

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-8563, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Breeden Solar, LLC,)	ORDER ISSUING CERTIFICATE
for a Certificate of Public Convenience)	AND ACCEPTING REGISTRATION
and Necessity to Construct a 75-MW Solar)	OF NEW RENEWABLE ENERGY
Facility in Richmond County, North Carolina)	FACILITY

BY THE COMMISSION: On October 10, 2016, Breeden Solar, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to G.S. 62-110.1(a) for construction of a 75-MW_{AC} solar photovoltaic electric generating facility to be located along Airport Road, south of G.R. Kindley Freeway, Hamlet, Richmond County, North Carolina. The Applicant plans to sell the electricity generated by this facility to Duke Energy Progress, LLC (DEP).

Contemporaneously with the application, the Applicant filed a registration statement for a new renewable energy facility. The registration statement included certified attestations that: (1) 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) the facility will be operated as a new renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with G.S. 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On October 14, 2016, the Commission issued an Order Requiring Publication of Notice.

On October 19, 2016, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to DEP on October 18, 2016.

On November 29, 2016, the State Clearinghouse filed comments. Because of the nature of the comments, the cover letters indicated that no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On December 1, 2016, the Applicant filed an affidavit of publication from The Richmond County Daily Journal (Rockingham, North Carolina) stating that the publication of notice was completed on November 10, 2016. No complaints have been received.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on December 12, 2016. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of G.S. 62-110.1(a) and Commission Rule R8-64. The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to approve the application and issue the attached certificate for the proposed solar photovoltaic electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and will be required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Breeden Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved.
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Breeden Solar, LLC, for the 75-MW_{AC} solar photovoltaic electric generating facility located along Airport Road, south of G.R. Kindley Freeway, Hamlet, Richmond County, North Carolina.
3. That the registration statement filed by Breeden Solar, LLC, for its solar photovoltaic facility located in Richmond County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.
4. That Breeden Solar, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the 13th day of December, 2016.

NORTH CAROLINA UTILITIES COMMISSION



Linnetta Threatt, Acting Deputy Clerk

Commissioners Bryan E. Beatty and Don M. Bailey did not participate in this decision.

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UTILITIES COMMISSION
RALEIGH**

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Breeden Solar, LLC
3250 Ocean Park Boulevard, Suite 355
Santa Monica, California 90405

is hereby issued this

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

for a 75-MW_{AC} solar photovoltaic electric generating facility

located

along Airport Road, south of G.R. Kindley Freeway, Hamlet, Richmond County,
North Carolina,

subject to all orders, rules, regulations and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 13th day of December, 2016.

NORTH CAROLINA UTILITIES COMMISSION



Linnetta Threatt, Acting Deputy Clerk