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May 14, 2021

Ms. Kimberley A. Campbell, Chief Clerk
North Carolina Utilities Commission
430 N. Salisbury Street
Raleigh, NC 27603

***RE: Certificate of Public Convenience and Necessity Application
for Gum Swamp Solar, LLC to Construct an 80-MW_{AC} Solar
Facility in Scotland County, North Carolina
NCUC Docket No. SP-32939, Sub 0***

Dear Ms. Campbell:

On behalf of Gum Swamp Solar, LLC, we submit the attached **Certificate of Public Convenience and Necessity Application** in the above-referenced docket.

Should you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,

Karen M. Kemerait

KK:bs

cc: All parties of record
Enclosures

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada
New Jersey New York North Carolina Pennsylvania South Carolina Texas Virginia Washington

OFFICIAL COPY

May 14 2021

DOCKET NO. SP-³²⁹³⁹_____, SUB ⁰_____Filing Fee Tendered \$^{275.00}_____**Application for a Certificate of Public Convenience and Necessity – Rule R8-64**

Pursuant to Commission Rule R8-64, this form is required for use in applying for a Certificate of Public Convenience and Necessity (CPCN) by a person, other than an electric public utility, who is an owner of a renewable energy facility that is participating in the Competitive Procurement of Renewable Energy Program established in G.S. 62-110.8, or by a person who is seeking the benefits of 16 U.S.C. 624-3 or G.S. 62-156 as a qualifying co-generator or a qualifying small power producer as defined in 16 U.S.C. 796(17) and (18), or as a small power producer as defined in G.S. 62-3(27a), except persons exempt from certification pursuant to G.S. 62-110.1(g). This form may be accompanied by any exhibits or additional responses incorporated by reference thereto and attached to this form. This form must be accompanied by the required filing fee of \$25.00.

You may file this application electronically; please see www.ncuc.net for instructions.

If this form is filed by hard copy, the original plus 12 copies must be presented at or transmitted to the office of the Chief Clerk. Regardless of the method of delivery, this form is not deemed filed until it is received by the Chief Clerk, along with the required filing fee.

The mailing address is:

Chief Clerk
NC Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325

Exhibits required by Rule R8-64(b)		Applicant's Response
(1)(i)	Full and correct name of the owner of the facility	Gum Swamp Solar LLC
	Facility name	Gum Swamp Solar LLC
	Business address	130 Roberts St. Asheville NC 28801
	E-mail address	utility@pgrenewables.com
	Telephone number	(855) 969-3380
(ii)	The owner is (check one)	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation
	If a partnership, the name and business address of each general partner	
	If a corporation, the state and date of incorporation	North Carolina limited liability company formed 4/20/21

	If a partnership, the name and address of each general partner (add additional sheets if necessary)	
	Owner's agent for purposes of this application, if applicable:	Karen Kemerait Fox Rothschild LLP
	Agent's business address	434 Fayetteville St, Suite 2800, Raleigh, NC 27601
	Agent's e-mail address	kkemerait@foxrothschild.com
	Agent's telephone number	(919) 755-8764
(iii)	The full and correct name of the site owner and, if the site owner is other than the applicant, the applicant's legal interest in the site	The site is owned by 1 independent landowners: ZV Pate. The applicant and facility owner, Gum Swamp Solar LLC, has a valid purchase and sale agreement with the owner.
(2)(i)	Attach a color map or aerial photo showing the location of the generating facility site in relation to local highways, streets, rivers, streams, and other generally known local landmarks with the proposed location of major equipment indicated on the map or photo, including: the generator, fuel handling equipment, plant distribution system, startup equipment, the site boundary, planned and existing pipelines, planned and existing roads, planned and existing water supplies, and planned and existing electric facilities;. A U.S. Geological Survey map or an aerial photo map prepared via the State's geographic information system (found at www.gis.ncdcr.gov/hpweb/) is preferred.	
(ii)	E911 street address of the proposed facility	E911 address has not yet been assigned to the facility
	County in which the proposed facility will be physically located	Scotland County
	GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree	34°52'7.19"N, 79°36'4.49"W
(3)(i)	The nature of the facility, including its technology, and the source of its power and fuel(s)	The facility will be an 80 MWac solar photovoltaic (PV) generation facility that will utilize solar energy to produce electricity.
(ii)	A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation	The facility's equipment is expected to include: (i) Approximately 230,925 Canadian Solar 485 W Bifacial modules (or equivalent) (ii) Approximately 24 Sungrow SG3600 inverters (or equivalent)

