

NORTH CAROLINA UTILITIES COMMISSION
MINUTES OF REGULAR COMMISSION STAFF CONFERENCE

October 25, 2021

The Regular Commission Staff Conference of the North Carolina Utilities Commission was held on Monday, October 25, 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. Thompson, Ms. Fennell, Ms. Harrod, Ms. Duffy, Ms. Barnes, Ms. Kennedy, Ms. Hilburn, Ms. Paschal, Ms. Jayasheela, Ms. Burns, Mr. Hardy, Mr. McCoy

PUBLIC STAFF: Ms. Downey, Ms. Culpepper, Mr. Creech, Ms. Coxton, Mr. Maness, Ms. Johnson, Mr. Saillor, Mr. D. Williamson, Mr. Lawrence, Ms. Proffitt

ATTORNEY GENERAL:

COURT REPORTERS: Ms. Mitchell

B. NATURAL GAS**P1. DOCKET NO. G-9, SUB 794 – PETITION OF PIEDMONT NATURAL GAS COMPANY, INC. FOR APPROVAL OF BI-ANNUAL ADJUSTMENT OF RATES UNDER APPENDIX C OF ITS SERVICE REGULATIONS**

On October 15, 2021, Piedmont Natural Gas Company, Inc. (Piedmont) filed a petition requesting authority to adjust its rates effective November 1, 2021, pursuant to its Margin Decoupling Tracker (MDT) mechanism. These adjustments are filed in compliance with Appendix C of Piedmont's North Carolina Service Regulations, which was approved in Piedmont's last general rate case in Docket No. G-9, Sub 743, and are based on the Margin Decoupling Deferred Account balance as of August 31, 2021.

Piedmont filed for approval to decrease the increment in its rates for Residential Service, Small General Service and Medium General Service. The proposed MDT temporaries, as well as the existing MDT temporaries and the corresponding rate changes, expressed in dollars per dekatherm (\$/dt), are as follows:

Rate Description and Schedule	Deferred Account Balance at 8/31/2021 (\$)	Proposed MDT Temporaries (\$/dt)	Existing MDT Temporaries (\$/dt)	Change In MDT Temporaries (\$/dt)
Residential (Rate Schedule 101)	\$14,027,695	\$0.3569	\$1.0836	(\$0.7267)
Small Commercial (Rate Schedule 102)	\$10,643,404	\$0.3933	\$0.8011	(\$0.4078)
Medium Commercial (Rate Schedule 152)	\$2,025,980	\$0.4122	\$0.6171	(\$0.2048)

The Public Staff has reviewed these proposed rate adjustments, found them to be in compliance with Piedmont's tariffs, and recommends approval as filed.

The Public Staff recommended that the Commission issue the proposed order approving Piedmont's proposed rate changes as filed.

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

C. COMMUNICATIONS**P1. FILING OF INTERCONNECTION AGREEMENT AMENDMENTS BY VERIZON SOUTH**

The following interconnection agreement amendments were filed for approval by the Commission between August 19, 2021, and August 25, 2021:

Verizon South Inc. (Verizon South)

Docket No. P-19, Sub 414 – Amendment filed on August 19, 2021, to an existing interconnection agreement with NOS Communications, Inc. d/b/a INETBA, approved by the Commission on August 22, 2001. The amendment implements changes mandated by the Federal Communications Commission in its Report and Order in WC Docket No. 19-308, Modernizing Unbundling and Resale Requirements in an Era of Next-Generation Networks and Services (2020 UNE Order) related to unbundled access to network elements, which became effective on February 8, 2021.

Docket No. P-19, Sub 346 – Amendment filed on August 19, 2021, to an existing interconnection agreement with CenturyLink Communications, LLC, approved by the Commission on December 22, 1999. The amendment implements the changes mandated by the 2020 UNE Order.

Docket No. P-19, Sub 374 – Amendment filed on August 19, 2021, to an existing interconnection agreement with TelCove Operations, LLC, formerly TelCove Operations, Inc., approved by the Commission on July 27, 2000. The amendment implements the changes mandated by the 2020 UNE Order.

Docket No. P-19, Sub 381 – Amendment filed on August 19, 2021, to an existing interconnection agreement with Level 3 Telecom of North Carolina, LP, approved on August 23, 2000, when Level 3 Telecom of North Carolina, LP, operated as Time Warner Telecom of North Carolina, LP. The amendment implements the changes mandated by the 2020 UNE Order.

Docket No. P-19, Sub 399 – Amendment filed on August 19, 2021, to an existing interconnection agreement with Level 3 Communications, LLC, approved by the Commission on April 25, 2001. The amendment implements the changes mandated by the 2020 UNE Order.

Docket No. P-19, Sub 348 – Amendment filed on August 19, 2021, to an existing interconnection agreement with DeltaCom, LLC, d/b/a EarthLink Business, formerly ITC^DeltaCom Communications, Inc., approved by the Commission on January 11, 2000. The amendment implements the changes mandated by the 2020 UNE Order.

Docket No. P-19, Sub 366 – Amendment filed on August 19, 2021, to an existing interconnection agreement with Windstream New Edge, LLC, f/k/a New Edge, Network, Inc., approved by the Commission on June 27, 2000. The amendment implements the changes mandated by the 2020 UNE Order.

Docket No. P-19, Sub 413 – Amendment filed on August 19, 2021, to an existing interconnection agreement with Business Telecom, LLC, formerly Business Telecom, Inc., approved by the Commission on August 22, 2001. The amendment implements the changes mandated by the 2020 UNE Order.

Docket No. P-561, Sub 19 – Amendment filed on August 25, 2021, to an existing interconnection agreement with US LEC of North Carolina, LLC, formerly US LEC of North Carolina Inc., approved by the Commission on September 1, 2004. The amendment implements the changes mandated by the 2020 UNE Order.

Docket No. P-19, Sub 521 – Amendment filed on August 25, 2021, to an existing interconnection agreement with Bandwidth.com CLEC, LLC, approved by the Commission on May 15, 2008. The amendment implements the changes mandated by the 2020 UNE Order.

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 the filings and recommends Commission approval.

The Public Staff recommended that orders be issued approving the amendments effective on the date they were filed. The Public Staff has provided proposed orders to the Commission Staff.

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

D. ELECTRIC**P.1 APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT SOLAR FACILITIES**

The following applications are in regard to new and renewed certificates of public convenience and necessity for construction of solar photovoltaic (PV) generating facilities, pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-64.

Duke Energy Carolinas, LLC:

- Docket No. SP-7758, Sub 0 – Application of Wentworth Farm, LLC, to renew the certificate of public convenience and necessity to construct a 5-MW solar PV facility in Rockingham County, North Carolina. (registration statement issued previously)
- Docket No. SP-7885, Sub 0 – Application of Lexington 64 Farm, LLC, to renew the certificate of public convenience and necessity to construct a 5-MW solar PV facility in Davidson County, North Carolina. (registration statement issued previously)
- Docket No. SP-33782, Sub 0 – Application of Blue Star Solar, LLC, for a certificate of public convenience and necessity to construct a 31-MW solar PV facility in Union County, North Carolina.

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.G.S. §. 62-133.8; and (4) the applicant will consent to the auditing of its books and records by the Public Staff – North Carolina Utilities Commission (Public Staff) insofar as those records relate to transactions with North Carolina electric power suppliers.

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 certificates. The Public Staff has provided proposed orders to the Commission Staff.

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

Minutes of the Regular Commission Staff Conference of October 18, 2021, were approved.

Minutes prepared by Portia Barnes.