

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**DOCKET NO. EMP-109, SUB 0
DOCKET NO. SP-8831, SUB 0**

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Camden Solar LLC) ORDER ISSUING
for a Certificate of Public Convenience and) CERTIFICATE FOR MERCHANT
Necessity to Construct a 20-MW Solar) GENERATING FACILITY
Facility in Camden County, North Carolina)

BY THE COMMISSION: On August 1, 2017, in Docket No. SP-8831, Sub 0, the Commission issued Camden Solar LLC (Applicant or Camden Solar) a certificate of public convenience and necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-64 for the construction of a 20-MW_{AC} solar photovoltaic (PV) electric generating facility to be located in Camden County, North Carolina (the Facility). Contemporaneously with its application in that docket the Applicant filed a registration statement for a new renewable energy facility; however, the Applicant withdrew its registration statement for the Facility on July 17, 2017.

On April 1, 2020, the Applicant filed a new application pursuant to N.C.G.S. § 62-110.1(a) and Commission Rule R8-63 for a CPCN to construct the Facility as a merchant generating facility and to cancel the CPCN previously granted for the Facility in Docket No. SP-8831, Sub 0. The Applicant stated that the site plan had not changed materially from the plan previously approved and requested that the Commission require no further State Clearinghouse review.

On April 15, 2020, the Public Staff filed a Notice of Completeness stating that it had reviewed the application as required by Commission Rule R8-63(d) and that it considered 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 24, 2020, the Commission issued an Order Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice (Scheduling Order). The Scheduling Order, among other things, scheduled hearings on June 22, 2020, in North Camden, North Carolina, for the purpose of receiving public witness testimony and on July 6, 2020, in Raleigh, North Carolina, for the purpose of receiving expert witness testimony regarding the application.

On May 15, 2020, the Public Staff filed testimony recommending that the Commission cancel the CPCN issued in Docket No. SP-8831, Sub 0 and issue a new CPCN, subject to certain conditions.

On June 2, 2020, the Applicant filed a Motion to Cancel Hearings requesting that the Commission cancel the public witness hearing scheduled for June 22, 2020, and the expert witness hearing scheduled for July 6, 2020. The Applicant stated that the Public Staff consented to the cancellation of the hearings.

On June 8, 2020, the Commission canceled the hearing scheduled for the purpose of receiving public witness testimony.

On June 15, 2020, Camden Solar filed a Motion for Limited Construction Authority to construct perimeter fencing, erosion control measures, pile installation, equipment pads, and underground wiring.

On June 22, 2020, the Commission issued an Order Cancelling Expert Witness Hearing and Requiring Additional Testimony.

On June 23, 2020, the Commission issued an Order Allowing Limited Construction with Conditions that granted Camden Solar the authority to engage in construction of perimeter fencing, erosion control measures, pile installation, equipment pads, and underground wiring provided that Camden Solar would bear all costs and other risks of the limited construction activities.

On July 15, 2020, Camden Solar filed the testimony of Whitney Rubin in response to the order of June 22, 2020, requiring additional information.

On July 29, 2020, the Public Staff filed the supplemental testimony of Jay Lucas. In his July 29, 2020 testimony Public Staff witness Lucas recommends that the Commission grant the requested CPCN, subject to certain conditions.

On August 24, 2020, Camden Solar filed a Renewable Energy Purchase Agreement as required by the order of June 22, 2020, requiring additional information.

After careful consideration the Commission finds good cause to approve the application and issue the requested CPCN for the Facility as a merchant generating facility, subject to the conditions recommended by the Public Staff. In reaching this determination the Commission finds that the uncontested evidence demonstrates that there is a need for the Facility in the region, in accord with the provisions of Commission Rule R8-63(b)(3). Supporting this finding is the Applicant's verified application and the testimony of Applicant's witness Rubin which projects that the corporate purchases of energy and renewable energy credits (RECs) from solar facilities in the southeast region of PJM Interconnection, L.L.C. (PJM), are expected to increase. Witness Rubin further notes Dominion Energy North Carolina's (DENC) commitment to increase its use of renewable energy resources to generate 5,000 MW of electricity by 2028, consistent with

Virginia's policy goals enacted in the Virginia Grid Transformation and Security Act of 2019. At the time of its CPCN application as a merchant generating facility, Camden Solar anticipated entering into a contract for the sale of the energy produced by the Facility, and on August 24, 2020, the Applicant filed a Renewable Energy Purchase Agreement evincing the sale of the output of the Facility to a corporate offtaker in PJM.

