

May 26, 2022

VIA Electronic Filing

Ms. A. Shonta Dunston, Interim Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27603

*Re: Status Report Regarding Execution of Self-Inspection Agreements for
Uninspected Facilities
Docket No. E-100, Sub 101*

Dear Ms. Dunston:

Enclosed for filing in the above-referenced proceeding on behalf of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC is their Status Report Regarding Execution of Self-Inspection Agreements for Uninspected Facilities pursuant to the Commission's October 8, 2021 Order Clarifying Generator Interconnection Standards, Requesting Comments, and Requiring Filing of Remediation Information. Included with this filing are the following:

- Attachment A – February 18, 2022 email and letter correspondence sent to owners and operators of Uninspected Facilities along with the Pro Forma MOA;
- Attachment B – Presentation from March 2, 2022 information meeting regarding Pro Forma MOA; sent to all owners and operators of Uninspected Facilities on March 4, 2022;
- Attachment C – Uninspected Facilities Self-Inspection Agreement Status Report; and
- Attachment D – Previously Inspected Facilities List

Please do not hesitate to contact me should you have any questions. Thank you for your assistance with this matter.

Very truly yours,

/s/E. Brett Breitschwerdt

EBB:sbc
Enclosure

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-100, SUB 101

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	DUKE ENERGY CAROLINAS, LLC’S
Petition for Approval of Revisions to	)	AND DUKE ENERGY PROGRESS,
Generator Interconnection Standards	)	LLC’S STATUS REPORT
	)	REGARDING EXECUTION OF SELF-
	)	INSPECTION AGREEMENTS FOR
	)	UNINSPECTED FACILITIES

Pursuant to the North Carolina Utilities Commission’s (“NCUC” or the “Commission”) October 8, 2021 *Order Clarifying Generator Interconnection Standards, Requesting Comments, and Requiring Filing of Remediation Information* (the “*Clarifying Order*”) and February 11, 2022 *Order Granting Extension of Time to Enter Into Self-Inspection Agreements with Uninspected Facilities and File Status Report* (the “*Extension Order*”), Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP”) (collectively the “Companies” or “Duke Energy”) hereby file the attached *Uninspected Facilities Self-Inspection Agreement Status Report* (the “Status Report”) with the Commission.

I. INTRODUCTION

In its October 8, 2021 *Clarifying Order*, the Commission revised the North Carolina Interconnection Procedures (“NCIP”) to reflect that the post-commissioning inspection requirements in NCIP Section 6.5 apply to facilities with Interconnection Agreements executed prior to June 14, 2019 (the “Uninspected Facilities”). In doing so, the Commission noted that “[t]he inspection of Generating Facilities, including the

Uninspected Facilities, is necessary to ensure the safe and reliable operation of the electric system.” *Order* at 8. The *Clarifying Order* further directed that “[a]ll Interconnection Customers that own Uninspected Facilities must enter into a self-inspection agreement with Duke by no later than February 1, 2022,” *Clarifying Order* at 8, and required the Companies to file a report with the Commission detailing the status of the Self-Administered Inspection Agreements by February 23, 2022.

In keeping with the *Clarifying Order*, the Companies began work to prepare a template MOA for providing Interconnection Customers that own or operate Uninspected Facilities with an option to self-administer inspection programs that comport with appropriate safety and reliability standards and meet the requirements of NCIP Sections 6.5.2 and 6.5.3 (the “Pro Forma MOA”) as directed by the *Clarifying Order*. In December 2021 and early January 2022, the Companies sought feedback from stakeholders, including the Public Staff, Carolina Clean Energy Business Association (“CCEBA”), and Strata Solar, LLC, regarding the Pro Forma MOA. After meeting with these stakeholders and addressing and incorporating the input received, the Companies, Public Staff and CCEBA reached agreement on a final version of the Pro Forma MOA, entitled, *Memorandum of Agreement Regarding Procedure to Implement Periodic Medium Voltage Construction Safety and Reliability Inspection Requirements under NCIP Sections 6.5.2 and 6.5.3* that will be applicable to Uninspected Facilities.

To ensure that owners of Uninspected Facilities had sufficient time to execute the Pro Forma MOA, on January 20, 2021, the Companies moved the Commission for an extension of time to execute the Pro Forma MOA and for the Companies to prepare and file the corresponding report. The Commission thereafter issued its *Extension Order* on

February 11, 2022, extending the deadline for executing the Pro Forma MOA to April 26, 2022 and the deadline for the Companies to file their status report to May 26, 2022. In addition, the *Extension Order* directed the Companies to identify in the Status Report “all of the Facilities previously inspected by Advanced Energy (as discussed in Duke’s Remediation Report [filed on December 7, 2021 in this docket]) that have not executed the Pro Forma MOA.”¹

In keeping with the Commission’s *Extension Order*, on February 18, 2022, the Companies sent a copy of the Pro Forma MOA to the owners and operators of all Uninspected Facilities along with a letter detailing the Commission’s directives and corresponding deadline for execution. A copy of the email correspondence sent to owners and operators of Uninspected Facilities along with the Pro Forma MOA is attached hereto as Attachment A. In addition, and as communicated in the February 18, 2022 email correspondence, the Companies hosted an informational meeting for Uninspected Facility Interconnection Customers on March 2, 2022 to discuss the Pro Forma MOA and provide an opportunity for Interconnection Customers to ask questions about the agreement. A copy of the meeting presentation was emailed to owners and operators of Uninspected Facilities on March 4, 2022 is attached hereto as Attachment B. Of the 113 individuals representing owners and operators of Uninspected Facilities that were provided a registration link for this meeting via the February 17, 2022 email, 26 individuals registered and attended this meeting. Finally, the Companies provided an email address where Interconnection Customers could direct questions outside of the meeting.

¹ *Id.* In 2018 and 2019, the Companies contracted Advanced Energy to inspect selected solar PV facilities focusing on MW voltage construction quality and NESC and NEC code compliance

Ultimately, a majority of Uninspected Facility owners returned an executed copy of the Pro Forma MOA by the April 26, 2022 deadline. As set forth in more detail below 298 Uninspected Facility Owners executed the Pro Forma MOA and just 26 Uninspected Facility Owners failed to do so.² Attachment C and Attachment D to this Status Report provide the information the Commission requested in its *Clarifying* and *Extension Orders*.

II. UNINSPECTED FACILITIES SELF-INSPECTION AGREEMENT STATUS

The Pro Forma MOA presents owners of Uninspected Facilities with two options: (1) to develop and administer a Self-Administered Compliance Program that comports with the requirements set out in the Pro Forma MOA (“Self-Administered Inspection Program Option”); or (2) to allow the Utility or its designated contractor to perform the inspections required by NCIP 6.5.3 and 6.5.4 at the Owner’s expense (“Duke Energy-Approved Third Party Administered Inspection Program Option”). In addition, Section 2(c) of the Pro Forma MOA notified owners of Uninspected Facilities that failure to execute an MOA and designate an inspection program “shall be deemed to be acceptance of the Duke Energy-Approved Third Party Administered Inspection Program Option . . . and result in Duke’s scheduling and performance of the inspections[.]”

Attachment C sets forth the execution status of the self-inspection Pro Forma MOAs with owners of Uninspected Facilities. List #1 identifies NC Uninspected

² Since the October 2021 delivery of the *Clarifying Order* notice to owners and operators of Uninspected Facilities, the Companies have made significant efforts to ensure that correspondence regarding Pro Forma MOA compliance (multiple Pro Forma MOA deadline reminders, responses to frequently asked questions, and responses to individual questions about specific Uninspected Facilities) was received by appropriate parties. When the Companies have been made aware of updated contacts for an Uninspected Facility, the Companies have proactively provided such contacts with notice, an executable Pro Forma MOA, and communicated availability for follow up discussion if needed. In addition to the efforts described, the Companies provided each owner of an Uninspected Facility with a list of all Uninspected Facilities that were affiliated with the owner according to the Companies’ records in early April 2022.

Facilities that have provided Duke with an executed Pro Forma MOA electing to allow Duke Energy or its designated contractor to perform inspections at the owner's expense pursuant to Section 2(b)(i.) of the Pro Forma MOA. List #2 identifies NC Uninspected Facilities that have provided Duke with an executed Pro Forma MOA electing to develop and administer a Self-Administered Compliance Program pursuant to Section 2(b)(ii.) of the Pro Forma MOA. List #3 identifies NC Uninspected Facilities that have not provided Duke with an executed Pro Forma MOA. The total number of Uninspected Facilities in each category are as follows:

List No.	Execution Status	Election	No. Uninspected Facilities
1	Executed	Duke-Approved Third Party Inspection Program Option	296
2	Executed	Self-Administered Inspection Program Option	2
3	Un-Executed	Duke-Approved Third Party Inspection Program Option	26

III. LIST OF FACILITIES INSPECTED BY ADVANCED ENERGY

Attachment D identifies all of the Facilities previously inspected by Advanced Energy (as discussed in Duke Energy's December 7, 2021 Remediation Report). Because these facilities were previously inspected, they did not fall within the definition of an Uninspected Facility and, therefore, the Companies did not send the owners and/or operators of these facilities a Pro Forma MOA for execution. The Companies' plans for implementation of the inspection provisions of NCIP Section 6 apply to these facilities and are discussed in more detail in the Comments being filed contemporaneously with this Status Report.

