1	STAFF CONFERENCE May 17, 2021
2	CHAIR MITCHELL: Good morning. Let's come
3	to order and go on the record, please. I'm Charlotte
4	Mitchell, Chair of the Utilities Commission, and with
5	me this morning are the following Commissioners. When
6	I say your name, please announce your presence.
7	Commissioner Brown-Bland.
8	COMMISSIONER BROWN-BLAND: Present. Can you
9	hear me? Present.
10	CHAIR MITCHELL: We've got Commissioner
11	Brown-Bland. Commissioner Gray.
12	COMMISSIONER GRAY: Present.
13	CHAIR MITCHELL: Commissioner Clodfelter.
14	COMMISSIONER CLODFELTER: Good morning.
15	CHAIR MITCHELL: Commissioner Duffley.
16	COMMISSIONER DUFFLEY: Good morning.
17	CHAIR MITCHELL: Commissioner Hughes.
18	COMMISSIONER HUGHES: Good morning.
19	CHAIR MITCHELL: And Commissioner McKissick.
20	COMMISSIONER McKISSICK: Good morning.
21	Present.
22	CHAIR MITCHELL: In compliance with the
23	State Government Ethics Act, I remind members of the
2 4	Commission of their duty to avoid conflicts of

```
interest, and inquire as to whether any member of the
 1
 2
    Commission has a known conflict of interest with
 3
    respect to matters coming before us this morning?
 4
                          (No response)
 5
               The record will reflect no conflicts have
    been identified, so we will proceed with
 6
 7
    Communications, Item P1. Ms. Proffitt, you're up.
 8
              MS. PROFFITT: Good morning.
 9
              MS. CUMMINGS: Chair Mitchell, sorry, before
10
    you get started I just wanted to make the Chair and
11
    the Commissioners aware that the Public Staff has a
12
    few new people we would like to introduce at the
13
    conclusion of business today, if it pleases the Chair
14
    and the Commission.
15
               CHAIR MITCHELL: Thank you, Ms. Cummings.
16
    We'll call on you at the appropriate time.
17
              MS. CUMMINGS: Okay. Karen, go ahead.
                                                        I'm
18
    sorry for interrupting you.
19
              MS. PROFFITT: That's quite all right.
```

MS. PROFFITT: That's quite all right. Good morning. My name is Karen Proffitt with the Public Staff - Water, Sewer and Telephone Division. Item P1 presents the April 14th filing of the Application of Windstream Communications. They are seeking designation as an Eligible Telecommunications Carrier,

20

21

22

23

24

or ETC, for the purpose of qualifying to receive federal Universal Service Fund support to provide voice and broadband services to receive -- excuse me, I'm sorry -- services in certain areas defined by census blocks that lack these services and to allow it to offer discounts to qualifying low-income customers through the FCC's Lifeline Program.

Windstream Communications seeks ETC designation for census blocks located in several counties as specified in Exhibit A of their Application.

The Public Staff reviewed the Application and responses to our data requests and believes that Windstream satisfies the requirements for designation as an ETC.

The Public Staff recommends that the

Commission issue an order finding that Windstream

Communications has met the requirements to serve as an

ETC in the requested census blocks specified in

Exhibit A of Windstream's Application, and designating

Windstream Communications as an ETC for those census

blocks requested.

A proposed order has been provided to the Commission staff.

1	COMMISSIONER BROWN-BLAND: Move approval of
2	the recommendation.
3	COMMISSIONER GRAY: Second.
4	CHAIR MITCHELL: It's been moved and
5	seconded that the item be approved as recommended by
6	the Public Staff. Any questions or discussion on the
7	motion?
8	(No response)
9	Hearing none, I'll call the roll for a vote.
10	Indicate your support for the motion with an aye and
11	your opposition with a no. Commissioner Brown-Bland.
12	COMMISSIONER BROWN-BLAND: Aye.
13	CHAIR MITCHELL: Commissioner Gray.
14	COMMISSIONER GRAY: Aye.
15	CHAIR MITCHELL: Commissioner Clodfelter.
16	COMMISSIONER CLODFELTER: Aye.
17	CHAIR MITCHELL: Commissioner Duffley.
18	COMMISSIONER DUFFLEY: Aye.
19	CHAIR MITCHELL: Commissioner Hughes.
20	COMMISSIONER HUGHES: Aye.
21	CHAIR MITCHELL: Commissioner McKissick.
22	COMMISSIONER McKISSICK: Aye.
23	CHAIR MITCHELL: And for the record I
24	support the motion as well and the motion carries.

