

**R8-65 REPORT BY PERSONS CONSTRUCTING ELECTRIC GENERATING FACILITIES EXEMPT FROM CERTIFICATION REQUIREMENT**

(a) All persons exempt from certification under G.S. 62-110.1(g) shall file with the Commission a report of the proposed construction of an electric generating facility before beginning construction of the facility. The report shall be in the form adopted by the Commission, shall include the information prescribed in subsection (g) below, and shall be signed and verified by the owner of the electric generating facility or by an individual duly authorized to act on behalf of the owner for the purpose of the filing. The facility owner shall also be required to report to the Commission the completion of each such facility by giving notice of the completion of construction to the Commission in accordance with section (i) of this Rule. Reports of proposed construction and notices of completion of construction shall be for informational purposes only, and shall not require action by the Commission or the Public Staff.

(b) Reports filed on behalf of a corporation are not subject to the provision of Rule R1-5(d) that requires corporate pleadings to be filed by a member of the Bar of the State of North Carolina. Should a public hearing be required, the requirements of G.S. 84-4 and G.S. 84-4.1 shall be applicable.

(c) The owner of the electric generating facility shall provide a copy of the report to the electric public utility, electric membership corporation, or municipality to which the generating facility is or will be interconnected. This requirement shall not apply to an offering utility, as defined in G.S. 62-126.3(10), with regard to an electric generating facility that is intended to be a community solar energy facility, as defined in G.S. 62-126.3(3).

(d) The owner of the electric generating facility shall file the report electronically or file an original of the report of proposed construction with the Chief Clerk of the Utilities Commission. The report shall be accompanied by the fee required by G.S. 62-300.

(e) Upon the filing of a report of proposed construction, the Chief Clerk will assign a new docket or sub-docket number to the filing.

(f) The Commission may order a hearing on the report of proposed construction upon its own motion or upon receipt of a complaint specifying the basis thereof. Otherwise, no acknowledgment of receipt of the report of proposed construction will be issued nor will any other further action be taken by the Commission.

(g) The Report.

(1) The report shall be comprised of the following four exhibits:

(i) Exhibit 1 shall contain:

- a. The full and correct name, business address, business telephone number, and electronic mailing address of the facility owner;
- b. A statement of whether the facility owner is an individual, a partnership, or a corporation and, if a partnership, the name and business address of each general partner and, if a corporation, the state and date of incorporation and the name, business address, business telephone number, and electronic mailing address of an individual duly authorized to act as corporate agent for the purpose of the report and, if a foreign corporation, whether domesticated in North Carolina; and
- c. The full and correct name of the site owner and, if the owner is other than the facility owner, the facility owner's interest in the site.

(ii) Exhibit 2 shall contain:

- a. 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, except such map or photo shall not be required for solar photovoltaic systems wherein solar panels are mounted on the roof of a residential or commercial building; and
- b. The E911 street address, county in which the proposed facility will be physically located, and GPS coordinates of the approximate center of the proposed facility site to the nearest second or one thousandth of a degree.

(iii) Exhibit 3 shall contain:

- a. The nature of the generating facility, including the type and source of its power or fuel;
- b. A description of the buildings, structures and equipment comprising the generating facility and the manner of its operation;
- c. The gross and net generating capacity of each unit and the entire facility in alternating current (AC);

- d. The projected date on which the facility will come on line;
  - e. The facility owner's general plan for sale of the electricity to be generated, including the utility to which the facility owner plans to sell the electricity;
  - f. the service life of the project;
  - g. the projected annual sales in kilowatt-hours; and
  - h. whether the facility owner intends to earn renewable energy certificates that are eligible for compliance with the State's renewable energy and energy efficiency portfolio standard, and, if the facility to be constructed is a community solar energy facility, as defined in G.S. 62-126.3(3), a statement that the renewable energy certificates will be offered to subscribers in a manner consistent with G.S. 62-126.8(e)(8) and the electric public utility's consumer solar energy facility program approved by the Commission.
- (iv) Exhibit 4 shall contain the expected cost of the proposed facility.
- (2) All reports shall be signed and verified by the facility owner or by an individual duly authorized to act on behalf of the facility owner for the purpose of the report.
  - (3) Falsification of or failure to disclose any required information in the report may be grounds for rejecting the report.
  - (4) Both before the time construction is completed and after, each facility owner shall advise both the Commission and the utility to which the generating facility is or will be interconnected of any plans to sell, transfer, or assign the generating facility or of any significant changes in the information set forth in subsection (g) of this Rule.
- (i) Notice of completion of construction of facility. Within thirty (30) days of the completion of construction of the facility, each facility owner shall notify the Commission that the construction of the facility is complete. This notice shall be made by filing a short, plain statement that construction of the facility is complete and the date on which the construction was completed.

*(NCUC Docket No. E-100, Sub 113, 2/29/08; NCUC Docket No. E-100, Subs 113 & 121, 1/31/11; NCUC Docket No. M-100, Sub 136, 6/26/12; NCUC Docket No. E-100, Sub 134, 3/18/2015; NCUC Docket Nos. E-100, Subs 113, 121, & 134, 03/29/2018; NCUC Docket Nos. E-100, Sub 113, & M-100, Sub 158, 08/26/2020.)*