IV. CONCLUSION

The Companies generally view the development and execution process for the Pro Forma MOA to be a success and appreciate the engagement and collaborative efforts by the Carolinas Clean Energy Business Association, Public Staff-North Carolinas Utilities Commission, as well as Interconnection Customers. Now that the deadline set by the Commission to execute a Pro Forma MOA has passed, all Uninspected Facilities have now elected—whether by direct selection or default—a path for initial and future periodic inspections. Pursuant Section 2(c)(ii) of the now-executed Pro Forma MOAs, Interconnection Customers electing the Self-Administered Compliance Program Option have 90 calendar days from the date of execution to develop and Self-Administered Compliance Program and submit it to Duke Energy for review. Section 5 of the Pro Forma MOA requires the performance of an initial inspection within 18 months of execution for facilities interconnected on or before August 31, 2015 and within three (3) years of execution for facilities interconnected after August 31, 2015.

Respectfully submitted, this the 26th day of May, 2022.

E. Brett Breitschwerdt

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ATTACHMENT A

From: [DEROperations](#)
Subject: Action Required by 4/26/2022 to Meet NC Utilities Commission Requirements for Uninspected Facilities MOA
Attachments: [Attachment A- 10.8.21 NCUC Order Clarifying Generator Interconnection Standards Requesting Comments and Requiring Filing of Remediation Information.pdf](#)
[Attachment B- NC Uninspected Facilities Pro Forma MOA.pdf](#)
Importance: High

Dear Interconnection Customer,

In October 2021, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC (jointly “Duke” or the “Utility”) served a copy of the North Carolina Utilities Commission’s October 8, 2021 *Order Clarifying Generator Interconnection Standards, Requesting Comments, and Requiring Filing of Remediation Information* issued in Docket No. E-100 Sub 101 (the “Order”) on all North Carolina Interconnection Customers that (1) own or operate Uninspected Facilities as defined by the Order; and (2) are in receipt of a fully executed Interconnection Agreement. A copy of the Order is attached to this e-mail as Attachment A. **As directed by the Order and subsequent Orders of the Commission in Docket No. E-100, Sub 101, all Interconnection Customers that own or operate Uninspected Facilities (“Uninspected Facility Interconnection Customers”) must enter into a self-inspection agreement with Duke by no later than April 26, 2022, and must complete self-inspections of the Uninspected Facilities within three years from the date of execution of the agreement with Duke.** Alternatively, Uninspected Facility Interconnection Customers may commit to inspection by the Utility or its designated contractor, Advanced Energy, as provided for in North Carolina Interconnection Procedures (“NCIP”) Section 6.5.2.

As directed by the Commission’s Order, Duke has developed a pro forma template memorandum of agreement providing Uninspected Facility Interconnection Customers with an option to administer inspection programs that comport with appropriate safety and reliability standards and meet the requirements of NCIP Sections 6.5.2 and 6.5.3 (the “Pro Forma MOA”). The final Pro Forma MOA is attached to this e-mail as Attachment B and shall be used as the Pro Forma MOA template for Uninspected Facility Interconnection Customers to enter into self-inspection agreements with Duke, as required by the Order. Please note that the Pro Forma MOA references documentation that can reviewed by accessing Duke’s Technical Standards Review Group website linked [here](#).

The Pro Forma MOA presents Uninspected Facility Interconnection Customers with two options: (1) to develop and administer a Self-Administered Compliance Program that comports with the requirements set out in the Pro Forma MOA; or (2) to allow the Utility or its designated contractor to perform the inspections required by NCIP 6.5.3 and 6.5.3 at the Owner’s expense. By designating the Self-Administered Compliance Program Option in Section 2(b) of an executed copy of the attached MOA, Uninspected Facility Interconnection Customer elects and agrees to develop and administer a Self-Administered Compliance Program which shall be submitted to Duke for review within 90 Calendar Days of MOA execution to confirm that it meets the objectives and requirements described in Sections 3 through 7 of the MOA. An Uninspected Facility Interconnection Customer’s failure to execute an MOA and designate an Inspection Program in Section 2(b) of the MOA by April 26, 2022, shall be deemed to be acceptance of the Duke Energy-Approved Third Party Administered Inspection Program Option described in the MOA and result in Duke’s scheduling and performance of Initial Inspections as described in Section 2(b)(i) of the MOA and accessing the Interconnection Customer’s Generating Facility pursuant to Section 2.3.2 of the North Carolina Interconnection Agreement (“NC IA”).

Uninspected Facility Interconnection Customer should review the Pro Forma MOA and provide Duke with an executed copy making their election no later than April 26, 2022.

Duke will be hosting an informational meeting for Uninspected Facility Interconnection Customers to discuss the Pro Forma MOA from 2:00pm to 3:00pm EST on March 2, 2022. To attend, please complete the registration process linked [here](#) in advance of the meeting. In the meantime, Uninspected Facility Interconnection Customer may direct relevant inquiries to DEROperations@Duke-Energy.com.

Regards,

Duke Energy

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 101

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	ORDER CLARIFYING GENERATOR
Petition for Approval of Revisions to	)	INTERCONNECTION STANDARDS,
Generator Interconnection Standards	)	REQUESTING COMMENTS, AND
	)	REQUIRING FILING OF REMEDIATION
	)	INFORMATION

BY THE COMMISSION: On June 14, 2019, the Commission issued its Order Approving Revised Interconnection Standard and Requiring Reports and Testimony (June 2019 Order), which included revisions to Section 6.5 of the NCIP. Specifically, the June 2019 Order approved Sections 6.5.2 and 6.5.3, which allow the utilities to perform inspections on facilities that were “not inspected prior to commencing parallel operation” (6.5.2), to perform periodic inspections on the “medium voltage AC side” of the facilities (6.2.3), and inspect the facilities if the utilities “become aware of any condition that (1) has the potential to either cause disruption or deterioration of service...(2) or is imminently likely to endanger life or property or cause a material adverse effect on the security of, or damage to” the utilities’ systems or equipment (6.5.4). These sections also state that the Interconnection Customer will be responsible for the cost of these inspections.

On March 1, 2021, Duke Energy Carolinas, LLC, and Duke Energy Progress, LLC (jointly, Duke), filed a report on their Interconnection Fee-Related Work and Post-Commercial Operation Inspections for 2020 (March 2021 Report). In that report, Duke stated that there was confusion among distributed energy resource developers as to the applicability of several inspection-related provisions in the North Carolina Interconnection Procedures, Forms, and Agreements for State-Jurisdictional Generator Interconnections (Interconnection Standards or NCIP).

On March 9, 2021, in response to the March 2021 Report, the Commission issued an Order Seeking Comments Regarding Generator Inspection Provisions of the North Carolina Generator Interconnection Standards. In that Order the Commission sought comments from interested parties regarding the inspection of facilities that were interconnected prior to when Duke implemented an inspection program and were therefore not inspected prior to parallel operations (Uninspected Facilities).

On March 12, 2021, Carolinas Clean Energy Business Association (CCEBA) requested an extension of time to file comments and reply comments, such that comments would be due March 29, and reply comments would be due April 12. The Commission granted the motion.

Initial Comments

On March 29, 2021, initial comments were filed by Duke, the Public Staff, and jointly by CCEBA, Strata Solar, LLC and Strata Solar Development, LLC (CCEBA/Strata).

Duke

Duke began its comments by noting that the need for rigorous inspection of the medium voltage AC side of interconnected generating facilities has been a topic of much discussion before the Commission. Duke noted that in 2016, to address experienced power quality events that originated on certain interconnection customers' medium voltage facilities at the point of interconnection, the Companies partnered with Advanced Energy Corporation (Advanced Energy) to establish a more robust inspection and commissioning program for all new utility-scale solar interconnection customers. Duke also noted that it had retained Advanced Energy to conduct similar inspection studies in 2014 and 2015, which revealed similar safety and reliability issues. Duke commented that in all three inspection studies (2014, 2015, and 2018/2019), the installation of unstudied and unapproved equipment was of particular concern. Duke stated that there are approximately 300 utility-scale Uninspected Facilities interconnected to the Duke distribution systems totaling over 1,000 MW. Duke noted that, in short, since at least 2014, Duke has documented compliance issues with the Interconnection Request and the Interconnection Agreement, as well as construction safety and reliability issues related to the Uninspected Facilities. Duke commented that, throughout this time period, Duke has consistently worked with industry stakeholders to determine the best way to accommodate inspections on a going forward basis.

Additionally, Duke noted its engagement with stakeholders in 2020 to develop the self-inspection plan through the Technical Standards Review Group (TSRG) to achieve the goals of: (1) verifying the equipment installed in the field as compared to the equipment approved through the Interconnection Study process; and (2) ensuring the inverters and protective device settings match the Companies' specifications. Duke noted that confirming this information through utility inspections or through a reasonably developed self-inspection program is necessary to ensure safe and reliable parallel operation of generating facilities in a manner consistent with Duke's standards for operating and maintaining its own distribution system equipment and interconnected facilities.

Duke noted that the Commission's June 2019 Order found that "it is critical that the Utilities be in a position to ensure the safety and integrity of the grid," and that, therefore, the Commission approved additional inspection requirements in Section 6 of the NCIP. In supporting its comment, Duke referred to the revisions adopted in the June 2019 Order, specifically including the following revisions to section 6.5:

6.5 Commissioning and Post-Commissioning Inspections

6.5.1 Commissioning tests of the Interconnection Customer's installed equipment shall be performed pursuant to applicable codes and standards.

