

**NORTH CAROLINA UTILITIES COMMISSION**  
**MINUTES OF REGULAR COMMISSION STAFF CONFERENCE**

**September 12, 2022**

The Regular Commission Staff Conference of the North Carolina Utilities Commission was held on Monday, September 12, 2022, at 10:00 a.m., with Chair Mitchell presiding.

The following were present:

**COMMISSIONERS:**

Commissioner Brown-Bland  
Commissioner Clodfelter  
Commissioner Hughes  
Commissioner McKissick  
Commissioner Kemerait

**COMMISSION STAFF:** Mr. Watson, Mr. Green, Ms. Fennell, Ms. Duffy, Ms. Jarvis, Mr. Mertz, Ms. Hicks, Ms. Harrod, Ms. Webb-Shackleford, Ms. Hilburn, Mr. Rhodes, Mr. Barber, Ms. Jayasheela, Mr. Gajda, Mr. Hardy, Mr. McCoy

**PUBLIC STAFF:** Ms. Edmondson, Ms. Holt, Mr. Josey, Mr. Freeman, Ms. Keyworth, Mr. Metz, Mr. Junis, Mr. Franklin

**ATTORNEY GENERAL:**

**COURT REPORTER:** Ms. Mitchell

## **ELECTRIC**

### *CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT SOLAR FACILITY*

#### **Duke Energy Progress, LLC**

1. Docket No. SP-8765, Sub 0 – Application of Gideon Solar, LLC for an amended and renewed certificate of public convenience and necessity to construct an 80 MW solar photovoltaic facility in Nash County, North Carolina (*Metz/Keyworth*)

On March 11, 2022, the Applicant filed a request to renew their CPCN for five years pursuant to Commission Rule R8-64(d)(2), which requires CPCNs to be renewed if the applicant does not begin construction of the facility within five years of the issuance of the CPCN. In its request, the Applicant states that construction of the facility has not yet begun, and that it expects to begin construction in late 2022. The Applicant also asserts that the need for the facility remains unchanged and describes the prerequisites to the commencement of construction that have occurred since the CPCN was issued.

The Applicant also requests to amend its CPCN with a change in the overall site plan of the proposed facility. In addition, the Applicant filed a completed application for a CPCN with its request to demonstrate re-compliance with the requirements set forth in Commission Rule R8-64.

The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64.

The Public Staff recommended that the Commission issue a renewed and amended CPCN to the Applicant.

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

## **WATER AND WASTEWATER**

### *ORDER REQUIRING CUSTOMER NOTICE*

#### **Ferrington Utilities, LLC and Fitch Creations, Inc. d/b/a Ferrington Utilities**

2. Docket Nos. W-1341, Sub 0 and W-661, Sub 10 – Application for Authority to Transfer the Wastewater Utility System and Public Utility Franchise from Fitch Creations to Ferrington Utilities, a new subsidiary of Fitch Creations, for Providing Wastewater Utility Service in Ferrington Village Subdivision in Chatham County, North Carolina (*Bhatta/Feasel/Little*)

On June 8, 2022, West Springdale, LLC, d/b/a Springdale Water and Sewer, LLC (Springdale or Applicant), filed an application with the Commission seeking authority to

increase its rates for providing water and wastewater utility service to the Springdale Estates Subdivision and Springdale Country Club (together, Springdale Estates) in Haywood County, North Carolina (Application).

The Public Staff recommended that the matter be scheduled for a public witness hearing for the sole purpose of receiving testimony from customers; that the matter should also be scheduled for an expert witness hearing for the sole purpose of receiving expert witness testimony from Springdale, the Public Staff, and intervenors, if any; and that Springdale should be required to provide notice to all affected customers of the Application, including the applied-for rates and the scheduled hearings.

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

*ORDER SCHEDULING HEARINGS, ESTABLISHING DISCOVERY GUIDELINES, AND REQUIRING CUSTOMER NOTICE*

**Carolina Water Services, Inc. of North Carolina**

3. Docket No. W-354, Subs 398 and 399 – Application for Determination of Fair Value of Utility Assets Pursuant to N.C. Gen. Stat. § 62-133.1A and Establishing Rate Base for Acquisition of the Carteret County Water System and Application for a Certificate of Public Convenience and Necessity and for Approval of Rates to provide water utility service to the Carteret County Water System in Carteret County, North Carolina (*Junis/Feasel/Creech*)

On July 26, 2022, Carolina Water Service, Inc. of North Carolina (CWSNC or the Applicant) filed an Application for Determination of Fair Value of Utility Assets Pursuant to N.C. Gen. Stat. § 62-133.1A and Establishing Rate Base for Acquisition of the Carteret County Water System in the above-referenced docket (Fair Value Application).

The Public Staff recommended that the matters be scheduled for a joint public witness hearing for the sole purpose of receiving testimony from customers; the matters also be scheduled for separate expert witness hearings for the sole purpose of receiving expert witness testimony from CWSNC, the County, the Public Staff, and intervenors, if any; and CWSNC should be required to provide notice to all affected customers of the Fair Value and CPCN Applications, including the applied for rates and the scheduled hearings.

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

## **West Springdale, LLC d/b/a Springdale Water and Sewer, LLC**

4. Docket No. W-1324 Sub 1 – Application for Rate Increase for providing water and wastewater utility service to the Springdale Estates Subdivision and Springdale Country Club (together, Springdale Estates) in Haywood County, North Carolina. (*Franklin/Akpom/Keyworth/Freeman*)

On June 8, 2022, West Springdale, LLC, d/b/a Springdale Water and Sewer, LLC (Springdale or Applicant), filed an application with the Commission seeking authority to increase its rates for providing water and wastewater utility service to the Springdale Estates Subdivision and Springdale Country Club (together, Springdale Estates) in Haywood County, North Carolina (Application).

The Public Staff recommended that the matter be scheduled for a public witness hearing for the sole purpose of receiving testimony from customers; that the matter should also be scheduled for an expert witness hearing for the sole purpose of receiving expert witness testimony from Springdale, the Public Staff, and intervenors, if any; and that Springdale should be required to provide notice to all affected customers of the Application, including the applied-for rates and the scheduled hearings.

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

Minutes of the Regular Commission Staff Conference of September 6, 2022 were approved.

Minutes prepared by Le Anne Ackerman.