

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**STAFF CONFERENCE AGENDA
December 14, 2020**

***IMPORTANT NOTE: STAFF CONFERENCE
WILL BE CONDUCTED VIA WEBEX.
INSTRUCTIONS FOR PARTICIPATION AND A LINK TO VIEW
THE MEETING WILL BE POSTED ON THE COMMISSION'S
WEBSITE, NCUC.NET***

COMMISSION STAFF

NO AGENDA ITEMS

PUBLIC STAFF

C. COMMUNICATIONS

- P1. FILING OF INTERCONNECTION AGREEMENT AMENDMENTS BY VERIZON SOUTH

D. ELECTRIC

- P1. DOCKET NO. E-2, SUB 1265 – DUKE ENERGY PROGRESS, LLC – APPLICATION FOR CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC CONVENIENCE AND NECESSITY AND MOTION FOR WAIVER OF NOTICE AND HEARING **EXHIBIT NO. P-1**
- P2. DOCKET NO. E-22, SUBS 476 AND 477 – DOMINION ENERGY NORTH CAROLINA – PETITIONS FOR APPROVAL OF A REVISED SERVICES AGREEMENT, REVISED AFFILIATE SERVICES AGREEMENTS, AND A REVISED FORM AFFILIATES SERVICES AGREEMENT **EXHIBIT NO. P-2**
- P3. DOCKET NO. SP-25199, SUB 0 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 500-kW SOLAR FACILITY IN SAMPSON COUNTY, NORTH CAROLINA **EXHIBIT NO. P-3**
- P4. DOCKET NO. SP-25199, SUB 1 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 500-kW SOLAR FACILITY IN RICHMOND COUNTY, NORTH CAROLINA **EXHIBIT NO. P-4**

- P5. DOCKET NO. SP-25199, SUB 2 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 5-MW SOLAR FACILITY IN GREENE COUNTY, NORTH CAROLINA **EXHIBIT NO. P-5**
- P6. DOCKET NO. SP-25199, SUB 3 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 500-kW SOLAR FACILITY IN WAKE COUNTY, NORTH CAROLINA **EXHIBIT NO. P-6**
- P7. DOCKET NO. SP-25199, SUB 4 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 2-MW SOLAR FACILITY IN HYDE COUNTY, NORTH CAROLINA **EXHIBIT NO. P-7**

E. WATER

- P1. DOCKET NO. W-354, SUB 381 – CAROLINA WATER SERVICE, INC. OF NORTH CAROLINA – REQUEST FOR TARIFF REVISION **EXHIBIT NO. P-8**

TO: Agenda – Commission Conference – December 14, 2020

FROM: PUBLIC STAFF – North Carolina Utilities Commission

C. COMMUNICATIONS

P1. FILING OF INTERCONNECTION AGREEMENT AMENDMENTS BY VERIZON SOUTH

EXPLANATION: The following interconnection agreement amendments were filed for Commission approval between September 30, 2020 and October 8, 2020:

Verizon South Inc. (Verizon South)

Docket No. P-19, Sub 545

Amendment filed on September 30, 2020, to an existing interconnection agreement with BullsEye Telecom, Inc., which was approved by the Commission in Docket No. P-19, Sub 455, on February 6, 2003. The amendment implements the changes mandated by the Federal Communications Commission (FCC) in two orders issued in WC Docket No. 18-141, specifically: FCC 19-66, released on July 12, 2019, and FCC 19-72, released on August 2, 2019 (collectively, “FCC UNE and Resale Forbearance Order”).

Docket No. P-19, Sub 546 – Amendment filed on September 30, 2020, to an existing interconnection agreement with Business Telecom, LLC, formerly Business Telecom, Inc., which was approved by the Commission in Docket No. P-19, Sub 413, on August 22, 2001. The amendment implements the changes mandated by the FCC UNE and Resale Forbearance Order.

Docket No. P-19, Sub 547 – Amendment filed on September 30, 2020, to an existing interconnection agreement with CenturyLink Communications, LLC, which was approved by the Commission in Docket No. P-19, Sub 346, on December 22, 1999. The amendment implements the changes mandated by the FCC UNE and Resale Forbearance Order.

Docket No. P-19, Sub 548 – Amendment filed on September 30, 2020, to an existing interconnection agreement with DeltaCom, LLC, formerly ITC^DeltaCom Communications, Inc., which was approved by the Commission on January 11, 2000, in Docket No. P-19, Sub 348. The amendment implements the changes mandated by the FCC UNE and Resale Forbearance Order.

Docket No. P-19, Sub 551 – Amendment filed on September 30, 2020, to an existing interconnection agreement with Level 3 Communications, LLC, which was approved by the Commission in Docket No. P-19, Sub 399, on April 25, 2001. The amendment implements the changes mandated by the FCC UNE and Resale Forbearance Order.

Docket No. P-19, Sub 552 – Amendment filed on September 30, 2020, to an existing interconnection agreement with Windstream New Edge, LLC, formerly New Edge Network, Inc., which was approved by the Commission on June 27, 2000, in Docket No. P-19, Sub 366. The amendment implements the changes mandated by the FCC UNE and Resale Forbearance Order.

Docket No. P-19, Sub 554 – Amendment filed on September 30, 2020, to an existing interconnection agreement with TelCove Operations, LLC, formerly TelCove Operations, Inc., which was approved by the Commission in Docket No. P-19, Sub 374, on July 27, 2000. The amendment implements the changes mandated by the FCC UNE and Resale Forbearance Order.

Docket No. P-19, Sub 555 – Amendment filed on September 30, 2020, to an existing interconnection agreement with US LEC of North Carolina, LLC, formerly US LEC of North Carolina Inc., which was approved by the Commission in Docket No. P-561, Sub 19. The amendment implements the changes mandated by the FCC UNE and Resale Forbearance Order.

Docket No. P-19, Sub 544 – Amendment filed on October 8, 2020, to an existing interconnection agreement with Comcast Phone of North Carolina, LLC, which was approved by the Commission on November 14, 2019. The amendment implements the changes mandated by the FCC UNE and Resale Forbearance Order.

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

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

RECOMMENDATION: (Proffitt) That orders be issued approving the amendments effective on the date they were filed. The Public Staff has provided a copy of the proposed orders to the Commission's Legal Staff.

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D. ELECTRIC

P1. DOCKET NO. E-2, SUB 1265 – DUKE ENERGY PROGRESS, LLC – APPLICATION FOR CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC CONVENIENCE AND NECESSITY AND MOTION FOR WAIVER OF NOTICE AND HEARING

EXPLANATION: On November 6, 2020, pursuant to N.C. Gen. Stat. §§ 62-101 and 62-102, and Commission Rule R8-62(k), Duke Energy Progress, LLC (DEP or the Company), prefiled with the Commission an application for a certificate of environmental compatibility and public convenience and necessity to relocate a transmission line near Wilson's Mills, North Carolina to avoid a conflict with the proposed US Highway 70 Corridor Improvement Project, as requested by the North Carolina Department of Transportation (NCDOT). The prefiled application stated that the relocation would affect 2,300 feet of the Lee Sub – Milburnie 230-kV line (Line).