If the Interconnection Customer is not proceeding under Section 2.3.2, the Utility must be given at least ten (10) Business Days ~~written~~ notice, or as otherwise mutually agreed to in writing by the Parties, of the tests and may be present to witness the commissioning tests.

6.5.2 In the case of any Generating Facility that was not inspected prior to commencing parallel operation, the Utility shall be authorized to conduct an inspection of the medium voltage AC side of each Generating Facility (including assessing that the anti-islanding process is operational). The Interconnection Customer shall pay the actual cost of such inspection within 30 Business Days after the Utility provides a written invoice for such costs.

6.5.3 The Utility shall also be entitled, on a periodic basis, to inspect the medium voltage AC side of each Interconnected Generating Facility on a reasonable schedule determined by the Utility in accordance with the inspection cycles applicable to its own distribution system. The Interconnection Customer shall pay the actual cost of such inspection within 30 Business Days after the Utility provides a written invoice for such costs.

6.5.4 The Utility shall also be entitled to inspect the medium voltage AC side of an Interconnected Generating Facility in the event that the Utility identifies or becomes aware of any condition that (1) has the potential to either cause disruption or deterioration of service to other customers served from the same electric system or cause damage to the Utility's System or Affected Systems, or (2) is imminently likely to endanger life or property or cause a material adverse effect on the security of, or damage to the Utility's System, the Utility's Interconnection Facilities or the systems of others to which the Utility's System is directly connected. The Interconnection Customer shall pay the actual cost of such inspection within 30 Business Days after the Utility provides a written invoice for such costs.

Duke commented that, in its view, "it is clear from the face of Sections 6.5.2, 6.5.3, and 6.5.4 that the Commission intended to require both new and already operating facilities to submit to regular inspections to ensure utilities are 'in a position to ensure the safety and integrity of the grid.'" Duke requested that "to preserve the intent of these sections" the Commission should clarify that the terms of the June 2019 Order apply to Generating Facilities with a fully executed Interconnection Agreement as of June 14, 2019, either by: (1) entering an order explicitly stating that the exclusionary language in Section 1.1.3—i.e., that the 2019 NCIP revisions do not apply to Generating Facilities with a fully executed Interconnection Agreement as of June 14, 2019—does not apply to Section 6.5.2; or (2) adopting minor revisions to Sections 1.1.3 and 6.5.2. Finally, Duke requested that the Commission provide clarification that will allow Duke and stakeholders to proceed with the self-inspection pilot program they have jointly developed with TSRG over the past year.

Public Staff

The Public Staff filed a letter in lieu of comments. The Public Staff noted that it does have concerns about the safety and reliability issues raised by Duke in its March 2021 Report and recognized that Duke has a regulatory responsibility to operate the grid in a safe and reliable manner. The Public Staff noted that it is particularly interested in how these non-utility owned facilities install and maintain on-site equipment to ensure they do not present a threat to the operation and maintenance of the grid. The Public Staff stated:

Unlike Duke, which must file an outage report in its subsidiaries' annual fuel riders, these non-utility owned facilities are under no obligation to report outages, and therefore, neither the Public Staff nor the Commission know how many outage events occur, the magnitude of the events, or the cause of the outages. The Public Staff is not advocating for a reporting requirement of these facilities at this time, but it is of concern to the Public Staff that so many of the facilities go uninspected and outages can occur, which may or may not affect the safety and reliability of the grid, especially when the grid is increasingly relying on these facilities to provide electricity to Duke's customers.

CCEBA and Strata

CCEBA and Strata filed joint initial comments in which they point out an apparent inconsistency in the June 2019 Order which is reflected in the position taken by Duke with respect to the Uninspected Facilities. Specifically, CCEBA and Strata noted that Sections 6.5.2 and 6.5.3 should not retroactively apply to the Uninspected Facilities because Section 1.1.3 expressly provides that the revisions to the 2019 NCIP do not apply to facilities that had executed an Interconnection Agreement (IA) prior to the date of the June 2019 Order. Additionally, CCEBA and Strata pointed out that Ordering Paragraph 1 of the June 2019 Order expressly provides that "the changes approved in the [June 2019 Order] will be effective upon issuance of this Order, except that they will not apply to Facilities that have a fully executed Interconnection Agreement as of the date of this Order." In their comments, CCEBA and Strata highlighted three main problems with Duke's proposal to impose a self-inspection regime for generators with Interconnection Agreements that pre-date June 14, 2019.

First, they commented that a mandatory self-inspection program is not authorized by the Commission's June 2019 Order. CCEBA and Strata argued that the June 2019 Order "is clear that the revised 2019 Interconnection Standard does not apply to facilities with existing Interconnection Agreements."

Second, they commented that the scope of Duke's inspection regime is not necessary because the parties are committed to safety and reliability and are already incentivized to be reliable grid contributors, and Duke's inspections would impose unneeded costs on generating facilities.

Third, they commented that Duke overestimates the available supply of inspectors and professional engineers willing to conduct inspections and noted that when RFPs for Duke's pilot inspection program were issued, only Advanced Energy participated.

CCEBA and Strata concluded by requesting that the Commission issue an order restating that the NCIP revisions in its June 2019 Order were not intended to apply to generating facilities with Interconnection Agreements dated prior to June 14, 2019.

Reply Comments

After multiple requests for extensions, which were granted by the Commission, reply comments were filed by Duke, the Public Staff, Strata, and CCEBA on August 5, 2021.

Duke

Duke reiterated its view that the plain language of the revised 2019 NCIP and the Commission's intent in the June 2019 Order confirm that the Uninspected Facilities are subject to the inspection requirements of Sections 6.5.2, 6.5.3, and 6.5.4. Further, Duke commented that the inspection of medium voltage equipment at the Uninspected Facilities is necessary and appropriate to ensure compliance with the terms of the NCIP and to ensure the Companies are in a position to ensure the safety and reliability of their systems.

Duke commented that following submission of initial comments, Duke and Strata engaged in good faith discussions to resolve concerns regarding implementation of the post-commissioning inspection provisions of the NCIP. Duke explained that in an effort to balance the Duke's safety and reliability concerns and Strata's desire to develop a workable and potentially more cost-effective path for adherence to the requirements of the inspection provisions, Duke and Strata agreed to a process set forth in a d in order to verify such Uninspected Facilities' medium voltage construction in a manner that would comply with the requirements of Sections 6.5.2 and 6.5.3. Duke attached the MOA to its reply comments as Attachment A.

Duke noted its belief that the self-administered compliance program framework described in the MOA achieves the Commission's goals in implementing the post-commissioning inspection requirements and complies with the requirements of Sections 6.5.2 and 6.5.3. Further, Duke noted its belief that, given the robust framework for utility acceptance of the program followed by self-administered implementation, the MOA framework comports with good utility practice and can serve as a path forward for other owners of Uninspected Facilities to implement post-commissioning inspections and take action to ensure the safety and reliability of the grid. Duke commented that without initial action by the Commission clearly mandating that the inspection provisions apply to Uninspected Facilities, owners of Uninspected Facilities may not be incentivized (and certainly will not be compelled) to adopt any self-administered compliance program under the framework set forth in the MOA or to continue to engage with Duke through the

Technical Standards Review Group to reach an appropriate process for implementing post-commissioning inspections as contemplated by Sections 6.5.2, 6.5.3, and 6.5.4 of the 2019 NCIP. For that reason, Duke reemphasized its request that the Commission issue an order making clear that the inspection provisions approved in the June 2019 Order are applicable to all Uninspected Facilities.

Strata

Strata noted in its reply comments that its belief that the inspection provisions do not apply to “legacy facilities.” Notwithstanding, Strata noted that it engaged with Duke to develop a self-inspection program that would meet the objectives of the NCIP provisions, which program is set forth in the MOA. Strata requests that the Commission “take note” of the self-inspection program “as an appropriate and reasonable mechanism for achieving the aims of Sections 6.5.3 and 6.5.4 of the NCIP, and further, as a responsible result in resolving this dispute between Strata and Duke and avoiding the need for further proceedings.”

Strata stated that it had shared the MOA with CCEBA and the Public Staff and requested the opportunity to file brief supplemental reply comments, if necessary, to address any comments made by other parties in their reply comments.

CCEBA

In reply comments, CCEBA reiterated its position that neither the June 2019 Order nor the resulting updated NCIP authorize the imposition of a mandatory self-inspection program on generating facilities having fully-executed Interconnection Agreements on or before July 14, 2019.

CCEBA noted that it had reviewed the MOA prior to filing its reply comments and determined that its reply comments were best directed at the provisions of the MOA. CCEBA noted that the MOA makes progress on several issues that divided the parties in March and, for this reason, is a positive development. However, CCEBA noted that there are three areas where further clarification is needed prior to any consideration of the MOA as a document that can apply to the entire industry. Specifically, first, in every area in which the proposed MOA states that standards, lists, or programs will be developed by Duke with participation by Strata, or in good faith collaboration with Strata, CCEBA requested that its members be consulted. CCEBA requested that any approval of the MOA by the Commission be contingent upon such discussion and feedback. Second, CCEBA commented that any resolution of the inspection dispute between stakeholders and Duke is just that, a resolution of a disputed legal matter without determination or concession as to the parties’ legal positions. CCEBA maintained that neither the July 2019 Order nor the NCIP allow for mandatory imposition of an inspection regime of Uninspected Facilities. However, CCEBA pointed out, parties can in good faith reach an agreement for a voluntary inspections regime that promotes the safety and reliability of the grid. Third, CCEBA stated that prior to any Commission approval of the MOA or use of the MOA by Duke as an industry-wide guidance document, further information is

needed as to several specific provisions, including: (1) responsibility for the cost of upgrades if an inspection determines that upgrades are required; (2) 30-day resolution period for deficiencies identified during an audit; (3) responsibility for cost associated with certain equipment remediation determined to be necessary; and (4) the anti-islanding test procedure to be used.

