

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**STAFF CONFERENCE AGENDA
November 12, 2019**

COMMISSION STAFF

NO AGENDA ITEMS

PUBLIC STAFF

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TO: Agenda – Commission Conference – November 12, 2019

FROM: PUBLIC STAFF – North Carolina Utilities Commission

B. NATURAL GAS

P1. DOCKET NO. G-40, SUB 140 – FRONTIER NATURAL GAS COMPANY – NATURAL GAS SERVICE AGREEMENT

EXPLANATION: On May 30, 2017, Frontier Natural Gas Company (Frontier) filed a multi-year Natural Gas Service Agreement (Agreement) between Frontier and Maymead Materials, Inc. (Customer). On February 15, 2018, Frontier filed a Confidential Notice of Commencement of Service. On June 30, 2019, Frontier filed a First Amendment to the Agreement. Frontier submitted the Agreement and First Amendment under seal on the grounds that they are confidential and proprietary and have been designated as such pursuant to N.C. Gen. Stat. § 132-1.2. The Agreement and First Amendment are herein after collectively referred to as the Amended Agreement.

The Agreement relates to the extension of new natural gas facilities necessary to provide natural gas service to Customer's location and Customer's agreement to pay Contribution in Aid of Construction and to make specified annual minimum payments for transportation service. The First Amendment is the product of extensive discussions with the Public Staff and Frontier regarding the contract terms and results in a reduced charge to Customer. Frontier requested that the First Amendment be incorporated into Frontier's pending request for approval of the Agreement. Frontier stated that no other customers will be impacted by the Amended Agreement and that the Amended Agreement is in the public interest.

The Public Staff has reviewed the Amended Agreement and other information provided by Frontier in response to Public Staff data requests. Based on its investigation, the Public Staff determined that the terms of the Amended Agreement are within the parameters set forth in N.C. Gen. Stat. § 62-140. The Public Staff recommends that the Commission issue an order: (1) concluding that the Amended Agreement is not unlawful and does not violate the rules and regulations of the Commission, and (2) allowing the Amended Agreement to become effective as filed and authorizing Frontier to provide service to the Customer pursuant to the Amended Agreement. The Public Staff also recommends that the Commission's order state that acceptance of the Amended Agreement neither constitutes approval of the amount of any compensation paid thereunder nor prejudices the right of any party to take issue with any provision of the Amended Agreement in a future proceeding.

EXHIBIT: A proposed order is attached as [Exhibit No. P-1](#).

RECOMMENDATION: (Perry) That the Commission issue the proposed order allowing the Amended Agreement to become effective as filed and authorizing Frontier to provide service pursuant to the Amended Agreement.

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C. COMMUNICATIONS

P1. FILING OF INTERCONNECTION AGREEMENT BY VERIZON SOUTH

EXPLANATION: The following interconnection agreement was filed for Commission approval in September:

Verizon South Inc.

Docket No. P-19, Sub 544 – Agreement with Comcast Phone of North Carolina, LLC, filed on September 13, 2019.

This filing was made in compliance with Commission Rule R17-4(d) and Sections 252(e) and 252(i) of the Telecommunications Act of 1996. The Act provides for the filing of such agreements and amendments with the state commission and approval or rejection by the state commission within 90 days after filing. On June 18, 1996, the Commission issued an Order in Docket No. P-100, Sub 133, allowing interim operation under negotiated agreements filed as public records prior to Commission approval of the agreements.

The Public Staff has reviewed this filing and recommends Commission approval.

RECOMMENDATION: (Proffitt) That an order be issued approving the agreement effective on the date it was filed. The Public Staff has provided a copy of the proposed order to the Commission's Legal Staff.

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D. ELECTRIC

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

EXPLANATION: The following applications seeking certificates of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1 for construction of solar photovoltaic electric generating facilities were filed pursuant to Commission Rule R8-64.

