

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-104, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application of Fern Solar, LLC for a)	ORDER SUSPENDING
Certificate of Public Convenience and)	EXPERT WITNESS HEARING
Necessity to Construct a 100-MW Solar)	
Facility in Edgecombe County, North Carolina)	

BY THE CHAIRMAN: On November 27, 2018, Fern Solar, LLC (Applicant) filed an application pursuant to N.C.G.S. § 62-110.1 and Commission Rule R8-63 for a certificate of public convenience and necessity (CPCN) to construct a 100-MW_{AC} solar photovoltaic (PV) electric generating facility to be located in Edgecombe County, North Carolina, and to be operated as a merchant plant. The Applicant also filed a registration statement seeking registration of the facility as a new renewable energy facility.

On December 7, 2018, 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 December 20, 2018, the Commission issued an Order Scheduling Hearings, Requiring Testimony, Establishing Procedural Guidelines and Requiring Public Notice (Scheduling Order). The Scheduling Order, among other things, scheduled an expert witness hearing for the purpose of receiving expert testimony from the parties on Tuesday, February 12, 2019 at 10:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh. In addition, the Scheduling Order directed the Chief Clerk of the Commission to deliver copies of the application and the Public Notice to the Clearinghouse Coordinator of the Office of Policy and Planning of the Department of Administration (State Clearinghouse) for distribution by the Coordinator to State agencies having an interest in the application.

On January 24, 2019, the State Clearinghouse filed a letter stating that the review of the proposed facility project should be complete on February 14, 2019. The State Clearinghouse further states that once the review has concluded the comments and signoff letter will be transmitted to the Commission.

On January 28, 2019, the Public Staff filed the affidavit of Evan D. Lawrence, an engineer in the Electric Division of the Public Staff. In his affidavit, Mr. Lawrence states that, upon review of the application, the Public Staff concludes that the Applicant has

satisfied the requirements to obtain a CPCN pursuant to N.C.G.S. § 62-110.1 and Commission Rule R8-63. Therefore, he recommends that the Commission issue the requested CPCN to the Applicant with certain conditions.

Based upon the foregoing and the entire record herein, the Chairman finds good cause to suspend the convening of the expert witness hearing scheduled for Tuesday, February 12, 2019 at 10:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh. Upon receipt of the State Clearinghouse's review and the comments of State agencies, the Commission will proceed appropriately in considering the application, including, whether to re-schedule the expert witness hearing.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 6th day of February, 2019.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Jan H. Ful", is written over a faint, circular official stamp.

Janice H. Fulmore, Deputy Clerk