## (MOTION PASSES)

CHAIR MITCHELL: We will proceed now to Public Staff, Communications Item P2. Ms. Proffitt, you're up again.

MS. PROFFITT: Yes, ma'am. Item P2 presents two Interconnection Agreement Amendments which were filed by Verizon South for Commission approval on February 18th, 2021.

The Public Staff has reviewed these filings and recommends that orders be issued approving the Amendments effective on the date they were filed.

The Public Staff has provided proposed orders to the Commission staff.

COMMISSIONER BROWN-BLAND: Move approval of the recommendation.

COMMISSIONER GRAY: Second.

CHAIR MITCHELL: It's been moved and seconded that the item be approved as recommended by the Public Staff. Are there any questions or discussion on the motion?

(No response)

Hearing none, I'll call the roll for a vote.

Indicate your support with an aye and your opposition with a no. Commissioner Brown-Bland.

1	COMMISSIONER BROWN-BLAND: Aye.
2	CHAIR MITCHELL: Commissioner Gray.
3	COMMISSIONER GRAY: Aye.
4	CHAIR MITCHELL: Commissioner Clodfelter.
5	COMMISSIONER CLODFELTER: Aye.
6	CHAIR MITCHELL: Commissioner Duffley.
7	COMMISSIONER DUFFLEY: Aye.
8	CHAIR MITCHELL: Commissioner Hughes.
9	COMMISSIONER HUGHES: Aye.
10	CHAIR MITCHELL: Commissioner McKissick.
11	COMMISSIONER McKISSICK: Aye.
12	CHAIR MITCHELL: And for the record I
13	support the motion as well and the motion carries.
14	(MOTION PASSES)
15	CHAIR MITCHELL: Thank you, Ms. Proffitt.
16	We'll proceed now to Public Staff, Electric
17	Item P1. Mr. Williamson, you're up.
18	MR. WILLIAMSON: Good morning,
19	Commissioners. I'm Tommy Williamson with the Energy
20	Division. Electric Item P1 consists of three
21	Applications for Certificates of Public Convenience
22	and Necessity for solar PV electric generating
23	facilities.
24	The Public Staff has reviewed the

```
1
    Applications and determined that they comply with the
 2
    requirements of General Statute § 62-110.1 and
 3
    Commission Rule R8-64.
 4
               The Public Staff recommends the Commission
 5
    issue Orders approving the Applications and issuing
 6
    the requested Certificates for the facilities.
 7
    you.
 8
               COMMISSIONER GRAY: Move approval.
               COMMISSIONER BROWN-BLAND:
 9
                                          Second.
               CHAIR MITCHELL: It's been moved and
10
11
    seconded that the item be approved as recommended by
12
    the Public Staff. Any questions or discussion on the
13
    motion?
14
                          (No response)
15
               Hearing none, I'll call the roll for a vote.
16
    Indicate your support with an aye and your opposition
17
    with a no. Commissioner Brown-Bland.
18
               COMMISSIONER BROWN-BLAND: Aye.
19
               CHAIR MITCHELL: Commissioner Gray.
20
               COMMISSIONER GRAY:
                                   Aye.
21
               CHAIR MITCHELL: Commissioner Clodfelter.
22
               COMMISSIONER CLODFELTER:
23
               CHAIR MITCHELL: Commissioner Duffley.
24
               COMMISSIONER DUFFLEY:
                                      Aye.
```

```
CHAIR MITCHELL: Commissioner Hughes.
 1
 2
               COMMISSIONER HUGHES:
                                     Aye.
 3
               CHAIR MITCHELL: Commissioner McKissick.
 4
               COMMISSIONER McKISSICK:
                                        Aye.
 5
               CHAIR MITCHELL: And for the record I
 6
    support the motion as well and the motion carries.
 7
                         (MOTION PASSES)
 8
               CHAIR MITCHELL: Thank you, Mr. Williamson.
 9
               We'll proceed now to Public Staff, Electric
10
    Item P2.
              Mr. Floyd, you're up.
11
              MR. FLOYD: Good morning. My name is Jack
12
    Floyd with the Energy Division. Item 2 is a request
13
    by Dominion Energy North Carolina.
                                         They filed a
14
    notice with the Commission terminating their Small
15
    Business Improvement Program. This program was
16
    originally approved in October 2016 and offered small
17
    business customers incentives for a variety of energy
18
    efficiency measures. The Company recently received
19
    approval for an enhanced version of the Program in
20
    Docket E-22, Sub 596. The application in that docket
21
    stated that this program would be closed upon approval
22
    of the Sub 596 application.
23
               The Public Staff has reviewed the Company's
24
    request and agrees that it is appropriate to close
```

```
this program at this time. The Program approved in
Sub 596 offers an updated version of many of the same
measures that were associated with this program that
we're terminating today. The Public Staff has also
confirmed that the Company closed this program
effective May 6th, 2021.
          Based on this information, the Public Staff
recommends that the Commission issue our proposed
order granting the Company's request to terminate the
Small Business Improvement Program and to do so as
filed.
          COMMISSIONER BROWN-BLAND: Move approval of
the recommendation.
          COMMISSIONER GRAY:
                              Second.
          CHAIR MITCHELL: It's been moved and
```