Duke Energy Progress, LLC:

- Docket No. SP-5267, Sub 0 – Application of Whiskey Solar, LLC, for an amended Certificate of Public Convenience and Necessity to Construct a 4.99-MW Solar Photovoltaic Facility in Montgomery County, North Carolina (registration statement issued previously)
- Docket No. SP-8050, Sub 0 – Application of Eros Solar, LLC, for an amended Certificate of Public Convenience and Necessity to construct a 5-MW Solar Photovoltaic Facility in Duplin 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. Gen. Stat. § 62-110.1 and Commission Rule R8-64.

Unless otherwise noted, each applicant has filed a registration statement for a new renewable energy facility. The registration statement includes certified attestations, as required by Commission Rule R8-66(b), that: (1) 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) the facility will be operated as a new renewable energy facility; (3) the applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. §. 62-133.8; and (4) the applicant will consent 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.

RECOMMENDATION: (Saillor/D. Williamson) That the Commission issue orders approving the applications and issuing the requested certificates for these facilities. Proposed orders have been provided to the Commission Staff.

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P2. DOCKET NO. SP-17607, SUB 0 – SPEEDWAY SOLAR NC, LLC –APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 25.2-MW SOLAR FACILITY IN CABARRUS COUNTY, NORTH CAROLINA

EXPLANATION: On June 6, 2019, Speedway Solar NC, LLC (Applicant), filed a registration statement for a new renewable energy facility, as amended on July 5, 2019. The registration statement included certified attestations that: (1) 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) the facility will be operated as a new renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent 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.

On July 5, 2019, the Applicant filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of a 25.2-MW_{AC} solar photovoltaic (PV) electric generating facility to be located near Bethel Avenue Ext., Wallace Road and U.S. Highway 601, Midland, Cabarrus County, North Carolina. The Applicant plans to sell the electricity to Duke Energy Carolinas, LLC (DEC), subject to its proposal to do so being selected by the Independent Administrator as a winning proposal under the Competitive Procurement of Renewable Energy (CPRE) Program pursuant to N.C. Gen. Stat. § 62-110.8 and Commission Rule R8-71.

On July 11, 2019, the Commission issued an Order Requiring Publication of Notice.

On July 17, 2019, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to DEC on July 15, 2019.

On August 22, 2019, the State Clearinghouse filed comments that requested supplemental documents providing additional information sought by the North Carolina Department of Natural and Cultural Resources.

On September 3, 2019, the Applicant filed an affidavit of publication from the Independent Tribune (Concord, North Carolina), stating that the publication of notice was completed on August 16, 2019. No complaints have been received.

On October 30, 2019, the State Clearinghouse filed additional comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On November 5, 2019, at the request of the Public Staff, the Applicant filed a revised site plan map showing the proposed locations of the site entrances.

The Public Staff has reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-64. The Public Staff notes that the Applicant is a subsidiary of Duke Energy Renewables, Inc., which is an indirect, wholly-owned subsidiary of Duke Energy Corporation. The Applicant states that pursuant to its February 21, 2018, *Order Modifying and Approving Joint CPRE Program* issued in Docket Nos. E-2, Sub 1159, and E-7, Sub 1156, the Commission granted the waiver requested by DEC and Duke Energy Progress, LLC (DEP) of certain applicable Regulatory Conditions and Code of Conduct Requirements that apply to affiliates of DEC and DEP for purposes of the Companies' implementation and participation in the CPRE Program, pursuant to Commission Rule R8-71(c)(2) and N.C. Gen. Stat. § 62-110.8(h)(2). The Public Staff believes that based on the application being filed solely for the purposes of participating in the CPRE Program, the waivers apply to the application.

The registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff also recommends approval of the registration statement for the facility.

EXHIBIT: The Public Staff's proposed order is attached as [Exhibit No. P-2](#).

