

NORTH CAROLINA UTILITIES COMMISSION
MINUTES OF REGULAR COMMISSION STAFF CONFERENCE

March 22, 2021

The Regular Commission Staff Conference of the North Carolina Utilities Commission was held on Monday, March 22, 2021, at 10:00 a.m., with Chair Mitchell, presiding. The remote meeting was conducted by use of simultaneous communication (via Webex) pursuant to N.C. Gen. Stat. § 166A-19.24, streamed live online, and available to the public.

The following were present during the entirety of the remote meeting:

COMMISSIONERS

Commissioner Brown-Bland
Commissioner Gray
Commissioner Clodfelter
Commissioner Duffley
Commissioner Hughes
Commissioner McKissick

COMMISSION STAFF: Ms. Lazo, Ms. Henderson, Ms. Fennell, Ms. Condie, Ms. Swenson, Ms. Barnes, Ms. Hilburn, Ms. Paschal, Mr. Wood, Ms. Zhang, Ms. Jayasheela, Ms. Burns, Ms. Needham, Mr. McCoy

PUBLIC STAFF: Ms. Edmondson, Ms. Coxton, Mr. Maness, Mr. Henry, Mr. Akpom, Ms. Perry, Ms. Boswell, Mr. McLawhorn, Mr. Saillor, Mr. D. Williamson, Mr. Lucas, Mr. Lawrence, Mr. Furr, Ms. Proffitt, Mr. Franklin

ATTORNEY GENERAL:

COURT REPORTER: Ms. Mitchell

C. COMMUNICATIONS**P1. DOCKET NO. P-100, SUB 133C – DESIGNATION OF CARRIER ELIGIBLE FOR UNIVERSAL SERVICE SUPPORT**

On July 17, 2020, Atlantic Telecom Multimedia Consolidated, LLC (ATMC), filed an application seeking designation as an Eligible Telecommunications Carrier (ETC) for the purpose of qualifying to receive federal Universal Service Fund support to provide voice and broadband services in certain areas defined by census blocks that lack these services and to allow it to offer discounts to qualifying low-income customers through the Federal Communications Commission's (FCC's) Lifeline program. Under 47 U.S.C. § 214(e)(2), a provider of "universal service" must receive an ETC designation from the public utilities commission in the state for the areas in which the provider wishes to receive universal service support.

In its July 17, 2020 application, ATMC seeks ETC designation for the census blocks located in Bladen, Brunswick and Columbus counties in southeastern North Carolina specified in Attachment A of the application. ATMC requests ETC designation for additional census blocks located in Bladen, Brunswick, Columbus, Duplin, Pender, and Robeson counties by way of a supplement filing made on February 27, 2021; the additional census blocks are specified in Attachment C of the supplement filing. Funding awarded to ATMC's parent corporation, Atlantic Telephone Membership Corporation, through the USDA-Rural Utilities Service's ReConnect Loan and Grant Program and the North Carolina Department of Information Technology's Broadband Infrastructure Office's Growing Rural Economies with Access to Technology Program has been assigned to ATMC.

ATMC is a competing local provider (CLP) and was granted a certificate of public convenience and necessity to provide local exchange and exchange access service within North Carolina on February 17, 2011, in Docket No. P-1523, Sub 0.

The Public Staff has investigated ATMC's application and supplement filings, including review of responses to Public Staff data requests. The Public Staff concludes that ATMC satisfies the requirements for designation as an ETC, including the provision of the supported services using its own facilities or a combination of its own facilities and the facilities of other carriers, in accordance with the requirements of 47 C.F.R. § 54.201(d)(1). Additionally, ATMC has indicated that it will advertise the availability of its services using media of general distribution in the requested ETC designated service areas, as required by 47 C.F.R. § 54.201(d)(2). Lastly, the Public Staff has determined that ATMC is current with all Commission filing requirements to operate as a CLP in North Carolina.

The Public Staff recommended that the Commission issue an order finding that ATMC has met the requirements to serve as an ETC in the requested census blocks in Bladen, Brunswick, Columbus, Duplin, Pender, and Robeson counties, and designating ATMC as an ETC for those census blocks as requested.

It was moved and passed that the Public Staff's recommendation be adopted.

D. ELECTRIC

P1. APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT SOLAR FACILITIES

The following applications seek amended certificates of public convenience and necessity for construction of a solar photovoltaic (PV) electric generating facilities, pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-64.

