

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. EMP-112, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. EMP-112, SUB 0

In the Matter of	
Application of Oak Solar, LLC, for a	)
Certificate of Public Convenience and	)
Necessity to Construct a 300-MW Solar	)
Facility in Northampton County, North	)
Carolina	)
	MOTION OF THE
	PUBLIC STAFF FOR SECOND
	EXTENSION OF TIME

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and respectfully moves the North Carolina Utilities Commission (Commission) to extend the Public Staff's time to file its testimony and exhibits in Docket No. EMP-112, Sub 0. In support of this motion, the Public Staff respectfully shows the Commission the following:

1. On July 15, 2020, in Docket No. EMP-112, Sub 0, Gaston Green Acres Solar, LLC (Applicant) filed an application pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-63 for a CPCN for a 300-MW<sub>AC</sub> solar PV electric generating facility to be located in Northampton County, North Carolina, and to be operated as a merchant generating facility.
2. On July 29, 2020, the Public Staff filed a Notice of Completeness.
3. On September 28, 2020, the Commission issued a procedural order that, among other things, directed the Applicant to file additional testimony and the

Public Staff to file direct testimony and exhibits by October 19, 2020, and November 2, 2020, respectively.

4. On October 19, 2020, the Applicant filed supplemental testimony.

5. On October 23, 2020, the Applicant filed a Notice of Name Change and Motion to Amend Caption in order to give notice of a change in its legal name from Gaston Green Acres Solar, LLC to Oak Solar, LLC. The caption in this docket was subsequently amended to reflect the new legal name of the Applicant.

6. On October 26, 2020, the Public Staff filed a motion for an extension of time for the filing of its testimony and exhibits to November 16, 2020, and for the filing of the Applicant's rebuttal testimony and exhibits to November 30, 2020. The Commission issued an order granting the extensions of time on October 30, 2020.

7. On November 12, 2020, the Applicant filed a Motion for Leave to Amend Application, an Amended Application, and supporting pre-filed testimony. The Amended Application reflected that the Applicant will be dividing its 300-MW project as initially proposed into two separate projects, with the Applicant seeking authority to construct only the 120-MW facility. Under the Amended Application, the requested CPCN in the current docket would cover only the 120-MW facility.

8. Because the filings made on November 12, 2020 made material changes to the application in this docket, the Public Staff contends that it is appropriate to extend the current deadline for the filing of its testimony and exhibits in order to allow the Public Staff with sufficient time to review the modifications.

9. The Public Staff therefore requests that the Commission extend the current deadline for the Public Staff's filing of testimony and exhibits to a date to be determined by the Commission.

10. The Public Staff has contacted counsel for the Applicant and is authorized to represent that the Applicant does not object to this motion.

WHEREFORE, the Public Staff respectfully requests that the Commission issue an order extending the Public Staff's time to file its testimony and exhibits to a date to be determined by the Commission.

This the 13th day of November, 2020.

PUBLIC STAFF  
Christopher J. Ayers  
Executive Director

Dianna W. Downey  
Chief Counsel

Electronically submitted  
/s/ Nadia L. Luhr  
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### **CERTIFICATE OF SERVICE**

I certify that I have served a copy of the foregoing Motion on all parties of record in accordance with Commission Rule R1-39, by United States mail, postage prepaid, first class; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 13th day of November, 2020.

Electronically submitted  
/s/ Nadia L. Luhr