

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. M-100, SUB 196

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Technical and Conforming Amendments to)	ORDER AMENDING
Commission Rules – 2023		COMMISSION RULES

BY THE CHAIR: After careful review of the Commission's current Rules and Regulations, the Chair finds good cause to adopt the attached non-controversial amendments to correct names of agencies that have changed since the rules were last adopted or amended.

IT IS, THEREFORE, ORDERED that the revisions to Commission Rules R6-41(d), R7-7, R7-10, R7-12(a), R7-13, R8-61(a), R8-64(c), R8-71(k), R9-5, and R10-7 set forth in Appendix A attached hereto be, and the same are hereby, adopted effective as of the date of this Order.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th day of September, 2023

NORTH CAROLINA UTILITIES COMMISSION



Tamika D. Conyers, Deputy Clerk

Rule R6-41. GAS LEAKS AND ANNUAL REPORTS.

(d) All natural gas operators shall submit two copies of each report called for in Part 191 of Title 49, Code of Federal Regulations, to the Commission. The Chief of the Gas Pipeline Safety Division of the Commission is hereby authorized to transmit one copy of each such required report to the U.S. Department of Transportation, ~~Materials Transportation Bureau, Office of Operation and Enforcement~~ Pipeline and Hazardous Materials Safety Administration.

Rule R7-7. ADEQUACY OF FACILITIES.

All water production, treatment, storage, and distribution facilities shall comply with the rules of the North Carolina Department of ~~Environment, Health and Natural Resources~~ Environmental Quality and the rules of other state and local governmental agencies governing public water systems.

Rule R7-10. CROSS CONNECTIONS.

No physical connections between the distribution system of a public potable water supply and that of any other water supply shall be permitted unless such other water supply is of safe, sanitary quality and has been approved by the North Carolina Department of ~~Environment, Health and Natural Resources~~ Environmental Quality and other state or local governmental agencies with rules pertaining to cross connection.

Rule R7-12. QUALITY OF WATER.

(a) Every water utility shall comply with the rules of the North Carolina Department of ~~Environment and Natural Resources~~ Environmental Quality and the rules of other state and local governmental agencies governing purity of water, testing of water, operation of filter plant, and such other lawful rules as those agencies prescribe.

Rule R7-13. PRESSURE REQUIREMENTS.

Each water utility shall maintain an adequate pressure for its distribution system as required by the North Carolina Department of ~~Environment and Natural Resources~~ Environmental Quality and any other state or local governmental agencies with rules pertaining to pressure requirements.

Rule R8-61. PRELIMINARY PLANS AND CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR CONSTRUCTION OF ELECTRIC GENERATION AND RELATED TRANSMISSION FACILITIES IN NORTH CAROLINA; CONSTRUCTION OF OUT-OF-STATE ELECTRIC GENERATING FACILITIES; PROGRESS REPORTS AND ONGOING REVIEWS OF CONSTRUCTION; PROJECT DEVELOPMENT COST REVIEWS FOR NUCLEAR GENERATING FACILITIES.

(a) A public utility or other person that plans to build an electricity generating facility with a nameplate capacity of 300 megawatts (alternating current) or more shall file with the Commission and the Department of ~~the Environment and Natural Resources~~ Environmental Quality its preliminary plans at least 120 days before filing an application for a certificate of public convenience and necessity. The preliminary plans shall include the following exhibits:

Rule R8-64. APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY BY CPRE PROGRAM PARTICIPANT, QUALIFYING COGENERATOR, OR SMALL POWER PRODUCER; PROGRESS REPORTS.

(c) Procedure upon receipt of Application. — Upon the filing of an application appearing to meet the requirements set forth above, the Commission will process it as follows:

. . .

- (3) The Chief Clerk will deliver 2 copies of the application and the notice to the State Environmental Review Clearinghouse ~~Coordinator of the Office of Policy and Planning of the Department of Administration~~ for distribution by the Clearinghouse Coordinator to State agencies having an interest in the application.

Rule R8-71. COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY.

(k) Expedited review and approval of Certificate of Public Convenience and Necessity for renewable energy facilities owned by an electric public utility and procured under the CPRE Program.

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- (5) Procedure for expedited review of applications for a certificate of public convenience and necessity. – The Commission will process applications for certificates of public convenience and necessity filed pursuant to this section as follows:

...

- (iii) The Chief Clerk will deliver 2 copies of the electric public utility's preliminary plans to the State Environmental Review Clearinghouse Coordinator of the ~~Office of Policy and Planning of the Department of Administration~~ for distribution by the Clearinghouse Coordinator to State agencies having an interest in the application. The Chief Clerk will request comments from ~~state~~ State agencies within 30 days of delivering notice to the Clearinghouse Coordinator.

Rule R9-5. 911 EMERGENCY TELEPHONE NUMBER SYSTEM.

It is the policy of the Commission that regulated telephone companies shall make 911 emergency telephone service available to local governmental agencies upon reasonable terms and time schedules as prescribed in relevant orders of the Commission. Every telephone company shall notify the Commission within ten (10) working days of an official request from a local governmental authority for the availability costs and implementation dates for the 911 emergency telephone number in the exchange(s) of that authority's jurisdiction. The telephone company's response must be made to the inquiring authority within sixty (60) days. Notice of the inquiry and telephone company's response shall be filed with the Chief Clerk who shall provide copies to the Communications Division of the Public Staff and to the North Carolina ~~Department of Crime Control and Public Safety,~~ 911 ~~Section~~ Board. The implementation of the 911 service shall be further in accordance with the provisions of the Commission's modified order of October 19, 1979, in Docket No. P 100, Sub 48, Investigation of 911 Emergency Telephone Number.

Rule R10-7. ADEQUACY OF FACILITIES.

All public sewer utilities shall comply with the rules of the North Carolina Department of ~~Environment and Natural Resources~~ Environmental Quality and the rules of other state and local governmental agencies in the design, construction, operation, and maintenance of its sewer facilities and in the collection, treatment and discharge of the sewage being treated.