

R8-66 REGISTRATION OF RENEWABLE ENERGY FACILITIES; ANNUAL REPORTING REQUIREMENTS

(a) The following terms shall be defined as provided in G.S. 62-133.8: "electric power supplier"; "renewable energy certificate"; and "renewable energy facility."

(b) The owner, including an electric power supplier, of each renewable energy facility, whether or not required to obtain a certificate of public convenience and necessity pursuant to G.S. 62-110.1, that intends for renewable energy certificates it earns to be eligible for use by an electric power supplier to comply with G.S. 62-133.8, or for its facility to participate in the Competitive Procurement of Renewable Energy Program, shall register the facility with the Commission. The registration statement shall be in the form adopted by the Commission, may be filed separately or together with an application for a certificate of public convenience and necessity, or with a report of proposed construction by a person exempt from the certification requirement. All relevant renewable energy facilities shall be registered prior to their having RECs issued in the North Carolina Renewable Energy Tracking System (NC-RETS) pursuant to Rule R8-67(h). Contracts for power supplied by an agency of the federal government are exempt from the requirement to register and file annually with the Commission if the renewable energy certificates associated with the power are bundled with the power purchased by the electric power supplier.

- (1) The owner of each renewable energy facility that has not previously done so, including a facility that is located outside of the State of North Carolina, shall include in its registration statement the following information:
 - (i) The full and correct name, business address, electronic mailing address, and telephone number of the facility owner;
 - (ii) 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 telephone number, electronic mailing address, and business address, of an individual duly authorized to act as corporate agent for the purpose of the application and, if a foreign corporation, whether domesticated in North Carolina;
 - (iii) The nature of the renewable energy facility, including its technology, the type and source of its power or fuel(s); whether it produces electricity, useful thermal energy, or both; and the facility's projected dependable capacity in kilowatts AC and/or British thermal units per hour, as well as its maximum nameplate capacity;
 - (iv) The E911 address of the facility, the 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;
 - (v) A map, such as a county road map, with the location indicated on the map;
 - (vi) The ownership of the site and, if the site owner is other than the facility owner, the facility owner's legal interest in the site;
 - (vii) A complete list of all federal and state (not local) licenses, permits, and exemptions required for construction and operation of the facility, and a statement of whether each has been obtained or applied for. A copy of those that have been obtained should be filed with the application. Wind facilities with multiple turbines, where each turbine is licensed separately, may provide copies of such approvals for one such turbine of each type in the facility, but shall attest that approvals for all of the turbines are available for inspection;
 - (viii) The date the facility began operating. If the facility is not yet operating, the owner shall provide the facility's projected in-service date;
 - (ix) If the facility is already operating, the owner shall provide information regarding the amount of energy produced by the facility, net of station use, for the most recent 12-month or calendar-year period. Energy production data for a shorter time period is acceptable for facilities that have not yet operated for a full year;
 - (x) The name of the entity that does (or will) read the facility's energy production meter(s) for the purpose of renewable energy certificate issuance;
 - (xi) For thermal energy facilities, describe the method to be used to determine the facility's thermal energy production, in Btus per hour, that is eligible for REC issuance;
 - (xii) Whether the facility participates in a REC tracking system, and if so, which one. If the facility does not currently participate in a REC tracking system, which tracking system the owner anticipates will be used for the purpose of REC issuance; and

