

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. SP-2922, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Elroy Farm, LLC, for a	)	ORDER ISSUING CERTIFICATE
Certificate of Public Convenience and	)	AND ACCEPTING REGISTRATION
Necessity to Construct a 5-MW Solar	)	OF NEW RENEWABLE ENERGY
Facility in Wayne County, North Carolina	)	FACILITY

BY THE COMMISSION: On August 23, 2013, Elroy Farm, 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-MW<sub>AC</sub> solar photovoltaic electric generating facility to be located on the east and west sides of Longs Plant Farm Road north of the intersection with US Highway 70, Elroy, Wayne County, North Carolina. The Applicant plans to sell the electricity generated by this facility to Duke Energy Progress, Inc. (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 August 27, 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 September 13, 2013, the Applicant filed a certificate of service stating that the public notice and a copy of the application for a certificate of public convenience and necessity were provided to DEP.

On October 2, 2013, the Applicant filed an affidavit of publication stating that the publication of notice was completed on September 25, 2013. No complaints have been received.

On October 8, 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.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on November 12, 2013. The Public Staff recommended that the Commission approve the application, issue the requested 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. 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:

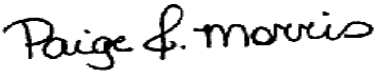
1. That the application filed by Elroy Farm, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved.
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Elroy Farm, LLC, for the 5-MW<sub>AC</sub> solar photovoltaic electric generating facility to be located on the east and west sides of Longs Plant Farm Road north of the intersection with US Highway 70, Elroy, Wayne County, North Carolina.
3. That the registration statement filed by Elroy Farm, LLC, for its solar photovoltaic facility located in Wayne County, North Carolina, as a new renewable energy facility shall be, and is hereby, accepted.

4. That Elroy Farm, 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 15<sup>th</sup> day of November, 2013.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Paige J. Morris". The signature is written in a cursive style with a large initial "P" and "M".

Paige J. Morris, Deputy Clerk

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

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Elroy Farm, LLC  
1119 US Highway 15-501 South  
Chapel Hill, North Carolina 27517

is hereby issued this

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

for a 5-MW<sub>AC</sub> solar photovoltaic electric generating facility

located

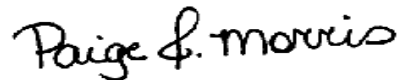
on the east and west sides of Longs Plant Farm Road north of the intersection with  
US Highway 70, Elroy, Wayne County, North Carolina,

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 15<sup>th</sup> day of November, 2013.

NORTH CAROLINA UTILITIES COMMISSION



Paige J. Morris, Deputy Clerk