



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

September 8, 2021

A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4000

Re: Docket No. E-100, Sub 101

Dear Ms. Dunston:

The Public Staff – North Carolina Utilities Commission (Public Staff) respectfully submits this letter in lieu of comments in response to the North Carolina Utilities Commission’s August 30, 2021 *Order Requesting Comments On Petition* in response to Duke Energy Carolinas, LLC’s (DEC) and Duke Energy Progress, LLC’s (DEP) (together Duke) Petition for Approval of Limited Modifications to the North Carolina Interconnection Procedures to Expand Transitional Cluster Study Eligibility filed August 17, 2021 (Petition).

Duke’s Petition requests to modify the eligibility requirements for Interconnection Customers that wish to enter into the Transitional Cluster Study Process established in Section 1.10.1 of the North Carolina Interconnection Procedures (NCIP). Duke states that the regulatory approval processes have caused delays in the implementation of queue reform in North Carolina, which could cause some newer Interconnection Customer-stakeholders to be ineligible for the Transitional Cluster Study Process. Duke’s Petition contains two amendments, the first to Section 1.10.2.1(d) which would add Section (d)(iv) to allow an Interconnection Customer that is in the queue as of the effective date of the revised NCIPs to enter a Transitional Cluster if it receives a Certificate for Public Convenience and Necessity issued by the Commission on or before the close of the 60-day transitional process enrollment window under Section 1.1.3. The second revision to the NCIP would revise Section 1.10.2.1(d)(ii) to expand eligibility for a new Resource Solicitation Process by changing the requirement to have “received a contract award” to allow an Interconnection Customer to show

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reasonable evidence that it “is offering to sell its output through a Resource Solicitation Process.” On September 1, 2021, Duke provided notice of the transition to the Definitive Interconnection Study Process on its OASIS website.

Following the filing of Duke’s Petition, the Public Staff had several conference calls with Duke’s counsel and submitted a data request to receive further information on the reasoning and ramifications of the proposed changes to Section 1.10.2.1 of the NCIP. Duke’s data request response stated that 13 facilities would be eligible for the Transition Cluster Study Process if the proposed changes were approved that would not be eligible under the current NCIP eligibility requirements, two in DEC territory and 11 in DEP territory. Further, Duke stated that the changes would also help facilitate Competitive Procurement of Renewable Energy Tranche 3. This information allows the Public Staff to better understand the how the modifications could affect the Transitional Cluster Study Process. Therefore, the Public Staff does not object to the Commission's granting of Duke’s August 17, 2021 Petition.

By copy of this letter, I am forwarding a copy of the above to all parties of record.

Sincerely yours,

/s/ Robert B. Josey
Staff Attorney
robert.josey@psncuc.nc.gov

cc: Jack Jirak, Duke Energy, LLC
John Burns, Carolinas Clean Energy Business Association
Parties of Record