- (xiii) If this facility has already been the subject of a proceeding or submittal before the Commission, such as a Report of Proposed Construction or a Certificate of Public Convenience and Necessity, provide the Commission Docket Number, if available.
- (2) If the facility is a combined heat and power system, the owner shall also include in its registration statement the following information:
- (i) A narrative description and one-line diagram of the electrical and thermal generation systems to include Btu meters, boilers, steam pressures, valves, turbines, and ultimate uses of the steam. Also, include any crossover of steam, cross connections (even if by spool piece), or the ability to supply steam from other means or to other loads;
 - (ii) A description of the parasitic electrical and parasitic thermal loads;
 - (iii) Calculations for the parasitic electrical and parasitic thermal loads and supporting documents;
 - (iv) A description of the method of collecting the waste heat from the electrical generating system;
 - (v) A description of the host(s) of the waste heat and an explanation of how the waste heat will be used and useful;
 - (vi) Calculations of the percent of energy that is delivered to the steam host(s) but not used and useful; and
 - (vii) Confirmation if the proposed operation will have any pressure reducing valves operating simultaneously in parallel with any back pressure turbines.
- (3) If the facility owner intends to earn multiple types of RECs by using a variety of fuels, the owner shall include in its registration statement the following additional information:
- (i) Example calculations for the energy production associated with each fuel used by the facility as required by the Appendix C (Multi-fuel Generation) to the operating procedures for the North Carolina Renewable Energy Tracking System. These calculations must ultimately show the electrical and thermal energy (if any) attributable to only the renewable fuels and how the number of renewable energy certificates is determined;
 - (ii) A description of each fuel to be used by the facility; and
 - (iii) A description of how the heat content of each fuel was determined.
- (4) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter that it is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources. If a credible showing is made that the facility is not in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources, the Commission shall refer the matter to the appropriate environmental agency for review. Registration shall not be revoked unless and until the appropriate environmental agency concludes that the facility is out of compliance and the Commission issues an order revoking the registration.
- (5) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter that the facility satisfies the requirements of G.S. 62-133.8(a)(5) or (7) as a renewable energy facility or new renewable energy facility, that the facility will be operated as a renewable energy facility or new renewable energy facility, and, if the facility has been placed into service, the date when it was placed into service
- (6) The owner of each renewable energy facility shall further certify in its registration statement and annually thereafter that any renewable energy certificates (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. 62-133.8 have not, and will not, be remarketed or otherwise resold for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina (such as NC GreenPower) or any other state or country, and that the electric power associated with the certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.
- (7) The owner of each renewable energy facility shall certify in its registration statement and annually thereafter that it consents 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, and agrees to provide the Public Staff and the Commission access to its books and records, wherever they are located, and to the facility.

- (8) If the facility is already operating, the owner shall attest that the registration information is true and accurate for all years that the facility has earned RECs for compliance with G.S. 62-133.8. Each registration statement shall be signed and verified by the owner of the renewable energy facility or by an individual duly authorized to act on behalf of the owner for the purpose of the filing.
 - (9) Renewable energy facilities and new renewable energy facilities that have RECs issued in NC-RETS shall provide their annual certification electronically via NC-RETS. Annual certifications are due April 1 each year.
 - (10) Registration statements 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.
 - (11) The applicant may file the registration statement electronically or by filing an original of the registration statement with the Chief Clerk of the Utilities Commission. The registration statement shall be accompanied by the fee required by G.S. 62-300.
- (c) Each re-seller of renewable energy certificates derived from a renewable energy facility, including a facility that is located outside of the State of North Carolina, shall ensure that the owner of the renewable energy facility registers with the Commission prior to the sale of the certificates by the re-seller to an electric power supplier to comply with G.S. 62-133.8(b), (c), (d), (e) and (f), except that the filing requirements in subsection (b) of this Rule shall apply only to information for the year(s) corresponding to the year(s) in which the certificates to be sold were earned.
- (d) Upon receipt of a registration statement, the Chief Clerk will assign a new docket or sub-docket number to the filing.
- (e) No later than twenty (20) business days after the registration statement is filed with the Commission, the Public Staff shall, and any other interested persons may, file with the Commission and serve upon the registrant a recommendation regarding whether the registration statement is complete and identifying any deficiencies. If the Commission determines that the registration statement is not complete, the owner of the renewable energy facility will be required to file the missing information. Upon receipt of all required information, the Commission will promptly issue an order accepting the registration, denying the registration, or setting the matter for hearing.
- (f) Any of the following actions may result in revocation of registration by the Commission:
- (1) Falsification of or failure to disclose any required information in the registration statement or annual filing;
 - (2) Failure to remain in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources;
 - (3) Remarketing or reselling any renewable energy certificate (whether or not bundled with electric power) after it has been sold to an electric power supplier or any other person for compliance with G.S. 62-133.8 or for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina or any other state or country, or offering or selling the electric power associated with the certificates with any representation that the power is bundled with renewable energy certificates;
 - (4) Failure to allow the Commission or the Public Staff access to its books and records necessary to audit REPS compliance; or
 - (5) Failure to provide the annual certifications required by Rule R8-66(b).
- (g) NC-RETS shall maintain on its website a list of all registration statement revocations.
- (h) An owner of a renewable energy facility that has registered with the Commission shall notify the Commission and the tracking system that issues the facility's RECs within fifteen (15) days of any change in the information contained in the registration statement, including ownership change, fuel change, or permit issuance or revocation. If there is a change in ownership of the facility, the Commission shall be notified, the registration of the facility in the name of that facility owner shall be cancelled, and the new owner may file a registration statement pursuant to this Rule. The following changes in information are exemplary of changes that require an amendment to the registration of the facility: a change in the facility owner's name, a change in the fuel source, a change in the multi-fuel calculations, or a change in the generating capacity of the facility. The following changes in information are exemplary of changes that require notice to the Commission, but do not require an amendment to the registration: a change in the facility owner's contact information, or a change in the upstream ownership of the facility owner.
- (i) In addition to complying with any other applicable filing requirements pursuant to this Rule or other Commission rules, the filing of a FERC Form No. 556 for the purpose of satisfying the notice requirements of 18

