

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. SP-7550, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of the Application of	)	APPLICATION FOR A
<u>HORUS North Carolina 4, LLC</u> For	)	CERTIFICATE OF PUBLIC
a Certificate of Public Convenience	)	CONVENIENCE AND NECESSITY
and Necessity and Registration as a	)	AND REGISTRATION AS A NEW
New Renewable Energy Facility	)	RENEWABLE ENERGY FACILITY

HORUS North Carolina 4, LLC (“HORUS NC 4” 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 R8-64 for a Certificate of Public Convenience and Necessity authorizing construction of a 4.9 megawatt (“MW”) solar facility (the “Facility”) to be located in Columbus County. 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**

In support of its application, HORUS NC 4 shows the Commission the following:

**THE APPLICANT**

(i) The Applicant’s full and correct name, business address, and business telephone number are:

HORUS North Carolina 4, LLC  
3410 Industrial Boulevard, Suite 102  
Sacramento, CA 95691  
(919) 219-1530

The electronic mailing address for purposes of this filing is

marodriguez@opde.net

(ii) HORUS North Carolina 4, LLC is a Delaware limited liability company with its principal place of business in Sacramento, California. HORUS North Carolina 4, LLC was formed July 30, 2015 and was granted a Certificate of Authority to transact business in North Carolina on August 6, 2015. Manuel A. Rodriguez is duly authorized to act as a corporate agent for the purposes of this application. Correspondence, documents, and filings regarding this application should be sent as follows:

Manuel A. Rodriguez  
HORUS North Carolina 4, LLC  
3410 Industrial Boulevard, Suite 102  
Sacramento, CA 95691  
marodriguez@opde.net

with copies to:

April Montgomery  
REAP NC, LLC  
P.O. Box 1806  
Sanford, North Carolina 27330  
april@reapvalue.com

The Facility

(iii) The Facility will be a 4.99 -MW<sub>AC</sub> photovoltaic (“PV”) array. The source of its power is solar energy.

(iv) The Facility will be located on the west side of Main Street just north of the intersection with Barry Street in Tabor City, North Carolina. A map reflecting

the location of the Facility is included as **Application Exhibit 1**. A projected site layout reflecting the footprint of the Facility is included as **Application Exhibit 2**. The final site layout will depend on design considerations, consultation with Duke Energy Progress, and required permits.

(v) HORUS North Carolina 4, LLC will be the owner of the Facility and has an Option to Purchase with Ronald H. West, E'Lonna Butler, Mavis C. Butler Coleman, Candy Butler West, and Robert Edward Butler Jr., the current owners of the site, which grants HORUS NC 4 the right to engage in certain development activities, including filing this application.

(vi) The Facility will consist of approximately eighteen thousand nine hundred fifty-eight ( 18,958 ) 315 Wp PV modules (or equivalent) affixed to ground mounted racks supported on drives piles. The system will utilize approximately five ( 5 ) 1000 kW inverters (or equivalent).

(vii) The maximum gross power production capacity of the Facility will be 5972 kW and the projected maximum net power production capacity is 4989 kW. Solar is an intermittent energy source, and therefore, the maximum dependable capacity is 0 MW.

(viii) The projected cost of the Facility is being provided under seal as **Application Exhibit 3** because it constitutes confidential and proprietary information within the scope of G.S. §132-1.2.

(ix) The Facility is projected to come online in April 2017.

(x) Electricity generated by the Facility will be sold to Duke Energy Progress under a power purchase agreement. The service life of the equipment

is expected to be a minimum of 25 years. The projected year one annual sales of this facility are filed under seal as **Application Exhibit 4** because it constitutes confidential and proprietary information within the scope of G.S. §132-1.2. HORUS NC 4 will produce renewable energy certificates that are eligible for compliance with North Carolina's renewable energy and energy efficiency portfolio standard.

