

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-110, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Sumac Solar, LLC, for a)	ORDER CANCELLING EXPERT
Certificate of Public Convenience and)	WITNESS HEARING AND
Necessity to Construct a 120-MW Solar)	REQUIRING ADDITIONAL
Facility in Bertie County, North Carolina)	TESTIMONY

BY THE PRESIDING COMMISSIONER: On April 16, 2020, Sumac Solar LLC (Applicant) filed an application pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-63 for a certificate of public convenience and necessity (CPCN) to construct a 120-MW_{AC} solar photovoltaic (PV) electric generating facility to be located in Bertie County, North Carolina, and operated as a merchant generating facility.

On April 23, 2020, the Public Staff filed a Notice of Completeness stating that the Public Staff has reviewed the application as required by Commission Rule R8-63(d) and that the Public Staff considers the application to be complete. In addition, the Public Staff requested that the Commission issue a procedural order setting the application for hearing, requiring public notice pursuant to N.C.G.S. § 62-82, and addressing other procedural matters.

On April 28, 2020, the Commission issued an Order Scheduling Hearing, Requiring Testimony, Establishing Procedural Guidelines, and Requiring Public Notice (Scheduling Order). The Scheduling Order, among other things, scheduled a hearing on Monday, July 13, 2020, at 2:00 p.m. Raleigh, North Carolina, for the purpose of receiving expert witness testimony regarding the application.

On May 29, 2020, the Public Staff filed the testimony of Jay B. Lucas, an engineer in the Electric Division of the Public Staff. In his affidavit, Mr. Lucas stated that, upon review of the application, the Public Staff concluded that Applicant had satisfied the requirements to obtain a CPCN pursuant to N.C.G.S. § 62-110.1 and Commission Rule R8-63. Further, Mr. Lucas stated that the Public Staff recommended that the Commission issue the requested CPCN to the Applicant with certain conditions.

On June 11, 2020, the Applicant filed a Motion to Cancel Hearings requesting that the Commission cancel the public witness hearing scheduled for June 23, 2020, and the expert witness hearing scheduled for July 13, 2020. The Applicant states that the Public Staff consents to the cancellation of the hearings.

On June 16, 2020, the Commission cancelled the hearing scheduled for the purpose of receiving public witness testimony.

In March 2020, Governor Roy Cooper issued a progression of Executive Orders that declared a State of Emergency in North Carolina to coordinate response and protective actions to prevent the spread of coronavirus (COVID-19). On May 5, 2020, Governor Cooper issued Executive Order. No. 138 easing some restrictions on business operations and mass gatherings, but still limiting face-to-face meetings to no more than ten people and requiring social distancing between individuals of at least six feet.

Based on the record and the current state of uncertainty regarding future requirements to assist in preventing the spread of COVID-19, the Presiding Commissioner finds good cause to cancel the expert witness hearing currently scheduled for July 6, 2020, in Raleigh, North Carolina.

The Presiding Commissioner notes that the Commission has seen an increase in the number of merchant plant facility applications. Due to the increase in non-utility generation on the North Carolina system and the Commission's statutory duty to examine the long-range needs for the generation of electricity in North Carolina, the Presiding Commissioner finds good cause to require the filing of additional testimony and exhibits in this proceeding addressing the following questions:

1. Provide the Levelized Cost of Transmission (LCOT) information for any required transmission system upgrades or modifications.
2. Provide any interconnection study received for the proposed facility. If you have not received a study, provide a date by when the study is expected to be completed.
3. Are you aware of any system other than the studied system that is or will be affected by the interconnection? If yes, explain the impact and basis.
4. If the Applicant proposes to sell energy and capacity from the facility to a distribution utility regulated by the Commission, provide a discussion of how the facility's output conforms to or varies from the regulated utility's most recent IRP.
5. If the Applicant proposes to sell energy and capacity from the facility to a distribution utility not regulated by the Commission but serving retail customers in North Carolina (e.g., a co-op or muni), provide a discussion of how the facility's output conforms to or varies from the purchasing distribution utility's long-range resource plan.
6. If the Applicant proposes to sell energy and capacity from the facility to a purchaser who is subject to a statutory or regulatory mandate with respect to its energy sourcing (e.g., a REPS requirement or Virginia's new statutory mandate for renewables), explain how, if at all, the facility will assist or enable compliance with that mandate. Provide any contracts that support that compliance.

7. Provide any PPA agreements, REC sale contracts, or contracts for compensation for environmental attributes for the output of the facility.

IT IS, THEREFORE, ORDERED as follows:

1. That the Applicant shall file testimony and exhibits addressing the questions set forth herein on or before Wednesday, July 22, 2020;

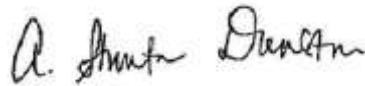
2. That the Public Staff shall file testimony and exhibits addressing the questions set forth herein on or before Wednesday, August 5, 2020;

3. That the Applicant may file rebuttal testimony and exhibits on or before Wednesday, August 12, 2020;

ISSUED BY ORDER OF THE COMMISSION.

This the 22nd day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Deputy Clerk