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

CHAIR MITCHELL: It's been moved and seconded that the item be approved as recommended by the Public Staff. Any questions or discussion?

(No response)

Hearing none, I'll call the roll for a vote.

Indicate your support with an aye and your opposition with a no. Commissioner Brown-Bland.

COMMISSIONER BROWN-BLAND: Aye.

CHAIR MITCHELL: Commissioner Gray.

COMMISSIONER GRAY: Aye.

```
CHAIR MITCHELL: Commissioner Clodfelter.
 1
 2
               COMMISSIONER CLODFELTER: Aye.
 3
               CHAIR MITCHELL: Commissioner Duffley.
 4
               COMMISSIONER DUFFLEY:
                                      Aye.
 5
               CHAIR MITCHELL: Commissioner Hughes.
 6
               COMMISSIONER HUGHES:
                                    Aye.
 7
               CHAIR MITCHELL: Commissioner McKissick.
 8
               COMMISSIONER McKISSICK:
                                        Aye.
 9
               CHAIR MITCHELL: For the record I support
    the motion as well and the motion carries.
10
11
                         (MOTION PASSES)
12
              MR. FLOYD:
                           Thank you.
13
               CHAIR MITCHELL: Thank you, Mr. Floyd.
14
              We will proceed to Public Staff, Water Item
15
    P1. Ms. Darden, you're up.
16
              MS. DARDEN: Good morning.
                                           I'm Lindsay
17
    Darden, Engineer of the Public Staff - Water, Sewer
18
    and Telephone Division. Water Item P1, Docket Number
19
    W-354, Sub 383, Carolina Water Service, Inc. of North
20
    Carolina filed an Application with the Commission on
21
    April 9th, 2021, seeking authority to amend its tariff
22
    for the purpose of passing along to its customers in
23
    its Fairfield Mountain and Apple Valley service area
24
    in Rutherford County the increased cost of them
```

purchasing bulk sewer treatment from the Town of Lake Lure.

The Town of Lake Lure's new rate became effective July 1st, 2020; therefore, the tariff revision would apply for service rendered on and after the date the Commission issues an Order.

It is recommended that the Commission issue the proposed order approving the tariff revision and requiring customer notice.

 $\label{thm:commissioner} \mbox{COMMISSIONER BROWN-BLAND:} \mbox{ Move approval of } \\ \mbox{the recommendation.}$ 

COMMISSIONER GRAY: Second.

CHAIR MITCHELL: It's been moved and seconded that the item be approved as recommended by the Public Staff. Any questions or discussion on the motion?

COMMISSIONER HUGHES: Chair Mitchell, I have a question.

