

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-22331, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

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| In the Matter of | | |
| Application of Hunters Cove Solar LLC |) | ORDER ISSUING CERTIFICATE |
| for a Certificate of Public Convenience and |) | AND ACCEPTING REGISTRATION |
| Necessity to Construct a 50-MW Solar |) | OF NEW RENEWABLE ENERGY |
| Facility in Rutherford County, North Carolina |) | FACILITY |

BY THE COMMISSION: On February 25, 2020, Hunters Cove Solar LLC (Applicant) filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) for the construction of a 50-MW_{AC} solar photovoltaic (PV) electric generating facility to be located east of US Highway 64, approximately at the intersection of Hunters Cove Road and US Highway 64, Rutherfordton, Rutherford County, North Carolina. The Applicant plans to sell the electricity produced by the facility to Duke Energy Carolinas, LLC (DEC).

On March 4, 2020, the Commission issued an Order Requiring Publication of Notice.

On March 16, 2020, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C.G.S. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On March 18, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to DEC on March 10, 2020.

On April 1, 2020, the Applicant filed the statement of impact required by Commission Rule R8-64(b)(6)(i)(c).

On April 7, 2020, the State Clearinghouse filed comments.

On April 15, 2020, the Applicant filed an updated site map including the information required by Commission Rule R8-64(b)(2)(i).

On April 16, 2020, the Applicant filed an affidavit of publication from The Daily Courier (Forest City, North Carolina) stating that the publication of notice was completed on April 3, 2020.

On April 17, 2020, the State Clearinghouse filed further comments from the North Carolina Department of Natural and Cultural Resources requesting additional information.

On May 27, 2020, the Applicant filed a Notice of Change of Control.

On August 3, 2020, the State Clearinghouse filed additional comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on August 17, 2020. The Public Staff further stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. The Public Staff also stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

The Public Staff noted that it inquired of the Applicant whether the project was planned for participation in the Competitive Procurement of Renewable Energy (CPRE) Program pursuant to N.C.G.S. § 62-110.8, and the Applicant responded that it plans for the project to be bid into current or future CPRE Program tranches.

After careful consideration, the Commission finds good cause to approve the application and issue the attached certificate for the proposed solar PV electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and will be required to participate in the North Carolina Renewable Energy Tracking System (NC-RETS) renewable energy certificates (RECs) tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

1. That a certificate of public convenience and necessity shall be, and is hereby, issued to Hunters Cove Solar LLC for the construction of a 50-MW_{AC} solar PV electric generating facility to be located east of US Highway 64, approximately at the intersection of Hunters Cove Road and US Highway 64, Rutherfordton, Rutherford County, North Carolina;

2. That Appendix A hereto shall constitute the certificate of public convenience and necessity issued for the facility;

3. That the registration statement filed by Hunters Cove Solar LLC for its solar PV electric generating facility to be located east of US Highway 64, approximately at the intersection of Hunters Cove Road and US Highway 64, Rutherfordton, Rutherford County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted; and

4. That Hunters Cove Solar LLC shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the 20th day of August, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Joann R. Snyder", is written over a faint, circular official stamp.

Joann R. Snyder, Deputy Clerk

Commissioner Jeffrey A. Hughes did not participate in this decision.

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-22331, SUB 0

Hunters Cove Solar LLC
CP Clear Sky Energy Class B LLC
c/o Capital Power
155 Federal Street, Suite 1200
Boston, Massachusetts 02110

is hereby issued this

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

for a 50-MW_{AC} solar photovoltaic electric generating facility

located

east of US Highway 64, approximately at the intersection of Hunters Cove Road and US
Highway 64, Rutherfordton, Rutherford 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 20th day of August, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Joann R. Snyder", is written over a light gray circular stamp.

Joann R. Snyder, Deputy Clerk