

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-107, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Halifax County Solar LLC for) MOTION OF THE
a Certificate of Public Convenience and) PUBLIC STAFF FOR AN
Necessity to Construct an 80-MW Solar) EXTENSION OF TIME
Facility in Halifax County, North Carolina)

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 to Monday, August 24, 2020, the Public Staff’s time to file its recommendation and supporting testimony in response to the Commission’s Order filed in this docket on August 13, 2020. In support of this motion, the Public Staff respectfully shows the Commission the following:

1. On July 13, 2020, the Public Staff filed a Motion for Reconsideration requesting that the Commission reconsider its June 11, 2020 Order Issuing Certificate for Merchant Generating Facility in light of new information regarding affected system costs associated with the project which came to light following of the Public Staff’s filing of its testimony and recommendation in this docket.

2. On July 29, 2020, the Commission issued an Order directing the Applicant to file a response to the Public Staff’s Motion for Reconsideration on or before August 3, 2020.

3. On August 3, 2020, the Applicant filed its Brief opposing the Public Staff's Motion for Reconsideration and the Affidavit of Christopher Killenberg.

4. On August 13, 2020, the Commission issued an Order granting the Public Staff's Motion for Reconsideration, reopening the record in this proceeding, and admitting the Affidavit of Christopher Killenberg filed August 3, 2020. The Commission's Order also directed the Public Staff to file a recommendation and any supporting testimony addressing the Applicant's assertion in its Brief that there are similarities between the DEP network upgrade transmission costs potentially applicable to the Applicant's facility and the facility for which American Beech Solar LLC has applied for a CPCN in Docket No. EMP-108, Sub 0.

5. The Public Staff has worked diligently to meet the current August 20, 2020 deadline for the filing of its recommendation and supporting testimony. However, due to the press of other business, most significantly the Duke Energy Carolinas, LLC, Duke Energy Progress, LLC, and Aqua North Carolina, Inc., rate cases currently pending before the Commission, the Public Staff is in need of additional time to file its recommendation and supporting testimony.

6. Based on the foregoing, the Public Staff requests an extension of time to Monday, August 24, 2020, to file its recommendation and supporting testimony in response to the Commission's Order of August 13, 2020.

7. The undersigned counsel for the Public Staff has contacted counsel for the Applicant and is authorized to represent that the Applicant does not object

to the extension requested by the Public Staff, so long as it does not result in a substantial delay in the issuance of a decision regarding its CPCN.

WHEREFORE, the Public Staff requests that the Commission enter an order granting an extension of time to Monday, August 24, 2020, for the Public Staff to file its recommendation and supporting testimony in response to the Commission's Order of August 13, 2020.

This the 20th day of August, 2020.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

Dianna W. Downey
Chief Counsel

Electronically submitted
/s/ Megan Jost
Staff Attorney

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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 20th day of August, 2020.

Electronically submitted
/s/ Megan Jost