

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-8420, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of ATOOD Solar IV, LLC,) ORDER ISSUING CERTIFICATE
for a Certificate of Public Convenience) AND ACCEPTING REGISTRATION
and Necessity to Construct a 4.99-MW Solar) OF NEW RENEWABLE ENERGY
Facility in Brunswick County, North Carolina) FACILITY

BY THE COMMISSION: On September 2, 2016, ATOOD Solar IV, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity (certificate) pursuant to G.S. 62-110.1(a) for construction of a 4.99-MW_{AC} solar photovoltaic electric generating facility to be located at 2201 Mercantile Drive NE, Leland, Brunswick 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 September 9, 2016, the Commission issued an Order Requiring Publication of Notice.

On October 20, 2016, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to DEP on September 13, 2016.

Also on October 20, 2016, the Applicant filed an affidavit of publication from the Star-News (Wilmington, North Carolina) stating that the publication of notice was completed on October 5, 2016. No complaints have been received.

On October 24, 2016, the State Clearinghouse filed additional 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, 2016, in response to a Public Staff inquiry, the Applicant filed a verified statement indicating that the facility does not have common ownership with AGA TAG Solar IV, LLC, which is also seeking a certificate in Docket No. SP-8421, Sub 0.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on October 31, 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 also stated that it had reviewed the ownership information filed for this facility and other solar photovoltaic electric generating facilities located in close proximity to this facility and that it believes the current ownership of the facility does not result in common ownership by any of the facilities. The Public Staff noted that Commission Rule R8-64(d)(3) requires an applicant for a certificate to advise both the Commission and the utility involved of any plans to sell, transfer, or assign the certificate or the generating facility, or of any significant changes in the information set forth in the application. Pursuant to this requirement, the Public Staff recommended that the requested certificate be issued to the applicant. 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:

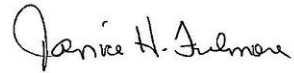
1. That the application of ATOOD Solar IV, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved.
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to ATOOD Solar IV, LLC, for the 4.99-MW_{AC} solar photovoltaic electric generating facility located 2201 Mercantile Drive NE, Leland, Brunswick County, North Carolina.
3. That the registration statement filed by ATOOD Solar IV, LLC, for its solar photovoltaic facility located in Brunswick County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.

4. That ATOOD Solar IV, 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 31st day of October, 2016.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Janice H. Fulmore".

Janice H. Fulmore, Deputy Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-8420, SUB 0

ATOOD Solar IV, LLC
10018 Triple Oak Road
Charlotte, North Carolina 28277

is hereby issued this

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

for a 4.99-MW_{AC} solar photovoltaic electric generating facility

located

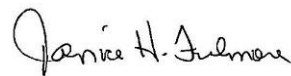
at 2201 Mercantile Drive NE, Leland, Brunswick County, North Carolina,

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 31st day of October, 2016.

NORTH CAROLINA UTILITIES COMMISSION



Janice H. Fulmore, Deputy Clerk