C.F.R. 292.207(c) or for the purpose of satisfying the requirements of section (h) of this Rule, shall be accompanied by a cover letter that identifies the facility, the facility owner, and the associated docket number assigned to the matter by the Chief Clerk, and includes a short, plain statement alerting the Commission to the changed information, if any.

(NCUC Docket No. E-100, Sub 113, 2/29/08; NCUC Docket No. E-100, Sub 113, 3/13/08; 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 No. E-100, Sub 150, 11/06/2017; NCUC Docket Nos. E-100, Subs 113, 121, & 134, 03/29/2018; NCUC Docket No. M-100, Sub 147, 9/15/2023.)

DOCKET NO. _____, SUB _____

Filing Fee Tendered \$ _____

Registration Statement for the Registration of a Renewable Energy Facility or New Renewable Energy Facility – Commission Rule R8-66

Pursuant to G.S. 62-133.8 and Commission Rule R8-66, this form is required for use by the owner of a renewable energy facility that intends for the renewable energy certificates the facility earns to be eligible for use by an electric power supplier to comply with G.S. 62-133.8, or for its renewable energy facility to participate in the Competitive Procurement of Renewable Energy Program. 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 \$250.00.

This form may be electronically filed. Please see www.ncuc.net for instructions.

If this form is filed by hard copy, the original must be presented at the office of the Chief Clerk, or transmitted by the United States Postal Service or a designated delivery service authorized pursuant to 26 U.S. 7502(f)(2). 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

Required Statements	Response
Facility name:	
Full and correct name of the owner of the facility:	
Business address:	
Electronic mailing address:	
Telephone number:	
 	
Agent's business address:	
Agent's electronic mailing address:	
Agent's telephone number:	
 	