RECOMMENDATION: (Sailor) That the Commission issue the Public Staff's proposed order approving the application, issuing the requested certificate, and accepting the registration statement for this facility

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P3. DOCKET NO. E-2, SUB 1219 – APPLICATION OF DUKE ENERGY PROGRESS, LLC, FOR ADJUSTMENT OF RATES AND CHARGES APPLICABLE TO ELECTRIC SERVICE IN NORTH CAROLINA

EXPLANATION: On October 30, 2019, Duke Energy Progress, LLC (Company), filed an application with the Commission requesting authority to adjust and increase its rates for retail electric service in North Carolina effective November 29, 2019. The Company's application also includes requests for an accounting order approving the establishment of certain regulatory assets/liabilities and to consolidate dockets.

The Public Staff recommends that an order be issued establishing a general rate case and suspending rates.

EXHIBIT: A proposed order is attached as [Exhibit No. P-3](#).

RECOMMENDATION: (Floyd/Culpepper/Dorgan) That the Commission issue the proposed order establishing a general rate case and suspending rates.

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P4. DOCKET NO. E-7, SUB 1213 – DUKE ENERGY CAROLINAS, LLC, FOR APPROVAL OF PREPAID ADVANTAGE PROGRAM

EXPLANATION: On August 2, 2019, Duke Energy Carolinas, LLC (DEC or the Company), filed an application seeking approval of a Prepaid Advantage Program (Program) and waiver of certain Commission rules related to monthly bill format, payments, and disconnection.

As proposed, the Program provides residential customers with a voluntary payment option to pay for electric utility service in advance of usage, thereby avoiding the need for a deposit, reconnection fees, and late fees.

DEC states that the Program is similar to an existing prepaid advantage program in its South Carolina service territory¹ that has demonstrated customer usage savings of approximately 8.5%. DEC is not seeking approval of the Program as an energy efficiency program under N.C. Gen. Stat. § 62-139.9. However, the Company states that it may seek approval of the Program as an energy efficiency program in the future.

Participating customers must be billed via a smart meter. In addition, eligible customers, will have the ability to review daily usage information through a secure web portal accessible via computer or smartphone with internet, and to receive account notifications via phone, email or text message.

The Program will be available to new and existing customers. However, customers that participate in any of the following are not eligible for the Prepaid Program: time of use rate schedules, net metering, Equal Payment Plans, an active deferred payment arrangement exceeding \$500, and customers identified as a medical alert customer pursuant to Commission Rule R12-11(q).

To enroll, participants will be required to make an initial payment of at least \$40. Participants who enroll in the Program with an outstanding balance will have 25% of payments credited toward the unpaid balance until that balance is satisfied.

During discovery DEC indicated to the Public Staff that participants will incur a transaction fee of \$1.50 per payment for payment methods including credit, debit, and electronic check.

DEC has designed the Program to provide its participants with frequent notices prior to an account reaching a "zero" balance. Customers will receive notifications when their projected account balance has 5, 3, and 1 day remaining. Once an account's prepaid balance reaches \$0.00, DEC states that the customer will have until the next business day to make a payment to bring the balance above \$0.00 before the customer's service is disconnected remotely.

¹ Public Service Commission of South Carolina Docket No. 2015-136-E, Duke Energy Carolinas, LLC's Prepaid Advantage South Carolina Learnings Report.

To have service reconnected, the participant must pay off any outstanding balance and make an additional payment towards future service. Following payment after a disconnection, service will be reconnected within approximately 15 minutes. Payments can be made online through the program portal, over the phone, or in person. Customers enrolling in the Program will be required to provide DEC with a notification preference such as text messaging, email, or phone call. Customers will receive multiple notifications informing them of their account balances in terms of the balance and usage.

DEC states that the usage billing rates for electric service will be the same as those for traditional post-pay service. However, rates for basic customer charges, taxes, and other per account or flat charges will be applied to the prepaid account on a pro rata basis.

