



Kathleen H. Richard  
Counsel

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

o: 919.546.6776

kathleen.richard@duke-energy.com

April 14, 2022

**VIA ELECTRONIC FILING AND HAND DELIVERY**

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

**RE: Application of Duke Energy Progress, LLC for a Certificate of Environmental Compatibility and Public Convenience and Necessity to Construct 2.1 Miles of Transmission Line in Wake County, North Carolina  
Docket No. E-2, Sub 1289**

Dear Ms. Dunston:

Pursuant to N.C. Gen. Stat. §§ 62-101 et seq. and Commission Rule R8-62, Duke Energy Progress, LLC ("DEP") submits for filing its Application, a draft public notice summary of the Application, and supporting testimony for a Certificate of Environmental Compatibility and Public Convenience and Necessity to construct approximately 2.1 miles of new 230kV transmission line in Wake County, North Carolina. The parties identified in N.C. Gen. Stat. § 62-102(b) will be served, and notice will be published in the appropriate newspapers, once the Commission approves the draft public notice summary pursuant to N.C. Gen. Stat. § 62-102(c). Pursuant to Commission Rule R8-62(f), DEP respectfully requests that the Commission please either notify DEP of the Commission's approval of such notice or of any required changes within three (3) business days of the filing of this Application. A fee in the amount of \$250.00 has been paid.

Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

Kathleen H. Richard

Enclosures

cc: Parties of Record

OFFICIAL COPY

Apr 14 2022

## CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Progress, LLC's Application for a Certificate of Environmental Compatibility and Public Convenience and Necessity to Construct 2.1 Miles of Transmission Line in Wake County, North Carolina, in Docket No. E-2, Sub 1289, has been served by electronic mail, hand delivery or by depositing a copy in the United States mail, postage prepaid to the parties of record.

This the 14<sup>th</sup> day of April, 2022.



---

Kathleen H. Richard  
Counsel  
Duke Energy Corporation  
P.O. Box 1551/NCRH 20  
Raleigh, North Carolina 27602  
Tel: 919.546.6776  
[kathleen.richard@duke-energy.com](mailto:kathleen.richard@duke-energy.com)

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, SUB 1289

In the Matter of:	)	
	)	
Application of Duke Energy Progress, LLC for	)	<b>DUKE ENERGY PROGRESS,</b>
a Certificate of Environmental Compatibility	)	<b>LLC'S APPLICATION FOR A</b>
and Public Convenience and Necessity	)	<b>CERTIFICATE OF</b>
Pursuant to N.C. Gen. Stat. §§ 62-100 <u>et. seq.</u>	)	<b>ENVIRONMENTAL</b>
to Construct Approximately 2.1 Miles of New	)	<b>COMPATIBILITY AND</b>
230 kV Transmission line in Wake County,	)	<b>PUBLIC CONVENIENCE AND</b>
North Carolina	)	<b>NECESSITY</b>

NOW COMES Duke Energy Progress, LLC ("DEP" or the "Applicant"), pursuant to N.C. Gen. Stat. §§ 62-100 et seq. and Rules R1-5 and R8-62 of the Rules of Practice and Procedure of the North Carolina Utilities Commission ("the Commission") and files its Application for a Certificate of Environmental Compatibility and Public Convenience and Necessity ("Certificate") to construct a new 230kV transmission line in Wake County, North Carolina. The new transmission line will run southeast and east from the Harris Plant-Wake 230-kV Transmission Line across DEP owned property then continuing east crossing the north side of a private property, which will be owned by DEP, before connecting into the southwestern side of the proposed Holly Spring Utley Creek Substation. The total length of the proposed transmission line is approximately 2.1 miles. In support thereof, DEP shows the following:

1. The Applicant's general offices are located at 410 South Wilmington Street, Raleigh, North Carolina, and its mailing address is:

Duke Energy Progress, LLC  
410 S. Wilmington Street  
NCRH 20/ P. O. Box 1551  
Raleigh, North Carolina 27602

2. The names and addresses of Applicant's attorneys are:

Kathleen H. Richard, Counsel  
Duke Energy Progress, LLC  
NCRH 20/P.O. Box 1551  
Raleigh, North Carolina 27602  
Tel: (919) 546-6776  
[Kathleen.Richard@duke-energy.com](mailto:Kathleen.Richard@duke-energy.com)

Brady W. Allen  
The Allen Law Offices, PLLC  
4030 Wake Forest Rd. Suite 115  
Raleigh, North Carolina 27609  
Tel: (919) 838-5175  
[Brady.Allen@theallenlawoffices.com](mailto:Brady.Allen@theallenlawoffices.com)

Copies of all pleadings, testimony, orders, and correspondence in this proceeding should be served upon the attorneys listed above, who agree to accept service by electronic means.

