



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

May 18, 2022

A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

Re: Docket No. E-2, Sub 1288 – Duke Energy Progress, LLC –
Application of Duke Energy Progress, LLC, for a Certificate of
Environmental Compatibility and Public Convenience and Necessity
to Construct Approximately 1.3 Miles of New 230-kV Transmission
Line in Chatham County, North Carolina

Dear Ms. Dunston:

On February 7, 2022, Duke Energy Progress, LLC (DEP or the Company) filed an application pursuant to N.C. Gen. Stat. § 62-100 *et seq.*, for a certificate of environmental compatibility and public convenience and necessity to construct 1.3 miles of new 230kV transmission line in Chatham County, North Carolina. The Public Staff has reviewed the application filed by DEP in the above-captioned docket as well as responses to data requests submitted to the Company.

On February 21, 2022, the Commission issued its Ordering Scheduling Hearings and Requiring Public Notice (Scheduling Order). The Scheduling Order provided for a public witness hearing to be held on June 7, 2022, and evidentiary hearing to be held on June 21, 2022; however, the Scheduling Order further stated that the hearings may be canceled if no significant protests are filed with the Commission on or before May 18, 2022.

On March 9, 2022, the application was submitted to the State Clearinghouse. On April 22, 2022, the Clearinghouse filed a letter indicating that no further action was required for compliance with the North Carolina Environmental Policy Act.

Executive Director
(919) 733-2435

Accounting
(919) 733-4279

Consumer Services
(919) 733-9277

Economic Research
(919) 733-2267

Energy
(919) 733-2267

Legal
(919) 733-6110

Transportation
(919) 733-7766

Water/Telephone
(919) 733-5610

Based upon our investigation of the application, exhibits, and other matters of record, the Public Staff believes that DEP has complied with the requirements of N.C.G.S §. 62-102 and has demonstrated as required by N.C.G.S §. 62-105 that: (1) the proposed transmission line is necessary; (2) when compared with reasonable alternative courses of action, construction of the line in the proposed location is reasonable; (3) the estimated costs associated with the line are reasonable; (4) the impact of the line on the environment is justified considering the state of available technology; and (5) the environmental compatibility, public convenience, and necessity requires the transmission line.¹

Therefore, the Public Staff files this letter in lieu of testimony and recommends that the Commission issue the certificate requested in this proceeding.

Further, as of the date and time of this filing, no protests have been filed with the Commission in this docket. As such, the Public Staff recommends that the public and evidentiary hearings be canceled, and would not object to a Company-filed motion to cancel the hearings.

Sincerely,

Electronically submitted
/s/ William E. H. Creech
Staff Attorney
zeke.creech@psncuc.nc.gov

cc: Parties of Record

¹ The Company indicates in its application that the transmission route is adjacent to or within existing DEP right-of-way, which reduces the project right-of-way width in these areas, resulting in fewer impacts to the area and groups transmission lines along a single corridor. Additionally, only one property owner – Chatham Park Investors, LLC (the developer Chatham Park) – will be directly affected by the proposed 125-foot-wide right-of-way on its property. The Company indicates in its application that it has communicated with the property owner throughout the siting process and has notified it of the preferred route decision. (See Company witness Retzlaff direct testimony pages 15-17 in particular.) In light of the foregoing circumstances, the Public Staff is not recommending that an easement be finalized for the Commission to issue the certificate.