In conjunction with Program approval, DEC has also requested waiver of certain Commission rules that would be impossible or impractical with which to comply. Specifically, DEC has requested waiver of the following rules:

1. **R8-8 – Meter Readings and Bill Forms.** This Rule requires billings after, and on the basis of, regular meter readings.
2. **R8-20 (b), (c), and (d) – Discontinuance of Service for Violation of Rules or Nonpayment of Bills.** This Rule addresses the grounds for discontinuance of service. Subsection (b) requires at least 24 hours' written notice before disconnection. Subsection (c) describes the manner for delivering such notice. Similarly, subsection (d) allows a customer to pay a delinquent bill any time prior to disconnection.
3. **R8-44(4)(d) – Method of Adjustment for Rates Varying from Schedule or for Other Billing Errors.** This Rule addresses billing errors such as charging a customer more or less than the authorized rate. Subsection (4)(d) provides that a customer may repay an undercharge in equal installments for the number of billing periods during which undercharges occurred.
4. **R12-8 – Discontinuance of Service for Nonpayment.** This Rule requires written notice to customers at least five days before discontinuing service for nonpayment.
5. **R12-9(b), (c), and (d) – Uniform Billing Procedure.** The listed subsections of this Rule address billing dates, past due dates, and finance charges.
6. **R12-11(a), (b), (f), (g), (h), (i), (l), (m), (n), and (p) – Disconnection of Residential Customer's Electric Service.** This Rule addresses the timing of payment for service after service has been rendered, and the discontinuance of electric service for nonpayment under the traditional billing method.

The Public Staff has reviewed the Company's proposal and is generally supportive of the Program and the requested waivers of certain Commission rules. There are several aspects of the Program that the Public Staff wishes to bring to the Commission's attention:

1. While the Company has not proposed to extend eligibility to residential time-of-use customers at this time due to the small number of TOU customers and the billing system modifications needed to accommodate TOU customers, DEC indicated that the Company would assess its ability to include TOU customers in the Program in the future.
2. The Public Staff believes DEC should amend the proposed Program in this docket to eliminate transaction fees for individual prepaid transactions. The Company has indicated they do not oppose this change, and if approved by the Commission, will not require transaction fees for payments. If the Commission approves the elimination of transaction fees for prepaid transactions, the Company will recover the costs from all customers.²
3. The Public Staff believes it is appropriate to require DEC to submit quarterly reports on the performance of the Program by calendar month. The Public Staff will work with the Company to refine the information needed, but believes such reporting should include at least the following items:
 - Number of participants enrolled on the last day of each month;
 - Number of participants that withdraw from the Program and return to standard arrears billing;
 - Average number of transactions observed per participant, distinguished by the method of payment used;
 - A distribution of payment amounts (from least to most), and the average amount added to the account per transaction;
 - A distribution of disconnections per participant;
 - Number of participants with more than one disconnection in a 90-day period;
 - Total number of disconnections;
 - Average customer balance at time of disconnection; and,
 - Average time from disconnection to reconnection.

The Public Staff indicated that the Company does not oppose these reporting requirements.

Based upon our review the Public Staff recommends approval of the Program and waivers associated with implementation of the Program, subject to the modifications described above.

² In the pending general rate case (Sub 1214), the Company proposes to eliminate all credit, debit and electronic check fees for payment of utility service and recover those costs from all customers.

EXHIBIT: A proposed order is attached as [Exhibit No. P-4](#).

RECOMMENDATION: (Floyd/Fennell) That the Commission issue the proposed order approving DEC's Prepaid Advantage Program as modified by the Public Staff

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. G-40, SUB 140

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Natural Gas Service Agreement between)		ORDER ALLOWING
Frontier Natural Gas Company and)	AGREEMENT AS AMENDED TO	
Maymead Materials, Inc.)	BECOME EFFECTIVE	

BY THE COMMISSION: On May 30, 2017, Frontier Natural Gas Company (Frontier) filed a multi-year Natural Gas Service Agreement (Agreement) between Frontier and Maymead Materials, Inc. (Customer). On February 15, 2018, Frontier filed a Confidential Notice of Commencement of Service. On June 30, 2019, Frontier filed a First Amendment to the Agreement. Frontier submitted the Agreement and First Amendment under seal on the grounds that they are confidential and proprietary and have been designated as such pursuant to N.C. Gen. Stat. § 132-1.2. The Agreement and First Amendment are herein after collectively referred to as the Amended Agreement.