CCEBA concluded its reply comments by stating that without resolution of these issues, the MOA should be seen as only an agreement between the two parties subject to the MOA and should not be made applicable to other parties.

Public Staff

In reply comments, the Public Staff requested that the Commission clarify that the June 2019 Order and Sections 6.5.2, 6.5.3, and 6.5.4 of the NCIP authorize Duke to inspect the Uninspected Facilities. The Public Staff asserted its view that the revisions to these sections of the NCIP were intended to apply to facilities with Interconnection Agreements prior to the June 2019 Order. The Public Staff further asserted that if Section 6.5.2 does not apply to generating facilities having fully-executed Interconnection Agreements on or before July 14, 2019, it would not apply to any generating facilities, as facilities that did not have executed Interconnection Agreements before the Commission's 2019 NCIP Order could not have commenced parallel operation at the time the sections went into effect. The Public Staff noted that if the Commission finds otherwise, there will be no incentive for Interconnection Customers to inspect these facilities and they will continue to create an unquantifiable risk to the safety and reliability of the grid.

The Public Staff commended the work of Strata and Duke on coming to the agreement embodied in the MOA and provided its view that the self-inspections within the MOA meet the intent of Sections 6.5.2 and 6.5.3. The Public Staff noted that while the initial inspection timelines included in the MOA are products of negotiation, the Public Staff encouraged Strata to complete the initial inspections as quickly as possible. Further, the Public Staff recommended that all other Interconnection Customers with Uninspected Facilities work with Duke to execute similar MOAs to perform self-inspections as soon as possible. The Public Staff recommended that future MOAs between an Interconnection Customer and Duke should be tailored, with regard to the initial inspection timelines, to the particular circumstances of the Interconnection Customer, taking into account the number of facilities that Interconnection Customer is required to inspect. The Public Staff noted that Strata owns a significant portion of the approximately 300 Uninspected Facilities. Further, the Public Staff noted that given that Strata has agreed to complete the initial inspections within three- and five-year timeframes, all other parties should have shorter timelines set out in their MOAs.

Therefore, the Public Staff requested that the Commission set a deadline of January 1, 2022, for the remaining Interconnection Customers with Uninspected Facilities to develop and execute their own MOAs with Duke. Further, the Public Staff recommended that if the remaining Interconnection Customers come to an agreement

with Duke by January 1, 2022, then the Commission should direct Duke to begin inspecting these Uninspected Facilities, at the expense of the Uninspected Facilities.

Discussion and Decision

The results of the pilot inspections provide clear and compelling evidence that inspection of the Uninspected Facilities is necessary to ensure the safety of those facilities as well as to ensure that the integrity of Duke's electric systems is maintained. The integrity of Duke's electric systems is of critical importance to all North Carolinians. Further, compliance with the NCIP is not a goal but rather is an expectation. Duke and Interconnection Customers shall work together to ensure compliance with the NCIP and to ensure, ultimately, that Duke operates its systems safely and reliably.

In light of the foregoing and notwithstanding the ambiguity of certain provisions of the June 2019 Order, the Commission emphasizes that the provisions of Section 6.5 concerning Post-Commissioning Inspections apply to facilities with Interconnection Agreements executed prior to June 14, 2019. Otherwise, as noted by both the Public Staff and Duke, if the provisions of Section 6.5.2 did not apply to facilities with Interconnection Agreements executed prior to June 14, 2019, they would not apply to any facilities, and the language would have no effect.

The inspection of Generating Facilities, including the Uninspected Facilities, is necessary to ensure the safe and reliable operation of the electric system.

Therefore, the Commission shall revise Section 1.1.3 as shown in Attachment A of this Order to clarify that the 2019 revisions to Section 6.5 apply to all Generating Facilities, regardless of the date of their Interconnection Agreements. As the Commission stated in its June 2019 Order, the Interconnection Standards must provide for post-commissioning inspections of Generating Facilities, and it is appropriate for Interconnection Customers to reimburse the Utilities for periodic inspection costs.

To this end, the Commission determines that the agreement between Duke and Strata regarding a self-inspection program, as memorialized in the MOA, is a reasonable start towards compliance with the requirements of the June 2019 Order and NCIP. Additionally, all other Interconnection Customers with Uninspected Facilities shall work with Duke develop similar self-inspection programs, memorialized in memoranda of agreement. Any future agreements between an Interconnection Customer and Duke should be tailored, with regard to the initial inspection timelines, to the particular circumstances of the Interconnection Customer, taking into account the number of facilities that Interconnection Customer is required to inspect. All Interconnection Customers that own Uninspected Facilities must enter into a self-inspection agreement with Duke by no later than February 1, 2022, and must complete self-inspections of the Uninspected Facilities within three years from the date of execution of the agreement with Duke. Duke shall file a report with the Commission by February 23, 2022, as to the status of the self-inspection agreements entered into and any remaining Uninspected Facilities that are not covered by an agreement.

In addition, given the nature and number of issues cited by Advanced Energy through its inspection work for Duke, the Commission is concerned at this time that self-administered compliance programs might not be sufficient to ensure the safe operation of the Duke systems. Therefore, the Commission shall take additional action, as necessary, with respect to the inspection of the Uninspected Facilities should Interconnection Customers and Duke not be able to reach agreement on the timely self-inspection of the Uninspected Facilities.

Additionally, the Commission directs Dukes to file a report with the Commission, updating the Commission as to the status of each violation found by Advanced Energy during its three rounds of inspection work. Duke shall file its report sixty days from the date of this Order. In this report, Duke must explain its process for inspecting facilities prior to their commencing operation.

IT IS, THEREFORE, ORDERED as follows:

- 1) That the NCIP is revised as indicated in Attachment A of this Order;
- 2) That Duke shall file a report detailing the status of remediation efforts at the 65 generating facilities that have been inspected by Advanced Energy within 60 days of the date of this Order;
- 3) That Duke shall serve a copy of this order on all owners of Uninspected Facilities as soon as reasonably possible; and
- 4) That Duke shall file a report by February 23, 2022, detailing the status of self-inspection agreements with owners of Uninspected Facilities.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 8th day of October, 2021.

NORTH CAROLINA UTILITIES COMMISSION



Joann R. Snyder, Deputy Clerk

1.1.3

The 2019 revisions to this Interconnection Standard shall not apply to Generating Facilities having a fully executed Interconnection Agreement as of the effective date of the 2019 revisions to this Standard, unless the Interconnection Customer proposes a Material Modification, transfers ownership of the Generating Facility, or application of the 2019 revisions to the Commissions Interconnection Standard are agreed to in writing by the Utility and the Interconnection Customer. This Standard shall apply if the Interconnection Customer does not have a fully executed Interconnection Agreement for the Generating Facility as of the effective date of the 2019 revisions. Provision 6.5 shall apply to all Generating Facilities, regardless of the date of their Interconnection Agreement. Revised fees and new deposits will apply to new Interconnection Requests and future transactions involving existing Interconnection Requests occurring after the effective date of the 2019 revisions, except that fees for inspections shall apply to all Generating Facilities, regardless of the date of their Interconnection Agreement.

Any Interconnection Customer that has not executed an Interconnection Agreement with the Utility prior to the effective date of the 2019 revisions to this Standard shall have 45 Business Days following the later of the effective date of the Standards or the posted date of notice in writing from the Utility to make prepayment or provide Financial Security in a form reasonably acceptable to the Utility for any Network Upgrades identified in the Interconnection Customer's System Impact Study Report as required by Section 4.3.9 of the Procedures.

Memorandum of Agreement Regarding Procedure to Implement Periodic Medium Voltage Construction Safety and Reliability Inspection Requirements under NCIP Sections 6.5.2 and 6.5.3

This Memorandum of Agreement (the “MOA”) is entered into and agreed to by and between [*Duke Energy Carolinas, LLC / Duke Energy Progress, LLC*] (“Duke”), and [*Interconnection Customer Name*] (“Interconnection Customer”) (together with Duke, the “Parties”). The MOA memorializes the Parties’ agreement regarding their respective obligations to implement periodic medium voltage construction safety and reliability inspection requirements under Sections 6.5.2 and 6.5.3 of the North Carolina Interconnection Procedures (“NCIP”) as directed by the North Carolina Utilities Commission (“NCUC”) in its October 8, 2021 Order in Docket No. E-100, Sub 101 (the “Order Directing Inspections”). Terms used in this MOA that are not defined herein shall be interpreted consistent with Attachment 1 of the NCIP.

