Transmission Line |
| ▭ O&M Area | |
| ▭ Laydown | |

The owner of the renewable energy facility shall provide the following attestations, signed and notarized:

1. ☒ Yes ☐ No I certify that the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources.
2. ☒ Yes ☐ No I certify that the facility satisfies the requirements of G.S. 62-133.8(a)(5) or (7) as a:
☐ renewable energy facility, or
☒ new renewable energy facility,
 and that the facility will be operated as a:
☐ renewable energy facility, or
☒ new renewable energy facility.
3. ☒ Yes ☐ No I certify that 1) my organization is not simultaneously under contract with NC GreenPower to sell our RECs emanating from the same electricity production being tracked in NC-RETS; and
 2) any renewable energy certificates (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. 62-133.8 have not, and will not, be remarketed or otherwise resold for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina (such as NC GreenPower) or any other state or country, and that the electric power associated with the certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.
4. ☒ Yes ☐ No I certify that I consent to the auditing of my organization's books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers, and agree to provide the Public Staff and the Commission access to our books and records, wherever they are located, and to the facility.
5. ☒ Yes ☐ No I certify that the information provided is true and correct for all years that the facility has earned RECs for compliance with G.S. 62-133.8.
6. ☒ Yes ☐ No I certify that I am the owner of the renewable energy facility or am duly authorized to act on behalf of the owner for the purpose of this filing.

(Signature)

Ken Young

(Name - Printed or Typed)

COO of the sole member of the sole member of Timbermill Wind, LLC

(Title)

06/11/2021

(Date)

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. EMP-118, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of the Application of)
Timbermill Wind, LLC for a Certificate)
of Public Convenience and Necessity)
and Registration as a New Renewable)
Energy Facility)

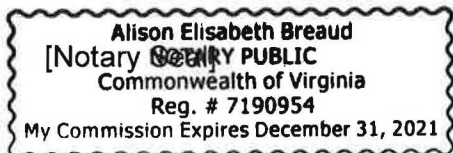
VERIFICATION


I, Ken Young, being duly sworn, do hereby declare that I am duly authorized to act on behalf of the Applicant, that I have made appropriate inquiries of the subject matter experts on whom I have reasonably relied to prepare the foregoing Application regarding the contents thereof, and that the same are true and correct to the best of my knowledge, information, and belief.

This 11th day of June, 2021.


Ken Young, COO of the manager of the sole member of the sole member of Timbermill Wind, LLC

Sworn and subscribed to before me this 11th day of June, 2021.




Notary Public [Signature of Notary Public]

ALISON E BREAUD
Name of Notary Public [typewritten or printed]

My Commission expires December 31, 2021