The Agreement relates to the extension of new natural gas facilities necessary to provide natural gas service to Customer's location and Customer's agreement to pay Contribution in Aid of Construction and to make specified annual minimum payments for transportation service. The First Amendment is the product of extensive discussions with the Public Staff and Frontier regarding the contract terms and results in a reduced charge to Customer. Frontier requested that the First Amendment be incorporated into Frontier's pending request for approval of the Agreement. Frontier stated that no other customers will be impacted by the Amended Agreement and that the Amended Agreement is in the public interest.

The Public Staff presented this matter at the Commission's Regular Staff Conference on November 12, 2019. The Public Staff stated that it had reviewed the Amended Agreement and other information provided by Frontier. Based on its investigation, the Public Staff stated that it had determined that the terms of the Amended Agreement are within the parameters set forth in N.C. Gen. Stat. § 62-140. The Public Staff recommended that the Commission issue an order: 1) concluding that the Amended Agreement is not unlawful and does not violate the rules and regulations of the Commission; 2) allowing Frontier to provide service to the Customer pursuant to the Amended Agreement; and 3) stating that the Commission's acceptance of the Amended

Agreement neither constitutes approval of the amount of any compensation paid thereunder nor prejudices the right of any party to take issue with any provision of the Amended Agreement in a future proceeding.

The Commission, having carefully reviewed the Amended Agreement between Frontier and the Customer and the Public Staff's recommendation, concludes that the Amended Agreement is not unlawful and does not violate the rules and regulations of the Commission. Accordingly, the Commission finds good cause to allow the Amended Agreement to become effective and to authorize Frontier to provide service to the Customer under the Amended Agreement.

IT IS, THEREFORE, ORDERED as follows:

1. That the Amended Agreement between Frontier and the Customer is hereby allowed to become effective as filed.

2. That Frontier is hereby authorized to provide natural gas service to the Customer pursuant to the Amended Agreement.

3. That authorizing Frontier to provide natural gas service to the Customer pursuant to the Amended Agreement filed in this docket neither constitutes approval of the amount of any compensation paid thereunder nor prejudices the right of any party to take issue with any provision of the Amended Agreement in a future proceeding.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2019.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-17607, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application of Speedway Solar NC, LLC, for a)	ORDER ISSUING CERTIFICATE
Certificate of Public Convenience and)	AND ACCEPTING
Necessity to Construct a 25.2-MW Solar)	REGISTRATION OF NEW
Facility in Cabarrus County, North Carolina)	RENEWABLE ENERGY
)	FACILITY

BY THE COMMISSION: On June 6, 2019, Speedway Solar NC, LLC (Applicant), filed a registration statement for a new renewable energy facility, as amended on July 5, 2019. The registration statement included certified attestations that: (1) 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) the facility will be operated as a new renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent 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.

On July 5, 2019, the Applicant filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of a 25.2-MW_{AC} solar photovoltaic (PV) electric generating facility to be located near Bethel Avenue Ext., Wallace Road and U.S. Highway 601, Midland, Cabarrus County, North Carolina. The Applicant plans to sell the electricity to Duke Energy Carolinas, LLC (DEC), subject to its proposal to do so being selected by the Independent Administrator as a winning proposal under the Competitive Procurement of Renewable Energy (CPRE) Program pursuant to N.C. Gen. Stat. § 62-110.8 and Commission Rule R8-71.

On July 11, 2019, the Commission issued an Order Requiring Publication of Notice.

On July 17, 2019, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to DEC on July 15, 2019.

