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STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-100, SUB 150

FILED

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Clerk's Office
N.C. Utilities Commission

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Rulemaking Proceeding to Implement)
G.S. 62-110.8) ORDER ADOPTING AND
) AMENDING RULES

BY THE COMMISSION: On July 28, 2017, the Commission issued an order initiating this rulemaking proceeding to adopt and modify the Commission's rules, as necessary, to implement G.S. 62-110.8, enacted S.L. 2017-192, which requires Duke Energy Progress, LLC (DEP), and Duke Energy Carolinas, LLC (DEC) (together, Duke) to file with the Commission a program for the competitive procurement of energy and capacity from renewable energy facilities with the purpose of adding renewable energy to the State's generation portfolio in a manner that allows the State's electric public utilities to reliably and cost-effectively serve customers' future energy needs (Competitive Procurement of Renewable Energy or CPRE Program). G.S. 62-110.8(a). To facilitate the Commission adopting final rules in this proceeding in advance of the mandated utilities' filings, that order set an expedited schedule for filings in this proceeding. In addition, that order made DEP and DEC (together, Duke), parties to this proceeding and recognized the participation of the Public Staff. Consistent with G.S. 62-110.8(h), that Order required the parties' initial and reply filings to specifically address the following:

- (1) Oversight of the competitive procurement program.
- (2) To provide for a waiver of regulatory conditions or code of conduct requirements that would unreasonably restrict a public utility or its affiliates from participating in the competitive procurement process, unless the Commission finds that such a waiver would not hold the public utility's customers harmless.
- (3) Establishment of a procedure for expedited review and approval of certificates of public convenience and necessity (CPCN), or the transfer thereof, for renewable energy facilities owned by the public utility and procured pursuant to this section. The Commission shall issue an order not later than 30 days after a petition for a certificate is filed by the public utility.
- (4) Establishment of a methodology to allow an electric public utility to recover its costs pursuant to G.S. 62-110.8(g).