

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1150

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of Duke Energy Progress, LLC for )  
a Certificate of Environmental Compatibility ) ORDER REQUIRING DUKE ENERGY  
and Public Convenience and Necessity ) PROGRESS, LLC, TO PROVIDE  
to Construct Approximately 11.5 Miles of ) ADDITIONAL INFORMATION  
New 230-kV Transmission Line in Johnston )  
County, North Carolina )

BY THE PRESIDING COMMISSIONER: On July 14, 2017, Duke Energy Progress, LLC (DEP) filed an application pursuant to G.S. 62-100 et seq., for a certificate of environmental compatibility and public convenience and necessity (certificate) to construct approximately 11.5 miles of new 230-kV transmission line and a substation in Johnston County, North Carolina.

On July 18, 2017, the Commission issued an Order that, among other things, scheduled a public witness hearing in this docket for Monday, October 30, 2017, at 6:30 p.m., at the Johnston County Courthouse, Courtroom No. 4, 207 E. Johnston Street, Smithfield, North Carolina.

In addition, the Commission has received numerous statements of consumer position raising concerns about the proposed route of the transmission line.

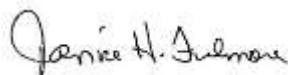
Based on the foregoing and the record, the Presiding Commissioner finds good cause to require DEP to provide additional information about the proposed transmission line and substation by filing verified responses to the Commission questions attached hereto as Appendix A on or before October 9, 2017.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 25<sup>th</sup> day of September, 2017.

NORTH CAROLINA UTILITIES COMMISSION



Janice H. Fulmore, Deputy Clerk

Commission Questions

1. Several members of the public commented that they were unaware of the public meetings that DEP hosted in November of 2016, suggesting that they did not learn of the proposed project until they received certified letters from the Company informing them that the route would go through their property. Please explain how DEP notified persons in the potential path(s) of the transmission of the public meetings hosted by DEP, and comment on whether DEP's mailing missed some people in the study area.

2. Public commenters stated that trees had been inappropriately cut down during the survey process. Explain in detail what occurred and whether it was necessary to compensate any landowners for damage.

3. Public commenters questioned why DEP did not propose a shorter route, one using the existing ROW for the Cumberland-Wake 500-kV line. Please respond to that question. In addition, is it possible to serve the area directly from that 500-kV line? Explain.

4. Several public commenters expressed concern about electric-magnetic fields from the proposed power line. How much EMF from the line will be experienced by someone at the edge of the right of way? Directly under the line? In the nearest home?

5. Several public commenters questioned the need for the project. Witness Umbdenstock states that "This new substation site was purchased in 2015 based on the projected load center in the vicinity of Cleveland Road and Mathews Road." Describe the load projections for this area and explain the basis for those projections.

6. The letter dated July 31, 2017, to Christopher Ayers from Randy Johnson (submitted into the Commission's docket system on August 15, 2017) includes an attachment purporting to be a map of part of DEP's selected route. Is the map accurate? If this map is accurate, the route appears to cross some 12-15 parcels rather than following property lines. Please discuss the implications of moving the route to the west or east to follow property lines or road(s), so as to reduce the number of parcels being bisected by the route.

7. The same letter (from Mr. Johnson) states that the landowner would need to install multiple access fences in order to accommodate the route. Please respond to this concern.

8. Explain how the site for the proposed Cleveland-Matthews Road 230kV/23/kV transmission-to-distribution substation was selected, and what other options exist for locating that substation.

9. Appendix B of the application includes several emails from Duke Environmental Specialist Gail Tyner that raise an issue relative to avoiding a route that crosses Middle Creek due to the possibility that the stream provides habitat for an

endangered species. Page 17 of Timothy Swane's testimony seems to conflict with the Tyner emails by stating that Little Creek, Swift Creek and/or their tributaries were designated as "highly sensitive," with Middle Creek and its tributaries designated as "medium sensitivity." (a) Please explain in detail whether and how concerns about endangered species ultimately impacted the route scoring process. (b) Did these concerns cause portions of the study area to be rejected? If so, describe the area(s) and proposed route segments that were impacted by this issue. (c) Is it known whether the dwarf wedge mussel (or another endangered species) referred to in Ms. Tyner's November 18, 2016 email actually exists in Middle Creek (or any other streams in the study area), or is that an assumption that subsequently impacted DEP's route scoring? Please explain in detail. (d) Assuming an endangered species does exist in streams in the study area, please describe in detail the risks that power line construction and operation would pose to that/those species, whether techniques exist for mitigating those risks, and whether DEP has successfully used those techniques in the past. (e) Is there a statutory, regulatory or other prohibition against crossing a stream that provides habitat for an endangered species with a power line? Please explain in detail the implications of selecting such a route.

10. Page 4-24 of Revised Exhibit A (The Routing Study and Environmental Report) states: "... it was discovered that the potential condemnation of open space/green space areas owned by a subdivision homeowner association could require the condemnation of all property owners within that subdivision, based on precedent from a previous legal case. This knowledge, along with proximity to residences and subdivisions, potential environmental impacts to sensitive streams and floodplains, and construction and maintenance concerns associated with the western routes, resulted in the elimination of these two routes (Route 4 and Route 1)..." (a) Please provide specific information about the legal precedent referenced in the quoted testimony. (b) Which route(s) implicated open space owned by a homeowner association? Provide a map detailing this information. (c) Explain what is meant by "maintenance concerns associated with the western routes."

11. It appears from page 4-12 of the Routing Study and Environmental Report, that avoiding open spaces was given the same weighting as avoiding residences. Explain.

12. Witness Umbdenstock states that six of the existing 13 feeders that currently provide power to the Cleveland area of Johnston County exceeded their planning limit of 17.6 MVA during the January 2015 winter peak. It appears that the proposed new 230-kV line and the Cleveland-Matthews Road substation will not be in service until 2019. How will DEP reliably serve the Cleveland area while the new transmission line and substation are under construction?