

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-2564, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Duck Solar, LLC, for a) ORDER ISSUING CERTIFICATE
Certificate of Public Convenience and) AND ACCEPTING REGISTRATION
Necessity to Construct a 5.0-MW Solar) OF NEW RENEWABLE ENERGY
Facility in Rutherford County, North Carolina) FACILITY

BY THE COMMISSION: On March 8, 2013, Duck Solar, LLC (Applicant), filed an application with the Commission seeking a certificate of public convenience and necessity pursuant to G.S. 62-110.1 for construction of a 5.0-MW_{AC} solar photovoltaic electric generating facility to be located at 794 Mackey Freeman Road, Forest City, Rutherford County, North Carolina. The Applicant plans to sell the electricity generated by this facility to Duke Energy Carolinas, LLC.

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 March 14, 2013, the Commission issued an Order Requiring Publication of Notice, which required the Applicant to (1) publish notice of the application as required by G.S. 62-82(a) and file an affidavit of publication with the Commission, (2) mail a copy of the application and notice, no later than the first date that such notice is published, to the electric utility to which the Applicant plans to sell and distribute the electricity, and (3) file a certificate of service of such mailing to the utility. The Order also specified that if a complaint was received within 10 days after the last date of the publication of the notice, the Commission would schedule a public hearing to determine whether a certificate of public convenience and necessity should be awarded. The Order further specified that if the Commission received no complaints within the time specified above and if the Commission did not order a hearing upon its own initiative, it would enter an order awarding the certificate of public convenience and necessity.

On April 17, 2013, the Applicant filed an affidavit of publication stating that the publication of notice was completed on April 6, 2013. No complaints have been received.

On April 18, 2013, the State Clearinghouse filed comments. Because of the nature of the comments, the cover letter indicated that no further State Clearinghouse

review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On April 25, 2013, the Applicant filed a certificate of service stating that the public notice had been provided to Duke Energy Carolinas, LLC.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on May 13, 2013. The Public Staff recommended that the Commission approve the application, issue a certificate of public convenience and necessity, and accept the registration statement.

After careful consideration, the Commission finds good cause to approve the application and issue the attached certificate of public convenience and necessity for the proposed solar photovoltaic electric generating facility at 794 Mackey Freeman Road, Forest City, Rutherford County, North Carolina. 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 is required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

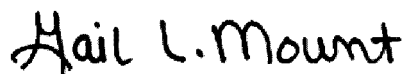
IT IS, THEREFORE, ORDERED as follows:

1. That the application filed by Duck 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 Duck Solar, LLC, for the 5.0-MW_{AC} solar photovoltaic electric generating facility located at 794 Mackey Freeman Road, Forest City, Rutherford County, North Carolina.
3. That the registration statement filed by Duck Solar, LLC, for its solar photovoltaic facility located in Rutherford County, North Carolina, as a new renewable energy facility shall be, and is hereby, accepted.
4. That Duck 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 15th day of May, 2013.

NORTH CAROLINA UTILITIES COMMISSION



Gail L. Mount, Chief Clerk

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. SP-2564, SUB 0

Duck Solar, LLC
4215 East McDowell Road, Suite 212
Mesa, Arizona 85215

is hereby issued this

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

for a 5.0-MW_{AC} solar photovoltaic electric generating facility

located at

794 Mackey Freeman Road, Forest City, Rutherford 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 15th day of May, 2013.

NORTH CAROLINA UTILITIES COMMISSION

Gail L. Mount

Gail L. Mount, Chief Clerk