On August 22, 2019, the State Clearinghouse filed comments that requested supplemental documents providing additional information sought by the North Carolina Department of Natural and Cultural Resources.

On September 3, 2019, the Applicant filed an affidavit of publication from the Independent Tribune (Concord, North Carolina), stating that the publication of notice was completed on August 16, 2019. No complaints have been received.

On October 30, 2019, the State Clearinghouse filed additional comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On November 5, 2019, at the request of the Public Staff, the Applicant filed a revised site plan map showing the proposed locations of the site entrances.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on November 12, 2019. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-64. The Public Staff notes that the Applicant is a subsidiary of Duke Energy Renewables, Inc., which is an indirect, wholly-owned subsidiary of Duke Energy Corporation. The Applicant states that pursuant to its February 21, 2018 *Order Modifying and Approving Joint CPRE Program* issued in Docket Nos. E-2, Sub 1159, and E-7, Sub 1156, the Commission granted the waiver requested by DEC and Duke Energy Progress, LLC (DEP), of certain applicable Regulatory Conditions and Code of Conduct Requirements that apply to affiliates of DEC and DEP for purposes of the Companies' implementation and participation in the CPRE Program, pursuant to Commission Rule R8-71(c)(2) and N.C. Gen. Stat. § 62-110.8(h)(2). The Public Staff believes that based on the application being filed solely for the purposes of participating in the CPRE Program, the waivers apply to the application.

The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to approve the application and issue the attached certificate for the proposed solar PV electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept the registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by

Commission Rule R8-66 on or before April 1 of each year and is required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

1. That a certificate of public convenience and necessity shall be, and is hereby, issued to Speedway Solar NC, LLC, for the 25.2-MW_{AC} solar PV electric generating facility to be located near Bethel Avenue Ext., Wallace Road and U.S. Highway 601, Midland, Cabarrus County, North Carolina.

2. That Appendix A hereto shall constitute the certificate of public convenience and necessity issued for the facility.

3. That the certificate of public convenience and necessity is solely for the purpose of the facility participating in the CPRE Program.

4. That the registration statement filed by Speedway Solar NC, LLC, for its solar PV electric generating facility to be located near Bethel Avenue Ext., Wallace Road and U.S. Highway 601, Midland, Cabarrus County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.

5. That Speedway Solar NC, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of November, 2019.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-17607, Sub 0

Speedway Solar NC, LLC
550 South Caldwell Street, Suite 600
Charlotte, North Carolina 28202

is hereby issued this

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. Gen. Stat. § 62-110.1**

for a 25.2-MW_{AC} solar photovoltaic electric generating facility

located

near Bethel Avenue Ext., Wallace Road and U.S. Highway 601, Midland,
Cabarrus County, North Carolina

subject to all orders, rules, regulations, and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of November, 2019.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1219

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Duke Energy Progress, LLC,) PROPOSED ORDER ESTABLISHING
for Adjustment of Rates and Charges) GENERAL RATE CASE AND
Applicable to Electric Service in North) SUSPENDING RATES
Carolina)

BY THE COMMISSION: On October 30, 2019, Duke Energy Progress, LLC (DEP or Company), filed an application with the Commission requesting authority to adjust and increase its rates for retail electric service in North Carolina effective November 29, 2019. The proposed rate increase is based on a test period ending December 31, 2018. DEP indicates that it intends to update its filing with estimates of changes to revenues, expenses, rate base, and cost of capital up to the time of the evidentiary hearing. The Company's application also includes requests for an accounting order approving the establishment of certain regulatory assets/liabilities and to consolidate dockets.

The Commission is of the opinion that the application constitutes a general rate case and that the proposed new rates should be suspended pending investigation.