3. DEP is engaged in the generation, transmission, distribution, and sale of electricity at retail in the eastern and western portions of North Carolina, and the northeastern portion of South Carolina. It also sells electricity at wholesale to many municipal, cooperative, and investor-owned electric utilities. The Applicant is authorized to transact business in the State of North Carolina and is a public utility under the laws of the State of North Carolina. Accordingly, its operations in the State of North Carolina are subject to the jurisdiction of the Commission.

4. DEP is required by the Federal Energy Regulatory Commission to comply with the Reliability Standards of the North American Electric Reliability Corporation ("NERC"). NERC may impose stringent penalties for violations of NERC Reliability Standards. In accordance with these Reliability Standards, DEP plans its transmission

system to supply projected demands in a reliable manner at all demand levels over the range of forecast system demand, under contingency conditions. Further in compliance with these Reliability Standards, DEP routinely conducts studies of its transmission system to identify required improvements.

5. This project will serve the Fuji Film Diosynth Biotechnologies (“FujiFilm”) proposed biopharmaceutical manufacturing facility within the town of Holly Springs, North Carolina. The proposed facility represents more than a billion-dollar investment in the community and will create more than 1,000 new jobs.

6. DEP's assessment of electric energy requirements has identified the need to tap the existing Harris Plant - Wake 230kV transmission line and build a new 230kV transmission line to a new proposed 230kV/23kV transmission-to-distribution substation with a 28-MW capacity (“Holly Springs Utley Creek substation”) near the Fujifilm site.

7. The new transmission line will connect the Holly Springs Utley Creek substation to FujiFilm’s facility’s delivery point. The construction of the proposed substation and 230kV transmission line is scheduled to begin in late 2022 with an in-service date of September 2023.

8. DEP retained Jacobs Engineering Company, Inc. to assist with the comprehensive transmission line siting and public input process for this project. The study area boundaries generally follow the existing Harris Plant - Wake 230kV Transmission line. The area between the Harris Plant - Wake 230kV Transmission Line and the proposed Holly Spring Utley Creek Substation was the focal point of the study area. The northern boundary of the study area is DEP’s Harris Plant-Wake 230 kV Transmission Line and extends approximately four miles between New Hill Holleman Road and Old Holly

Springs Apex Road. The western boundary extends south along New Hill Holleman Road for 2.5 miles. The southern boundary extends along Avent Ferry Road for approximately four miles to capture any constraints and opportunities that may affect future road access plans for the project. The eastern boundary follows the Old Holly Springs Apex Road and the North Carolina Bypass 55 corridors for approximately two miles as shown as Figure 2 on Exhibit A, attached to this Application.

9. The route prepared under the transmission line siting and public input process is approximately 2.18 miles. The route taps the middle point of the Harris Plant-Wake 230kV line. The route travels southeasterly from the tap location paralleling the stream toward the east for approximately 0.40 miles, runs east for approximately 0.58 miles, and then crosses the northern side of White Oak Creek and its associated floodway. The route then angles south for approximately 0.20 miles crossing Utley Creek and its associated floodplain and extends east for 1 mile to the proposed substation.

10. The transmission line routing process, studies and physical properties are fully described in the Report, attached as Exhibit A. The Report satisfies the requirements of N.C. Gen. Stat. § 62-102.

11. In order to meet the in-service date of September 2023, DEP's line engineering team has begun examining the route prepared under the transmission line siting and public input process, and any deviations made to that route are insignificant. The line will follow the segments of that route, but sharp angles and impacts to wetlands have been minimized, which will decrease the overall construction costs. The deviations to the line will not impact any property owners because the line will be located on property owned by DEP. The deviated line is shown on the maps attached as Exhibit B.