The owner is:	Individual Partnership Corporation/LLC

If a corporation, provide the state and date of incorporation:	State _____ Date _____			
If a corporation that is incorporated outside of North Carolina, is it domesticated in North Carolina?	<table border="1" style="width: 100%;"> <tr> <td data-bbox="685 352 1357 390">Yes</td> <td data-bbox="1357 352 1448 390">No</td> <td data-bbox="1357 352 1448 432" style="width: 50px; height: 38px;"></td> </tr> </table>	Yes	No	
Yes	No			
If a partnership, the name and business address of each general partner. (Add additional sheets if necessary.)				
Nature of the renewable energy facility:				
1. Describe the facility, including its technology, and the source of its power and fuel(s). Thermal facilities should describe how its host uses the facility's thermal energy output. (Add additional sheets if necessary.)				
2. Whether it produces electricity, useful thermal energy, or both.				
3. Nameplate capacity in kW/MW (AC) and/or maximum Btu per hour for thermal facilities.				
4. The facility's projected dependable capacity in kW AC or Btu/hour.				
5. The E911 address of the facility.				
6. The county where the facility will be located.				
7. GPS coordinates of the approximate center of the facility site to the nearest second or one thousandth of a degree.				
8. The location of the facility set forth in terms of local highways, streets, rivers, streams, or other generally known local landmarks. Attach a map, such as a county road map, with the location indicated on the map.				
Site ownership:				

1. Is the site owner other than the facility owner? If yes, who is the site owner?	
2. What is the facility owner's legal interest in the site?	
<p>Federal and State licenses, permits, and exemptions.</p> <p>Note: Responses in this section should provide all federal and state (not local) licenses, permits, and/or exemptions required for construction and operation of the facility and a statement of whether each has been obtained or applied for. A copy of those that have been obtained should be attached to this registration statements. Wind facilities with multiple turbines, where each turbine is licensed separately, may provide copies of approvals for one such turbine, but shall add an attestation that approvals for all of the turbines are available for inspection.</p>	
1. Federal permits and licenses:	
2. State permits and licenses:	
3. Exemptions required for construction and operation of the facility:	
4. Statement of whether each has been obtained or applied for (attach copy of those that have been obtained with this application):	
1. If the facility has been placed into service, on what date did the facility begin operating?	
2. If the facility is not yet operating, on what date is the facility projected to be placed into service?	
1. If the facility is already operating, what is the amount of energy produced by the facility, net of station use, for the most recent 12-month or calendar-year period? Energy production data for a shorter time period is acceptable for facilities that have not yet operated for a full year.	

2. What entity does (or will) read the facility's energy production meter(s) for the purpose of issuing renewable energy certificates?	
3. For thermal energy facilities, describe the method to be used to determine the facility's thermal energy production, in BTUs, that is eligible for REC issuance.	
4. Does the facility participate in a REC tracking system and if so, which one? If not, which tracking system will the facility participate in for the purpose of REC issuance?	
5. If this facility has already been the subject of a proceeding or submittal before the Commission, such as a Report of Proposed Construction or a Certificate of Public Convenience and Necessity, please provide the Commission Docket Number, if available.	

Information for Combined Heat and Power (CHP) Systems

If the facility is a combined heat and power system, the owner shall also include in its registration statement the following information:

1. A narrative description and one-line diagram of the electrical and thermal generation systems to include Btu meters, boilers, steam pressures, valves, turbines, and ultimate uses of the steam. Also, include any crossover of steam, cross connections (even if by spool piece), or the ability to supply steam from other means or to other loads.	
2. A description of the parasitic electrical and parasitic thermal loads.	
3. Calculations for the parasitic electrical and parasitic thermal loads and supporting documents.	
4. A description of the method of collecting the waste heat from the electrical generating system.	
5. A description of the host(s) of the waste heat and an explanation of how the waste heat will be used and useful.	
6. Calculations of the percent of energy that is delivered to the steam host(s) but not used and useful.	
7. Confirmation if the proposed operation will have any pressure reducing valves operating simultaneously in parallel with any back pressure turbines.	

Information for Multiple Fuel Facilities

If the facility owner intends to earn multiple types of RECs by using a variety of fuels, the owner should include in its registration statement the following additional information:

1. Example calculations for the energy production associated with each fuel used by the facility as required by the Appendix C (Multi-fuel Generation) to the operating procedures for the North Carolina Renewable Energy Tracking System. These calculations must ultimately show the electrical and thermal energy (if any) attributable to only the renewable fuels and how the number of renewable energy certificates is determined.	
2. A description of each fuel to be used by the facility.	
3. A description of how the heat content of each fuel was determined.	

