

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. SP-100, SUB 32

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Request for a Declaratory Ruling by Col.)
Francis X. De Luca USMCR(RET)) ORDER REQUESTNG
) COMMENTS
)

BY THE CHAIRMAN: On May 17, 2017, Francis X. De Luca filed a petition for a declaratory ruling in the above-captioned docket. In summary, Francis De Luca is requesting that the Commission find Fresh Air Energy, LLC, is a public utility pursuant to G.S. 62-3(23) for purposes of Chapter 62. Francis De Luca explains that he is seeking this declaration so that North Carolina will have access to information to determine the true costs of solar power and that currently North Carolina does not have access to any information from any of the new qualifying facilities.

The Chairman finds good cause to request that interested persons file comments and that Francis De Luca file reply comments on his petition for a declaratory ruling. In addition, the Chairman finds good cause to make Fresh Air Energy, LLC a party to this docket without requiring them to file a petition to intervene. Further, the Chairman finds good cause to request that the Public Staff - North Carolina Utilities Commission (Public Staff) file initial comments.

IT IS, THEREFORE, ORDERED as follows:

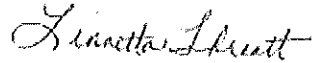
1. That on or before May 29, 2017, persons having an interest in Francis De Luca's petition may file petitions to intervene in this docket.
2. That Fresh Air Energy, LLC, shall be, and is hereby, made a party to this docket without the necessity of filing a petition to intervene and that the Public Staff is requested to file comments.
3. That the Chief Clerk shall serve this Order Requesting Comments on Fresh Air Energy, LLC.
4. That on or before June 2, 2017, all interested parties may file initial comments regarding the petition.

5. That on or before June 9, 2017, Francis De Luca may file reply comments.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th day of May, 2017.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, reading "Linnetta Threatt".

Linnetta Threatt, Acting Deputy Clerk