Included in the prefiled application was a letter indicating the Company's intent to file a motion for waiver of the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104 and Commission Rule R8-62(e), as provided for in N.C.G.S. § 62-101(d)(1).

On December 1, 2020, DEP formally filed the application for a certificate and motion for waiver of notice and hearing.

N.C.G.S. § 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104 when it finds that the owners of the land to be crossed by the proposed transmission line do not object to the waiver and the transmission line is for the purpose of relocating an existing transmission line segment to resolve a highway or other public project conflict. The application states that the Company will relocate the Line on property for which it has acquired an easement from the property owner whose land will be crossed by the Line, and the property owners do not object to the waiver of notice or hearing. Thus, the conditions of N.C.G.S. § 62-101(d)(1) for a waiver of notice and hearing have been met. The application is also supported by a Certificate Application Report. This report satisfies the requirements of N.C.G.S. § 62-102(a)(4).

Based on its review, the Public Staff has determined that the application meets the requirements of N.C.G.S. § 62-102 and Commission Rule R8-62 for a certificate and the conditions of N.C.G.S. § 62-101(d)(1) for waiver of the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104. The Public Staff, therefore, recommends that the Commission grant the motion for waiver and issue the requested certificate.

EXHIBIT: A proposed order is attached as [Exhibit No. P1](#).

RECOMMENDATION: (T. Williamson/Creech) That the Commission issue an order waiving the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104 and issue the requested certificate for the proposed relocation of the Line for the purpose of avoiding a conflict with a NCDOT highway project.

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P2. DOCKET NO. E-22, SUBS 476 AND 477 – DOMINION ENERGY NORTH CAROLINA – PETITIONS FOR APPROVAL OF A REVISED SERVICES AGREEMENT, REVISED AFFILIATE SERVICES AGREEMENTS, AND A REVISED FORM AFFILIATES SERVICES AGREEMENT.

EXPLANATION: On October 6, 2020, Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina (DENC or the Company), filed two petitions requesting approval on or before December 31, 2020, of a revised services agreement with Dominion Energy Services, Inc. (DES), (Revised DES Services Agreement) and four revised affiliate services agreements (Revised Affiliate Services Agreements) in the above-captioned dockets (Petitions). DENC also requests approval of a revised form affiliates services agreement under which other affiliates not identified in the Company's petition (Future Affiliates) would be permitted to provide limited services to the Company subject to certain cost caps (Revised Form Affiliates Services Agreement). In the alternative, the Company requests interim authority to operate under the proposed revised agreements beginning January 1, 2021, until the Commission acts on the Petitions.

On December 8, 2020, the Company filed an Amended Revised DES Services Agreement, Amended Revised Affiliate Services Agreements, and an Amended Form Affiliates Services Agreement, which the Company indicates should supersede and replace the versions of the Agreements filed with the Petitions on October 6, 2020.

The Commission approved the currently operative agreements in its Order Accepting Affiliate Agreements for Filing and Allowing Payment of Compensation issued on January 18, 2019 (2019 Order). In its 2019 Order, the Commission approved the agreements subject to 24 enumerated regulatory conditions, including that the agreements were accepted and payment thereunder was authorized for two years, through December 31, 2020, and that the Company was not permitted to make changes to any of the agreements without prior filing with the Commission.

N.C. Gen. Stat. § 62-153(a) requires all public utilities to file copies of various types of contracts with affiliates, which the Commission may disapprove if after hearing the Commission finds the contract to be unjust or unreasonable and made for the purpose or with the effect of concealing, transferring or dissipating the earnings of the public utility. Under N.C.G.S. § 62-153(b), a public utility is required to obtain the Commission's approval to pay any fees, commissions, or compensation of any description whatsoever to any affiliated company for services rendered or to be rendered.

REVISED DES SERVICES AGREEMENT (SUB 476)

The currently operative Revised DES Services Agreement was approved by the Commission in its 2019 Order. The Commission accepted the agreement effective January 1, 2019, for a period of two years, or through December 31, 2020.

In its October 6, 2020 filing, DENC requests approval to implement new Revised DES Services Agreement for a three-year term with an effective date of January 1, 2021. The Revised DES Services Agreement is attached as Attachment A to the Petition, with a blacklined version attached as Attachment B, which reflects limited, non-substantive

revisions. Attachment C is a report from Patrick L. Baryenbruch, an outside consultant engaged by DENC to study the reasonableness of DES and other affiliate charges to the Company during 2019. Exhibit I to Attachment A of the Revised DES Services Agreement provides descriptions of services offered by DES. Exhibit II to Attachment A contains a list of services DENC agrees to receive from DES. Exhibit III to Attachment A describes the cost allocation method DES will utilize. Exhibit IV is an Agreement to Adhere and Protect CSOI (Confidential Systems Operation Information) and a list of CSOI.¹

The Company proposes only limited changes to the currently operative DES Services Agreement as follows: (1) to reflect a new three-year term with an effective date of January 1, 2021, and (2) to revise the description of certain categories of services the Company is to receive in order to be more explicit and specific.

In its December 8, 2020 filing, the Company indicates that it had determined after filing its Petition on October 6, 2020, that it will not require “dispatch, gas control, storage, drilling, integrity management and measurement” services as part of the Operations services provided by DES under the Revised DES Services Agreement, or “testing” services as part of the Corporate Planning services provided by DES under the Revised DES Services Agreement. The Company included clean and blacklined Amended Revised DES Services Agreement reflecting these changes.

REVISED AFFILIATE SERVICES AGREEMENTS AND REVISED FORM AFFILIATES SERVICES AGREEMENT (SUB 477)

In its 2019 Order, the Commission also accepted separate affiliate services agreements between DENC and each of six affiliates and a form services agreement for affiliates not listed in the petition, effective January 1, 2019, for a period of two years, or through December 31, 2020. The six affiliates are Dominion Generation, Inc. (DGI), Dominion Energy Kewaunee, Inc., Dominion Nuclear Connecticut, Inc. (Dominion Energy Nuclear Connecticut), Dominion Energy Technical Solutions, Inc. (Dominion Energy Technical Solutions), Dominion Energy Transmission, Inc., and Dominion Energy Fuel Services, Inc. (Dominion Energy Fuel Services).

In its October 6, 2020 filing, DENC requests approval to implement new Revised Affiliate Services Agreements between DENC and the following four affiliates: DGI, Dominion Energy Nuclear Connecticut, Dominion Energy Technical Solutions, and Dominion Energy Fuel Services (collectively, Affiliates). Clean and blacklined versions of the Revised Affiliate Services Agreement with each of the four Affiliates were provided as Attachments A through H to the Petition. Similarly, clean and a blacklined versions of a Revised Form Affiliates Services Agreement for use with Future Affiliates were provided as Attachments I and J, respectively, to the Petition. Exhibit I to the Revised Affiliate Services Agreements and Revised Form Affiliates Services Agreement provides descriptions of 14 centralized services offered by the Affiliates and to be offered by Future Affiliates to DENC. Exhibit II to the Revised Affiliate Services Agreements shows the services DENC agrees to receive from the Affiliates. Exhibit III to the Revised Affiliate

¹ In response to a Public Staff Data Request, DENC indicated that both the Agreement to Adhere and Protect CSOI and the list of CSOI were mistakenly labeled “Exhibit IV” and that the list of CSOI would be correctly labeled “Exhibit V” when the Company files executed copies of the accepted agreements.