1. Background

- a. Duke is responsible for ensuring safe and reliable power system operations, including ensuring reliable power delivery to retail customers as well as reliable interconnection and parallel operation with Interconnection Customers. This includes overseeing Generating Facility commissioning inspections as well as certain periodic post-commissioning inspections of interconnected Generating Facilities’ medium voltage equipment under NCIP Sections 6.5.2 and 6.5.3.
- b. NCIP Section 6.5.2 provides that Utilities are authorized to conduct an initial inspection of the medium voltage AC side of each Generating Facility (including assessing that the anti-islanding process is operational) that was not inspected prior to commencing parallel operation (“Initial Inspection”). NCIP Section 6.5.3 provides that Duke is also entitled, on a periodic basis, to inspect the medium voltage AC side of each interconnected Generating Facility on a reasonable schedule determined by the Utility in accordance with the inspection cycles applicable to its own distribution system (“Periodic Inspections”). Interconnection Customers are responsible for Duke’s costs of implementing the Initial Inspection and Periodic Inspection requirements of the NCIP.
- c. On October 8, 2021, the NCUC issued the Order Directing Inspections, which, in pertinent part, revised NCIP Section 1.1.3 to clarify that Sections 6.5.2 and 6.5.3 apply to all uninspected Generating Facilities regardless of the date each executed an Interconnection Agreement.
- d. In its Order Directing Inspections, the NCUC also accepted an agreement between Duke, Strata Solar, LLC, and Strata Solar Development, LLC (the Strata entities are referred to collectively as “Strata”) setting forth the structure of a self-inspection program intended to satisfy the inspection requirements of NCIP Sections 6.5.2 and 6.5.3. Noting that the agreement between Duke and Strata was a “reasonable start toward compliance” with those NCIP provisions, the NCUC further directed Duke to work with “all other Interconnection Customers with Uninspected Facilities [to] develop similar self-inspection programs, memorialized in memoranda of agreement”

- to be executed no later than February 1, 2022. Order Directing Inspections, at 8. The NCUC instructed that future agreements should be “tailored . . . to the particular circumstances of the Interconnection customer[.]” and ordered Duke to file a report on the status of such agreements by February 23, 2022. *Id.*
- e. In keeping with the NCUC’s Order Directing Inspections, the Parties agree that a properly implemented “Self-Administered Compliance Program” designed to ensure the operational integrity of Uninspected Facilities will meet the requirements of NCIP Sections 6.5.2 and 6.5.3. Likewise, the Parties agree that the Duke Energy-Approved Third Party Administered Inspection Program meets the requirements of NCIP 6.5.2 and 6.5.3.

2. General Principles of Agreement

- a. Adherence to NCIP Sections 6.5.2 and 6.5.3. The Parties agree that the terms of this MOA will satisfy the Interconnection Customer’s compliance with NCIP Sections 6.5.2 and 6.5.3.
- b. Options for Compliance: To ensure ongoing compliance with Initial Inspection and Periodic Inspection requirements of NCIP Sections 6.5.2 and 6.5.3, Interconnection Customer hereby elects and commits to adhere on an ongoing basis to the Inspection Program option designated below:
- i. Duke Energy-Approved Third Party Administered Inspection Program Option. Interconnection Customer elects and agrees to be inspected in accordance with the Duke Energy-Approved Third Party Administered Inspection Program meeting the objectives and requirements of this MOA. As part of the Duke Energy-Approved Third Party Administered Inspection Program, a Duke Energy-Approved Third Party contractor will conduct Initial and Periodic Inspections required that are substantially equivalent to inspections described in Section 5 and Section 6 of this MOA.

Interconnection Customer elects to be inspected in accordance with the Duke Energy-Approved Third Party Administered Inspection Program Option.

Initialed: _____ (Interconnection Customer)

- ii. Self-Administered Compliance Program Option. Interconnection Customer elects and agrees to develop and administer a Self-Administered Compliance Program, which shall be submitted to Duke for review within 90 Calendar Days of execution of this MOA to confirm that it meets the objectives and requirements described in Sections 3 through 7 of this MOA. Upon acceptance of Interconnection Customer’s Self-Administered Compliance Program, not to be unreasonably withheld, Duke agrees to continue to work with Interconnection Customer to implement the Self-Administered Compliance Program and, as determined to be necessary by Duke, to audit compliance with this MOA and Interconnection Customer’s Self-Administered Compliance Program pursuant to Section 8 of this MOA.

Interconnection Customer elects to administer a Self-Administered Compliance Program.

Initialed: _____ (Interconnection Customer)

- c. Failure to execute MOA. Recognizing that the Order Directing Inspections directed Duke and Interconnection Customer to enter into a MOA, Interconnection Customer's failure to execute an MOA and designate an Inspection Program in this Section 2(b) by February 1, 2022, shall be deemed to be acceptance of the Duke Energy-Approved Third Party Administered Inspection Program Option (i) above and result in Duke's scheduling and performance of inspections as described in Section 2(b)(i) and accessing the Interconnection Customer's Generating Facility pursuant to Section 2.3.2 of the North Carolina Interconnection Agreement ("NC IA"). Interconnection Customer's failure to meet the requirements of NCIP Sections 6.5.2 and 6.5.3, including making timely payment for any invoiced amounts for services rendered under the Duke Energy-Approved Third Party Administered Inspection Program may be considered an Event of Default under NC IA Section 7.6.
- d. Interconnection Agreement not modified. The Parties agree that the terms and conditions of Interconnection Customer's NC IA shall remain in full force and effect and shall not be modified or superseded by the terms of this MOA. Duke reserves all rights under the NC IA to disconnect the Generating Facility should Duke determine, at any time consistent with Good Utility Practice, that disconnection is warranted to address an Emergency Condition or an adverse operating effect, as those terms are defined or used in the NC IA.

3. DER Functional Settings Guidance Document

- a. Duke has developed a distributed energy resource ("DER") inverter and interconnection devices functional settings document ("DER Functional Settings Guidance Document") to establish minimum acceptable standards for purposes of DER functional settings compliance. The overall Self-Administered Compliance Program should adhere to the Duke DER Functional Settings Guidance Document, which addresses the following elements:
- i. Details generally applicable requirements for settings of inverters and other interconnection devices as specified in the NC IA for purposes of completing Initial Inspections and Periodic Inspections.
 - ii. Defines the Interconnection Customer's responsibility for (a) maintaining proper settings in inverters and other interconnection devices in accordance with the DER Functional Settings Guidance Document's requirements, (b) reporting setting changes, and (c) maintaining data or evidence of compliance.
 - iii. Defines minimum standards for DER functional settings inspections as a component of an acceptable Self-Administered Compliance Program monitoring and assessment process.

- b. Duke will maintain the Duke DER Functional Settings Guidance Document on the TSRG website and provide such information to Interconnection Customer upon request.

4. Adherence to Applicable Standards in Medium Voltage Inspection

- a. The scope of Medium Voltage¹ AC Inspection (“MV Inspection”) includes electrical equipment from the secondary side of the MV transformers to the point of interconnection. This includes but is not limited to:
 - i. MV AC construction
 - ii. Transformers
 - iii. Customer-owned primary meter
 - iv. Customer-owned recloser (as applicable)
 - v. Point of interconnection auxiliary transformer and associated disconnect switch or panelboard (as applicable)
 - vi. Inrush mitigation system (as applicable)
 - vii. Power plant control system (as applicable)
 - viii. Inverters (verification of UL 1741 and IEEE 1547 compliance)
- b. When performing MV Inspections pursuant to the Self-Administered Compliance Program, Interconnection Customer shall document adherence to applicable codes and standards set forth in NCIP Section 6.17 and Section 1.5.4 of the NC IA and identify any needed corrective actions as part of its inspections of its Generating Facility pursuant to the Self-Administered Compliance Program. Interconnection Customer will adhere to the specifications designated below:
 - i. Applicable Industry Codes and Standards. As part of its MV Inspections pursuant to the Self-Administered Compliance Program, Interconnection Customer will evaluate adherence to the following codes and standards specified in the NCIP 6.17 and the Interconnection Agreement 1.5.4:
 - National Electrical Safety Code (NESC); and
 - National Electrical Code (NEC).

For purposes of this section, the Parties agree that the Applicable Industry Codes and Standards to be used in performing the MV Inspection shall be: (i) the NESC and NEC in effect at the time the Parties executed the NC IA or at the time of any subsequent Material Modification to the Generating Facility; or (ii) if elected by the Interconnection Customer, Duke’s then-current comprehensive construction specifications.

¹ NCIP Section 6.17 and Appendix 5 specify codes and standards with which the Generating Facility must comply. Appendix 5 references American National Standards Institute (ANSI) C84.1, Electric Power Systems and Equipment — Voltage Ratings (60 Hertz), in which the “Medium Voltage” is defined as a class of nominal system voltages greater than 1000 volts and less than 100 kV.

- ii. Duke will provide Interconnection Customer with its current comprehensive construction specifications. Duke's Construction Specifications meet and exceed NESC and NEC requirements and provide detailed drawings which can assist in the performance of the MV Inspection. Interconnection Customer shall consider using and is encouraged to use Duke's construction specifications as supporting materials during the MV Inspection and to make corrections post-inspection, at Interconnection Customer's discretion.

