

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-7800, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Bay Branch Solar, LLC, for a) ORDER ISSUING CERTIFICATE
Certificate of Public Convenience and) AND ACCEPTING REGISTRATION
Necessity to Construct a 4.95-MW_{AC} Solar) OF NEW RENEWABLE ENERGY
Facility in Beaufort County, North Carolina) FACILITY

BY THE COMMISSION: On April 18, 2016, Bay Branch 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 4.95-MW_{AC} solar generating facility to be located at 6254 US Route 17, Chocowinity, Beaufort County, North Carolina. The Applicant plans to sell the electricity to Duke Energy Progress, LLC (DEP).

On April 18, 2016, the Applicant also 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 April 19, 2016, the Commission issued an Order Requiring Publication of Notice.

On May 25, 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 July 7, 2016, the Applicant filed a certificate of service stating that a copy of the Application and the related public notice were provided to DEP on June 15, 2016.

On July 18, 2016, the Applicant filed an affidavit of publication from the Washington Daily News stating that the publication of notice was completed on July 8, 2016. No complaints have been received.

On August 9 and 29, 2016, the Applicant filed an amended application clarifying that the maximum dependable capacity of the project is zero, together with a letter from

an employee of the newspaper referenced in the affidavit of publication clarifying the newspaper's name.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on September 6, 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.

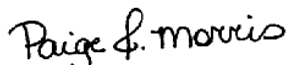
IT IS, THEREFORE, ORDERED as follows:

1. That the application of Bay Branch 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 Bay Branch Solar, LLC, for the 4.95-MW_{AC} solar generating facility to be located at 6254 US Route 17, Chocowinity, Beaufort County, North Carolina.
3. That the registration statement filed by Bay Branch Solar, LLC, for its solar photovoltaic facility located in Beaufort County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.
4. That Bay Branch 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 6th day of September, 2016.

NORTH CAROLINA UTILITIES COMMISSION



Paige J. Morris, Deputy Clerk

Commissioner Bryan E. Beatty did not participate in this decision.

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UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-7800, SUB 0

Bay Branch Solar, LLC
302 Park St., Suite 300
Charlottesville, VA 22902

is hereby issued this

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

for a 4.95-MW_{AC} solar photovoltaic electric generating facility

located at

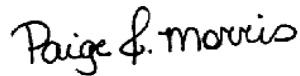
6254 US Route 17, Chocowinity,
Beaufort County, North Carolina,

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 6th day of September, 2016.

NORTH CAROLINA UTILITIES COMMISSION



Paige J. Morris, Deputy Clerk