

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

**STAFF CONFERENCE AGENDA  
AUGUST 20, 2018**

**COMMISSION STAFF**

NO AGENDA ITEMS

**PUBLIC STAFF**

**D. ELECTRIC**

**P1. APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT SOLAR FACILITY**

EXPLANATION: The following application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1 for construction of a solar photovoltaic electric generating facility was filed pursuant to Commission Rule R8-64.

Dominion Energy North Carolina:

- Docket No. SP-4042, Sub 0 – Application of SolarGreen Ahoskie-North, LLC, for a Certificate of Public Convenience and Necessity to Construct a 5-MW Solar Photovoltaic Facility in Hertford County, North Carolina

The Public Staff has reviewed the application and determined that it complies with the requirements of N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-64.

The applicant also filed a registration statement for a new renewable energy facility pursuant to Commission Rule R8-66(b). The registration statement includes a certified attestation 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 books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

RECOMMENDATION: (D. Williamson) That the Commission issue an order approving the application, issuing the requested certificate, and accepting the registration statement for this facility. A proposed order has been provided to the Commission Staff.

P2. DOCKET NO. E-2, SUB 1182 – DUKE ENERGY PROGRESS, LLC – APPLICATION FOR CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC CONVENIENCE AND NECESSITY AND MOTION FOR WAIVER OF NOTICE AND HEARING

EXPLANATION: On June 26, 2018, pursuant to N.C. Gen. Stat. §§ 62-101 and 62-102, and Commission Rule R8-62(k), Duke Energy Progress, LLC (DEP or the Company), filed with the Commission a letter of intent to file for a waiver of the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and 62-104. On that same date, pursuant to Commission Rule R8-62(k), DEP prefiled with the Public Staff an application for a certificate of environmental compatibility and public convenience and necessity to construct a new 230-kV transmission tap line approximately 350 feet in length (Tap Line), and a 230-kV breaker station in Lenoir County, North Carolina to serve a new 50 megawatt (MW) solar photovoltaic electric generating facility to be constructed by Heelstone Properties, LLC (Heelstone). The prefiled application stated that the proposed Tap Line will connect the new solar facility to DEP's existing Lee Sub – Wommack 230-kV South transmission line. Heelstone will build a new 230kV/50kV substation that will be placed adjacent to the DEP breaker station.

On July 16, 2018, DEP formally filed the application for a certificate and motion for waiver of notice and hearing.

N.C. Gen. Stat. § 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and 62-104 when it finds that the owners of the land to be crossed by the proposed transmission line do not object to the waiver and either the transmission line will be less than one mile long or is to connect an existing transmission line to a substation, to another public utility, or to a public utility customer when any of these is in proximity to the existing transmission line. The application states that the Company will construct the Tap Line on property for which it has acquired an easement from the property owners whose land will be crossed by the Tap Line, the property owner does not object to the waiver of notice or hearing, and that the total length of the line is approximately 350 feet. Thus, the conditions of N.C. Gen. Stat. § 62-101(d)(1) for a waiver of notice and hearing have been met. The application is also supported by a Certificate Application Report. This report satisfies the requirements of N.C. Gen. Stat. § 62-102(a).

Based on its review, the Public Staff has determined that the application meets the requirements of N.C. Gen. Stat. § 62-102 and Commission Rule R8-62 for a certificate and the conditions of N.C. Gen. Stat. § 62-101(d)(1) for waiver of the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and 62-104. The Public Staff, therefore, recommends that the Commission grant the motion for waiver and issue the requested certificate.

EXHIBIT: A proposed order is attached as Exhibit No. P-1.

RECOMMENDATION: (T. Williamson/Fennell) That the Commission issue an order waiving the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and 62-104 and issue the requested certificate for the construction of the Tap Line.