The Commission has also reviewed this application in light of its mandate under N.C.G.S. § 62-110.1(c) to analyze and plan for the long-range need for generating resources in North Carolina and to evaluate CPCN applications for new generating facilities in North Carolina in light of such analysis and plan. Based upon the evidence of record the Commission finds that due to the Applicant's plans for the sale of energy and capacity from the Facility to a customer in the PJM market, it does not appear that the Facility will have any material impact on the long-range balance of demand for electricity and the generation resources available to meet that demand in North Carolina. In addition, the Commission notes that based on the evidence of record, the Facility will not affect the projections of load or the identification of needed generating resources set forth in the integrated resource plans for any public utility subject to the Commission's jurisdiction.

Finally, based on the testimony of Applicant witness Rubin and Public Staff witness Lucas, the Commission finds that the Facility is not expected to have any impact on the DENC transmission system or the transmission system of any affected system. Applicant witness Rubin testified that the project would only require distribution system upgrades and would not require any transmission upgrades or modifications. Public Staff witness Lucas noted that although an Affected System Study Report conducted by Duke Energy Progress, LLC (DEP), in 2016 showed Camden Solar was part of a PJM cluster that would cause network upgrades on the DEP system, a 2020 DEP Affected System Study Report shows that those network upgrade costs are now attributed to a different PJM cluster of facilities.

In summary the Commission finds and concludes that the public convenience and necessity requires construction of the Facility pursuant to N.C.G.S. § 62-110.1. The Commission concludes that due to the siting of the Facility, construction of the Facility is consistent with an orderly expansion of electricity generating capacity in the region and presents no risk of service degradation; of any financial impact on North Carolina's electricity generation, transmission and distribution infrastructure; or of overbuilding of generation facilities in this region of North Carolina.

IT IS, THEREFORE, ORDERED as follows:

1. That a certificate of public convenience and necessity shall be, and is hereby, issued to Camden Solar LLC for the construction of a 20-MW_{AC} solar PV electric

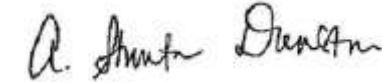
generating facility to be located in Camden County, North Carolina, and to be operated as a merchant generating facility. This certificate is subject to the following conditions:

- (a) Camden Solar LLC will construct and operate the Facility in strict accordance with applicable laws and regulations, including any local zoning and environmental permitting requirements;
 - (b) Camden Solar LLC will not assert that the issuance of the certificate in any way constitutes authority to exercise any power of eminent domain, and it will abstain from attempting to exercise such power;
 - (c) Camden Solar LLC will comply with all orders, rules, regulations and conditions as are now or may hereafter be lawfully made by the Commission; and
 - (d) Camden Solar LLC shall file with the Commission in this docket any revisions in the cost estimates for the construction of the Facility, interconnection facilities, network upgrades (including network upgrades on affected systems), or any other significant change in costs within 30 days of becoming aware of such revisions.
2. That Camden Solar LLC shall file with the Commission in this docket a progress report and any revisions in the cost estimates for the Facility on an annual basis,
 3. That Appendix A hereto shall constitute the certificate of public convenience and necessity issued for the Facility; and
 4. That the CPCN issued to Camden Solar LLC by order dated August 1, 2017, in Docket No. SP-8831, Sub 0 shall be, and is hereby, canceled.

ISSUED BY ORDER OF THE COMMISSION.

This the 14th day of September, 2020.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Deputy Clerk

APPENDIX A

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-109, SUB 0

Camden County Solar LLC
17901 Von Karman Avenue, Suite 1050
Irvine, California 92614

is hereby issued this

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. GEN. STAT. § 62-110.1**

for a 20-MW_{AC} solar photovoltaic electric generating facility

located

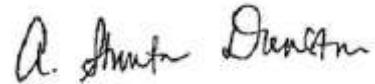
on two parcels of land for a total of 218 acres located at the southwest corner of the intersection of N.C. Highway 343 and Sand Hills Road (Route 1132), Camden in Camden County, North Carolina,

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 14th day of September, 2020.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Deputy Clerk