(xi) HORUS NC 4 will file for self-certification as a Qualifying Facility under the Federal Energy Regulatory Commission. HORUS NC 4 anticipates needing a soil and erosion control permit from the Department of Environment and Natural Resources and a driveway permit from the North Carolina Department of Transportation. HORUS NC 4 will file any state or federal licenses, permits or exemptions obtained for the Facility once they are received. The Facility has no potable water needs.

#### **REGISTRATION AS A NEW RENEWABLE ENERGY FACILITY**

In support of its registration as a new Renewable Energy Facility pursuant to R8-66, the Applicant 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. Duke Energy Progress 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 federal and state laws, regulations and rules for the protections 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, HORUS NORTH CAROLINA 4, LLC respectfully requests that the Commission:

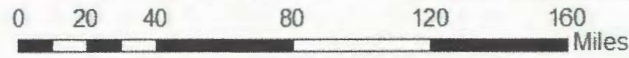
(i) issue a Certificate of Public Convenience and Necessity pursuant to G.S. § 62-110.1 and Commission Rule R8-64 for the 4.9-MW<sub>AC</sub> Facility, as more specifically described herein; and

(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 29 day of April, 2016.

By:   
\_\_\_\_\_  
Manuel A. Rodriguez  
Authorized Agent  
\_\_\_\_\_  
HORUS North Carolina 4, LLC  
\_\_\_\_\_  
3410 Industrial Boulevard, Suite 102  
\_\_\_\_\_  
Sacramento, CA 95691  
\_\_\_\_\_  
(919) 219-1530  
\_\_\_\_\_  
marodriguez@opde.net

# Application Exhibit 1: Horus NC 4 - Tabor City, Columbus County



# Application Exhibit 2: HORUS North Carolina 4, LLC Site Layout



POWER/AC	4800 kW	TOTAL MODULES	18800
POWER DC	5572 kW	MODULES PER STRING	30
MODULE POWER	315 W	# OF STRINGS	648
INVERTER CAPACITY	888 W	# OF INVERTERS	6
DC/AC	1.20	MODULE NAME	PolySolarM
PPEH	7.28	LOC	42.70 %

LATITUDE	34° 42' 10" N
LONGITUDE	78° 52' 42.97" W
AREA (Acres)	21

**Legend:**

- PROPOSED POINT OF INTERSECTION
- ALTERNATIVE POINT OF INTERSECTION
- PROPOSED SITE ACCESS
- INVERTERS
- TABLET
- POINT LINE
- WATER STREAM

\*Location of main components could change due to permit conditions, technical specifications or other requirements.  
 \*\*Final boundaries could also be changed until a final survey is carried out.

PROJECT NO: Hours North Carolina 4 LLC

CLIENT: Hours North Carolina 4 LLC  
 N Main Street, Tabor city  
 Columbus

PROJECT NAME: OPDE-Tebor

DATE: 04/20/13

SCALE: 1:5000

DATE: 1.0

NO.	REVISION	DATE

Printed: 4/20/2013 10:31:36 AM



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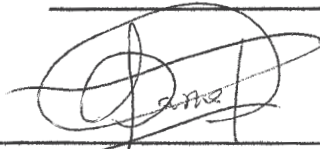
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a New Renewable Energy Facility )

VERIFICATION

Manuel A. Rodriguez, as an Authorized Agent of  
HORUS North Carolina 4, LLC, being first duly sworn, says that he has read  
the foregoing application, and attached exhibits, and knows the contents thereof to be  
true to his actual knowledge.

This 29 day of April, 2016

HORUS North Carolina 4, LLC



by: Manuel A. Rodriguez, Authorized Agent

Sworn and subscribed to before me this 29 day of April, 2016.

[Notary Seal]

Sarah A. Kerns  
Notary Public [Signature of Notary Public]

Sarah A. Kerns  
Name of Notary Public [typewritten or printed]

My Commission expires 2-25-2021

SARAH A KERNS  
NOTARY PUBLIC  
LEE COUNTY, NC  
MY COMMISSION EXPIRES  
2-25-2021