Services Agreements and Revised Form Affiliates Services Agreement describes the rules and methods for determining the costs of rendering services of Affiliates and Future Affiliates, respectively. Exhibit IV to the Revised Affiliate Services Agreements and Revised Form Affiliates Services Agreement is an Agreement to Adhere and Protect CSOI, and Exhibit V to the Revised Affiliate Services Agreements and Revised Form Affiliates Services Agreement is a list of CSOI.

The Company is not proposing substantive changes to the current Revised Affiliate Services Agreements. The limited proposed changes reflect a three-year term with an effective date of January 1, 2021, and revise the descriptions of certain categories of services the Company is receiving that are consistent with the companion filing for approval of its Revised DES Services Agreement. With regard to Future Affiliates that would annually bill less than \$500,000 for any one service and less than \$2 million in total services per year to the Company, the Company requests the Commission grant continuation of the same future exemptions granted in Condition (17) of the 2019 Order. The Company states that it believes approval of the Revised Affiliate Services Agreements and the Revised Form Affiliates Services Agreement is in the public interest because no subsidization of affiliates will occur.

In its December 8, 2020 filing, the Company indicates that it had determined after filing its Petition on October 6, 2020, that it will not require “dispatch, gas control, storage, drilling, integrity management and measurement” services as part of the Operations services provided under the Revised Affiliate Services Agreements and Revised Form Affiliates Agreement, or “testing” services as part of the Corporate Planning services provided under the Revised Affiliate Services Agreements and Revised Form Affiliates Agreement. The Company included clean and blacklined versions of the Amended Revised Affiliate Services Agreements and of the Amended Revised Form Affiliates Agreement reflecting these changes.

The Public Staff is in the process of investigating and reviewing the Petitions to verify the Company’s assertions and is also awaiting receipt of the final order of the Virginia State Corporation Commission in this matter. However, based on its initial review, the Public Staff does not object to allowing the Company to operate under the proposed Amended Revised DES Services Agreement, Amended Revised Affiliate Services Agreements, and Amended Revised Form Affiliates Service Agreement on an interim basis. Once its review is complete, the Public Staff will present its final recommendations to the Commission through a filing or by presenting them at a future Regular Staff Conference. In the meantime, the Public Staff recommends that the Commission accept the Amended Revised DES Services Agreement, Amended Revised Affiliate Services Agreements, and Amended Revised Form Affiliates Service Agreement for filing and authorize the Company to operate under those Agreements as set forth in its Petitions on an interim basis. The Public Staff further recommends that the Commission’s Order state that, for ratemaking purposes, the Commission’s action does not constitute approval of the amount of compensation paid pursuant to the Agreements, and that the authority granted by the Order is without prejudice to the right of any party to take issue with any provision of the Agreements in a future proceeding.

EXHIBIT: The Public Staff’s proposed order is attached as [Exhibit No. P-2](#).

RECOMMENDATION: (Li/Boswell/McLawhorn/Jost) That the Commission (1) issue the proposed order accepting for filing the Amended Revised DES Services Agreement, Amended Revised Affiliate Services Agreements and Amended Revised Form Affiliates Service Agreement; (2) allow DENC to pay affiliates pursuant to those agreements on an interim basis, and; (3) state that, for ratemaking purposes, the Commission's action does not constitute approval of the amount of compensation paid pursuant to the Agreements, and that the authority granted by the Order is without prejudice to the right of any party to take issue with any provision of the Agreements in a future proceeding.

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P3. DOCKET NO. SP-25199, SUB 0 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 500-kW SOLAR FACILITY IN SAMPSON COUNTY, NORTH CAROLINA

EXPLANATION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 500-kW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 2000 Leroy Autry Road, Autryville, Sampson County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice. On July 30, 2020, the Commission issued an Errata Order to correct the docket number in the previously issued Public Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The Sampson Independent (Clinton, North Carolina) and The Sampson Weekly (Clinton, North Carolina), stating that the publication of notice was completed on September 5, 2020. No complaints have been received.

The Public Staff does not object to the waiver of pre-filed testimony. The Public Staff has reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61.

The registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff also recommends approval of the registration statement for the facility.

EXHIBIT: The Public Staff's proposed order is attached as [Exhibit No. P-3](#).

RECOMMENDATION: (Saillor) That the Commission issue the Public Staff's proposed order granting a waiver of the testimony requirement of Commission Rule R8-61(b), approving the application, issuing the requested certificate, and accepting the registration statement for this facility.

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P4. DOCKET NO. SP-25199, SUB 1 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 500-kW SOLAR FACILITY IN RICHMOND COUNTY, NORTH CAROLINA

EXPLANATION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 500-kW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 162 Cooperative Way, Hamlet, Richmond County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice. On July 30, 2020, the Commission issued an Errata Order to correct the docket number in the previously issued Public Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The Richmond County Daily Journal (Rockingham, North Carolina), stating that the publication of notice was completed on September 5, 2020. No complaints have been received.

The Public Staff does not object to the waiver of pre-filed testimony. The Public Staff has reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61.

The registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff also recommends approval of the registration statement for the facility.

EXHIBIT: The Public Staff's proposed order is attached as [Exhibit No. P-4](#).

RECOMMENDATION: (Saillor) That the Commission issue the Public Staff's proposed order granting a waiver of the testimony requirement of Commission Rule R8-61(b), approving the application, issuing the requested certificate, and accepting the registration statement for this facility.

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P5. DOCKET NO. SP-25199, SUB 2 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 5-MW SOLAR FACILITY IN GREENE COUNTY, NORTH CAROLINA

EXPLANATION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 5-MW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 3700 NC Highway 903, Snow Hill, Greene County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The Standard (Snow Hill, North Carolina), stating that the publication of notice was completed on September 3, 2020. No complaints have been received.

The Public Staff does not object to the waiver of pre-filed testimony. The Public Staff has reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61.

The registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff also recommends approval of the registration statement for the facility.

EXHIBIT: The Public Staff's proposed order is attached as [Exhibit No. P-5](#).

RECOMMENDATION: (Saillor) That the Commission issue the Public Staff's proposed order granting a waiver of the testimony requirement of Commission Rule R8-61(b), approving the application, issuing the requested certificate, and accepting the registration statement for this facility.

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P6. DOCKET NO. SP-25199, SUB 3 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 500-kW SOLAR FACILITY IN WAKE COUNTY, NORTH CAROLINA

EXPLANATION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 500-kW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 7101 Zebulon Road, Wake Forest, Wake County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The News and Observer (Raleigh, North Carolina) and The Franklin Times (Louisburg, North Carolina), stating that the publication of notice was completed on September 4, 2020. No complaints have been received.

The Public Staff does not object to the waiver of pre-filed testimony. The Public Staff has reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61.

The registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff also recommends approval of the registration statement for the facility.

EXHIBIT: The Public Staff's proposed order is attached as [Exhibit No. P-6](#).

