

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH
DOCKET NO. E-100, SUB 194
BEFORE THE NORTH
CAROLINA UTILITIES
COMMISSION

in the Matter of
Biennial Determination of
Avoided Cost Rates for Electric
Utility Purchases from
Qualifying Facilities - 2023

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission (Commission) has scheduled a public hearing on the docket which will commence on Tuesday, February 24, at 7:00 p.m. in Commission Hearing Room 2115, Debb Building, 430 North Salisbury Street, Raleigh, North Carolina for the purpose of taking honest public witness testimony as part of its 2023 biennial determination of avoided cost rates for purchases of electricity by electric utilities who are parties to this docket from qualifying cogeneration and small power production facilities. The electric utilities who are parties to this docket are Duke Energy Carolinas, LLC (DEC), Duke Energy Progress, LLC (DEP), Virginia Electric and Power Company (d/b/a Dominion Energy North Carolina (Dominion Eastern Carolina University (NCU), and Appalachian State University, d/b/a New River Light and Power Company (New River).

The Public Utility Regulatory Policies Act of 1978 (PURPA) requires electric utilities to offer to purchase electric energy from cogeneration and small power production facilities which obtain qualifying facility status under PURPA. The rates for such purchases shall be set by the state regulatory authority, shall be just and reasonable to the ratepayers of the electric utility and in the public interest, shall not discriminate against qualifying cogenerators or qualifying mail power producers, and shall not exceed the incremental cost to the electric utility of acquiring alternative electric energy. As a part of its responsibility in these matters, the Commission determines on a biennial basis the avoided cost rates and conditions for the purchase of electricity by electric utilities from qualifying cogeneration and small power production facilities in North Carolina.

In addition to the requirements of PURPA, N.C. Gen. Stat. § 62-18 requires the Commission to determine the rates and contract terms to be observed by electric utilities in purchasing power from small power producers as defined in N.C.G.S. § 62-3(27a). The rates established pursuant to N.C.G.S. § 62-18 shall not exceed, over the term of the purchase power contract, the incremental cost to the electric utility of the electric energy which, but for the purchase from a small power producer, the utility would generate or purchase from another source.

OFFICE OF LEGAL
COUNSEL
HEARD HERE

The purpose of the hearing cited in this Notice is to consider revision of the avoided cost rates and contract terms previously set by the Commission for the purchase of electricity by the electric utilities who are parties to this proceeding from qualifying cogeneration and small power production facilities in North Carolina.

The Public Staff is required by statute to represent the using and consuming public in proceedings before the Commission. Written statements to the Public Staff should include any information which the writer wishes to be considered by the Public Staff in its investigation of the matter, and such statements should be addressed to Mr. Christopher

Atty. General, Executive Director, Public Staff, North Carolina Utilities Commission, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General of North Carolina, c/o Utilities Section, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001.

Written statements are not evidence unless those persons submitting such statements appear at a public hearing and testify concerning the information contained in their written statements.

Any person desiring to intervene in the matter as a formal party of record should file a motion under Commission Rules R1-5 and R1-19 no later than Wednesday, February 7, 2024. All such motions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325. The comments and exhibits to be presented in this proceeding by formal parties other than DEC, DEP, Dominion, WCU, and New River must be filed with the Commission no later than Wednesday, February 7, 2024.

This the 7th day of August, 2023.

ISSUED BY ORDER OF
THE COMMISSION
NORTH CAROLINA
UTILITIES COMMISSION
Tamika D. Conyers, Deputy Clerk
44-456

NCUC DOCKET E-100 SUB 194

NORTH CAROLINA
Jackson County

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to

administer oaths, personally appeared

Betty Crawford

who is first duly sworn, deposes and says: that he-she is

Authorized Employee

(Owner, partner, publisher, or other officer or employee authorized to make this affidavit)

of The Sylva Herald and Ruralite, engaged in the publication of a newspaper known as The Sylva Herald and Ruralite published, issued, and entered as second class mail in the Town of Sylva, in said County and State; that he-she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in The Sylva Herald and Ruralite on the following dates;

January 4 and 11, 2024

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 17th day of January 2024

Betty Crawford
(Signature of person making affidavit)

HALEY A. ANDERSON
Notary Public, North Carolina
Jackson County
Commission Expires
November 21, 2026

Sworn to and subscribed before me, this

day of January 2024

Haley A. Anderson
Haley A. Anderson
Notary Public

HALEY A. ANDERSON
Notary Public, North Carolina
Jackson County
My Commission Expires
November 21, 2026

My Commission expires: November 21, 2026

OFFICIAL COPY
Jan 18 2024