

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

**STAFF CONFERENCE AGENDA  
January 8, 2018**

**COMMISSION STAFF**

NO AGENDA ITEMS

**PUBLIC STAFF**

**C. COMMUNICATIONS**

- P1. FILING OF INTERCONNECTION AGREEMENTS AND AMENDMENTS BY WINDSTREAM, MEBTEL, CENTURYLINK, AND AT&T

EXPLANATION: The following interconnection agreements and amendments were filed for Commission approval between October 18, 2017 and October 31, 2017:

**Windstream North Carolina, LLC, Windstream Concord Telephone, LLC, and Windstream Lexcom Communications, LLC**

Docket Nos. P-118, Sub 204, P-16, Sub 267, and P-31, Sub 172 – Agreement with Comporium, Inc., filed on October 18, 2017. This agreement adopts in its entirety the agreement between Windstream North Carolina, LLC, Windstream Concord Telephone, LLC, and Windstream Lexcom Communications, LLC, with Riverstreet Communications of North Carolina, Inc., which was approved by the Commission in Docket Nos. P-118, Sub 201, P-16, Sub 266, and P-31, Sub 171, on April 18, 2016.

Docket Nos. P-118, Sub 205, P-16, Sub 268, P-31, Sub 173, and P-1184, Sub 4 – Agreement with Broadview Networks, Inc., filed on October 26, 2017.

**MebTel, Inc. d/b/a CenturyLink**

Docket No. P-35, Sub 143 – Agreement with Level 3 Communications, LLC, filed on October 30, 2017.

**Carolina Telephone and Telegraph Company LLC and Central Telephone Company d/b/a CenturyLink**

Docket Nos. P-7, Sub 1213 and P-10, Sub 832 – Amendment, filed October 30, 2017, to the existing interconnection agreement with Neutral Tandem-North Carolina, LLC, which the Commission approved July 7, 2009. The amendment adds definitions, terms and conditions applicable where Neutral Tandem-North Carolina, LLC, acts as a carrier partner for an interconnected VoIP provider which obtains their own number resources pursuant to FCC Report and Order 15-70 (“VoIP Numbering Order”), released June 22, 2015.

**BellSouth Telecommunications, LLC, d/b/a AT&T North Carolina (AT&T)**

Docket Nos. P-55, Sub 1460 – Amendment, filed October 31, 2017, to the existing interconnection agreement with Matrix Telecom, LLC (Matrix), which the Commission originally approved on August 11, 2003. The parties have agreed to amend the agreement as shown in Exhibit A, as a result of Matrix acquiring the assets of TNCI Operating Company LLC (TNCI). Matrix desires to continue to purchase services from AT&T under their current agreement, and seeks to terminate the TNCI Interconnection agreement.

All of these filings were 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 each of these filings and recommends Commission approval.

RECOMMENDATION: (Proffitt) That orders be issued approving the agreements and amendments effective on the date they were filed. The Public Staff has provided copies of the proposed orders to the Commission's Legal Staff.

## **D. ELECTRIC**

P1. DOCKET NO. E-2, SUB 1158 – 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 November 16, 2017, pursuant to G.S. 62-101 and G.S. 62-102, and Commission Rule R8-62(k), Duke Energy Progress, LLC (DEP or the Company), prefiled with the Commission 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, and a 230-kV breaker station (Tap Line) in Pitt County, North Carolina to serve a new 50 megawatt (MW) solar photovoltaic electric generating facility to be constructed by Cypress Creek Renewables (CCR). Buckleberry Solar, LLC, an affiliate of CCR, was issued a certificate of public convenience and necessity to construct the generating facility by Order Issued December 1, 2015 in Docket No. SP-5275, Sub 0. The prefiled application stated that the proposed Tap Line will connect the new solar facility to DEP's existing Greenville – Kinston Dupont 230-kV transmission line. CCR will build a new 230kV/34.5kV 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 G.S. 62-102, G.S. 62-104, and Commission Rule R8-62, as provided for in G.S. 62-101(d)(1).