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1182

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Duke Energy Progress, LLC, for a	)
Certificate of Environmental Compatibility and Public	) ORDER WAIVING NOTICE
Convenience and Necessity and Motion for Waiver of	) AND HEARING
Notice and Hearing Pursuant to N.C. Gen. Stat. §§	) REQUIREMENT AND
62-100 <u>et seq.</u> to Construct Approximately 350 feet of	) ISSUING CERTIFICATE
New 230 kV Transmission Line in Lenoir County,	)
North Carolina	)

BY THE COMMISSION: On June 26, 2018, pursuant to N.C. Gen. Stat. §§ 62-101 and 62-102, and Commission Rule R8-62(k), Duke Energy Progress, LLC (DEP or the Company), filed with the Commission a letter of intent to file for a waiver of the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and 62-104. On that same date, pursuant to Commission Rule R8-62(k), DEP prefiled with the Public Staff an application for a certificate of environmental compatibility and public convenience and necessity to construct a new 230-kV transmission tap line approximately 350 feet in length (Tap Line), and a 230-kV breaker station in Lenoir County, North Carolina to serve a new 50 megawatt (MW) solar photovoltaic electric generating facility to be constructed by Heelstone Properties, LLC (Heelstone). The prefiled application stated that the proposed Tap Line will connect the new solar facility to DEP's existing Lee Sub – Wommack 230-kV South transmission line. Heelstone will build a new 230kV/50kV substation that will be placed adjacent to the DEP breaker station. Included in the prefiled application was a motion for waiver of the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and 62-104, and Commission Rule R8-62, as provided for in N.C. Gen. Stat. § 62-101(d)(1). As detailed in DEP's prefiled certificate application, the Company will construct the Tap Line on property for which it has purchased the right of way from the property owner, and the property owner does not object to a waiver of the hearing and notice requirements of N.C. Gen. Stat. §§ 62-102 and 62-104.

On July 16, 2018, DEP formally filed the application for a certificate and motion for waiver of notice and hearing.

N.C. Gen. Stat. § 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and G.S. 62-104 when it finds that the

owners of the land to be crossed by the proposed transmission line do not object to the waiver and either the transmission line will be less than one mile long or is to connect an existing transmission line to a substation, to another public utility, or to a public utility customer when any of these is in proximity to the existing transmission line. The application states that the Company will construct the Tap Line on property for which it has acquired an easement from the property owner whose land will be crossed by the Tap Line, the property owner does not object to the waiver of notice or hearing, and that the total length of the line is approximately 350 feet. Thus, the conditions of N.C. Gen. Stat. § 62-101(d)(1) for a waiver of notice and hearing have been met. The application is also supported by a Certificate Application Report. This report satisfies the requirements of N.C. Gen. Stat. § 62-102(a).

The Public Staff presented this matter at the Commission's regular Staff Conference on August 20, 2018. The Public Staff stated that the application meets the requirements of N.C. Gen. Stat. § 62-102 and Commission Rule R8-62 for a certificate and the conditions of N.C. Gen. Stat. § 62-101(d)(1) for waiver of the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and 62-104. The Public Staff recommended that the Commission grant the motion for waiver and issue the requested certificate.

Based on the foregoing and the recommendation of the Public Staff, the Commission finds and concludes that the notice and hearing requirements of N.C. Gen. Stat. §§ 62-102 and 62-104 should be waived as allowed by N.C. Gen. Stat. § 62-101(d)(1) and that a certificate of environmental compatibility and public convenience and necessity should be issued for the proposed construction of a new 230-kV transmission tap line.

IT IS, THEREFORE, ORDERED as follows:

1. That, pursuant to N.C. Gen. Stat. § 62-101, the requirement for publication of notice and hearing is waived.
2. That, pursuant to N.C. Gen. Stat. § 62-102, a Certificate of Environmental Compatibility and Public Convenience and Necessity to construct approximately 350 feet of new 230-kV transmission line in Lenoir County, North Carolina, as described in DEP's application is issued, and the same is attached as Appendix A.

ISSUED BY ORDER OF THE COMMISSION.

This the \_\_\_\_ day of \_\_\_\_\_, 2018

NORTH CAROLINA UTILITIES COMMISSION  
M. Lynn Jarvis, Chief Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1182

Know All Men by These Presents, That

DUKE ENERGY PROGRESS, LLC

is hereby issued this

**CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC  
CONVENIENCE AND NECESSITY PURSUANT TO N.C. GEN. STAT. § 62-102**

to construct approximately 350 feet of new 230-kV transmission line to connect Heelstone Properties, LLC's solar facility to the DEP Lee Sub – Wommack 230-kV South transmission line in Lenoir County, North Carolina

subject to receipt of all federal and state permits as required by existing and future regulations prior to beginning construction and further subject to all other 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 \_\_\_\_\_, 2018.

NORTH CAROLINA UTILITIES COMMISSION

M. Lynn Jarvis, Chief Clerk