CHAIR MITCHELL: Commissioner Hughes, you may proceed.

COMMISSIONER HUGHES: Ms. Darden, I don't know if this is something you can answer or if, by chance, we have someone for the -- with the Company on the line, but the difference between the time period

```
when this increase went into effect and when the request is coming in front of us just seems very long. Is it the policy to allow some sort of, I don't know, waiting period for this to come in? Do you have any idea why it was so long getting to us? It's a significant amount of money that the Company appears to have just not requested.

MS. DARDEN: The Company -- I'm not sure if I interrupted someone. The Company didn't include a specific reason why it was delayed. And from what
```

if I interrupted someone. The Company didn't include a specific reason why it was delayed. And from what I'm aware of I don't think there's any backtracking or anything we do in this scenario. We just process it as soon as we can.

MR. BENNINK: Madam Chair --

COMMISSIONER HUGHES: Okay. I'd be --

MR. BENNINK: Madam Chair, this is Bob

17 | Bennink, I'm online. We have Matthew Schellinger who

18 is available to respond to the question from

19 Commissioner Hughes, if that's allowed.

CHAIR MITCHELL: Mr. Bennink, thank you, and yes you all may proceed. And thank you, Ms. Darden, for your response.

MR. SCHELLINGER: Good morning,

Commissioners. This is Matt Schellinger. Hopefully

```
you can hear me okay. Really, this was just a situation where when we were searching out on the websites looking for different rate increases, it wasn't a -- sorry. Let me restate. I was checking through July and August and it wasn't available at that time and didn't happen to have noticed that increase until sometime down the road. So, it was really more of an operator error if you will. So, the timing for when those are available, those rate increases are available, is a little hard to find sometimes.
```

COMMISSIONER HUGHES: I appreciate that explanation.

MR. BENNINK: We would note that although that increase has been in effect and being paid by Carolina Water Service for an extended period of time, customers have not been impacted by that and will not be impacted until the Commission approves this effective with your Order.

CHAIR MITCHELL: Thank you, Mr. Bennink.

Anything further, Commissioner Hughes?

COMMISSIONER HUGHES: No, that's all. Than

you.

CHAIR MITCHELL: Okay. Any additional

```
1
    questions for the Public Staff or the Company?
 2
                          (No response)
 3
               Hearing none, I'll go ahead and call the
 4
    roll for a vote. Indicate your support with an aye
 5
    and your opposition with a no. Commissioner
 6
    Brown-Bland.
 7
               COMMISSIONER BROWN-BLAND:
 8
               CHAIR MITCHELL: Commissioner Gray.
 9
               COMMISSIONER GRAY:
10
               CHAIR MITCHELL: Commissioner Clodfelter.
11
               COMMISSIONER CLODFELTER:
12
               CHAIR MITCHELL: Commissioner Duffley.
13
               COMMISSIONER DUFFLEY:
                                      Aye.
               CHAIR MITCHELL: Commissioner Hughes.
14
15
               COMMISSIONER HUGHES:
                                     Aye.
16
               CHAIR MITCHELL: Commissioner McKissick.
17
               COMMISSIONER McKISSICK: (Inaudible).
18
               CHAIR MITCHELL: I believe Commissioner
19
    McKissick is an aye.
20
               COMMISSIONER McKISSICK:
                                         (Nods in
21
    agreement).
22
               CHAIR MITCHELL: And for the record I
23
    support the motion as well and the motion carries.
24
                         (MOTION PASSES)
```

1 CHAIR MITCHELL: Thank you, Ms. Darden.

The Commission has before it for approval its minutes from Staff Conference of May 10th, 2021.

I'll take a motion, please.

COMMISSIONER GRAY: Move approval.

COMMISSIONER DUFFLEY: Second.

CHAIR MITCHELL: All in favor of approving the minutes indicate with an aye.

(All Commissioners say aye).

CHAIR MITCHELL: Anyone opposed?

(No response)

The minutes are approved.

Turning to additional business, it's my understanding that the Public Staff has several new employees they'd like to introduce. So, Ms. Cummings, I'll turn it over to you.