(iii)	The gross and net projected maximum dependable capacity of the facility in megawatts – Alternating Current	The dependable capacity of the facility is 34.32 MW AC.
	The facility's nameplate capacity in megawatts – Alternating Current	The facility's nameplate capacity is 80 MWac
(iv)	The projected date on which the facility will come on line	May 1, 2024
(v)	The applicant's general plan for sale of the electricity to be generated, including the name of utility to which the applicant plans to sell the electricity	The facility owner plans to sell the electricity to Duke Energy Progress, pursuant to a long-term Power Purchase Agreement.
(vi)	Any provisions for wheeling of the electricity, if applicable	No provisions for the facility to wheel electricity.
(vii)	Arrangements for firm, non-firm, or emergency generation, if applicable	There are currently no arrangement for firm, non-firm, or emergency generation
(viii)	The service life of the project	40 years
(ix)	The projected annual sales in kilowatt-hours	Approx. 196,415,254 kWh
(x)	Whether the applicant intends to produce renewable energy certificates that are eligible for compliance with the State's renewable energy and energy efficiency portfolio standard <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
(4)(i)	A complete list of all federal and state licenses, permits and exemptions required for construction and operation of the generating facility and a statement of whether each has been obtained or applied for	1. FERC Form 556, Self-Certification of Qualifying Facility - filed 2. NC Dept of Environmental Quality: Stormwater Permit and Sedimentation and Erosion Control Permit - TBD 3. NC Dept of Transportation: Commercial Driveway Permit - TBD 4. FAA Section 77.9 Notice - filed 5. EIA-860 and EIA-923 - TBD
(ii)	Attach a copy of those licenses, permits and exemptions that have been obtained; a copy of those that have not been obtained at the time of the application should be filed with the Commission as soon as they are obtained	
(5)	The expected cost of the proposed facility	\$ 154,472,000

(6) The following applicants shall complete this section with the information as described in R8-64(b)(6): 1) An applicant seeking to enter into a contract for the sale of electricity with a term of 5 years or more, and whose facility will have a projected generating capacity of 5 MW _{AC} or greater and is not a solar photovoltaic facility, and 2) An applicant seeking to enter into a contract for the sale of electricity with a term of 5 years or more, and whose facility is a solar photovoltaic facility with a generating capacity of 25 MW _{AC} or more.	
(i)a	A statement detailing the experience and expertise of the persons who will develop, design, construct, and operate the project to the extent such persons are known at the time of the application
b	Information specifically identifying the extent to which any regulated utility will be involved in the actual operation of the project
c	A statement obtained by the applicant from the electric utility to which the applicant plans to sell the electricity to be generated setting forth an assessment of the impact of such purchased power on the utility's capacity, reserves, generation mix, capacity expansion plan, and avoided costs
(ii)a	The most current available balance sheet of the applicant
b	The most current available income statement of the applicant
c	An economic feasibility study of the project
d	A statement of the actual financing arrangements entered into in connection with the project to the extent known at the time of the application
(iii)a	A detailed explanation of the anticipated kilowatt and kilowatt-hour outputs, on-peak and off-peak, for each month of the year. The explanation shall include a statement of the specific on-peak and off-peak hours underlying the applicant's quantification of anticipated kilowatt and kilowatt-hour outputs
b	A detailed explanation of all energy inputs and outputs, of whatever form, for the project, including the amount of energy and the form of energy to be sold to each purchaser
c	A detailed explanation of arrangements for fuel supply, including the length of time covered by the arrangements, to the extent known at the time of the application

Confidentiality

If an applicant considers certain of the required information above to be confidential and entitled to protection from public disclosure, it may designate said information as confidential and file it under seal. Documents marked as confidential will be treated pursuant to applicable Commission rules, procedures, and orders dealing with filings made under seal and with nondisclosure agreements.

Please read the "After You File" instructions on the last page of this document.

All applications shall be signed and verified (notarized) by the applicant or by an individual duly authorized to act on behalf of the applicant for the purpose of the application. A blank verification page is attached below:

VERIFICATION

STATE OF NC COUNTY OF Buncombe

[Signature]
Signature of Owner's Representative or Agent

Authorized Representative
Title of Representative or Agent

Ben Catt
Typed or Printed Name of Representative or Agent

The above named person personally appeared before me this day and, being first duly sworn, says that the facts stated in the foregoing application and any exhibits, documents, and statements thereto attached are true as he or she believes.

WITNESS my hand and notarial seal, this 12th day of May, 2021.