The owner of the renewable energy facility shall provide the following attestations, signed and notarized:

1. Yes No I certify that 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. Yes No I certify that the facility satisfies the requirements of G.S. 62-133.8(a)(5) or (7) as a:

renewable energy facility, or new
renewable energy facility,
and that the facility will be operated as a: renewable energy
 facility, or
 new renewable energy facility.

3. Yes No I certify that 1) my organization is not simultaneously under contract with NC GreenPower to sell our RECs emanating from the same electricity production being tracked in NC-RETS; and

2) any renewable energy certificates (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. 62-133.8 have not, and will not, be remarketed or otherwise resold for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina (such as NC GreenPower) or any other state or country, and that the electric power associated with the certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.

4. Yes No I certify that I consent to the auditing of my organization's books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers, and agree to provide the Public Staff and the Commission access to our books and records, wherever they are located, and to the facility.

5. Yes No I certify that the information provided is true and correct for all years that the facility has earned RECs for compliance with G.S. 62-133.8.

6. Yes No I certify that I am the owner of the renewable energy facility or am duly authorized to act on behalf of the owner for the purpose of this filing.

(Signature) _____

(Title) _____

(Name - Printed or Typed)

(Date)

VERIFICATION

STATE OF _____ COUNTY OF _____

_____, 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 day of _____, 20 _____.

My Commission Expires: _____

Signature of Notary Public

Name of Notary Public – Typed or Printed

The name of the person who completes and signs the annual certification must be typed or printed by the notary in the space provided in the verification. The notary's name must be typed or printed below the notary's seal. This original verification must be affixed to the original annual certification, and a copy of this verification must be affixed to the original copy that is submitted to the Commission at:

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

**Annual Certification of Compliance with the Requirements of
Commission Rule R8-66 for the Continuation of the Registration of a
Renewable Energy Facility or New Renewable Energy Facility.**

Docket No. _____ -

Facility Owner: _____

<input type="checkbox"/> YES	<input type="checkbox"/> NO	I certify that 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.
<input type="checkbox"/> YES	<input type="checkbox"/> NO	I certify that the facility satisfies the requirements of G.S. 62-133.8(a)(5) or (7) as a (select one):Renewable Energy Facility and that the facility will be operated as a (select one): Renewable Energy Facility To determine whether your facility meets either of these definitions, you should check your registration order or consult your legal counsel.
<input type="checkbox"/> YES	<input type="checkbox"/> NO	I certify that 1) my organization is not simultaneously under contract with NC GreenPower to sell our RECs emanating from the same electricity production being tracked in NC-RETS; and 2) any renewable energy certificates (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. 62-133.8 have not, and will not, be remarketed or otherwise resold for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina (such as NC GreenPower) or any other state or country, and that the electric power associated with the certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.
<input type="checkbox"/> YES	<input type="checkbox"/> NO	I certify that I consent to the auditing of my organization's books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers, and agree to provide the Public Staff and the Commission access to our books and records, wherever they are located, and to the facility.
<input type="checkbox"/> YES	<input type="checkbox"/> NO	I certify that I am the owner of the renewable energy facility or am duly authorized to act on behalf of the owner for the purpose of this filing.

(Signature)

(Title)

(Name – Printed or Typed)

(Date)

VERIFICATION

STATE OF _____ COUNTY OF _____

_____, 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 day of _____, 20 _____.

My Commission Expires: _____

Signature of Notary Public

Name of Notary Public – Typed or Printed

The name of the person who completes and signs the annual certification must be typed or printed by the notary in the space provided in the verification. The notary's name must be typed or printed below the notary's seal. This original verification must be affixed to the original annual certification, and a copy of this verification must be affixed to the original copy that is submitted to the Commission at:

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