RECOMMENDATION: (Saillor) That the Commission issue the Public Staff's proposed order granting a waiver of the testimony requirement of Commission Rule R8-61(b), approving the application, issuing the requested certificate, and accepting the registration statement for this facility.

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P7. DOCKET NO. SP-25199, SUB 4 – MEMBER EMC SOLAR FIVE, LLC – APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A 2-MW SOLAR FACILITY IN HYDE COUNTY, NORTH CAROLINA

EXPLANATION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 2-MW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 1560 Hyde Park Canal, Pantego, Hyde County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The Washington Daily News (Washington, North Carolina), stating that the publication of notice was completed on September 4, 2020. No complaints have been received.

The Public Staff does not object to the waiver of pre-filed testimony. The Public Staff has reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61.

The registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff also recommends approval of the registration statement for the facility.

EXHIBIT: The Public Staff's proposed order is attached as [Exhibit No. P-7](#).

RECOMMENDATION: (Saillor) That the Commission issue the Public Staff's proposed order granting a waiver of the testimony requirement of Commission Rule R8-61(b), approving the application, issuing the requested certificate, and accepting the registration statement for this facility.

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E. WATER

P1. DOCKET NO. W-354, SUB 381 – CAROLINA WATER SERVICE, INC. OF NORTH CAROLINA – REQUEST FOR TARIFF REVISION

EXPLANATION: On November 24, 2020, Carolina Water Service, Inc. of North Carolina (CWSNC or Company), filed a letter with the Commission pursuant to N.C. Gen. Stat. § 62-133.11, requesting authority to amend its tariff for the purpose of passing along to water customers in its Whispering Pines service area in Moore County an increase in the cost of purchasing water service from the Town of Southern Pines. N.C.G.S. § 62-133.11(a) provides that the Commission shall allow a water or sewer utility to adjust its rates approved pursuant to N.C.G.S. § 62-133 to reflect changes in its costs based solely on changes in the rates imposed by third-party suppliers of purchased water or sewer service.

CWSNC states that effective January 1, 2021, the Town of Southern Pines will be increasing its usage charge for water service by \$0.10 per 1,000 gallons, increasing the rate from \$3.28 to \$3.38 per 1,000 gallons.

The Public Staff – North Carolina Utilities Commission (Public Staff) has reviewed the Town of Southern Pines' current rates and recommends that CWSNC's request for a tariff revision be approved.

The new rate would increase the average residential monthly bill from \$44.27 to \$44.74, based on an average usage of 4,680 gallons as found in Exhibits 4 and 6 of the Testimony of Gina Y. Casselberry filed on November 4, 2019, in Docket No. W-354, Sub 364.

EXHIBIT: A proposed order is attached as [Exhibit No. P-8](#).

RECOMMENDATION: (Darden/Feasel/Holt) That the proposed order be issued approving the recommended tariff revision.

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1265

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Duke Energy Progress, LLC, for a)
Certificate of Environmental Compatibility and Public) ORDER WAIVING NOTICE
Convenience and Necessity and Motion for Waiver) AND HEARING
of Notice and Hearing Pursuant to N.C. Gen. Stat.) REQUIREMENT AND
§§ 62-100 et seq. to Relocate a Transmission Line in) ISSUING CERTIFICATE
Johnston County, North Carolina Due to Highway)
Project)

BY THE COMMISSION: On November 6, 2020, pursuant to N.C. Gen. Stat. §§ 62-101 and 62-102, and Commission Rule R8-62(k), Duke Energy Progress, LLC (DEP or the Company), prefled with the Commission an application for a certificate of environmental compatibility and public convenience and necessity to relocate a transmission line near Wilson's Mills, North Carolina to avoid a conflict with the proposed US Highway 70 corridor improvement project, as requested by the North Carolina Department of Transportation (NCDOT). The prefled application stated that the relocation would affect 2,300 feet of the Lee Sub - Milburnie 230-kV line (Line). Included in the prefled application was a letter indicating the Company's intent to file a motion for waiver of the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104, and Commission Rule R8-62(e), as provided for in N.C.G.S. § 62-101(d)(1). As detailed in DEP's prefled certificate application, the Company will relocate the Line on property for which it has purchased the right of way from the property owners, and the property owners do not object to a waiver of the hearing and notice requirements of N.C.G.S. §§ 62-102 and 62-104.

On December 1, 2020 DEP formally filed the application for a certificate and motion for waiver of notice and hearing.

N.C.G.S. § 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104 when it finds that the owners of the land to be crossed by the proposed transmission line do not object to the waiver and the transmission line is for the purpose of relocating an existing transmission line segment to resolve a highway or other public project conflict. The application stated that the Company will relocate the Line on property for which it has acquired an easement from the property owner whose land will be crossed by the Line, and the property owners do

not object to the waiver of notice or hearing. Thus, the conditions of N.C.G.S. § 62-101(d)(1) for a waiver of notice and hearing have been met. The application is also supported by a Certificate Application Report. This report satisfies the requirements of N.C.G.S. § 62-102(a).

The Public Staff presented this matter at the Commission's regular Staff Conference on December 21, 2020. The Public Staff stated that the application meets the requirements of N.C.G.S. § 62-102 and Commission Rule R8-62 for a certificate and the conditions of N.C.G.S. § 62-101(d)(1) for waiver of the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104. The Public Staff recommended that the Commission grant the motion for waiver and issue the requested certificate.

Based on the foregoing and the recommendation of the Public Staff, the Commission finds and concludes that the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104 should be waived as allowed by N.C.G.S. § 62-101(d)(1) and that a certificate of environmental compatibility and public convenience and necessity should be issued for the proposed relocation of the Line for the purpose of resolving a conflict with a NCDOT highway project.

IT IS, THEREFORE, ORDERED as follows:

1. That, pursuant to N.C.G.S. § 62-101, the requirement for publication of notice and hearing is waived.

2. That, pursuant to N.C.G.S. § 62-102, a Certificate of Environmental Compatibility and Public Convenience and Necessity to relocate approximately 2,300 feet of the Lee Sub - Milburnie 230-kV line in Johnston County, North Carolina, as described in DEP's application is issued, and the same is attached as Appendix A.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1265

Know All People by These Presents, That

DUKE ENERGY PROGRESS, LLC

is hereby issued this

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC
CONVENIENCE AND NECESSITY PURSUANT TO N.C. GEN. STAT. § 62-102

to relocate approximately 2,300 feet of the
Lee Sub - Milburnie 230-kV transmission line
in Johnston County, North Carolina

subject to receipt of all federal and state permits as required by existing and
future regulations prior to beginning construction and further subject to all other orders,
rules, regulations, and conditions as are now or may hereafter be lawfully made by the
North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-22, SUB 476
DOCKET NO. E-22, SUB 477

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Petitions of Virginia Electric and Power)
Company, d/b/a Dominion Energy North) ORDER ON AFFILIATE
Carolina for Approval of a Revised Services) AGREEMENTS
Agreement and Revised Affiliate Services)
Agreements)

BY THE COMMISSION: On October 6, 2020, Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina (DENC or the Company), filed two petitions requesting approval on or before December 31, 2020, of a revised services agreement with Dominion Energy Services, Inc. (DES), (Revised DES Services Agreement) and four revised affiliate services agreements (Revised Affiliate Services Agreements) in the above-captioned dockets (Petitions). DENC also requests approval of a revised form affiliates services agreement under which other affiliates not identified in the Company's petition (Future Affiliates) would be permitted to provide limited services to the Company subject to certain cost caps (Revised Form Affiliates Services Agreement). In the alternative, the Company requests interim authority to operate under the proposed revised agreements beginning January 1, 2021, until the Commission acts on the Petitions.

