



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

October 10, 2023

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

Re: Docket No. E-2, Subs 720 and 1076 – Duke Energy Progress, LLC's
Petition to Revise Premier Power Service Rider PPS-10

Dear Ms. Dunston:

On July 12, 2023, Duke Energy Progress, LLC (DEP or the Company) submitted a proposed revision to its Premier Power Service Rider PPS-10. According to the letter filed with the requested tariff revision, the existing tariff and Certificate of Public Convenience and Necessity (CPCN) authorized construction and operation of up to a total of 250,000 kW of emergency generation that can be installed by the Company with a per site limit of 18,000 kW. The Company seeks to amend the tariff and the CPCN to eliminate the per site limit while retaining the 250,000 kW total program cap. The Company also added a new section to Rider PPS-10 entitled "Eligibility" to help ensure that customers requesting larger and more expensive emergency generators have the financial ability to meet their obligations under the contract. Finally, DEP states that if directed by the Commission, the Company will publish notice of the request to amend the CPCN.

The Commission originally approved the tariff and CPCN in its July 7, 1998 Order Approving Experimental Rider and Issuing Certificate of Public Convenience and Necessity. In the intervening 25 years since the tariff was approved, the Company has requested, and the Commission has granted two amendments to the tariff and the CPCN, increasing the maximum generator size. The Commission approved an increase to the original per site size limit from 3,500 kW to 8,000 kW (tariff, July 10, 2003, and CPCN, October 8, 2003) and from 8,000 kW to 18,000 kW (November 24, 2010).

Prior to approving the original application and past amendments to the maximum per site size requirement, the Commission has required, at the Public

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Staff's request, DEP to provide notice to customers and submit affidavits of publication. DEP provided notice and filed the affidavits of publication each time prior to the Commission issuing its order. The State Clearinghouse submitted letters in response to the original program filing and the 2010 amendment petition stating that the project has been waived from the state environmental review process as it is programmatic in nature and not site specific (Letters filed April 27, 1998, July 22, 2010).

The Public Staff has reviewed the Company's request and does not oppose approval of amendments to the tariff and the CPCN. Further, due to the unique nature of the CPCN being for unspecified or undetermined sites and uncertain amounts of capacity, the Public Staff is not opposed to the Commission's waiver of public notice in this instance. Accordingly, the Public Staff recommends approval of DEP's revisions to its Premier Power Service Rider PPS-10 and the corresponding CPCN.

By copy of this letter, I am serving a copy on all parties of record by electronic delivery.

Sincerely,

Electronically submitted

/s/ Robert B. Josey

Staff Attorney

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