My Commission Expires: 04. 11. 2024

[Signature]
Signature of Notary Public

Corinne Wullimann
Name of Notary Public – Typed or Printed



This original verification must be affixed to the original application, and a copy of this verification must be affixed to each of the copies that are also submitted to the Commission.

After You File

1. After you file an application for a CPCN, the Utilities Commission will automatically send a copy to the State Clearinghouse for a government agency review and will issue an Order Requiring Publication of Notice.
2. The State Clearinghouse will post the application on its website for a 30-day review by government agencies.
3. You must publish the Commission's Public Notice as required by the Order Requiring Publication of Notice.
4. You must send a copy of the application and the Commission's Public Notice to the interconnecting utility no later than the first date that publication begins in the newspaper. You must also file a notarized letter called a "certificate of service" that states you completed this requirement.
5. After the publication period, the publishing newspaper should send you a notarized affidavit of publication. You must file the affidavit of publication with the Chief Clerk of the Utilities Commission.
6. If a complaint is received within 10 days after the last date of the publication of the notice, the Commission will schedule a public hearing to determine whether a certificate should be awarded and will give reasonable notice of the time and place of the hearing to the applicant and to each complaining party and will require the applicant to publish notice of the hearing in the newspaper in which the notice of the application was published. If no complaint is received within the time specified, the Commission may, upon its own initiative, order and schedule a hearing to determine whether a certificate should be awarded and, if the Commission orders a hearing upon its own initiative, it will require notice of the hearing to be published by the applicant in the newspaper in which the notice of the application was published.

If no complaint is received within the time specified and the Commission does not order a hearing upon its own initiative, the Commission will enter an order issuing the certificate.

Gum Swamp Solar, LLC – CPCN Application**Exhibit 2**

- i. Color site plan.

Exhibit 6

- i.
 - a) A statement detailing the experience and expertise of the persons who will develop, design, construct, and operate the project is attached hereto.
 - b) No regulated utility will be involved in the actual operation of the project, outside of their normal role in operating the grid.
 - c) The applicant has requested a statement of the impact of the purchased power on Duke Energy Progress' capacity, reserves, generation mix, capacity expansion plan, and avoided costs. The response will be filed upon receipt.