IT IS, THEREFORE, ORDERED as follows:

1. That this proceeding is declared a general rate case pursuant to N.C. Gen. Stat. § 62-137.
2. That the proposed new rates are suspended for up to 270 days pursuant to N.C. Gen. Stat. § 62-134.
3. That the test year period is established as the twelve-month period ending December 31, 2018.
4. That an order scheduling hearings and requiring customer notice shall be issued by the Commission at a later date.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2019.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-7, SUB 1213

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Petition of Duke Energy Carolinas, LLC, for) ORDER APPROVING
Approval of Prepaid Advantage Program) PROGRAM

BY THE COMMISSION: On August 2, 2019, Duke Energy Carolinas, LLC (DEC or the Company), filed an application seeking approval of a Prepaid Advantage Program (Program) and waiver of certain Commission rules related to monthly bill format, payments, and disconnection.

As proposed, the Program provides residential customers with a voluntary payment option to pay for electric utility service in advance of usage, thereby avoiding the need for a deposit, reconnection fees, and late fees.

DEC stated that the Program was similar to an existing prepaid advantage program in its South Carolina service territory¹ that demonstrated customer usage savings of approximately 8.5%. DEC is not seeking approval of the Program as an energy efficiency program under N.C. Gen. Stat. § 62-139.9. However, the Company stated that it may seek approval of the Program as an energy efficiency program in the future.

Participating customers must be billed via a smart meter. In addition, eligible customers, will have the ability to review daily usage information through a secure web portal accessible via computer or smartphone with internet, and to receive account notifications via phone, email or text message.

DEC stated that the Program would be available to new and existing customers. However, customers that participate in any of the following would not be eligible for the Prepaid Program: time of use rate schedules, net metering, Equal Payment Plans, an active deferred payment arrangement exceeding \$500, and customers identified as a medical alert customer pursuant to Commission Rule R12-11(q).

¹ Public Service Commission of South Carolina Docket No. 2015-136-E, Duke Energy Carolinas, LLC's Prepaid Advantage South Carolina Learnings Report.

DEC stated that to enroll, participants must not have a balance of more than \$500 and would be required to make an initial payment of at least \$40. Participants who enroll in the Program with an outstanding balance will have 25% of payments credited toward the unpaid balance until that balance was satisfied.

DEC indicated that the Program was designed to provide its participants with frequent notices prior to an account reaching a "zero" balance. Customers will receive notifications when their projected account balance has 5, 3, and 1 day remaining. Once an account's prepaid balance reaches \$0.00, DEC stated that the customer will have until the next business day to make a payment to bring the balance above \$0.00 before the customer's service is disconnected remotely.

To have service reconnected, the participant must pay off any outstanding balance and make an additional payment towards future service. Following payment after a disconnection, service will be reconnected within approximately 15 minutes. Payments can be made online through the program portal, over the phone, or in person. Customers enrolling in the Program will be required to provide DEC with a notification preference such as text messaging, email, or phone call. Customers will receive multiple notifications informing them of their account balances in terms of the balance and usage.

DEC also stated that the usage billing rates for electric service would be the same as those for traditional post-pay service. However, rates for basic customer charges, taxes, and other per account or flat charges would be applied to the prepaid account on a pro rata basis.

In conjunction with Program approval, DEC also requested waiver of certain Commission rules that would be impossible or impractical with which to comply. Specifically, DEC requested waiver of the following rules:

1. **R8-8 – Meter Readings and Bill Forms.** This Rule requires billings after, and on the basis of, regular meter readings.
2. **R8-20 (b), (c), and (d) – Discontinuance of Service for Violation of Rules or Nonpayment of Bills.** This Rule addresses the grounds for discontinuance of service. Subsection (b) requires at least 24 hours' written notice before disconnection. Subsection (c) describes the manner for delivering such notice. Similarly, subsection (d) allows a customer to pay a delinquent bill any time prior to disconnection.

