



Fox Rothschild LLP
ATTORNEYS AT LAW

434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Tel (919) 755-8700 Fax (919) 755-8800
www.foxrothschild.com

M. GRAY STYERS
Direct No: 919.755.8741
Email: gstyers@foxrothschild.com

July 28, 2021

Ms. A. Shonta Dunston
Interim Chief Clerk
North Carolina Utilities Commission
Room 5063
430 N. Salisbury Street
Raleigh, NC 27603

**RE: *New River Light and Power Company
Report on Payne Branch Dam Project
NCUC Docket No. E-34, Sub 46***

Dear Ms. Dunston:

Pursuant to Ordering Paragraph No. 8 of the Order issued by the NC Utilities Commission on March 29, 2018 in the above referenced docket, New River Light and Power Company provides herewith its final Report on the Payne Branch Dam removal project.

If you should have any questions concerning the Report, please do not hesitate to contact me.

Sincerely,

M. Gray Styers, Jr.

MGS/pbb

Enclosure

cc: Elizabeth Culpepper, Esq.
Parties of Record

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada
New Jersey New York North Carolina Pennsylvania South Carolina Texas Virginia Washington

104882284 1 7/28/2021 1:54:16 PM

OFFICIAL COPY

JUL 28 2021

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-34, SUB 46

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Appalachian State)	REPORT OF NEW RIVER
University, d/b/a New River Light)	LIGHT AND POWER
and Power Company, for an)	COMPANY ON PAYNE
Adjustment of Rates and Charges)	BRANCH DAM PROJECT
for Electric Service in North)	
Carolina		

NOW COMES New River Light & Power Company ("NRLP"), through its attorney, and submits the following Report:

1. Pursuant to Finding of Fact No. 32 and Ordering Paragraph No. 8 of the Order issued by the North Carolina Utilities Commission (the "Commission") on March 29, 2018, filed and entered in the above-captioned Docket, NRLP is required to submit a report (the "Report") to the Commission and the Public Staff by July 31 and January 31 of each year describing the work completed and costs incurred by NRLP in connection with the Payne Branch Dam removal project.

2. Demolition work was substantially completed by year-end 2020 with the complete removal of the dam. An account of the dam removal and its many benefits, pictures, and videos can be found at <https://today.appstate.edu/2021/01/25/payne-branch>.

3. As reported in the previous Report dated January 29, 2021, an invoice for \$421,796.21 was submitted and paid in January 2021. No other invoices have been received or paid since then, and upon information and belief, that is the final invoice for the project.

4. Attached is a cover letter from Resource Institute to NRLP indicating the completion of the project.

5. Unless there are additional invoices received and paid for the project or unless otherwise instructed by the Commission, this will be the final Report filed about the Payne Branch Dam project.

Respectfully submitted, this the 28th day of July, 2021.

FOX ROTHSCHILD LLP



M. Gray Styers, Jr., Esq.
NC State Bar No. 16844
434 Fayetteville Street, Suite 2800
Raleigh, NC 27601
(919)755-8741
gstyers@foxrothschild.com

COUNSEL FOR
NEW RIVER LIGHT AND POWER

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing by electronic delivery to the following person via email at the following address which is the last address known to me:

Elizabeth Culpepper, Esq.
North Carolina Public Staff
430 N. Salisbury Street
Raleigh, NC 27611
Elizabeth.culpepper@psncuc.nc.gov

This the 28th day of July, 2021.

FOX ROTHSCHILD, LLP



M. Gray Styers, Jr.
434 Fayetteville Street, Suite 2800
Raleigh, NC 27601
(919)755-8741
gstyers@foxrothschild.com



June 1, 2021

Mr. Edmond Miller
New River Light and Power
146 Faculty Street Ext.
Boone, NC 28607

Re: Payne Branch Dam – Middle Fork of the New River Restoration Project – Final Report

Dear Mr. Miller:

Please see the final attachments for the Payne Branch Dam Removal/Stream Restoration Project items listed below:

- Payne Branch - Redline Drawing and engineering changes.
- Payne Branch Write Up and Pics during construction
- Final site review and close out meeting held on May 26, 2021, with partners.
- Spoil sites have been stabilized and closed.
- In a separate email I will forward an email from Ashley Hawkins of pics taken at the last meeting of the project and partners.
- Close out reports for other funding has been sent to Charna Howson.

This has been a wonderful project taken on by New River Light and Power, ASU, and Resource Institute to restore the river and dam removal all in the same project. Keeping sediment out of the river and improving water quality for aquatic habitat and potable water supplies downstream was a great task and improves water resources for public benefit.

Please call or email if you need additional information.

Sincerely,

Charles Anderson
Resource Institute, Inc.