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January 19, 2024

Ms. A. Shonta Dunston
Chief Clerk
NC Utilities Commission
430 N. Salisbury Street
Room 5063
Raleigh, NC

Re: In the Matter of Biennial Determination of Avoided Cost Rates for Electric
Utility Purchases from Qualifying Facilities – 2023
NCUC Docket E-100 Sub 194
New River Light & Power Company Affidavit of Publication of Public Notice

Dear Ms. Dunston:

In accordance with the Commission’s Order of August 7, 2023, in the above referenced docket, specifically ordering paragraph number 9, attached hereto for filing in the docket on behalf of New River Light & Power Company, is the Affidavit of Publication of Public Notice of Public Hearing to be held on February 6, 2024.

If you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,

/s/ David T. Drooz

David T. Drooz

pbb

Enclosure

STATE OF NORTH CAROLINA
WATAUGA COUNTY

OFFICIAL COPY

Jan 19 2024

FOX ROTHSCHILD LLP
434 Fayetteville St Ste 2800
Raleigh, NC 27601-2943

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared Brenda Minton who being first duly sworn, deposes and says: that he (she) is an employee of ADAMS PUBLISHING GROUP, LLC, engaged in the publication of a newspaper known as **Watauga Democrat**, published in the city of **BOONE** in said County and State, that he (she) is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in **Watauga Democrat**, a newspaper meeting all of the requirements and qualifications of Section I-597 of the General Statues of North Carolina on the following dates:

DOCKET NO. E-100, SUB 194
01/03/24, 01/10/24

W. Cook
↑

Watauga Democrat

P.O. BOX 1815, BOONE, NC 28607
828-264-6397

This 10th day of January, 2024

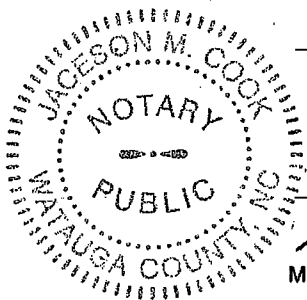
Brenda Minton

Signature of person making affidavit

Sworn to and subscribed before me on this 10th day of January, 2024

Jacqueson M. Cook
Notary Public

My Commission expires: October 28, 2028



STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. E-100, SUB 194 BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Biennial Determination of Avoided Cost Rates for Electric Utility Purchases from Qualifying Facilities - 2023

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission (Commission) has scheduled a public hearing in

this docket which will commence on Tuesday, February 6, 2024, at 7:00 p.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, for the purpose of taking non-expert public witness testimony as a part of its 2023 biennial determination of avoided cost rates for purchases of electricity by the electric utilities who are parties to this docket from qualifying cogeneration and small power production facilities. The electric utilities who are parties to this docket are Duke Energy Carolinas, LLC (DEC), Duke Energy Progress, LLC (DEP), Virginia Electric and Power Company d/b/a Dominion Energy North Carolina (Dominion), Western Carolina University (WCU), and Appalachian State University, d/b/a, New River Light and Power Company (New River).

The Public Utility Regulatory Policies Act of 1978 (PURPA) requires electric utilities to offer to purchase electric energy from cogeneration and small power production facilities which obtain qualifying facility status under PURPA. The rates for such purchases shall be set by the state regulatory authority, shall be just and reasonable to the ratepayers of the electric utility and in the public interest, shall not discriminate against qualifying cogenerators or qualifying small power producers, and shall not exceed the incremental cost to the electric utility of acquiring alternative electric energy. As a part of its responsibility in these matters, the Commission determines on a biennial basis the avoided cost rates and conditions for the purchase of electricity by electric utilities from qualifying cogeneration and small power production facilities in North Carolina.

In addition to the requirements of PURPA, N.C. Gen. Stat. § 62-156 requires the Commission to determine the rates and contract terms to be observed by electric utilities in purchasing power from small power producers as defined in N.C.G.S. § 62-3(27a). The rates established pursuant to N.C.G.S. § 62-156 shall not exceed, over the term of the purchase power contract, the incremental cost to the electric utility of the electric energy which, but for the purchase from a small power producer, the utility would generate or purchase from another source.

The purpose of the hearing cited in this Notice is to consider revision of the avoided cost rates and contract terms previously set by the Commission for the purchase of

electricity by the electric utilities who are parties to this proceeding from qualifying cogeneration and small power production facilities in North Carolina.

The Public Staff is required by statute to represent the using and consuming public in proceedings before the Commission. Written statements to the Public Staff should include any information which the writer wishes to be considered by the Public Staff in its investigation of the matter, and such statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff - North Carolina Utilities Commission, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General of North Carolina, c/o Utilities Section, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001.

Written statements are not evidence unless those persons submitting such statements appear at a public hearing and testify concerning the information contained in their written statements.

Any person desiring to intervene in the matter as a formal party of record should file a motion under Commission Rules R1-5 and R1-19 no later than Wednesday, February 7, 2024. All such motions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325. The comments and exhibits to be presented in this proceeding by formal parties other than DEC, DEP, Dominion, WCU, and New River must be filed with the Commission no later than Wednesday, February 7, 2024.

ISSUED BY ORDER OF THE COMMISSION

This the 7th day of August, 2023.

NORTH CAROLINA UTILITIES COMMISSION

Tamika D. Conyers, Deputy Clerk

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Jan 19 2024