12. The Company is filing the application with the route prepared under the transmission siting and public input process, as shown in the Engineering Report, with the deviations it intends to make to the proposed route under Exhibit B.

13. The deviated route is approximately 2.1 miles. The updated route is further described as a tap location on the Harris Plant – Wake 230kV line approximately 280 feet west of Structure 26. The route travels south-southeast from the tap location approximately 0.44 miles, then turning east-southeast for 0.80 miles and crossing White Oak Creek and its associated floodway to a point approximately 180 feet south of Utley Creek. The route then bears east for approximately 0.86 miles to the proposed substation location.

14. Due to the in-service deadline of September 2023, which results from DEP's contractual commitments to FujiFilm and the Job Development Investment Grant approved by North Carolina's Economic Investment Committee under the Department of Commerce, there is insufficient time to restart the route development process and construct the line in time to meet the service deadline.

15. It is not uncommon for lines to deviate from the preferred route or from an approved certificate.<sup>1</sup> Commission Rule R8-62(d) provides the procedure for amending an approved certificate. Although the deviation is insignificant, the Company proposes to include a description of the deviated line in its public notice summary to more accurately reflect the exact location of the line.

---

<sup>1</sup> See for example, *DEP's Ref-Filed Deviation of Approved, New 230 kV Transmission*, Docket No. E-2, Sub 1215 (filed October 1, 2020), in which DEP filed notice of a proposed deviation of minimal impact for informational purposes. Also, see *Order Granting Certificate of Environmental Compatibility and Public Convenience and Necessity*, Docket No. E-2, Sub 1160, January 12, 2018, in which DEP agreed to consider minor adjustments to the Proposed Route, provided that additional landowners would not be affected by such adjustment.

16. Exhibit C is a draft public notice summary of the Application that DEP proposes to publish in the newspapers of general circulation serving the portions of Wake County impacted by the proposed line. DEP will publish this public notice summary upon Commission approval and serve the parties identified in N.C. Gen. Stat. § 62-102(b) with a copy of this Application and a notice, stating the date the Application was filed, the date by which parties must seek intervention, and the statute and the rule governing intervention.

17. The information and data required to be filed by Commission Rule R8-62 is supported by the testimony of Micah E. Retzlaff, Bill Quaintance and Joshua Bledsoe and is being filed simultaneously with this Application and incorporated herein by reference

WHEREFORE, Duke Energy Progress, LLC requests that the Commission grant a Certificate of Environmental Compatibility and Public Convenience and Necessity to construct approximately 2.1 miles of new 230kV transmission line in Wake County, North Carolina, as subject to the line's deviations described herein.

Respectfully submitted this 14<sup>th</sup> day of April, 2022.

DUKE ENERGY PROGRESS, LLC



---

Kathleen H. Richard, Counsel  
Duke Energy Progress, LLC  
NCRH 20/P.O. Box 1551  
Raleigh, North Carolina 27602  
Tel: (919) 546-6776  
[Kathleen.Richard@duke-energy.com](mailto:Kathleen.Richard@duke-energy.com)

Brady W. Allen  
The Allen Law Offices, PLLC  
4030 Wake Forest Rd., Suite 115  
Raleigh, NC 27609  
[Brady.Allen@theallenlawoffices.com](mailto:Brady.Allen@theallenlawoffices.com)

VERIFICATION

STATE OF NORTH CAROLINA

COUNTY OF WAKE


)  
)  
)

DOCKET NO. E-2, SUB 1289

PERSONALLY APPEARED before me, Micah E. Retzlaff, after first being duly sworn, said that he is Lead Transmission Siting Specialist – Siting, Permitting and Engagement for Duke Energy Progress, LLC and as such is authorized to make this verification; that he has read the foregoing *Application for a Certificate of Environmental Compatibility and Public Convenience and Necessity* and knows the contents thereof; and that the same are true and correct to the best of his knowledge, information, and belief.

  
\_\_\_\_\_  
Micah E. Retzlaff  
Lead Transmission Siting Specialist  
Siting, Permitting and Engagement  
Duke Energy Progress, LLC

Sworn to and subscribed before  
me this 5 day of April, 2022.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 03.28.2024