3. **R8-44(4)(d) – Method of Adjustment for Rates Varying from Schedule or for Other Billing Errors.** This Rule addresses billing errors such as charging a customer more or less than the authorized rate. Subsection (4)(d) provides that a customer may repay an undercharge in equal installments for the number of billing periods during which undercharges occurred.
4. **R12-8 – Discontinuance of Service for Nonpayment.** This Rule requires written notice to customers at least five days before discontinuing service for nonpayment.
5. **R12-9(b), (c), and (d) – Uniform Billing Procedure.** The listed subsections of this Rule address billing dates, past due dates, and finance charges.
6. **R12-11(a), (b), (f), (g), (h), (i), (l), (m), (n), and (p) – Disconnection of Residential Customer’s Electric Service.** This Rule addresses the timing of payment for service after service has been rendered, and the discontinuance of electric service for nonpayment under the traditional billing method.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on November 12, 2019. The Public Staff stated that it had reviewed the Company's proposal and was generally supportive of the Program and the requested waivers of certain Commission rules. The Public Staff further highlighted several aspects of the Program as follows:

1. The Company did not propose to extend eligibility to residential time-of-use customers at this time due to the small number of TOU customers and the billing system modifications needed to accommodate TOU customers. DEC indicated that the Company would assess its ability to include TOU customers in the Program in the future.
2. During discovery DEC indicated to the Public Staff that participants would incur a transaction fee of \$1.50 per payment for payment methods including credit, debit, and electronic check. The Public Staff believes DEC should amend the proposed Program in this docket to eliminate transaction fees for individual prepaid transactions. The Public Staff indicated that the Company did not oppose this change, and if approved by the Commission,

the Company would not require transaction fees for payments. If the Commission approves the elimination of transaction fees for prepaid transactions, the Company will recover the costs from all customers.²

3. The Public Staff believes it is appropriate to require DEC to submit quarterly reports on the performance of the Program by calendar month. The Public Staff will work with the Company to refine the information needed, but believes such reporting should include at least the following items:
 - Number of participants enrolled on the last day of each month;
 - Number of participants that withdraw from the Program and return to standard arrears billing;
 - Average number of transactions observed per participant, distinguished by the method of payment used;
 - A distribution of payment amounts (from least to most), and the average amount added to the account per transaction;
 - A distribution of disconnections per participant;
 - Number of participants with more than one disconnection in a 90-day period;
 - Total number of disconnections;
 - Average customer balance at time of disconnection; and,
 - Average time from disconnection to reconnection.

The Public Staff indicated that the Company did not oppose these reporting requirements.

No persons have sought to intervene in this proceeding and no other comments were received by the Commission with respect to this matter.

Based upon the foregoing and the entire record herein, the Commission finds good cause to approve the Prepaid Advantage Program as recommended by the Public Staff and grant DEC's request for waiver of the Commission's Rules and Regulations described above.

IT IS, THEREFORE, ORDERED, as follows:

1. That DEC's Prepaid Advantage Program shall be, and is hereby approved.

² In the pending general rate case (Sub 1214), the Company proposes to eliminate all credit, debit and electronic check fees for payment of utility service and recover those costs from all customers.

2. That the rates for electric utility service applicable to the Prepaid Advantage Program shall be those as stated in Schedule RS, with the basic facilities charge, Renewable Energy Portfolio Standard (REPS) Rider, and any other flat rate per account charge applicable to Schedule RS applied to the Prepaid Advantage Program on a pro rata basis;

3. That DEC's requested waiver of the requirements of Commission Rules R8-8, R8-20 (b), (c), and (d); R8-44(4)(d); R12-8; R12-9(b), (c), and (d); and R12-11(a), (b), (f), (g), (h), (i), (l), (m), (n), and (p), shall be, and are hereby granted, only with respect to service rendered under the Prepaid Advantage Program;

4. That DEC shall file with the Commission, within 10 days following the date of this Order, a revised tariff in compliance with this Order and showing the effective date of the tariff; and

5. That DEC shall work with the Public Staff to develop a quarterly report on the Prepaid Advantage Program to be filed each May 1, August 1, November 1, and February 1, beginning May 1, 2020 for the first quarter of 2020.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2019.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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