

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

**June 14, 2021**

The Regular Commission Staff Conference of the North Carolina Utilities Commission was held on Monday, June 14, 2021, at 10:00 a.m., with Chair Mitchell, presiding. The remote meeting was conducted by use of simultaneous communication (via Webex) pursuant to N.C. Gen. Stat. § 166A-19.24, streamed live online, and available to the public.

The following were present during the entirety of the remote meeting:

**COMMISSIONERS**

Commissioner Brown-Bland  
Commissioner Gray  
Commissioner Clodfelter  
Commissioner Duffley  
Commissioner Hughes  
Commissioner McKissick

**COMMISSION STAFF:** Ms. Lazo, Ms. Henderson, Mr. Watson, Ms. Jarvis, Mr. Mertz, Ms. Duffy, Ms. Webb-Shackleford, Ms. Condie, Ms. Barnes, Ms. Hilburn, Ms. Paschal, Ms. Zhang, Ms. Li, Ms. Jayasheela, Ms. Burns, Mr. Myers, Mr. Hardy, Mr. McCoy

**PUBLIC STAFF:** Ms. Downey, Ms. Culpepper, Mr. Creech, Ms. Coxton, Mr. Josey, Mr. Magarira, Mr. McLawhorn, Mr. Saillor, Ms. Junis, Ms. Proffitt

**ATTORNEY GENERAL:**

**COURT REPORTER:** Ms. Mitchell

**C. COMMUNICATIONS****P1. FILING OF INTERCONNECTION AGREEMENT AND AMENDMENTS BY AT&T NORTH CAROLINA AND VERIZON SOUTH**

The following interconnection agreement and amendments were filed for Commission approval between April 2, 2021, and April 16, 2021:

**BellSouth Telecommunications, LLC, d/b/a AT&T North Carolina**

Docket No. P-55, Sub 1160 – Agreement with Windstream Concord Telephone, LLC, Windstream North Carolina, LLC, and Windstream Lexcom Communications, LLC, filed on April 2, 2021. This agreement supersedes the existing agreement between AT&T North Carolina and Windstream Concord Telephone, LLC, approved on October 26, 1999.

Docket No. P-55, Sub 1911 – Amendment filed on April 2, 2021, to an existing interconnection agreement with Big River Telephone Company, LLC, which the Commission approved on February 24, 2016. The amendment implements the changes mandated by the Federal Communications Commission (FCC) in two orders issued in WC Docket No. 18-141, specifically: FCC 19-66, released on July 12, 2019, and FCC 19-72, released on August 2, 2019 (collectively, “FCC UNE and Resale Forbearance Order”). The amendment adds Attachment 16b to the agreement to provide terms and conditions for resale services outlined in Section 251(b)(1) of the Telecommunications Act of 1996 (Section 251(b)(1) resale services).

Docket No. P-55, Sub 1670 – Amendment filed on April 15, 2021, to an existing interconnection agreement with YMax Communications Corp., which the Commission approved on December 21, 2006. The amendment does all the following: (i) implements the changes mandated by the FCC UNE and Resale Forbearance Order, (ii) adds Attachment 16b to provide terms and conditions for Section 251(b)(1) resale services, (iii) implements the changes mandated by the FCC in its Report and Order released October 28, 2020, in FCC 20-152, in WC Docket No. 19-308, Modernizing Unbundling and Resale Requirements in an Era of Next-Generation Networks and Services (“FCC UNE Relief Order”). Subject to certain conditions and multiyear transition periods, the FCC UNE Relief Order eliminates legacy unbundling of certain network elements and resale rules if they stifle technology transitions and broadband deployment. Exhibit B of the amendment provides analog loop element descriptions and codes that are subject to the FCC UNE and Resale Forbearance Order.

**Verizon South Inc. (Verizon South)**

Docket No. P-19, Sub 533 – Amendment filed on April 14, 2021, to an existing interconnection agreement with Entelegent Solutions, Inc., which the Commission approved on October 14, 2009. The amendment implements changes mandated by the FCC in the FCC UNE Relief Order. Verizon South refers to interconnection agreement amendments implementing these FCC mandates as the “FCC 2020 UNE Order.”

Docket No. P-19, Sub 512 – Amendment filed on April 16, 2021, to an existing interconnection agreement with YMax Communications Corp., which the Commission approved on November 15, 2006. The amendment implements the changes mandated by the FCC 2020 UNE Order.

Docket No. P-19, Sub 532 – Amendment filed on April 16, 2021, to an existing interconnection agreement with New Horizons Communications Corp. d/b/a NHC Communications Inc., which the Commission approved on October 14, 2009. The amendment implements the changes mandated by the FCC 2020 UNE Order.

These filings were made in compliance with Commission Rule R17-4(d) and Sections 252(e) and 252(i) of the Telecommunications Act of 1996. The Act provides for the filing of such agreements and amendments with the state commission and approval or rejection by the state commission within 90 days after filing. On June 18, 1996, the Commission issued an Order in Docket No. P-100, Sub 133, allowing interim operation under negotiated agreements filed as public records prior to Commission approval of the agreements.

The Public Staff has reviewed the filings and recommends Commission approval.

The Public Staff recommended that orders be issued approving the agreements and amendments effective on the date they were filed. The Public Staff has provided proposed orders to the Commission Staff.

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

**D. ELECTRIC****P1. APPLICATION FOR A CERTIFICATE TO ENGAGE IN BUSINESS AS AN ELECTRIC GENERATOR LESSOR**

The following application is for a certificate to engage in business as an Electric Generator Lessor pursuant to N.C. Gen. Stat. § 62-126.7 and Commission Rule R8-73.

Above Grid LLC:

- Docket No. EGL-10, Sub 0 – Application of Above Grid LLC for a Certificate of Authority to Engage in Business as an Electric Generator Lessor.

The Public Staff has reviewed the application and determined that it complies with the requirements of N.C.G.S. §§ 62-126.5, 62-126.6, and 62-126.7, and Commission Rule R8-73. The Applicant filed its certificate of service on May 13, 2021.

The Public Staff recommended that the Commission issue the proposed order approving the application and issuing the requested certificate.

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

Minutes of the Regular Commission Staff Conference of June 7, 2021, were approved.

Minutes prepared by Portia Barnes.