

Agenda Item IX.A.



Meeting Date: July 18, 2023

Department: County Attorney

Topic: **Solar Project Development Agreement Amendment**

Board Action: The Board is being asked to approve a proposed Project Development Agreement Amendment for an already approved solar facility to be located at the intersection of Union Hill Road and Richmond Highway.

Attachment:

1. Project Development Agreement Amendment (00517619xA5C36)

Summary: On April 18, 2022, the County entered into a Project Development Agreement with Amherst County VA S1, LLC (the "Company") that required the Company to develop a decommissioning plan and to provide financial assurance for such decommissioning "in the form of a parent guarantee". Appalachian Power Company ("APCo") has since purchased all the equity of the Company causing the Company to assign and distribute its assets and obligations related to the project to APCo. As there is no "parent" company to APCo, it is necessary to amend the original Project Development Agreement to simply confirm that APCo has the financial capability, as a publicly traded company, to meet its decommissioning obligations and that APCo agrees to and affirms its obligations to such decommissioning plan.

Recommended Motion: I move that the Board approve the proposed Project Development Agreement Amendment as presented.

Comprehensive Plan Impact: Not addressed in the Comprehensive Plan.