



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

October 16, 2017

M. Lynn Jarvis
Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

Re: Docket No. E-2, Sub 1150 – Duke Energy Progress, LLC – Application of Duke Energy Progress, LLC, for a Certificate of Environmental Compatibility and Public Convenience and Necessity to Construct Approximately 11.5 Miles of New 230-kV Transmission Line in Johnston County, North Carolina

Dear Chief Clerk:

On July 14, 2017, Duke Energy Progress, LLC, (DEP or the Company) filed an application pursuant to G.S. 62-100 et seq., for a certificate of environmental compatibility and public convenience and necessity to construct a transmission line in Johnston County, North Carolina. The Public Staff has reviewed the application filed by Duke Energy Progress in the above-captioned docket. As part of its review, the Public Staff met with impacted property owners and representatives of DEP, responded to phone calls from impacted residents, and reviewed responses to data requests submitted to the Company. The application was submitted to the State Clearinghouse on September 29, 2017. By email, the Clearinghouse has indicated that its review should be completed on November 3, 2017.

Based upon our investigation of the application, exhibits, and other matters of record, the Public Staff believes that Duke Energy Progress has complied with the requirements of G.S. 62-102, and has demonstrated as required by G.S. 62-105 that the proposed transmission line is necessary and that when compared with

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reasonable alternative courses of action, construction of the line in the proposed location is reasonable, that the estimated costs associated with the line are reasonable, that the impact of the line on the environment is justified considering the state of available technology, and that the environmental compatibility, public convenience, and necessity requires the transmission line.

As noted in the Company's Response to the Commission Order of September 25, 2017, Requiring Additional Information, the Public Staff met with representatives of DEP to review requests from property owners to shift the centerline of the preferred route. The Public Staff would like to encourage the Company to continue to work with property owners where the Company can address concerns raised by the owners. However, to the extent the shift in the centerline of the proposed route impacts a property owner that is not currently impacted by the preferred route contained in the Company's application, the new proposed route should be subject to the notice and hearing requirements of Article 5A of Chapter 62 of the General Statutes unless a waiver of the notice and hearing requirements are obtained from the property owners impacted by the shift. The Public Staff would consider a property owner to be impacted by a proposed line if the line comes within either (i) 50 feet of the property line of the owner or (ii) 250 feet of a primary residence of a property owner. The Public Staff requests that the Company share with the Commission any proposed shift of the centerline of the proposed route and address the notice and hearing requirements if there are any new property owners impacted by the proposed line.

Based on its investigation and review of the application, the Public Staff recommends that the Commission issue the certificate requested in this proceeding subject to the conditions that the Company disclose any proposed shift in the centerline of the proposed route and address whether notice and hearing requirements should be provided to additional property owners, and that the Commission receives a letter from the State Clearinghouse stating no further State Clearinghouse review action by the Commission is required for compliance with the North Carolina Environmental Policy Act.

Sincerely,

Electronically submitted
/s/ Heather D. Fennell
Staff Attorney
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HDF/
c: Parties of Record

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