

NORTH CAROLINA UTILITIES COMMISSION
MINUTES OF REGULAR COMMISSION STAFF CONFERENCE

November 23, 2020

The Regular Commission Staff Conference of the North Carolina Utilities Commission was held on Monday, November 23, 2020, 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. Lowell, Ms. Henderson, Ms. Jarvis, Mr. Mertz, Ms. Fennell, Ms. Cooper, Ms. Hicks, Ms. Condie, Ms. Swenson, Ms. Barnes, Ms. Paschal, Ms. Hilburn, Ms. Jayasheela, Ms. Needham

PUBLIC STAFF: Ms. Downey, Ms. Holt, Ms. Cummings, Ms. Jost, Ms. Coxton, Mr. Akpom, Mr. McLawhorn, Mr. Saillor, Mr. D. Williamson, Mr. T. Williamson, Mr. Lucas, Mr. Furr, Mr. Junis

ATTORNEY GENERAL:

COURT REPORTER: Ms. Mitchell

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

The following application seeks an amended certificate of public convenience and necessity for construction of a solar photovoltaic (PV) electric generating facility, pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-64.

Dominion Energy North Carolina:

- Docket No. SP-4900, Sub 0 – Application of Fresh Air Energy XXXVII, LLC, for an amended certificate of public convenience and necessity to construct a 19.99-MW solar PV facility in Northampton County, North Carolina (registration statement issued previously)

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

The Public Staff recommended that the Commission issue an order approving the application and issuing the requested amended certificate for the facility.

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

P2. DOCKET NO. E-2, SUB 1261 – DUKE ENERGY PROGRESS, LLC – APPLICATION FOR CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC CONVENIENCE AND NECESSITY AND MOTION FOR WAIVER OF NOTICE AND HEARING

On October 2, 2020, pursuant to N.C. Gen. Stat. §§ 62-101 and 62-102, 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.G.S. §§ 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 200 feet in length, and a 230-kV breaker station (collectively, Tap Line) in Jones County, North Carolina to serve a new 80 megawatt (MW) solar photovoltaic electric generating facility to be constructed by Trent Solar, LLC (Trent Solar). The prefiled application stated that the proposed Tap Line will connect the new solar facility to DEP's existing Jacksonville – New Bern 230 kV transmission line. 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.G.S. §§ 62-102 and 62-104.

On October 26, 2020, DEP formally filed the application for a certificate and motion for waiver of notice and hearing.

N.C.G.S. § 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of N.C.G.S. §§ 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 is less than one mile long or connects an existing transmission line to a substation, to another public utility, or to a public utility customer when any of these are 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 200 feet. Thus, the conditions of N.C.G.S. § 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.G.S. § 62-102(a).

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

The Public Staff recommended that the Commission issue an order waiving the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104 and issue the requested certificate for the construction of the Tap Line.

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

E. WATER

P1. DOCKET NO. W-218, SUB 540 – AQUA NORTH CAROLINA, INC. – REQUEST FOR TARIFF REVISION

On November 2, 2020, Aqua North Carolina, Inc. (Aqua), filed a verified petition with the Commission, pursuant to N.C. Gen. Stat. § 62-133.11, requesting authority to amend its tariff for the purpose of passing along to its water customers in 51 subdivisions in Johnston County an increase in the cost of purchasing water service from Johnston County Department of Public Utilities (the County).

Effective October 1, 2020, the County increased its rates charged to Aqua by \$0.20 per 1,000 gallons from \$2.65 per 1,000 gallons to \$2.85 per 1,000 gallons.

Aqua's current water usage rates have been in effect since October 26, 2020, when they were approved by the Commission in its Order Approving Partial Settlement Agreement and Stipulation, Deciding Contested Issues, Granting Partial Rate Increase, and Requiring Customer Notice issued in Docket No. W-218, Sub 526. After taking into account the effect of the 0.13% regulatory fee, Aqua has requested authority to increase its water usage rates from \$2.66 to \$2.86 per 1,000 gallons to reflect the increase in the cost of purchasing water service from the County. Under the new water usage rates, the average residential customer's monthly water bill will increase by \$1.00, from \$34.00 to \$35.00 based upon 5,000 gallons usage.

The Public Staff has reviewed Aqua's petition and recommends that the requested tariff revision be approved. The Public Staff is of the opinion that the tariff revision will allow Aqua to recover additional revenues that do not exceed the additional expenses.

The Public Staff recommended that the Commission issue its proposed order approving the requested tariff revision.

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

Minutes of the Regular Commission Staff Conferences for November 9, 2020, and November 16, 2020, were approved.

Minutes prepared by Portia Barnes.