

Matt Klein

From: Coxton, Reita D <Reita.Coxton@psncuc.nc.gov>
Sent: Friday, May 10, 2024 1:52 PM
To: edfinley98@aol.com
Cc: Holt, Gina; Matt Klein
Subject: Affiliate Agreement in Eagle Creek Transfer

Ed,

I am reaching out regarding Currituck’s obligation to secure Commission approval of its Utility Management Service Agreement with Envirolink. According to Paragraph II.J. of the Settlement Agreement and Stipulation in the Eagle Creek transfer docket, Currituck agreed to “file for Commission approval its agreement with Envirolink pursuant to N.C.G.S. § 62-153 after the Commission has approved the transfer application and prior to closing.” The agreement was filed as a late-filed exhibit on July 27, 2022, and entered into evidence in Ordering Paragraph 1 of the Order Approving Transfer, Approving Rates, and Requiring Customer issued on September 13, 2022. The agreement has not, however, been approved. Per N.C.G.S. § 62-153(b), the agreement must be approved before Currituck can pay Envirolink “any fees, commissions or compensation of any description whatsoever.” Any amounts paid to Envirolink after Currituck became a public utility and before the Commission approves the agreement are subject to disallowance.

Please let me know how Currituck plans move forward with requesting and securing Commission approval.

Thank you,
Reita

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