On December 8, 2020, the Company filed an Amended Revised DES Services Agreement, Amended Revised Affiliate Services Agreements, and an Amended Form Affiliates Services Agreement, which the Company indicated should supersede and replace the versions of the Agreements filed with the Petitions on October 6, 2020.

The Commission approved the currently operative agreements in its Order Accepting Affiliate Agreements for Filing and Allowing Payment of Compensation issued on January 18, 2019 (2019 Order). In its 2019 Order, the Commission approved the agreements subject to 24 enumerated regulatory conditions, including that the agreements were accepted and payment thereunder was authorized for two years, through December 31, 2020, and that the Company was not permitted to make changes to any of the agreements without prior filing with the Commission.

N.C. Gen. Stat. § 62-153(a) requires all public utilities to file copies of various types of contracts with affiliates, which the Commission may disapprove if after hearing the Commission finds the contract to be unjust or unreasonable and made for the purpose or with the effect of concealing, transferring, or dissipating the earnings of the public utility. Under N.C.G.S. § 62-153(b), a public utility is required to obtain the Commission's approval to pay any fees, commissions, or compensation of any description whatsoever to any affiliated company for services rendered or to be rendered.

REVISED DES SERVICES AGREEMENT (SUB 476)

The currently operative Revised DES Services Agreement was approved by the Commission in its 2019 Order. The Commission accepted the agreement effective January 1, 2019, for a period of two years, or through December 31, 2020.

In its October 6, 2020 filing, DENC requested approval to implement a new Revised DES Services Agreement for a three-year term with an effective date of January 1, 2021. The Revised DES Services Agreement is attached as Attachment A to the Petition, with a blacklined version attached as Attachment B, which reflects limited, non-substantive revisions. Attachment C is a report from Patrick L. Baryenbruch, an outside consultant engaged by DENC to study the reasonableness of DES and other affiliate charges to the Company during 2019. Exhibit I to Attachment A of the Revised DES Services Agreement provides descriptions of services offered by DES. Exhibit II to Attachment A contains a list of services DENC agrees to receive from DES. Exhibit III to Attachment A describes the cost allocation method DES will utilize. Exhibit IV is an Agreement to Adhere and Protect CSOI (Confidential Systems Operation Information) and a list of CSOI.²

The Company is proposing only limited changes to the currently operative DES Services Agreement as follows: (1) to reflect a new three-year term with an effective date of January 1, 2021, and (2) to revise the description of certain categories of services that the Company is to receive in order to be more explicit and specific.

In its December 8, 2020 filing, the Company indicated that it had determined after filing its Petition on October 6, 2020, that it will not require "dispatch, gas control, storage, drilling, integrity management and measurement" services as part of the Operations services provided by DES under the Revised DES Services Agreement, or "testing" services as part of the Corporate Planning services provided by DES under the Revised DES Services Agreement. The Company included clean and blacklined Amended Revised DES Services Agreement reflecting these changes.

² In response to a Public Staff Data Request, DENC indicated that both the Agreement to Adhere and Protect CSOI and the list of CSOI were mistakenly labeled "Exhibit IV" and that the list of CSOI would be correctly labeled "Exhibit V" when the Company files executed copies of the accepted agreements.

REVISED AFFILIATE SERVICES AGREEMENTS AND REVISED FORM AFFILIATES
SERVICES AGREEMENT (SUB 477)

In its 2019 Order, the Commission also accepted separate affiliate services agreements between DENC and each of six affiliates and a form services agreement for affiliates not listed in the petition effective January 1, 2019, for a period of two years, or through December 31, 2020. The six Affiliates are Dominion Generation, Inc. (DGI), Dominion Energy Kewaunee, Inc., Dominion Energy Nuclear Connecticut, Inc. (Dominion Energy Nuclear Connecticut), Dominion Energy Technical Solutions, Inc. (Dominion Energy Technical Solutions), Dominion Energy Transmission, Inc., and Dominion Energy Fuel Services, Inc. (Dominion Energy Fuel Services).

In its October 6, 2020 filing, DENC requested approval to implement new Revised Affiliate Services Agreements between DENC and the following four affiliates: DGI, Dominion Energy Nuclear Connecticut, Dominion Energy Technical Solutions, and Dominion Energy Fuel Services (collectively, Affiliates). Clean and blacklined versions of the Revised Affiliate Services Agreement with each of the four Affiliates were provided as Attachments A through H to the Petition. Similarly, clean and blacklined versions of a Revised Form Affiliates Services Agreement for use with Future Affiliates were provided as Attachments I and J, respectively, to the Petition. Exhibit I to the Revised Affiliate Services Agreements and Revised Form Affiliates Services Agreement provides descriptions of 14 centralized services offered by the Affiliates and to be offered by Future Affiliates to DENC. Exhibit II to the Revised Affiliate Services Agreements shows the services DENC agrees to receive from the Affiliates. Exhibit III to the Revised Affiliate Services Agreements and Revised Form Affiliates Services Agreement describes the rules methods for determining the costs of rendering services of Affiliates and Future Affiliates, respectively. Exhibit IV to the Revised Affiliate Services Agreements and Revised Form Affiliates Services Agreement is an Agreement to Adhere and Protect CSOI, and Exhibit V to the Revised Affiliate Services Agreements and Revised Form Affiliates Services Agreement is a list of CSOI.

The Company is not proposing substantive changes to the current Revised Affiliate Services Agreements. The limited proposed changes reflect a three-year term with an effective date of January 1, 2021, and revise the descriptions of certain categories of services the Company is receiving that are consistent with the companion filing for approval of its Revised DES Services Agreement. With regard to Future Affiliates that would annually bill less than \$500,000 of any one service and less than \$2 million in total services per year to the Company, the Company requested the Commission grant continuation of the same future exemptions granted in Condition (17) of the 2019 Order. The Company stated that it believes approval of the Revised Affiliate Services Agreements and the Revised Form Affiliates Services Agreement is in the public interest because no subsidization of affiliates will occur.