On December 6, 2017, DEP formally filed the application for a certificate and motion for waiver of notice and hearing.

G.S. 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of G.S. 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 is less than one mile long or 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 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 G.S. 62-102(a).

Based on its review, the Public Staff has determined that the application meets the requirements of G.S. 62-102 and Commission Rule R8-62 for a certificate and the conditions of G.S. 62-101(d)(1) for waiver of the notice and hearing requirements of G.S. 62-102 and G.S. 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: (D. Williamson/Fennell) That the Commission issue an order waiving the notice and hearing requirements of G.S. 62-102 and G.S. 62-104 and issue the requested certificate for the construction of the Tap Line.

P2. DOCKET NO. E-7, SUB 1158 – DUKE ENERGY BUSINESS SERVICES, LLC – LETTER NOTIFYING THE COMMISSION OF PARTICIPATION IN SMART HOMES KICK START PROJECT

EXPLANATION: On December 19, 2017, Duke Energy Business Services, LLC (DEBS) submitted a letter to the Commission outlining its participation in the City of Charlotte's Smart Homes Kick Start Project (Project). The Project will evaluate emerging energy management technologies in certain income-qualified neighborhoods in the North End Smart District of Charlotte, North Carolina. DEBS will provide financial support, support for smart home technologies, and will allow participants to access a prototype of a mobile control app that has been developed by Duke Energy. The support provided by DEBS will not exceed \$1,500 per household.

Although DEBS believes Commission approval of the program is not required under Commission Rule R8-68, DEBS submitted the letter in order to inform the Commission of its participation in the Project.

The Public Staff has reviewed the letter and agrees that Commission approval is not required.

RECOMMENDATION: (D. Williamson/Fennell) That the Commission issue take notice of the participation of DEBS in the Smart Homes Kick Start Project.

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1158

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

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

ORDER WAIVING NOTICE  
AND HEARING  
REQUIREMENT AND  
ISSUING CERTIFICATE

BY THE COMMISSION: On June 12, 2017, pursuant to G.S. 62-101 and G.S. 62-102, and Commission Rule R8-62(k), Duke Energy Progress, LLC (DEP or the Company), prefiled with the Commission 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, and a 230-kV breaker station (Tap Line) in Pitt County, North Carolina to serve a new 50 megawatt (MW) solar photovoltaic electric generating facility to be constructed by Cypress Creek Renewables (CCR). Shoe Heel Creek Solar, LLC, an affiliate of CCR, was issued a certificate of public convenience and necessity to construct the generating facility by Order Issued December 1, 2015 in Docket No. SP-5275, Sub 0. The prefiled application stated that the proposed Tap Line will connect the new solar facility to DEP’s existing Greenville – Kinston Dupont 230-kV transmission line. CCR will build a new 230kV/34.5kV 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 G.S.62-102, G.S. 62-104, and Commission Rule R8-62, as provided for in G.S. 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 G.S. 62-102 and G.S. 62-104.

On December 6, 2017, DEP formally filed the application for a certificate and motion for waiver of notice and hearing.

G.S. 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of G.S. 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 is less than one mile long or 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 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 G.S. 62-102(a).

The Public Staff presented this matter at the Commission's regular Staff Conference on July 31, 2017. The Public Staff stated that the application meets the requirements of G.S. 62-102 and Commission Rule R8-62 for a certificate and the conditions of G.S. 62-101(d)(1) for waiver of the notice and hearing requirements of G.S. 62-102 and G.S. 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 G.S. 62-102 and G.S. 62-104 should be waived as allowed by G.S. 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 G.S. 62-101, the requirement for publication of notice and hearing is waived.
2. That, pursuant to G.S. 62-102, a Certificate of Environmental Compatibility and Public Convenience and Necessity to construct approximately 350 feet of new 230-kV transmission line in Pitt 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 1158

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 G.S. 62-102**

to construct approximately 350 feet of new 230-kV transmission line to connect Cypress Creek Renewables' solar facility to the DEP Greenville – Kinston Dupont 230-kV transmission line in Pitt 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