

NORTH CAROLINA UTILITIES COMMISSION
MINUTES OF REGULAR COMMISSION STAFF CONFERENCE

October 4, 2021

The Regular Commission Staff Conference of the North Carolina Utilities Commission was held on Monday, October 4, 2021, at 10:00 a.m., with Chair Mitchell presiding. The remote meeting was conducted by use of simultaneous communication (via Webex) pursuant to N.C. Gen. Stat. § 166A-19.24, streamed live online, and available to the public.

The following were present during the entirety of the remote meeting:

COMMISSIONERS:

Commissioner Brown-Bland
Commissioner Gray
Commissioner Clodfelter
Commissioner Duffley
Commissioner Hughes
Commissioner McKissick

COMMISSION STAFF: Ms. Lazo, Ms. Henderson, Ms. Fennell, Ms. Harrod, Ms. Duffy, Ms. Barnes, Ms. Hilburn, Ms. Paschal, Ms. Zhang, Ms. Jayasheela, Ms. Burns, Ms. Blue, Ms. Needham, Mr. Warren

PUBLIC STAFF: Ms. Downey, Ms. Culpepper, Ms. Holt, Ms. Jost, Ms. Edmondson, Ms. Coxton, Mr. Josey, Ms. Boswell, Mr. Saillor, Mr. D. Williamson, Mr. Lawrence, Mr. Junis, Ms. Proffitt, Mr. Franklin

ATTORNEY GENERAL:

COURT REPORTERS: Ms. Vines

C. COMMUNICATIONS**P1. FILING OF INTERCONNECTION AGREEMENT AND AMENDMENTS BY AT&T NORTH CAROLINA AND VERIZON SOUTH**

The following interconnection agreement and amendments were filed for approval by the North Carolina Utilities Commission (Commission) on August 5, 2021:

BellSouth Telecommunications, LLC, d/b/a AT&T North Carolina

Docket No. P-55, Sub 1948 – Agreement with Teliax, Inc., filed on August 5, 2021.

Docket No. P-55, Subs 1918 and 1919 – Amendment filed on August 5, 2021, to an interconnection agreement with AT&T Corp. and Teleport Communications America, LLC, approved by the Commission on August 1, 2016. The amendment modifies certain provisions related to Operations Support Systems, Data Connection Security Requirements, Robocalling, and Prohibited Traffic. Initially filed only in P-55, Sub 1919, the amendment was resubmitted for consideration in both dockets on September 16, 2021.

Verizon South Inc. (Verizon South)

Docket No. P-19, Sub 449 – Amendment filed on August 5, 2021, to an existing interconnection agreement with GC Pivotal, LLC d/b/a Global Capacity (formerly Access Point, Inc.), approved by the Commission on September 19, 2002. The amendment implements changes mandated by the Federal Communications Commission in its Report and Order in WC Docket No. 19-308, Modernizing Unbundling and Resale Requirements in an Era of Next-Generation Networks and Services (2020 UNE Order) related to unbundled access to network elements, which became effective on February 8, 2021.

Docket No. P-19, Sub 450 – Amendment filed on August 5, 2021, to an existing interconnection agreement with QuantumShift Communications, Inc., approved by the Commission on October 16, 2002. The amendment implements the changes mandated by the 2020 UNE Order.

These filings were made in compliance with Commission Rule R17-4(d) and Sections 252(e) and 252(i) of the Telecommunications Act of 1996. The Act provides for the filing of such agreements and amendments with the state commission and approval or rejection by the state commission within 90 days after filing. On June 18, 1996, the Commission issued an Order in Docket No. P-100, Sub 133, allowing interim operation under negotiated agreements filed as public records prior to Commission approval of the agreements.

The Public Staff – North Carolina Utilities Commission (Public Staff) has reviewed the filings and recommends Commission approval.

The Public Staff recommended that orders be issued approving the agreement and amendments effective on the date they were filed. The Public Staff has provided proposed orders to the Commission Staff.

It was moved and passed that the Public Staff's recommendation be adopted.

D. ELECTRIC

P1. APPLICATION FOR AN AMENDED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A SOLAR FACILITY

The following application regards a certificate of public convenience and necessity for construction of solar photovoltaic generating facilities, pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-64.

Duke Energy Carolinas, LLC:

- Docket No. SP-6053, Sub 0 – Application of Washington Solar, LLC, for an amended certificate of public convenience and necessity to construct a 5-MW solar photovoltaic generating facility in Rockingham County, North Carolina. (registration statement accepted previously)

The Public Staff has reviewed the application and determined that it complies with the requirements of N.C.G.S. § 62-110.1 and Commission Rule R8-64.

The public Staff recommended that the Commission issue an order approving the application and issuing the requested certificate. The Public Staff has provided a proposed order to the Commission Staff.

It was moved and passed that the Public Staff's recommendation be adopted.

E. WATER**P1. DOCKET NO. W-218, SUB 557 – AQUA NORTH CAROLINA, INC. – REQUEST FOR TARIFF REVISION**

On August 20, 2021, Aqua North Carolina, Inc. (Aqua or Company), filed a verified petition with the Commission, pursuant to N.C. Gen. Stat. § 62-133.11, requesting authority to amend its tariff for the purpose of passing along to its metered water customers in 55 subdivisions in Johnston County an increase in the cost of purchasing water service from Johnston County Department of Public Utilities (County).