In its December 8, 2020 filing, the Company indicated that it had determined after filing its Petition on October 6, 2020, that it will not require “dispatch, gas control, storage, drilling, integrity management and measurement” services as part of the Operations services provided under the Revised Affiliate Services Agreements and Revised Form Affiliates Agreement, or “testing” services as part of the Corporate Planning services provided under the Revised Affiliate Services Agreements and Revised Form Affiliates Agreement. The Company included clean and blacklined versions of the Amended Revised Affiliate Services Agreements of the Amended Revised Form Affiliates Agreement reflecting these changes.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on December 14, 2020. The Public Staff stated that it was in the process of its investigation and review of the Petitions to verify the Company’s assertions and is also awaiting receipt of the final order of the Virginia State Corporation Commission in this matter. However, based on its initial review, the Public Staff did not object to allowing the Company to operate under the proposed Amended Revised DES Services Agreement, Amended Revised Affiliate Services Agreements, and Amended Revised Form Affiliates Services Agreement on an interim basis. The Public Staff further stated that, once its review is complete, it will present its final recommendations to the Commission through a filing or by presenting them at a future Regular Staff Conference. The Public Staff recommended that, in the meantime, the Commission accept the Amended Revised DES Services Agreement, Amended Revised Affiliate Services Agreements, and Amended Revised Form Affiliates Agreement for filing and authorize the Company to operate under those Agreements as set forth in its Petitions on an interim basis. The Public Staff further recommended that the Commission’s Order state that, for ratemaking purposes, the Commission’s action does not constitute approval of the amount of compensation paid pursuant to the Agreements, and that the authority granted by the Order is without prejudice to the right of any party to take issue with any provision of the Agreements in a future proceeding.

Based upon the foregoing, the Commission concludes that the Public Staff’s recommendations should be accepted.

IT IS, THEREFORE, ORDERED as follows:

1. That the Amended Revised DES Services Agreement is accepted for filing on an interim basis;
2. That the four Amended Revised Affiliate Services Agreements are accepted for filing on an interim basis;
3. That the Amended Revised Form Affiliates Services Agreement is accepted for filing on an interim basis; and

4. That for ratemaking purposes, this action does not constitute approval of the amount of compensation paid pursuant to the revised agreements, and that the authority granted is without prejudice to the right of any party to take issue with any provision of the Agreements in a future proceeding.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Member EMC Solar Five, LLC,) ORDER ISSUING CERTIFICATE
for a Certificate of Public Convenience and) AND ACCEPTING
Necessity to Construct a 500-kW Solar Facility) REGISTRATION OF NEW
in Sampson County, North Carolina) RENEWABLE ENERGY FACILITY

BY THE COMMISSION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 500-kW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 2000 Leroy Autry Road, Autryville, Sampson County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice. On July 30, 2020, the Commission issued an Errata Order to correct the docket number in the previously issued Public Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse

review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The Sampson Independent (Clinton, North Carolina) and The Sampson Weekly (Clinton, North Carolina), stating that the publication of notice was completed on September 5, 2020. No complaints have been received.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on December 14, 2020. The Public Staff stated that it did not object to the waiver of pre-filed testimony. The Public Staff also stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61(b). The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to grant the request to waive pre-filed testimony, approve the application, and issue the attached certificate for the proposed solar PV electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept the registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and is required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

1. That Member EMC Solar Five, LLC, is granted a waiver of the testimony requirement of Commission Rule R8-61(b).
2. That a certificate of public convenience and necessity shall be, and is hereby, issued to Member EMC Solar Five, LLC, for the construction of a 500-kW_{AC} solar PV electric generating facility to be located at 2000 Leroy Autry Road, Autryville, Sampson County, North Carolina.
3. That Appendix A hereto shall constitute the certificate of public convenience and necessity issued for the facility.

4. That the registration statement filed by Member EMC Solar Five, LLC, for its solar PV electric generating facility to be located at 2000 Leroy Autry Road, Autryville, Sampson County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.

5. That Member EMC Solar Five, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

APPENDIX A

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, Sub 0

Member EMC Solar Five, LLC
3400 Sumner Boulevard
Raleigh, North Carolina 27616

is hereby issued this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. Gen. Stat. § 62-110.1

for a 500-kW_{AC} solar photovoltaic electric generating facility

located

at 2000 Leroy Autry Road, Autryville, Sampson County, North Carolina

subject to all orders, rules, regulations, and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Member EMC Solar Five, LLC,) ORDER ISSUING CERTIFICATE
for a Certificate of Public Convenience and) AND ACCEPTING
Necessity to Construct a 500-kW Solar Facility) REGISTRATION OF NEW
in Richmond County, North Carolina) RENEWABLE ENERGY FACILITY

BY THE COMMISSION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 500-kW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 162 Cooperative Way, Hamlet, Richmond County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice. On July 30, 2020, the Commission issued an Errata Order to correct the docket number in the previously issued Public Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse

review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The Richmond County Daily Journal (Rockingham, North Carolina), stating that the publication of notice was completed on September 5, 2020. No complaints have been received.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on December 14, 2020. The Public Staff stated that it did not object to the waiver of pre-filed testimony. The Public Staff also stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61(b). The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to grant the request to waive pre-filed testimony, approve the application, and issue the attached certificate for the proposed solar PV electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept the registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and is required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

6. That Member EMC Solar Five, LLC, is granted a waiver of the testimony requirement of Commission Rule R8-61(b).

7. That a certificate of public convenience and necessity shall be, and is hereby, issued to Member EMC Solar Five, LLC, for the construction of a 500-kW_{AC} solar PV electric generating facility to be located at 162 Cooperative Way, Hamlet, Richmond County, North Carolina.

8. That Appendix A hereto shall constitute the certificate of public convenience and necessity issued for the facility.

9. That the registration statement filed by Member EMC Solar Five, LLC, for its solar PV electric generating facility to be located at 162 Cooperative Way, Hamlet, Richmond County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.

10. That Member EMC Solar Five, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, Sub 1

Member EMC Solar Five, LLC
3400 Sumner Boulevard
Raleigh, North Carolina 27616

is hereby issued this

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. Gen. Stat. § 62-110.1**

for a 500-kW_{AC} solar photovoltaic electric generating facility

located

at 162 Cooperative Way, Hamlet, Richmond County, North Carolina

subject to all orders, rules, regulations, and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, SUB 2

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Member EMC Solar Five, LLC,) ORDER ISSUING CERTIFICATE
for a Certificate of Public Convenience and) AND ACCEPTING
Necessity to Construct a 5-MW Solar Facility in) REGISTRATION OF NEW
Greene County, North Carolina) RENEWABLE ENERGY FACILITY

BY THE COMMISSION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 5-MW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 3700 NC Highway 903, Snow Hill, Greene County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse

review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The Standard (Snow Hill, North Carolina), stating that the publication of notice was completed on September 3, 2020. No complaints have been received.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on December 14, 2020. The Public Staff stated that it did not object to the waiver of pre-filed testimony. The Public Staff also stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61(b). The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to grant the request to waive pre-filed testimony, approve the application, and issue the attached certificate for the proposed solar PV electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept the registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and is required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

11. That Member EMC Solar Five, LLC, is granted a waiver of the testimony requirement of Commission Rule R8-61(b).

12. That a certificate of public convenience and necessity shall be, and is hereby, issued to Member EMC Solar Five, LLC, for the construction of a 5-MW_{AC} solar PV electric generating facility to be located at 3700 NC Highway 903, Snow Hill, Greene County, North Carolina.

13. That Appendix A hereto shall constitute the certificate of public convenience and necessity issued for the facility.

14. That the registration statement filed by Member EMC Solar Five, LLC, for its solar PV electric generating facility to be located at 3700 NC Highway 903, Snow Hill, Greene County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.