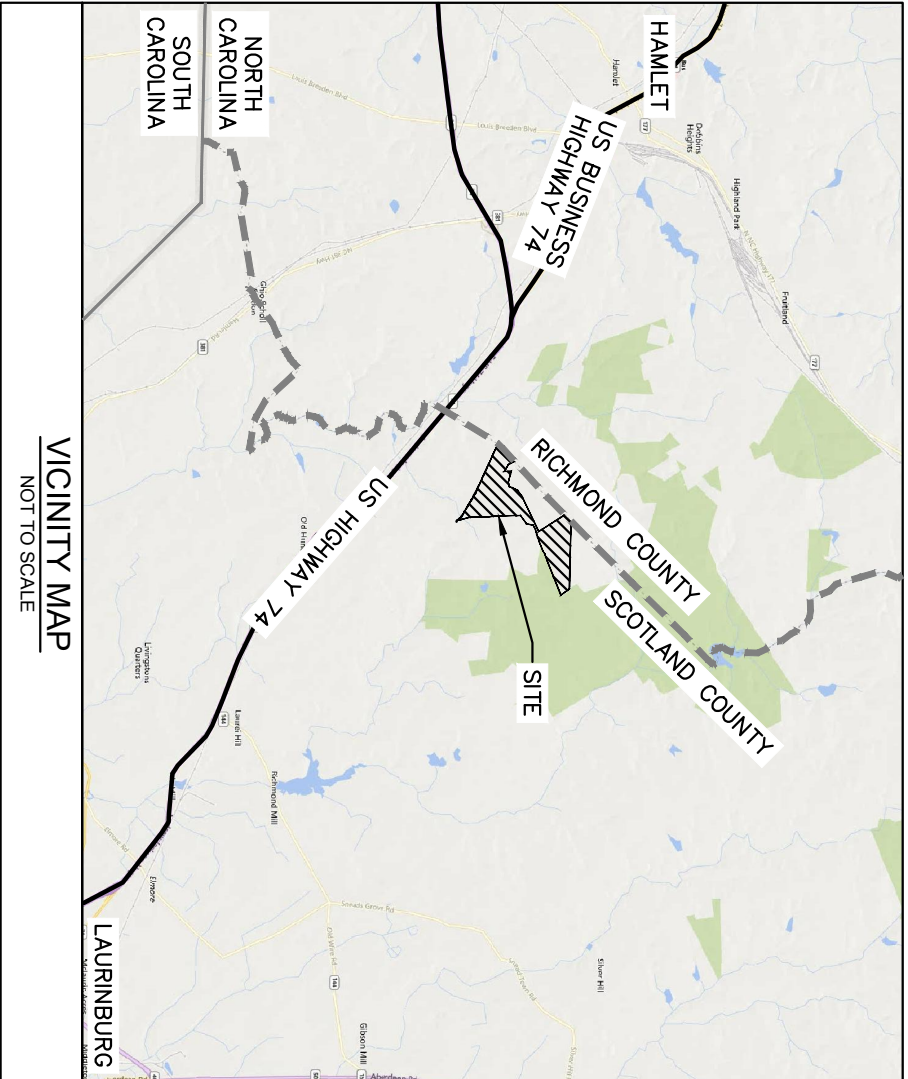
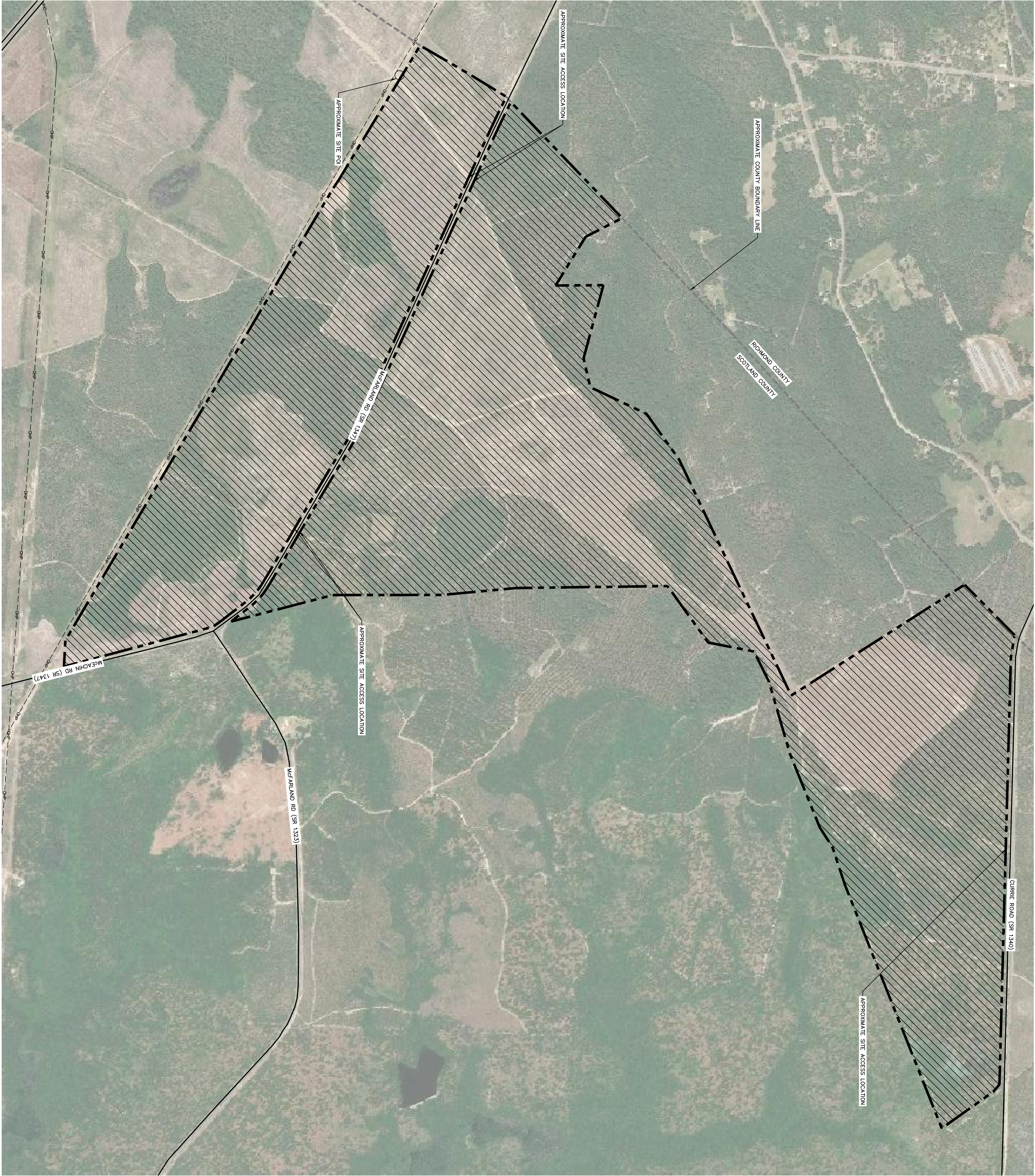
Exhibit 7