5. Initial Inspections under Self-Administered Compliance Program

To meet the Initial Inspection requirements under a Self-Administered Compliance Program, an Interconnection Customer must complete the following actions:

- a. Interconnection Customer will perform an initial MV Inspection to ensure that medium voltage equipment on the AC side of the Generating Facility continues to meet applicable Industry Codes and Standards, as identified in Section 4, as soon as practicable, but no later than: (a) for Generating Facilities with a commercial operation date on or before August 31, 2015, 18-months after the date this MOA is fully executed by the Parties; or (b) for Generating Facilities with a commercial operation date after August 31, 2015, three years after the date this MOA is fully executed by the Parties. Interconnection Customer shall provide a report from a professional engineer or other Qualified Person, as defined in 2020 NEC-100², certifying the Generating Facility's compliance with the applicable Industry Codes and Standards or other reasonable written supporting documentation, attested to by the Interconnection Customer and acceptable to Duke, demonstrating compliance with the applicable Industry Codes and Standards. The Interconnection Customer's MV Inspection report shall identify any needed corrective actions and the Interconnection Customer's plans to undertake corrective actions consistent with process established in Section 9. In the event Interconnection Customer fails to provide written confirmation of compliance with this initial MV Inspection requirement, such failure may be deemed by Duke to warrant termination of this MOA.
- b. As soon as practicable and no later than 90 days of Interconnection Customer's completion of the initial MV Inspection, Interconnection Customer will also perform an inspection and verification of applicable inverter and interconnection device settings. Interconnection Customer shall provide reasonable written supporting documentation, attested to by the Interconnection Customer, to Duke demonstrating compliance with the applicable inverter and interconnection device settings set forth in the NC IA and DER Functional Settings Guidance Document and identifying any needed corrective actions and the Interconnection Customer's plans to undertake corrective actions consistent with process established in Section 9. In the event the Interconnection Customer fails to provide written confirmation of compliance with this

² NEC 2020 Edition, Article 100 defines "Qualified Person" as one who has skills and knowledge related to the construction and operation of the electrical equipment and installations and has received safety training to recognize and avoid the hazards involved.

- inspection requirement, such failure may be deemed by Duke to warrant termination of this MOA
- c. As soon as practicable and no later than 90 days of Interconnection Customer's completion of the initial MV Inspection, Interconnection Customer will also perform a one-time effort to (a) verify that the Generating Facility's as-built specifications matches the Interconnection Customer's Interconnection Request, Interconnection Agreement and Single Line Diagram on file with Duke; and (b) document the Duke point of interconnection ("POI") right-of-way ("ROW") access for Duke personnel as described in Section 7(a). Duke will maintain the Interconnection Facility As-built Installation Evaluation specifications on the TSRG website. Interconnection Customer shall provide reasonable written supporting documentation, attested to by the Interconnection Customer, to Duke demonstrating that the Generating Facility was constructed in compliance with the Interconnection Request, Interconnection Agreement and Single Line Diagram on file with Duke. This documentation shall identify any differences or needed corrective actions consistent with Remediation process established in Section 9. Information provided by Interconnection Customer in accordance with this Section 5(c.) may be evaluated for compliance with Section 3.4.5 (Modification of the Generating Facility) of Interconnection Customer's NC IA.
 - d. As soon as practicable and no later than 90 days after either Interconnection Customer completes the initial MV Inspection or makes any corrective actions determined to be needed by the MV Inspection, Interconnection Customer will also perform a "cease-to energize test" (also known as an "anti-islanding test"). Duke will maintain the Interconnection Customer instructions to be used for performing this anti-islanding test consistent with Duke specifications on the TSRG website.

6. Periodic Inspections under Self-Administered Compliance Program

To meet the Periodic Inspection and other requirements under a Self-Administered Compliance Program, an Interconnection Customer must meet the following requirements:

- a. Periodic MV Inspections shall be completed after the initial MV Inspections at least once every 5 years. Interconnection Customer will perform Periodic Inspections to ensure that the Generating Facility continues to meet applicable Industry Codes and Standards, as identified in Section 4, and requirements for maintenance of rights-of-way access for Duke POI facilities, as otherwise provided in Section 7 of this MOA. Interconnection Customer shall provide a report from a professional engineer certifying the Generating Facility's compliance with the applicable Industry Codes and Standards or reasonable written supporting documentation, attested to by the Interconnection Customer, to Duke demonstrating compliance with the applicable Industry Codes and Standards and the requirements for maintenance of ROW access for Duke POI facilities. The Interconnection Customer's MV Inspection report shall identify any needed corrective actions and the Interconnection Customer's plans to undertake corrective actions consistent with Remediation process established in Section 9. In the event Interconnection Customer fails to provide written confirmation of compliance

- with this inspection requirement, such failure may be deemed by Duke to warrant termination of this MOA.
- b. Interconnection Customer will adhere to the DER Functional Settings Guidance Document in completing Periodic Inspections, including confirming through remote query or direct field acquisition, settings of the Generating Facility's inverters, relays, and grid control devices.
 - c. Interconnection Customer will perform a "cease-to energize test" as part of the scope of each periodic MV Inspection of Generating Facilities. Duke will maintain the Interconnection Customer instructions to be used for performing this anti-islanding test consistent with Duke specifications on the TSRG website.

7. Maintenance of Right-Of-Way Access for Duke POI facilities

- a. At the time of initial MV Inspection, Interconnection Customer will provide one-time photographic documentation to Duke that ROW access for Duke POI facilities is being properly maintained in a manner consistent with Duke specifications applicable to Duke facilities and rights of way.
- b. As part of Interconnection Customer's Self-Administered Compliance Program, Interconnection Customer shall provide Duke with written documentation detailing Interconnection Customer's preventive maintenance plan for ROW access for which Interconnection Customer has legal control for Duke POI facilities.
- c. Duke will maintain the Duke ROW access and maintenance specifications, standards and requirements on the TSRG website and provide such information to Interconnection Customer upon request.

8. Compliance Audit Procedures under Self-Administered Compliance Program

- a. Interconnection Customer shall maintain reasonable documentation of compliance with the Self-Administered Compliance Program for at least three (3) years from any Initial Inspection or Periodic Inspection and shall provide such documentation to Duke or the Public Staff upon request.
- b. In addition to all rights under the NC IA, Duke also has the right to require a compliance audit of Interconnection Customer's compliance with this MOA and its Self-Administered Compliance Program. Interconnection Customer shall cooperate with Duke to resolve any identified deficiencies in Interconnection Customer's Self-Administered Compliance Program within 30 calendar days of written notice from Duke. Interconnection Customer will be responsible for Duke's costs of any compliance audit required under this Section, as provided for in NCIP Sections 6.5.3 and 6.5.4.
- c. Interconnection Customer and Duke agree that in the event Duke identifies any deficiencies in the execution and administration of the Self-Administered Compliance Program, Duke will provide Interconnection Customer with written notice and a

reasonable period of not less than 30 calendar days to cure any such deficiencies before terminating Duke's acceptance of this Self-Administered Compliance Program as meeting the requirements of NCIP Sections 6.5.2 and 6.5.3 and implementing a Duke Energy-Approved Third Party-Administered Inspection Program as set forth in Section 2.b.1.

9. Remediation

Interconnection Customer must remediate any deficiencies identified during the Initial Inspection or Period Inspections provided for under Section 5 and 6 of this MOA within thirty (30) calendar days of the inspection or propose a reasonable alternative timeline in which to complete such remediation subject to agreement by Duke. Duke shall provide written feedback within ten (10) calendar days addressing whether the proposed remediation timeline and plan is acceptable to Duke, such acceptance not to be unreasonably withheld. Interconnection Customer shall also provide written confirmation to Duke of completion of such remediation within ten (10) calendar days of completion. If the Interconnection Customer fails to undertake any required remediation within the applicable time period, the issue will be considered an adverse operating effect and, in Duke's discretion, may be considered an Event of Default under the NC IA between the Parties.

10. Dispute Resolution and Enforceability

- a. The Parties may also seek to resolve any dispute arising under this MOA pursuant to NC IA Article 10 prior to termination of the MOA. Each Party agrees to conduct all negotiations in good faith.
- b. In the event that the Parties are unable to reach agreement, where agreement is required, or the resulting document or requirement is not acceptable to the recipient party, where agreement is not required, either party may, by written notice to the other party, terminate this MOA, and the Parties will be released from all obligations thereunder. For the avoidance of doubt, termination of this MOA by either Party shall result in the Interconnection Customer again being subject to the Duke Energy-Approved Third Party Administered Inspection Program option.

11. Change in Ownership

Within thirty (30) days of a transfer of ownership or a change of control as described in NC IA Section 7.1, the Interconnection Customer shall provide Duke with written confirmation that it intends to continue operating under this MOA. If the Interconnection Customer fails to provide such written confirmation, the MOA will terminate, and the Interconnection Customer will be subject to the Duke Energy-Approved Third Party Administered Inspection Program. For the avoidance of doubt, a transfer of ownership or a change of control shall not be deemed as affecting (either accelerating or delaying) the schedule for Periodic Inspections, absent mutual agreement between the Parties.

12. Notice

Any notice required under this MOA shall be made in writing to the Designated Operating Representative of the Utility or the Interconnection Customer under Section 13.4 of the NC IA between the Parties.

13. Limitation

This MOA is limited to meeting the objectives and requirements of NCIP Sections 6.5.2, 6.5.3, and 6.5.4 and shall not be used or cited for any other purpose.

IN WITNESS WHEREOF, the Parties have signed, executed, and agreed to the foregoing Memorandum of Agreement on this ____ day of _____, 2022.