15. That Member EMC Solar Five, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

APPENDIX A

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, Sub 2

Member EMC Solar Five, LLC
3400 Sumner Boulevard
Raleigh, North Carolina 27616

is hereby issued this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. Gen. Stat. § 62-110.1

for a 5-MW_{AC} solar photovoltaic electric generating facility

located

at 3700 NC Highway 903, Snow Hill, Greene County, North Carolina

subject to all orders, rules, regulations, and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

[Back to Agenda](#)

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, SUB 3

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Member EMC Solar Five, LLC,) ORDER ISSUING CERTIFICATE
for a Certificate of Public Convenience and) AND ACCEPTING
Necessity to Construct a 500-kW Solar Facility) REGISTRATION OF NEW
in Wake County, North Carolina) RENEWABLE ENERGY FACILITY

BY THE COMMISSION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 500-kW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 7101 Zebulon Road, Wake Forest, Wake County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse

review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The News and Observer (Raleigh, North Carolina) and The Franklin Times (Louisburg, North Carolina), stating that the publication of notice was completed on September 4, 2020. No complaints have been received.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on December 14, 2020. The Public Staff stated that it did not object to the waiver of pre-filed testimony. The Public Staff also stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61(b). The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to grant the request to waive pre-filed testimony, approve the application, and issue the attached certificate for the proposed solar PV electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept the registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and is required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

16. That Member EMC Solar Five, LLC, is granted a waiver of the testimony requirement of Commission Rule R8-61(b).

17. That a certificate of public convenience and necessity shall be, and is hereby, issued to Member EMC Solar Five, LLC, for the construction of a 500-kW_{AC} solar PV electric generating facility to be located at 7101 Zebulon Road, Wake Forest, Wake County, North Carolina.

18. That Appendix A hereto shall constitute the certificate of public convenience and necessity issued for the facility.

EXHIBIT NO. P-6
PAGE 3 OF 4

19. That the registration statement filed by Member EMC Solar Five, LLC, for its solar PV electric generating facility to be located at 7101 Zebulon Road, Wake Forest, Wake County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.

20. That Member EMC Solar Five, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

APPENDIX A

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, Sub 3

Member EMC Solar Five, LLC
3400 Sumner Boulevard
Raleigh, North Carolina 27616

is hereby issued this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. Gen. Stat. § 62-110.1

for a 500-kW_{AC} solar photovoltaic electric generating facility

located

at 7101 Zebulon Road, Wake Forest, Wake County, North Carolina

subject to all orders, rules, regulations, and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, SUB 4

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Member EMC Solar Five, LLC,) ORDER ISSUING CERTIFICATE
for a Certificate of Public Convenience and) AND ACCEPTING
Necessity to Construct a 2-MW Solar Facility in) REGISTRATION OF NEW
Hyde County, North Carolina) RENEWABLE ENERGY FACILITY

BY THE COMMISSION: On July 27, 2020, Member EMC Solar Five, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61 for the construction of a 2-MW_{AC} solar photovoltaic (PV) electric generating facility with an AC-coupled battery energy storage system to be located at 1560 Hyde Park Canal, Pantego, Hyde County, North Carolina. The Applicant plans to sell the electricity produced by the facility to the North Carolina Electric Membership Corporation (NCEMC). In its cover letter, the Applicant opined that there was no need for additional information in order for the Public Staff or Commission Staff to evaluate the project, and therefore requested that the Commission waive the pre-filed testimony requirement of Commission Rule R8-61(b).

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility or new renewable energy facility. The registration statement included certified attestations that: (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C. Gen. Stat. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On July 29, 2020, the Commission issued an Order Requiring Publication of Notice.

On September 3, 2020, the State Clearinghouse filed comments. The cover letter indicated that, because of the nature of the comments, no further State Clearinghouse

review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On September 22, 2020, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on July 30, 2020.

Also on September 22, 2020, the Applicant filed an affidavit of publication from The Washington Daily News (Washington, North Carolina), stating that the publication of notice was completed on September 4, 2020. No complaints have been received.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on December 14, 2020. The Public Staff stated that it did not object to the waiver of pre-filed testimony. The Public Staff also stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C. Gen. Stat. § 62-110.1(a) and Commission Rule R8-61(b). The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to grant the request to waive pre-filed testimony, approve the application, and issue the attached certificate for the proposed solar PV electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept the registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and is required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

21. That Member EMC Solar Five, LLC, is granted a waiver of the testimony requirement of Commission Rule R8-61(b).

22. That a certificate of public convenience and necessity shall be, and is hereby, issued to Member EMC Solar Five, LLC, for the construction of a 2-MW_{AC} solar PV electric generating facility to be located at 1560 Hyde Park Canal, Pantego, Hyde County, North Carolina.

23. That Appendix A hereto shall constitute the certificate of public convenience and necessity issued for the facility.

24. That the registration statement filed by Member EMC Solar Five, LLC, for its solar PV electric generating facility to be located at 1560 Hyde Park Canal, Pantego, Hyde County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.

25. That Member EMC Solar Five, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

APPENDIX A

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-25199, Sub 4

Member EMC Solar Five, LLC
3400 Sumner Boulevard
Raleigh, North Carolina 27616

is hereby issued this

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. Gen. Stat. § 62-110.1**

for a 2-MW_{AC} solar photovoltaic electric generating facility

located

at 1560 Hyde Park Canal, Pantego, Hyde County, North Carolina

subject to all orders, rules, regulations, and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 381

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application of Carolina Water Service, Inc. of North)	ORDER APPROVING
Carolina, 4944 Parkway Plaza Boulevard, Suite 375,)	TARIFF REVISION AND
Charlotte, North Carolina, 28217, for Authority to)	REQUIRING CUSTOMER
Amend Its Tariff to Increase Rates for Providing)	NOTICE
Water Utility Service in Its Service Area in Moore)	
County, North Carolina)	

BY THE COMMISSION: On November 24, 2020, Carolina Water Service, Inc. of North Carolina (CWSNC or Company), filed a letter with the Commission pursuant to N.C. Gen. Stat. § 62-133.11, requesting authority to amend its tariff for the purpose of passing along to water customers in its Whispering Pines service area in Moore County an increase in the cost of purchasing water service from the Town of Southern Pines. N.C.G.S. § 62-133.11(a) provides that the Commission shall allow a water or sewer utility to adjust its rates approved pursuant to N.C.G.S. § 62-133 to reflect changes in its costs based solely on changes in the rates imposed by third-party suppliers of purchased water or sewer service. The Town of Southern Pines' new rate becomes effective January 1, 2021.

CWSNC stated that effective January 1, 2021, the Town of Southern Pines will be increasing its usage charge for water service by \$0.10 per 1,000 gallons, increasing the rate from \$3.28 to \$3.38 per 1,000 gallons.

The Public Staff – North Carolina Utilities Commission (Public Staff) presented this matter at the Commission's Regular Staff Conference on December 14, 2020. The Public Staff stated that it had reviewed the Town of Southern Pines' current rates and the Company's request and recommended that the tariff revision be approved. The Public Staff further stated that the new rates will increase the average residential monthly bill from \$44.27 to \$44.74 based on an average usage of 4,680 gallons as found in Exhibits 4 and 6 of the testimony of Gina Y. Casselberry, Advanced Utilities Engineer, Public Staff Water, Sewer, and Telephone Division, filed on November 4, 2019, in Docket No. W-354, Sub 364.