Duke Energy Carolinas:

- Docket No. SP-8431, Sub 0 – Application of Saw Solar, LLC, for an amended certificate of public convenience and necessity to construct a 4.999-MW solar PV facility in Rowan County, North Carolina. (registration statement issued previously)

Duke Energy Progress:

- Docket No. SP-8116, Sub 0 – Application of Slender Branch Solar, LLC, for an amended certificate of public convenience and necessity to construct an 80-MW solar PV facility in Bladen County, North Carolina. (registration statement issued previously)

The Public Staff has reviewed the applications and determined that they comply with the requirements of N.C.G.S. § 62-110.1 and Commission Rule R8-64.

The Public Staff recommended that the Commission issue orders approving the applications and issuing the requested amended certificates for the facilities. Proposed orders have been provided to the Commission Staff.

It was moved and passed that the Public Staff's recommendation be adopted.

P2. DOCKET NO. E-101, SUB 0 – WEAVING WATER, LLC – REQUEST FOR WAIVER OF MASTER METERING PROHIBITION IN N.C. GEN. STAT. § 143-151.42

This Item was Withdrawn.

P3. DOCKET NO. E-2, SUB 1059 – DUKE ENERGY PROGRESS, LLC – MODIFICATION OF RESIDENTIAL MULTI-FAMILY ENERGY EFFICIENCY PROGRAM

On February 3, 2021, Duke Energy Progress, LLC (DEP), filed a request for approval to modify its Residential Multi-Family Energy Efficiency program (Program). The proposed modification would add upgraded low flow water measures and smart thermostats to the existing list of measures offered by the program.

The Program was originally approved December 18, 2014, as an energy efficiency (EE) program pursuant to N.C. Gen. Stat. § 62-133.9 and Commission Rule R8-68. The Program is designed to achieve energy savings through the installation of certain energy efficient lighting and water saving measures in multi-family dwellings. Under the Program, property managers of multi-family dwellings receive energy efficient light bulbs, low-flow faucet aerators and showerheads, and pipe wrap insulation and have the option of installing the measures themselves or having them installed by a DEP vendor at no additional charge. The Program is currently available to property owners and managers of multi-family residential dwellings that have four or more individually-metered units per building.

The Public Staff reviewed DEP's request and did not discover any information that would suggest that the addition of these new measures would adversely impact the cost effectiveness of or savings from the Program. Based upon its review, the Public Staff recommends that the Commission approve DEP's request, including DEP's request to have the costs and incentives considered by the Commission as provided by Commission Rule R8-68.

The Public Staff recommended that the Commission issue the Public Staff's proposed order approving DEP's proposed modification to its Multi-Family Energy Efficiency program as filed.

It was moved and passed that the Public Staff's recommendation be adopted.

**P4. DOCKET NO. E-7, SUB 1032 – DUKE ENERGY CAROLINAS, LLC –
MODIFICATION OF RESIDENTIAL MULTI-FAMILY ENERGY EFFICIENCY
PROGRAM**

On February 3, 2021, Duke Energy Carolinas, LLC (DEC), filed a request for approval to modify its Residential Multi-Family Energy Efficiency program (Program). The proposed modification would add upgraded low flow water measures and smart thermostats to the existing list of measures offered by the program.

The Program was originally approved October 29, 2013, as an energy efficiency (EE) program pursuant to N.C. Gen. Stat. § 62-133.9 and Commission Rule R8-68. The Program is designed to achieve energy savings through the installation of certain energy efficient lighting and water saving measures in multi-family dwellings. Under the Program, property managers of multi-family dwellings receive energy efficient light bulbs, low-flow faucet aerators and showerheads, and pipe wrap insulation and have the option of installing the measures themselves or having them installed by a DEC vendor at no additional charge. The Program is currently available to property owners and managers of multi-family residential dwellings that have four or more individually-metered units per building.

The Public Staff reviewed DEC's request and did not discover any information that would suggest that the addition of these new measures would adversely impact the cost effectiveness of or savings from the Program. Based upon its review, the Public Staff recommends that the Commission approve DEC's request, including DEC's request to have the costs and incentives considered by the Commission as provided by Commission Rule R8-68.

The Public Staff recommended that the Commission issue the Public Staff's proposed order approving DEC's proposed modification to its Multi-Family Energy Efficiency program as filed.

Representatives of Duke Energy (DEC and DEP), Kendrick Fentress and Bob Evans, answered questions and addressed concerns from the Commission on Electric Items P3. and P4.

It was moved and passed that the Public Staff's recommendation be adopted.

Minutes of the Regular Commission Staff Conference for March 15, 2021, were approved.

Minutes prepared by Portia Barnes.