Duke Energy Carolinas, LLC and Duke Energy Progress, LLC

By: _____
Wesley O. Davis, P.E.
Director- DET Technical Standards & Operations

_____, in its authorized capacity on behalf of [Interconnection Customer]

By: _____

By: _____

ATTACHMENT B

Duke Energy NC Uninspected Facilities MOA Informational Meeting

March 2, 2022

OFFICIAL COPY

May 26 2022



WELCOME, SAFETY, & LOGISTICS

INTRODUCTION

Background & Meeting Purpose

October 8, 2021- NCUC issued Order directing Duke to work with NC Uninspected Facilities to develop self-inspection programs memorialized in a memoranda of agreement (MOA). After Order, Duke worked with stakeholders to develop MOA to use as a pro forma template for entering into MOAs with NC Uninspected Facilities.

February 11, 2022- NCUC issued Order that...

- (1) Found the Pro Forma MOA to be appropriate as a mechanism for Duke to assure adequate power quality and reliability for all Duke customers
- (2) Directed Duke to distribute the Pro Forma MOA on or before February 23
- (3) Directed NC Interconnection Customers that own Uninspected Facilities to execute the MOA on or before April 26

February 22, 2022- Duke distributed the Pro Forma MOA to NC Interconnection Customers that own Uninspected Facilities.

March 2, 2022 (Today)- Duke is hosting this meeting (1) to provide information to NC Uninspected Facilities about the MOA and relevant documentation on TSRG Website and (2) to address questions about the MOA and related inspection processes.

AGENDA

Topic

- Welcome, Safety, & Logistics

- Introduction

- Pro Forma MOA Overview

- Documents on TSRG Website

- FAQ

- Questions

- Recap & Next Steps

PRO FORMA MOA OVERVIEW

DOCUMENTATION ON TSRG WEBSITE

PV Interconnection Commissioning

- [Duke Energy PV Interconnection Commissioning, Version 7](#)

End-of-Year PV Commissioning Guidelines, 2021

- [Conditional Commissioning Process, Version 3](#)

Self-Inspection Memorandum Agreement (MOA) and Supporting Documents

- [The Duke-Strata MOA can be found in the reply comments filed to NCUC from Duke \(link\) and Strata \(link\), respectively](#)
- [DER Functional Setting Guidance Document, October 2021](#)
- [Example of DER Functional Settings Sheet](#)
- [Reference to Duke Energy comprehensive construction specifications](#)
- [Initial inspection and facility verification, November 2021](#)
- [Initial inspection and facility verification report template](#)
- [Cease-to-energize test \("Anti-islanding"\) test approach, November 2021](#)
- [Right-of-way access and maintenance of Duke POI, November 2021](#)
- [Example – Strata Clean Energy Self-administered compliance program](#)

Upcoming Meeting Information

Duke Energy TSRG Meeting

Regular schedule is quarterly: January, April, July, October

Generally the 3rd week, 9 a.m.-noon ET

Anyone may join the internet meeting or by phone and listen to the TSRG discussion.*

Click here and indicate that you would like to join the mailing list (please allow a few days to be added): [DER - Technical Standards](#)

* TSRG members may participate in discussions and non-members may listen. Members are engineers or technical personnel of DER owners, developers, and installers actively involved in the interconnection process or who have commercially operating facilities on the Duke Energy Carolinas or Duke Energy Progress systems in North Carolina or South Carolina.

Pro Forma MOA Template Sections:

- Section 3 - DER Functional Settings Guidance Document
 - DER functional settings sheet example
- Section 4(b)ii – Duke Energy Comprehensive Construction Specifications
- Section 5(c) – Interconnection Facility As-built Installation Evaluation specifications
 - As-built installation evaluation report template
- Section 5(d) – Cease-to-energize test approach
- Section 7 – Duke’s POI ROW access and maintenance specifications
- Section 2(b)ii – Example of Strata’s Self-administered Compliance Program document

FAQ

Q: Who must sign the Pro Forma MOA?

A: All NC Interconnection Customers that **own** Uninspected Facilities must sign the Pro Forma MOA and deliver the signed copy to Duke no later than April 26, 2022.

Q: How do I deliver my signed MOA(s) to Duke?

A: You can e-mail signed MOAs to DEROperations@duke-energy.com.

Q: Duke emailed me two versions of the Pro Forma MOA (one on 2/18/22, and one on 2/22/22), which one do I need to review and sign?

A: Please use the version of the Pro Forma MOA that Duke emailed on 2/22/22. In this updated version of the Pro Forma MOA, Duke revised the MOA execution deadline from February 1, 2022, as previously ordered by the North Carolina Utilities Commission, to April 26, 2022, as currently ordered by the North Carolina Utilities Commission.

FAQ CONTINUED

Q: Can I sign one MOA for the multiple NC Uninspected Facilities that I own?

A: No- You must sign one MOA for each NC Uninspected Facility that you own.

Q: How do I know if I own an NC Uninspected Facility?

A: NC Uninspected Facilities consist of all distribution connected, sell-all solar Generating Facilities with a nameplate capacity greater than or equal to 1MW that executed an Interconnection Agreement prior to June 14, 2019, and were interconnected prior to Duke's implementation of an inspection process under NCIP Section 6.5.2 and thus were not inspected prior to commencing parallel operation.

Owners of NC Uninspected Facilities can send inquiries regarding the status of one or more of their Generating Facilities to DEROperations@duke-energy.com.

QUESTIONS

RECAP & NEXT STEPS

Duke Support & Upcoming Deadline

- Additional questions can be emailed to DEROperations@duke-energy.com.
- Duke plans distribute a document to stakeholders within the next two weeks addressing any outstanding questions that were received during this meeting.
- As directed by the Order and subsequent Orders of the Commission in Docket No. E-100, Sub 101, all Interconnection Customers that own Uninspected Facilities must enter into a self-inspection agreement (“the Pro Forma MOA”) with Duke by no later than **April 26, 2022**, and must complete self-inspections of the Uninspected Facilities within three years from the date of execution of the agreement with Duke
 - Duke distributed the Pro Forma MOA to NC Interconnection Customers that own Uninspected Facilities on February 22, 2022.

ATTACHMENT C

UNINSPECTED FACILITIES SELF-INSPECTION AGREEMENT STATUS REPORT

List #1- Executed Pro Forma MOAs Electing Duke Energy-Approved Third Party Administered Inspection Program

Project Queue Number
CHKLIST-7673
CHKLIST-7678

List #2- Executed Pro Forma MOAs Electing Self-Administered Compliance Program

Project Queue Number
CHKLIST-7756
CHKLIST-7628
CHKLIST-2248
CHKLIST-7695
CHKLIST-7730
CHKLIST-2402
CHKLIST-7681
CHKLIST-3436
CHKLIST-7660
CHKLIST-0604
CHKLIST-2891
CHKLIST-7895
CHKLIST-7910
CHKLIST-2161
CHKLIST-7687
CHKLIST-7948
CHKLIST-1126
CHKLIST-7936
CHKLIST-7715
CHKLIST-2401
CHKLIST-0956
CHKLIST-7590
CHKLIST-3379
CHKLIST-0854

CHKLIST-7622
CHKLIST-8007
CHKLIST-7671
CHKLIST-7752
CHKLIST-7820
CHKLIST-7669
CHKLIST-7850
CHKLIST-7654
CHKLIST-2307
CHKLIST-7869
CHKLIST-7749
CHKLIST-2348
CHKLIST-7662
CHKLIST-7908
CHKLIST-7675
CHKLIST-7264
CHKLIST-7874
CHKLIST-7360
CHKLIST-1051
CHKLIST-2308
CHKLIST-7796
CHKLIST-7748
CHKLIST-7842
CHKLIST-7841
CHKLIST-7997
CHKLIST-8090
CHKLIST-8665
CHKLIST-3022
CHKLIST-8111
CHKLIST-7759
CHKLIST-7833
CHKLIST-7924
CHKLIST-1131
CHKLIST-8911
CHKLIST-7956

CHKLIST-7606
CHKLIST-7632
CHKLIST-0816
CHKLIST-2826
CHKLIST-7338
CHKLIST-7656
CHKLIST-7668
CHKLIST-3841
CHKLIST-7655
CHKLIST-7650
CHKLIST-2163
CHKLIST-7949
CHKLIST-7705
CHKLIST-7902
CHKLIST-7817
CHKLIST-7810
CHKLIST-8091
CHKLIST-2199
CHKLIST-7637
CHKLIST-1132
CHKLIST-2353
CHKLIST-7976
CHKLIST-7294
CHKLIST-7645
CHKLIST-7651
CHKLIST-7682
CHKLIST-7692
CHKLIST-7784
CHKLIST-7845
CHKLIST-7664
CHKLIST-7337
CHKLIST-7958
CHKLIST-11096
CHKLIST-7744
CHKLIST-7734

CHKLIST-7758
CHKLIST-3771
CHKLIST-7735
CHKLIST-2907
CHKLIST-7900
CHKLIST-7318
CHKLIST-7875
CHKLIST-7605
CHKLIST-3801
CHKLIST-7325
CHKLIST-7746
CHKLIST-7653
CHKLIST-7912
CHKLIST-0817
CHKLIST-8133
CHKLIST-8094
CHKLIST-7941
CHKLIST-7753
CHKLIST-7946
CHKLIST-7764
CHKLIST-3041
CHKLIST-2409
CHKLIST-0768
CHKLIST-1043
CHKLIST-0947
CHKLIST-2386
CHKLIST-2384
CHKLIST-2788
CHKLIST-2791
CHKLIST-7865
CHKLIST-7867
CHKLIST-7348
CHKLIST-7973
CHKLIST-7917
CHKLIST-7974

