

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. EC-47, SUB 55

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Wake Electric Membership	)	
Corporation for a Certificate of Environmental	)	
Compatibility and Public Convenience and	)	ORDER WAIVING NOTICE AND
Necessity and Motion for Waiver of Notice	)	HEARING REQUIREMENT AND
and Hearing Pursuant to N.C. Gen. Stat.	)	ISSUING CERTIFICATE
§ 62-100 <i>et seq.</i> to Construct Approximately	)	
1,400 feet of New 230 kV Transmission Line	)	
in Durham County, North Carolina	)	

BY THE COMMISSION: On November 7, 2023, pursuant to N.C. Gen. Stat. § 62-101 and 102, Wake Electric Membership Corporation (Wake EMC) filed with the Commission a letter of intent to file for a waiver of the notice and hearing requirements of N.C.G.S. §§ 62-102 and 104. On the same date, pursuant to Commission Rule R8-62(k), Wake EMC prefiled with the Public Staff an application for a certificate of environmental compatibility and public convenience and necessity (CEPCN) to construct a new 230-kilovolt (kV) transmission line (Line) of approximately 1,400 feet in length in Durham County, North Carolina. The application stated that this Line would allow Wake EMC to improve electric service and reliability due to load growth in the southeast Durham County area. Wake EMC will tap into an existing Duke Energy Progress, LLC (DEP), 230-kV transmission line and install a new Wake EMC-owned and operated 230-115 kV step-down substation. As detailed in the application, Wake EMC will construct the Line on property that either will be owned by Wake EMC or on which Wake EMC has obtained easement rights from the property owner, and the property owner does not object to a waiver of the notice and notice requirements of N.C.G.S. §§ 62-102 and 104.

On November 9, 2023, Wake EMC filed an amended letter of intent that corrected the voltage of the Line from 115 kV to 230 kV.

On November 27, 2023, pursuant to N.C.G.S. §§ 62-101 and 102, Wake EMC formally filed the application for a CEPCN and request for waiver of notice and hearing.

On December 22, 2023, Wake EMC filed supplemental information and a letter stating that it will file an entire updated environmental report. In its letter filing, Wake EMC indicated that while Commission Rule R8-62(k) states the Commission shall rule on the waiver request within 30 days after the date of filing, Wake EMC and the Public Staff were engaging in discussions concerning this matter such that Wake EMC requested that the Commission delay its ruling on the waiver as necessary to allow further discussions between Wake EMC and the Public Staff.

On February 2, 2024, Wake EMC filed the updated environmental report conducted on the Line.

North Carolina General Statute § 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of N.C.G.S. §§ 62-102 and 104 when it finds that the owners of the land to be crossed by the proposed transmission line do not object to the waiver and either the transmission line is less than one mile long or will connect an existing transmission line to a substation, another public utility, or a public utility customer when any of these is in proximity to the existing transmission line. The application states that Wake EMC has acquired an easement from the owner of the property on which Wake EMC will construct the Line, that the property owner does not object to the waiver of notice or hearing, and that the total length of the Line is approximately 1,400 feet. Thus, the conditions of N.C.G.S. § 62-101(d)(1) for a waiver of notice and hearing have been met.

The Public Staff presented this matter at the Commission's regular Staff Conference on February 12, 2024. The Public Staff stated that the application meets the requirements of N.C.G.S. § 62-102 and Commission Rule R8-62 for a certificate and the conditions of N.C.G.S. § 62-101(d)(1) for waiver of the notice and hearing requirements of N.C.G.S. §§ 62-102 and 104. The Public Staff recommended that the Commission grant the motion for waiver and issue the requested certificate.

Based on the foregoing and the recommendation of the Public Staff, the Commission finds and concludes that the notice and hearing requirements of N.C.G.S. §§ 62-102 and 104 should be waived as allowed by N.C.G.S. § 62-101(d)(1) and that a CECPCN should be issued for the proposed construction of a new 230-kV transmission line.

IT IS, THEREFORE, ORDERED as follows:

1. That, pursuant to N.C.G.S. § 62-101, the requirement for publication of notice and hearing is waived.

2. That, pursuant to N.C.G.S. § 62-102, a Certificate of Environmental Compatibility and Public Convenience and Necessity is issued to construct approximately 1,400 feet of new 230-kV transmission line in Durham County, North Carolina, as described in Wake EMC's application, and the same is attached as Appendix A.

ISSUED BY ORDER OF THE COMMISSION.

This the 12th day of February, 2024.

NORTH CAROLINA UTILITIES COMMISSION



Tamika D. Conyers, Deputy Clerk

Commissioner William M. Brawley did not participate in this decision.

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Know All People by These Presents, That

Wake Electric Membership Corporation

is hereby issued this

**CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC  
CONVENIENCE AND NECESSITY PURSUANT TO G.S. 62-102**

to construct approximately 1,400 feet of new 230-kV transmission line to connect the proposed Wake EMC step-down substation to Duke Energy Progress, LLC's Method - DPC East Durham 230- kV Transmission line in Durham County, North Carolina

subject to receipt of all federal and state permits as required by existing and future regulations prior to beginning construction and further subject to all other orders, rules, regulations, and conditions as are now or may hereafter be lawfully made by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 12th day of February, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, reading "Tamika D. Conyers". The signature is written in a cursive, flowing style.

Tamika D. Conyers, Deputy Clerk