- ii.
 - a) The most currently available balance sheet of Pine Gate Renewables, LLC, the upstream owner of Gum Swamp Solar, LLC, shall be filed under seal.
 - b) The most currently available income statement of Pine Gate Renewables, LLC, the upstream owner of Gum Swamp Solar, LLC, shall be filed under seal.
 - c) An economic feasibility study of the project shall be filed under seal.
 - d) The financing arrangements in connection with the project are not yet known. The financing arrangements will be filed once known.

Exhibit 8

- iii.
 - a) A detailed explanation of the anticipated kilowatt and kilowatt-hour outputs, on-peak and off-peak, for each month of the year, including the specific on-peak and off-peak hours that were used to determine the facility's anticipated kilowatt and kilowatt-hour outputs will be filed under seal due to the confidential contents.
 - b) The proposed photovoltaic facility shall utilize solar energy as its sole input. All of the electrical output from the facility will be sold to Duke Energy Progress, LLC.
 - c) No fuel supply arrangements are required for the Gum Swamp Solar, LLC facility.

Exhibit 2



SITE DATA TABLE	
PROJECT COORDINATES	34°51'45.45"N 79°37'0.34"W
JURISDICTION	SCOTLAND COUNTY

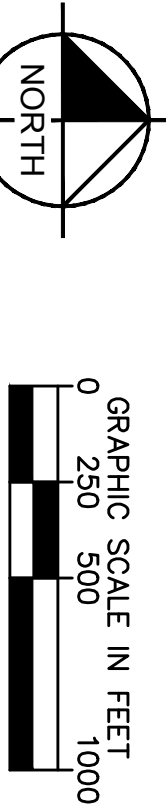
LEGEND	
	PROJECT BOUNDARY
	INTERNAL PROPERTY LINE
	PROPOSED PROJECT AREA
	APPROXIMATE EXISTING ROAD
	APPROXIMATE COUNTY BOUNDARY

- NOTES
1. PROJECT BOUNDARY SHOWN IS BASED ON FILES RECEIVED FROM PINE GATE RENEWABLES ON 04/20/2021.

2. THE LOCATION OF PROPOSED EQUIPMENT INCLUDING BUT NOT LIMITED TO TOWERING SOLAR ARRAY BACKING, ELECTRICAL EQUIPMENT OVERHEAD POLES AND LINE, ETC. SHOWN ARE APPROXIMATE AND MAY BE SUBJECT TO MODIFICATIONS DUE TO SITE CONSTRAINTS, ADDITIONAL PERMITTING REQUIREMENTS, EQUIPMENT ANCHOR OTHER CONSTRAINTS.

3. THIS PLAN IS PRELIMINARY AND WILL NOT BE RELEASED FOR CONSTRUCTION.

4. BASED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FIRM PANELS 3718741100K, 3710841000K, AND 3710842000L, ACCESSED 04/23/2021. THE PROJECT IS SITUATED WITHIN FLOOD ZONES OF SPECIAL HAZARD ZONES OF OTHER AREAS OF 100-YR FLOOD.



No.	REVISIONS	DATE	BY

Kimley»Horn

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PHONE: 919–677–2000 FAX: 919–677–2050
WWW.KIMLEY–HORN.COM
#F–0102

PRELIMINARY
NOT FOR
CONSTRUCTION

KHA PROJECT	013632011
DATE	04/26/2021
SCALE	AS SHOWN
DESIGNED BY	NDH
DRAWN BY	NDH
CHECKED BY	KLW

CPCN EXHIBIT

GUM SWAMP SOLAR

SCOTLAND COUNTY NORTH CAROLINA

SHEET NUMBER
EX-01

Pine Gate Renewables, LLC ("Pine Gate Renewables") is the owner of Gum Swamp Solar, LLC. Pine Gate Renewables develops, constructs, owns, and operates utility-scale solar farms across the United States, and specializes in project siting, development, financing, and construction of utility-scale solar farms.

Ben Catt is the Chief Executive Officer of Pine Gate Renewables, where he creates key partnerships, drives company strategy, and oversees development, operations, and project and corporate finance. Before joining Pine Gate Renewables, Ben served as Director of Structured Finance and Business Development at FLS Energy, a utility-scale solar developer in North Carolina. FLS Energy was acquired by Cypress Creek Renewables in 2016.