CHKLIST-2410
CHKLIST-7934
CHKLIST-7647
CHKLIST-7592
CHKLIST-7959
CHKLIST-7776
CHKLIST-7844
CHKLIST-7659
CHKLIST-7852
CHKLIST-7942
CHKLIST-2908
CHKLIST-7848
CHKLIST-7884
CHKLIST-7984
CHKLIST-7824
CHKLIST-7384
CHKLIST-7586
CHKLIST-8625
CHKLIST-0858
CHKLIST-8156
CHKLIST-7909
CHKLIST-3021
CHKLIST-2217
CHKLIST-0803
CHKLIST-7689
CHKLIST-8002
CHKLIST-7630
CHKLIST-7834
CHKLIST-7710
CHKLIST-5947
CHKLIST-7769
CHKLIST-8082
CHKLIST-7367
CHKLIST-3052
CHKLIST-7847

CHKLIST-0984
CHKLIST-0983
CHKLIST-3038
CHKLIST-0739
CHKLIST-7333
CHKLIST-3183
CHKLIST-7694
CHKLIST-0918
CHKLIST-7591
CHKLIST-7919
CHKLIST-7822
CHKLIST-7838
CHKLIST-7378
CHKLIST-7613
CHKLIST-7724
CHKLIST-7683
CHKLIST-7684
CHKLIST-7965
CHKLIST-7972
CHKLIST-7379
CHKLIST-0835
CHKLIST-7717
CHKLIST-7256
CHKLIST-7317
CHKLIST-7617
CHKLIST-7872
CHKLIST-7685
CHKLIST-3363
CHKLIST-8517
CHKLIST-1116
CHKLIST-7670
CHKLIST-7381
CHKLIST-9214
CHKLIST-7952
CHKLIST-7770

CHKLIST-7771
CHKLIST-7274
CHKLIST-7823
CHKLIST-7284
CHKLIST-7733
CHKLIST-9696
CHKLIST-7623
CHKLIST-8575
CHKLIST-8405
CHKLIST-2801
CHKLIST-7334
CHKLIST-7763
CHKLIST-1003
CHKLIST-7340
CHKLIST-7365
CHKLIST-7925
CHKLIST-7901
CHKLIST-7677
CHKLIST-7672
CHKLIST-7283
CHKLIST-7772
CHKLIST-7945
CHKLIST-7620
CHKLIST-7272
CHKLIST-2831
CHKLIST-2868
CHKLIST-2218
CHKLIST-8096
CHKLIST-7665
CHKLIST-7696
CHKLIST-7697
CHKLIST-7885
CHKLIST-7851
CHKLIST-3303
CHKLIST-1052

CHKLIST-7811
CHKLIST-7957
CHKLIST-7269
CHKLIST-8095
CHKLIST-3193
CHKLIST-7679
CHKLIST-7870
CHKLIST-7986
CHKLIST-7812
CHKLIST-7926
CHKLIST-2313
CHKLIST-3365
CHKLIST-7931
CHKLIST-2827
CHKLIST-7775
CHKLIST-7627
CHKLIST-7657
CHKLIST-7631
CHKLIST-7761
CHKLIST-7950
CHKLIST-7873
NC2016-00059
CHKLIST-7782
CHKLIST-3039
CHKLIST-7621
CHKLIST-7883
CHKLIST-7880
CHKLIST-7881
CHKLIST-7882
CHKLIST-0815
CHKLIST-7971
CHKLIST-7358
CHKLIST-7837
CHKLIST-0738
CHKLIST-7839

CHKLIST-7840
CHKLIST-7686
CHKLIST-7629
CHKLIST-7339
CHKLIST-7344
CHKLIST-7614
CHKLIST-7352
CHKLIST-7273
CHKLIST-7641
CHKLIST-7652
CHKLIST-7667
CHKLIST-7933
CHKLIST-3032
CHKLIST-7832
CHKLIST-0759
CHKLIST-8750
CHKLIST-7377
CHKLIST-7830
CHKLIST-8078
CHKLIST-3031
CHKLIST-6046
CHKLIST-7786
CHKLIST-7791
CHKLIST-7376
CHKLIST-2856
CHKLIST-7977
CHKLIST-7979

List #3- Un-Executed Pro Forma MOAs

Project Queue Number
CHKLIST-0746
CHKLIST-0655
CHKLIST-9654
CHKLIST-7615
CHKLIST-9065

CHKLIST-0382
CHKLIST-7279
CHKLIST-7793
CHKLIST-7593
CHKLIST-7863
CHKLIST-7915
CHKLIST-7905
CHKLIST-2177
CHKLIST-2857
CHKLIST-7267
CHKLIST-7292
CHKLIST-7342
CHKLIST-7355
CHKLIST-7356
CHKLIST-1107
CHKLIST-0401
CHKLIST-7597
CHKLIST-7766
CHKLIST-3033
CHKLIST-7205

ATTACHMENT D

PREVIOUSLY INSPECTED FACILITIES LIST

Project Queue Number
NC2016-02818
NC2016-02826
NC2016-02846
NC2016-02847
NC2016-02857
NC2016-02913
CHKLIST-8408
CHKLIST-8402
CHKLIST-7968
CHKLIST-8135
NC2016-02888
NC2016-02946
CHKLIST-8576
CHKLIST-10542
NC2015-00041
NC2016-02961
CHKLIST-3035
NC2016-02871
NC2016-00032
CHKLIST-8132
NC2016-00408
CHKLIST-8373
NC2016-00057
NC2016-00046
CHKLIST-8429
CHKLIST-7963
CHKLIST-9055
NC2015-00055
CHKLIST-8008
CHKLIST-8893
CHKLIST-8568
CHKLIST-8099

NC2015-00036
CHKLIST-7819
NC2016-00050
NC2016-02803
CHKLIST-8134
CHKLIST-10222
NC2016-02910
NC2016-02792
NC2016-02921
CHKLIST-8908
NC2016-02931
CHKLIST-10576
CHKLIST-9161
CHKLIST-3802
CHKLIST-7939
NC2016-00023
NC2016-02787
NC2016-02845
NC2015-00034
CHKLIST-8627
NC2016-02955
CHKLIST-8909
CHKLIST-8161
CHKLIST-8767
NC2016-02914
NC2016-02812
NC2016-02948
NC2016-02868
NC2016-02950
CHKLIST-10362
CHKLIST-8611
NC2016-02852
CHKLIST-9355
CHKLIST-7787
NC2015-00041-1

NC2016-02865
NC2016-00014
NC2015-00033
NC2016-02780
CHKLIST-9028
NC2016-02790
NC2015-00019
NC2015-00015
CHKLIST-7992
NC2015-00047
CHKLIST-8693
CHKLIST-9056
CHKLIST-7953
CHKLIST-8092
CHKLIST-7898
NC2015-00064
CHKLIST-7967
CHKLIST-8910
CHKLIST-8108
NC2016-02866
CHKLIST-9516
NC2015-00040
CHKLIST-7990
NC2016-02862
CHKLIST-8208
CHKLIST-3345
NC2016-00021
CHKLIST-8929
CHKLIST-9153
NC2016-00047
CHKLIST-5851
CHKLIST-7932
NC2016-00011
CHKLIST-8137
CHKLIST-8675

CHKLIST-8669
NC2015-00042
CHKLIST-8897
CHKLIST-9218
NC2016-02855
CHKLIST-9402
NC2016-00042
NC2016-02880
NC2016-02926
CHKLIST-7860
NC2016-02813
CHKLIST-10607
CHKLIST-10605
NC2016-02886
NC2016-02844
NC2016-02805
NC2016-02894
CHKLIST-9062
CHKLIST-9070
NC2017-02998
CHKLIST-8802
NC2017-02988
NC2016-02906
CHKLIST-9349
NC2016-00016
NC2016-00024
NC2016-02929
CHKLIST-8105
CHKLIST-10361
NC2016-02809
CHKLIST-8681
CHKLIST-8106
CHKLIST-8673
CHKLIST-7918
CHKLIST-10312

NC2016-02896
CHKLIST-7923
NC2016-02834
CHKLIST-8098
CHKLIST-8097
CHKLIST-7987
CHKLIST-9922
CHKLIST-3905
NC2016-02883
NC2016-02903
NC2016-02884
NC2016-02820
NC2016-02912
CHKLIST-8720
NC2016-02860
NC2016-02889
NC2017-03088
NC2015-00028-1
CHKLIST-8121
NC2016-02833
NC2016-00030
CHKLIST-9734
NC2016-02819
NC2016-02872
CHKLIST-3301
NC2015-00020
NC2016-02797
CHKLIST-9703
NC2016-02786
NC2016-02824
NC2016-00006
NC2016-02823
NC2016-02911
CHKLIST-8118
NC2016-02794

NC2016-02841
CHKLIST-9211
CHKLIST-9293
NC2016-00005
CHKLIST-9923
NC2016-02878
NC2015-00032
NC2016-02858
NC2016-02777
CHKLIST-7978
CHKLIST-9971

CERTIFICATE OF SERVICE

I hereby certify that a copy of *Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's Status Report Regarding Execution of Self-Inspection Agreements for Uninspected Facilities* as filed in Docket No. E-100, Sub 101 was served via electronic delivery or mailed, first-class, postage prepaid, upon all parties of record.

This, the 26th day of May, 2022.

/s/ E. Brett Breitschwerdt

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