

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-6373, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Haslett Solar, LLC, for a)
Certificate of Public Convenience and) ORDER ISSUING CERTIFICATE
Necessity to Construct a 80-MW Solar)
Facility in Gates County, North Carolina)

BY THE COMMISSION: On August 20, 2015, Haslett 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 an 80-MW_{AC} solar photovoltaic electric generating facility to be located to the south and west of Black Mingle Road and the north and east of Medical Center Road, near Gates, Gates County, North Carolina. The Applicant plans to sell the electricity generated by this facility to Virginia Electric and Power Company, d/b/a Dominion North Carolina Power (DNCP) or to other wholesale or retail customers where allowed.

On August 24, 2015, the Commission issued an Order Requiring Publication of Notice.

On September 28, 2015, the Applicant filed a certificate of service stating that a copy of the application and the related public notice were provided to DNCP on August 25, 2015.

Also on September 28, 2015, the Applicant filed an affidavit of publication from the Roanoke-Chowan News Herald (Ahoskie, North Carolina) stating that the publication of notice was completed on September 19, 2015.

On October 1 and 13, 2015, 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 October 27, 2015, the Applicant filed a letter providing corrected latitude and longitude coordinates for the facility.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on November 2, 2015. 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. Therefore, the Public Staff recommended approval of the certificate for the facility.

The Public Staff noted that Exhibit 3 of the application indicated that the Applicant “is in discussions to sell the output through a negotiated Power Purchase Agreement (PPA) to DNCP or to one or more retail customers in deregulated states that allow for such sales, or to sell the output in the PJM market.” Pursuant to Commission Rule R8-64(b)(6)(i)(c), however, an applicant for a CPCN for a solar facility exceeding 25 MW_{AC} in capacity must submit “[a] statement obtained by the applicant from the electric utility to which the applicant plans to sell the electricity to be generated setting forth an assessment of the impact of such purchased power on the utility’s capacity, reserves, generation mix, capacity expansion plan, and avoided costs.” The Applicant therefore requested a waiver of this requirement, since the Applicant has not yet determined to which entity the output of the facility will be sold.

The Public Staff indicated that it supports the Applicant’s request for a waiver, due to the uncertainty at this time as to which entity the applicant plans to sell the power, and also because DNCP’s obligation under the Public Utility Regulatory Policies Act of 1978 (PURPA) to purchase energy and capacity from QFs is limited to QFs with a net capacity of 20 MW or less. See *Virginia Electric and Power Company*, 124 FERC 61,045 (2008). Since DNCP does not have a mandatory purchase obligation for this facility, requiring the utility to prepare a statement of this nature seems unnecessary, unless DNCP ultimately does become the purchaser of the facility. The Public Staff therefore requests that the Commission require the Applicant, upon determining the entity to which the output of the facility will be sold, to make a supplemental filing of this information to the Commission.

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.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Haslett Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved.

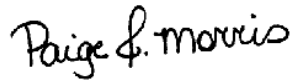
2. That the Applicant’s request for a waiver from the requirements of Rule R8-64(b)(6)(i)(c) is granted, on the condition that the Applicant make a supplemental filing with the Commission identifying the entity to which the output of the facility will be sold, once that determination is made.

3. That Appendix A shall constitute the certificate of public convenience and necessity issued to Haslett Solar, LLC, for the 80-MW_{AC} solar photovoltaic electric generating facility located to the south and west of Black Mingle Road and the north and east of Medical Center Road, near Gates, Gates County, North Carolina.

ISSUED BY ORDER OF THE COMMISSION.

This the 3rd day of November, 2015.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Paige J. Morris". The signature is written in a cursive, flowing style.

Paige J. Morris, Deputy Clerk

Commissioner Susan W. Rabon did not participate in this decision.

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-6373, SUB 0

Haslett Solar, LLC
192 Raceway Drive
 Mooresville, North Carolina 28117

is hereby issued this

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

for an 80-MW_{AC} solar photovoltaic electric generating facility

located

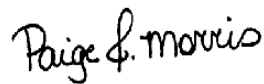
to the south and west of Black Mingle Road and the north and east of
Medical Center Road, near Gates, Gates County, North Carolina,

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 3rd day of November, 2015.

NORTH CAROLINA UTILITIES COMMISSION



Paige J. Morris, Deputy Clerk