

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-7, SUB 1123

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Salisbury Solar, LLC,)	
)	
and)	
)	
Bear Poplar Solar, LLC,)	ORDER SERVING COMPLAINT
)	AND REQUIRING RESPONSE
Complainants)	
)	
v.)	
)	
Duke Energy Carolinas, LLC)	
Respondent)	

BY THE CHAIRMAN: On October 31, 2016, Salisbury Solar, LLC, (Salisbury) and Bear Poplar Solar, LLC, (Bear Poplar) (collectively, Complainants) filed a verified Complaint and Motion for Injunctive Relief (Complaint) in the above-captioned docket against Duke Energy Carolinas, LLC (DEC).

In summary, Complainants allege that Salisbury is developing a 5-MW solar photovoltaic renewable energy facility to be located in DEC's service territory and Bear Poplar is developing a 5-MW solar photovoltaic renewable energy facility to be located in DEC's service territory, and that DEC has not complied with the Commission's Interconnection Standard, including, but not limited to, failure to meet a 50-day response deadline to complete the System Impact Study for each project and failure to notify the Complainants that it would not meet the deadline; repeated failure to provide the Complainants with an estimated time for completion of the System Impact Study for each project or meaningful evidence that it had completed a full System Impact Study for each project; and requiring the Complainants to choose one of the options provided by DEC within 15 days or be withdrawn from the interconnection queue. Complainants allege that DEC has violated the requirements of the Public Utility Regulatory Policies Act (PURPA).

The relief requested by the Complainants is that the Commission conclude that DEC is in violation of the Commission's Interconnection Procedures, order DEC to immediately complete the System Impact Study for each project and comply with all other deadlines, enforce the maximum of \$1,000 per day in penalties for non-compliance with the Interconnection Procedures from the date of the Complaint, enter an order enjoining DEC from requiring Complainants to select one of DEC's options during the pendency of this Complaint proceeding, and enjoining DEC from withdrawing Complainants'

Interconnection Requests from the interconnection queue during the pendency of this Complaint proceeding.

Based on the allegations of the verified Complaint, it appears that the Complainants and DEC have a controversy regarding the Commission's Interconnection Procedures and the requirements of PURPA. Therefore, the Chairman finds good cause to serve the Complaint, located on the Commission's website, and this Order on DEC. In addition, the Chairman finds good cause to order that DEC refrain from withdrawing Complainant's Interconnection Requests from the queue during the pendency of this Complaint. Further, the Chairman finds good cause to direct that DEC shall either satisfy the demands of the Complainants and so advise the Commission, or file a response to the Complaint on or before December 5, 2016.

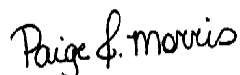
IT IS, THEREFORE, ORDERED as follows:

1. That the Chief Clerk shall serve a copy of the Complaint, which is located on the North Carolina Utilities Commission website in Docket No. E-7, Sub 1123, and this Order on DEC.
2. That on or before December 5, 2016, DEC shall either satisfy the demands of the Complainants and so advise the Commission, or file a response to the Complaint.
3. That DEC shall be enjoined from withdrawing Complainants' Interconnection Requests from the queue during the pendency of this Complaint.

ISSUED BY ORDER OF THE COMMISSION.

This the 3rd day of November, 2016.

NORTH CAROLINA UTILITIES COMMISSION



Paige J. Morris, Deputy Clerk