MS. CUMMINGS: Thank you, Chair Mitchell and Commissioners. First, I'd like to introduce Joyce Gwyn. Joyce is our new shared employee with the Commission. She's split 50/50. She's the lead Budget and Fiscal Officer. And she is housed over on the Public Staff side in the Executive Director's suite and she reports to Chris Ayers of the Public Staff, and Pat Jeter with the Commission is my understanding.

Joyce, if you want to go ahead and just say a few words right now that would be great.

MS. GWYN: Hi, I'm Joyce Gwyn. My home town is Wilmington, Delaware, but I am here. I've been in with DHHS for four years before coming here. And I am -- just in my spare time I just spend time with my son and my family. And I thank you all for the warm welcome.

CHAIR MITCHELL: Welcome Joyce, we're glad to have you.

MS. GWYN: Thank you.

MS. CUMMINGS: Thank you. And I'll turn it over now to Dianna Downey to introduce some of our new legal folks.

MS. DOWNEY: Good morning, Chair Mitchell, Commissioners, Dianna Downey from the Legal Division. I have three new attorneys. They're not new-new but I have unfortunately neglected to introduce them before now, but I'm happy to do so this morning.

First is Reita Coxton. Reita joined us in May of 2020. Prior to joining us, she was at the Department of Commerce. Reita has her Bachelor of Arts from Duke University, her law degree from UNC Chapel Hill, a Master of Accounting from NC State, and

an LLM in taxation from the University of Alabama.

Reita, would you like to say a couple of words?

MS. COXTON: Yes, ma'am. I've really enjoyed the work that I've done so far. I appreciate the warm welcome as well. And this has been an amazing experience so far and I trust that that will continue.

MS. DOWNEY: And Reita has her first hearing this afternoon, Commissioners, so you will see her again this afternoon.

CHAIR MITCHELL: A belated welcome to Reita, and we've enjoyed working with you and look forward to many, many, more years. Thanks.

MS. COXTON: Thank you, Chair Mitchell.

MS. DOWNEY: Second is Robert Josey. He should be no stranger to you all. For those of you who have been on the Commission for awhile, Robert is a familiar face. He worked with us in -- from 2016 to the beginning of 2019, but we're very happy to have him back. He rejoined us this past October. Robert has his undergraduate degree from Wake Forest and his law degree from the Appalachian School of Law. And we've got him on a lot of Tim Dodge's old subjects.

Robert, would you like to say a few words?

MR. JOSEY: Sure. Well, it's great to be back. I missed it, clearly, and I'm really looking forward to working with everybody again and working with the new Commissioners that I haven't had a chance to interact with since I've been back. I'm glad to be back and looking forward to working with everyone.

CHAIR MITCHELL: Glad to have you back, Robert.

MR. JOSEY: Thank you.

MS. DOWNEY: And finally, Chair Mitchell and Commissioners, our newest attorney who joined us May 3rd is also probably a familiar face to you all, Munashe Magarira. Prior to joining us he was at the Attorney General's Office where he worked on utility matters. He is a double grad from UNC Chapel Hill, which I'm very happy about. And we welcome him on our staff.

Munashe, would you like to say a few words?

MR. MAGARIRA: Sure. Thank you for the warm introduction, Dianna. Good morning to the Commission.

I'm really looking forward to getting to work with you a lot more and just glad to be with the Public Staff.

CHAIR MITCHELL: Glad to have you, Munashe,

```
2
              MS. DOWNEY: And I'll turn it back over to
 3
            I think we have an accountant to introduce.
 4
              MS. CUMMINGS: Yes. We have one more
 5
             And Michelle Boswell is actually going to
 6
    introduce our new accounting employee, Darrell Brown.
 7
              MS. BOSWELL: Good morning. Michelle
 8
    Boswell with the Public Staff, Accounting Division.
 9
    The Accounting Division is very excited to introduce
10
    Mr. Darrell Brown as the newest member of our staff.
11
    Mr. Brown is a graduate of the distinguished North
```

Carolina State University, and comes to us with a long

several telecommunications companies. And I will give

Darrell a moment to say anything he would like to say.

and varied career in regulatory accounting with

Welcome aboard.

and welcome.