Aqua states that, effective September 1, 2021, the County increased its usage rate charged to Aqua by \$0.17 per 1,000 gallons, from \$2.85 to \$3.02 per 1,000 gallons. Aqua requests to increase the usage charge applicable to these customers for service rendered on and after September 1, 2021, to pass along this increase in the cost of purchasing water service from the County.

Aqua's current water usage rate became effective on November 24, 2020, upon issuance of the Commission's Order Approving Tariff Revision and Requiring Customer Notice in Docket No. W-218, Sub 540. After taking into account the effect of the County's base charge and 0.13% regulatory fee, Aqua requests authority to increase its water usage rate from \$2.86 to \$3.03 per 1,000 gallons to reflect the increase in the cost of purchasing water service from the County. The monthly base facility charge for a <1" meter remains \$20.70.

Under the new water usage rate, the average residential customer's monthly water bill will increase by \$0.85, from \$35.00 to \$35.85 based upon 5,000 gallons of usage.

The Public Staff – North Carolina Utilities Commission (Public Staff) has reviewed the County's rates and recommends that Aqua's request for a tariff revision be approved.

The Public Staff recommended that the Commission issue the Public Staff's proposed order approving the requested tariff revision and requiring customer notice.

It was moved and passed that the Public Staff's recommendation be adopted.

P2. DOCKET NO. W-218, SUB 559 – AQUA NORTH CAROLINA, INC. – REQUEST FOR TARIFF REVISION

On August 19, 2021, Aqua North Carolina, Inc. (Aqua or Company), filed a verified petition with the Commission, pursuant to N.C. Gen. Stat. § 62-133.11, requesting authority to amend its tariff for the purpose of passing along to its metered water customers in Chapel Ridge, Laurel Ridge, and The Parks at Meadowview in Chatham County an increase in the cost of purchasing water service from the Town of Pittsboro (Pittsboro).

Aqua states that, effective July 1, 2021, Pittsboro increased its minimum charge, including 500,000 gallons of usage, by \$3,110 per month, from \$7,190 to \$10,300 per month and its usage rate, above 500,000 gallons, by \$6.22 per 1,000 gallons, from \$14.38 to \$20.60 per 1,000 gallons. Aqua requests to immediately increase the usage charge applicable to these customers to pass along the increase in the cost of purchasing water service from Pittsboro.

Aqua's current water usage rate became effective on December 7, 2020, upon issuance of the Commission's Order Approving Tariff Revision and Requiring Customer Notice in Docket No. W-218, Sub 545. After taking into account the effect of Pittsboro's minimum charge and 0.13% regulatory fee, Aqua requests authority to increase its water usage rate from \$14.40 to \$20.63 per 1,000 gallons to reflect the increase in the cost of purchasing water service from the County. The monthly base facility charge for a <1" meter remains \$20.70.

Under the new water usage rate, the average residential customer's monthly water bill will increase by \$31.15, from \$92.70 to \$123.85 based upon 5,000 gallons of usage.

The Public Staff – North Carolina Utilities Commission (Public Staff) has reviewed Pittsboro's rates and recommends that Aqua's request for a tariff revision be approved.

The Public Staff recommended that the Commission issue the Public Staff's proposed order approving the requested tariff revision and requiring customer notice.

It was moved and passed that the Public Staff's recommendation be adopted.

P3. DOCKET NO. W-218, SUB 560 – AQUA NORTH CAROLINA, INC. – REQUEST FOR TARIFF REVISION

On August 30, 2021, Aqua North Carolina, Inc. (Aqua or Company), filed a verified petition with the Commission, pursuant to N.C. Gen. Stat. § 62-133.11, requesting authority to amend its tariff for the purpose of passing along to developers an increase in the bulk water capacity fee from Johnston County Department of Public Utilities (County).

Aqua states that, effective October 1, 2021, the County is increasing its bulk water capacity fee charged to Aqua by \$0.75 per gallon per day (gpd) of average capacity, from \$6.25 to \$7.00 per gpd. Aqua requests to increase the water capacity fee applicable to developers for service rendered on and after October 1, 2021, to pass along the increase in the cost of purchasing bulk water capacity from the County.

Aqua's current bulk water capacity fee became effective on October 26, 2020, upon issuance of the Commission's Order Approving Partial Settlement Agreement and Stipulation, Deciding Contested Issues, Granting Partial Rate Increase, and Requiring Customer Notice in Docket No. W-218, Sub 526. Aqua requests authority to increase its water capacity fee from \$6.25 per gpd to \$7.00 per gpd to reflect the increase in the cost

of purchasing bulk water capacity from the County. The bulk wastewater capacity fee remains \$11.00 per gpd, including transmission and treatment capacity.

The Public Staff – North Carolina Utilities Commission (Public Staff) has reviewed the County's bulk capacity fees and recommends that Aqua's request for a tariff revision be approved.

The Public Staff recommended that the Commission issue the Public Staff's proposed order approving the requested tariff revision.

It was moved and passed that the Public Staff's recommendation be adopted.

Minutes of the Regular Commission Staff Conference of September 27, 2021, were approved.

Minutes prepared by Portia Barnes.