



Kendrick C. Fentress  
Associate General Counsel

NCRH 20 / P.O. Box 1551  
Raleigh, NC 27602

o: 919.546.6733  
c: 919.546.2694

Kendrick.Fentress@duke-energy.com

March 22, 2021

**VIA ELECTRONIC FILING**

Ms. Kimberley A. Campbell, Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4300

**RE: Docket Nos. E-7, Sub 1172 and E-2, Sub 1177  
Duke Energy Carolinas, LLC, and Duke Energy Progress, LLC's Joint  
Late-Filed Exhibit**

Dear Ms. Campbell:

During the March 3, 2021 evidentiary hearing in this docket, the Commission requested that Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP", collectively, the "Companies") summarize eight Notice of Commitment forms ("NOC") that the Companies recently received from hydroelectric ("hydro") qualifying facilities ("QFs"). The Commission requested that the Companies include how many of those have listed Certificate of Public Convenience and Necessity ("CPCN") dates in the NOC and how many have either nothing indicated for a CPCN or have indicated that they don't have a CPCN or that they predate the CPCN requirements.

The Commission's request for a late-filed exhibit related to testimony by the Companies' witness, Mr. Michael Keen, in response to questions on the Commissioners' questions by Mr. Dowdy, Cube Yadkin Generation LLC's attorney. In response to those questions, Mr. Keen referred to eight older hydro facilities of 10 megawatts ("MW") or less that had recently submitted a NOC to the Companies to establish a Legally Enforceable Obligation ("LEO"). A review of these records shows that, although these NOC forms were submitted to establish LEOs under the Public Utility Regulatory Policies Act of 1978 ("PURPA") with both DEC and DEP, seven (7) of these NOC forms were submitted by QFs located in DEC's and DEP's South Carolina service territory. The South Carolina NOCs, as approved by the Public Service Commission of South Carolina, are required by S.C. Code Ann. § 58-41-20(D); accordingly, they do not refer to or require information about a North Carolina CPCN. Non-utility generators below 75 MW are exempt from CPCN requirements in South Carolina. As requested by the Commission, however, a summary of these NOCs, received by DEC or DEP on the dates in the headings, follows:

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Mar 22 2021

### January 29, 2021

- NOC received for Turner Shoals Hydroelectric Station, located in North Carolina, which was one of the facilities issued a CPCN in the *Order Approving Transfer of Certificates ("Transfer Order")*, issued in Docket No. SP-122, Sub 0, on December 3, 1996. The history of this facility's and other hydro facilities' transfer as discussed in the *Transfer Order* is detailed in Docket No. SP-122, Sub 0. According to the Duke Power Company ("Duke") and Northbrook Carolina Hydro, LLC ("Northbrook") *Joint Petition for Transfer of Certificates of Public Convenience and Necessity*, filed in Docket No. SP-122, Sub 0, on October 21, 1996 ("Joint Petition"), construction of the Turner Shoals Hydroelectric Station commenced in 1925, and, prior to the transfer of ownership from Duke to Northbrook, it has been operated by Duke or its predecessors since August 1927. In the *Transfer Order*, the Commission concluded that the CPCNs issued or deemed to have been issued to Duke were transferred to Northbrook effective with the transfer of title of the facilities. On January 4, 2021, Northbrook filed a letter in Docket No. SP-122, Sub 5, requesting that the Commission amend the facility's CPCN and registration to reflect a change in the owner's address and a reduction in the capacity of the facility to 5 MW. On January 11, 2021, the Commission issued an amended CPCN for the facility in Docket Nos. SP-122, Sub 0 and SP-122, Sub 5, which is referenced in the January 29, 2021 NOC form.
- NOC received from Northbrook for Holidays Bridge Hydroelectric Facility, located in South Carolina. According to the Joint Petition, construction of this facility commenced in 1898, and, before the transfer of ownership, it had been operated by Duke or its predecessors since November 1963.
- NOC received from Northbrook for Saluda Hydroelectric Facility, located in South Carolina. According to the Joint Petition, construction of this facility commenced in 1905, and, before the transfer of ownership, it had been operated by Duke or its predecessors since January 1917.
- NOC received from Northbrook for Boyds Mill Hydroelectric Facility, located in South Carolina. According to the Joint Petition, construction of this facility commenced in 1909, and before the transfer of ownership, it had been operated by Duke or its predecessors since March 1932.

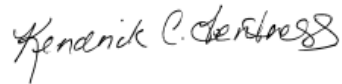
### October 1, 2020

- NOC received from Pelzer Hydro Company, LLC ("Pelzer") for hydro facility located at 115 Lebbly Street, Pelzer, South Carolina 29673.
- NOC received from Pelzer for hydro facility located at 900 Dunlap Road, Williamston, South Carolina 29697.
- NOC received from Pelzer for hydro facility located at 1B Main Street, Piedmont, South Carolina 29673.

- NOC received from Pelzer for hydro facility located at 1987 Power House Road, Ware Shoals, South Carolina 29692.

Please do not hesitate to contact me if you have any questions.

Sincerely,



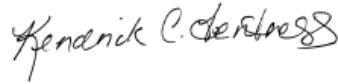
Kendrick C. Fentress

cc: Parties of Record

CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's Joint Late-Filed Exhibit, in Docket Nos. E-7, Sub 1172 and E-2, Sub 1177, has been served by electronic mail, hand delivery, or by depositing a copy in the United States Mail, 1<sup>st</sup> Class Postage Prepaid, properly addressed to parties of record.

This the 22<sup>nd</sup> day of March, 2021.



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Kendrick C. Fentress  
Associate General Counsel  
Duke Energy Corporation  
P.O. Box 1551/NCRH 20  
Raleigh, North Carolina 27602  
Tel. 919.546.6733  
[Kendrick.Fentress@duke-energy.com](mailto:Kendrick.Fentress@duke-energy.com)