1

12

13

14

15

16

17

18

19

20

21

22

23

24

MR. BROWN: First, I'd like to say thanks to the Commission staff and Michelle for introducing me. Thank you all for the warm welcome. I'm looking forward to supporting the Commission staff and carrying out the duties and responsibilities of the Commission. And again, thank you for that warm welcome.

CHAIR MITCHELL: Welcome Mr. Brown, we are glad to have you with us.

```
MR. BROWN: Thank you.
```

MS. CUMMINGS: Chair Mitchell, that concludes our new employees for now.

CHAIR MITCHELL: Thank you, Ms. Cummings.

Again, welcome to everyone. We are happy to have you among us.

It's my understanding that Duke has a new employee or two they would like to introduce to us as well. Mr. Somers, are you with us? There you are. Mr. Somers, you may proceed.

MR. SOMERS: Yes. Good morning, Chair
Mitchell. Bo Somers with Duke Energy. A couple of
announcements this morning. I appreciate you giving
us a couple of minutes. I am taking a new position
with Duke Energy in our Strategic Regulatory Group and
I will be supporting all of Duke Energy's regulated
utilities across the country. And I would like to
just say I have tremendous respect for what the work
of the Commission and the Commission staff and the
Public Staff, and it has truly been a privilege to
represent Duke Energy before the Commission and work
with all of you for the past 18 years.

I would like to announce and hand off to my colleague Jack Jirak that many of you know. Jack will

be succeeding me as the lead North Carolina regulatory attorney for the Company. And he would like to introduce a new lawyer who's also starting with us. Thank you.

MR. JIRAK: Good morning, Chair Mitchell and Commissioners. Yes, I'm very excited to -- I'm a good bit taller than Bo but I'm confident that I cannot fill his shoes just yet, but I'm learning as much as I can. And I've really enjoyed my time here at the Commission and I look forward to continue to grow and learn from so many other of my colleagues here at the Commission whose got such experience and by-stepped the Commission, so thank you.

Bo is transitioning out and we are also welcoming to our team a new team member. Kathleen Richard comes to us from Southern Star Central Gas Pipeline in Kentucky. She has an undergraduate degree in English from the University of Kentucky. A different shade of blue than we're used to around these parts but we're very excited to have her on board. She also received her law degree from the University of Louisville as well. And so she'll be joining us and assisting on a variety of regulatory matters and appearing before you all in the near term.

So, we are very excited to have Kathleen on board.

Kathleen, if you want to just say a couple of quick words we'll wrap up.

MS. RICHARD: Yes. Thank you, Jack. It's a pleasure meeting you all. As you can see I'm moving to North Carolina in the next week. I'm in a room that's been fully packed up. So, I'm looking forward to the move and really looking forward to working with you all on future projects. I appreciate the warm welcome.

CHAIR MITCHELL: Very nice to meet you and look forward to working with you as well. And just a heads up, it gets a little rough around here around the ACC basketball and basketball season in general, so just prepare yourself.

MS. RICHARD: I appreciate that.

CHAIR MITCHELL: Mr. Somers, I will take the opportunity to say how much we've appreciated your appearing before us. I hope that we will continue to see you from time to time as your schedule allows and wish you the best as you take on this new challenge and endeavor. So, please do not be a stranger.

And, Mr. Jirak, I'll look forward to seeing you as well.

```
MR. JIRAK: Thank you very much.
 1
               CHAIR MITCHELL: All right, guys. Anything
 2
 3
     else for the Commission this morning before we call it
    a morning?
 4
 5
                          (No response)
 6
               Hearing none, we will be adjourned. Thanks
 7
    everybody.
 8
 9
            WHEREUPON, this conference is adjourned.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
```

## C E R T I F I C A T E

I, KIM MITCHELL, DO HEREBY CERTIFY that the Proceedings in the above-captioned matter were taken before me, that I did report in stenographic shorthand the Proceedings set forth herein, and the foregoing pages are a true and correct transcription to the best of my ability.

## <u>Kim Mitchell</u>

Kim Mitchell

NORTH CAROLINA UTILITIES COMMISSION