Based upon the foregoing, the Commission is of the opinion that the tariff revision should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That Carolina Water Service, Inc. of North Carolina is granted a tariff revision for water utility service in the Whispering Pines service area in Moore County, North Carolina, as set forth herein;

2. That the Schedule of Rates, attached hereto as Appendix A, is approved and is deemed filed with the Commission pursuant to N.C.G.S. § 62-138. This Schedule of Rates shall become effective for service rendered on and after the date of this Order;

3. That a copy of the Notice to Customers, attached hereto as Appendix B, shall be mailed with sufficient postage or hand delivered by the Applicant to all its affected customers in the Whispering Pines service area contemporaneously with the next billing of customers; and

4. That the Applicant shall file the attached Certificate of Service, properly signed and notarized, not later than ten days after the Notice to Customer is mailed or hand delivered to customers.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

SCHEDULE OF RATES

for

CAROLINA WATER SERVICE, INC. OF NORTH CAROLINA

for providing water and sewer utility service

in

ALL OF ITS SERVICE AREAS IN NORTH CAROLINA

(excluding Fairfield Harbour Service Area, Treasure Cove, Register Place Estates,
North Hills, Glen Arbor/North Bend, Bradfield Farms, Silverton, Woodland Farms, and
Larkhaven Subdivisions, and Hawthorne at the Green Apartments

WATER RATES AND CHARGES

Monthly Metered Water Service (Residential and Commercial):

Base Facility Charge (based on meter size with zero usage)

< 1" meter	\$ 28.92
1" meter	\$ 72.30
1 1/2" meter	\$ 144.60
2" meter	\$ 231.36
3" meter	\$ 433.80
4" meter	\$ 723.00
6" meter	\$1,446.00

Usage Charge:

A.	Treated Water/1,000 gallons	\$ 8.27
B.	Untreated Water/1,000 gallons (Brandywine Bay Irrigation Water)	\$ 4.23

C. Purchased Water for Resale, per 1,000 gallons:

<u>Service Area</u>	<u>Bulk Provider</u>		
Carolina Forest	Montgomery County	\$	3.19
High Vista Estates	City of Hendersonville	\$	3.40
Riverbend	Town of Franklin	\$	7.50
Riverpointe	Charlotte Water	\$	6.74
Whispering Pines	Town of Southern Pines	\$	3.38
White Oak Plantation/			
Lee Forest	Johnston County	\$	2.85
Winston Plantation	Johnston County	\$	2.85
Winston Pointe	Johnston County	\$	2.85
Woodrun	Montgomery County	\$	3.19
Yorktown	City of Winston Salem	\$	5.79
Zemosa Acres	City of Concord	\$	5.41
Carolina Trace	City of Sanford	\$	2.21

Commercial customers, including condominiums or other property owner associations who bill their members directly, shall have a separate account set up for each meter and each meter shall be billed separately based on the size of the meter and usage associated with the meter.

When because of the method of water line installation utilized by the developer or owner, it is impractical to meter each unit or other structure separately, the following will apply:

Sugar Mountain Service Area:

Where service to multiple units or other structures is provided through a single meter, the average usage for each unit or structure served by that meter will be calculated. Each unit or structure will be billed based upon that average usage plus the base monthly charge for a <1" meter.

Mount Mitchell Service Area:

Service will be billed based upon the Commission-approved monthly flat rate.

Monthly Flat Rate Service: (Billed in Arrears) \$ 58.54
Availability Rate: (Semiannual)

Applicable only to property owners in Carolina Forest
and Woodrun Subdivisions in Montgomery County \$ 27.15

Availability Rate: (Monthly)

Applicable only to property owners in Linville Ridge Subdivision	\$ 13.60
--	----------

Availability Rate: (Monthly rate, billed semiannually)

Applicable only to property owners in Fairfield Sapphire Valley Service Area	\$ 10.05
--	----------

Availability Rate: (Monthly rate, billed quarterly)

Applicable only to property owners in Connestee Falls	\$ 5.30
---	---------

<u>Meter Testing Fee:</u> ^{1/}	\$ 20.00
---	----------

<u>New Water Customer Charge:</u>	\$ 27.00
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Reconnection Charge: ^{2/}

If water service is cut off by utility for good cause	\$ 42.00
If water service is discontinued at customer's request	\$ 42.00

Reconnection Charge: ^{3/}(Flat-rate water customers)

If water service is cut off by utility for good cause	Actual Cost
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Management Fee: (in the following subdivisions only)

(Per connection)

Wolf Laurel	\$150.00
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Covington Cross Subdivision (Phases 1 & 2)	\$100.00
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Oversizing Fee: (in the following subdivision only)

(One-time charge per single-family equivalent)

Winghurst	\$400.00
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Meter Fee:

For <1" meters	\$ 50.00
For meters 1" or larger	Actual Cost

Irrigation Meter Installation:

Actual Cost

SEWER RATES AND CHARGES

Monthly Metered Sewer Service:

A. Base Facility Charge:

Residential (zero usage)	\$ 58.91
--------------------------	----------

Commercial (based on meter size with zero usage)

< 1" meter	\$ 58.91
1" meter	\$ 147.28
1 1/2" meter	\$ 294.55
2" meter	\$ 471.28
3" meter	\$ 883.65
4" meter	\$1,472.75
6" meter	\$2,945.50

B. Usage charge, per 1,000 gallons	\$ 4.59
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Commercial customers, including condominiums or other property owner associations who bill their members directly, shall have a separate account set up for each meter and each meter shall be billed separately based on the size of the meter and usage associated with the meter.

Monthly Metered Purchased Sewer Service:

Collection Charge (Residential and Commercial)	\$ 41.24
--	----------

Usage charge, per 1,000 gallons
(based on purchased water consumption)

<u>Service Area</u>	<u>Bulk Provider</u>		
White Oak Plantation/ Lee Forest/Winston Pt.	Johnston County	\$	6.15
Kings Grant	Two Rivers Utilities	\$	3.98
College Park	Town of Dallas	\$	7.33

Monthly Flat Rate Service: \$ 73.73

Multi-residential customers who are served by a master meter shall be charged the flat rate per unit. \$ 73.73

Mt. Carmel Subdivision Service Area:

Monthly Base Facility Charge \$ 7.29

Monthly Collection Charge
(Residential and Commercial) \$ 41.24

Usage Charge, per 1,000 gallons
(based on metered water from the water supplier) \$ 6.32

Regalwood and White Oak Estates Subdivision Service Area:

Monthly Flat Rate Sewer Service

Residential Service	\$ 73.73
White Oak High School	\$2,187.33
Child Castle Daycare	\$ 280.41
Pantry	\$ 153.76

Fairfield Mountain/Apple Valley (a.k.a. Rumbling Bald) Service Area, and Highland Shores Subdivision:

Monthly Sewer Rates:

Residential

Collection charge/dwelling unit	\$ 41.24
Treatment charge/dwelling unit	\$ 69.50
Total monthly flat rate/dwelling unit	<u>\$ 110.74</u>

Commercial and Other:

Minimum monthly collection and treatment charge \$ 110.74

Monthly collection and treatment charge for customers
who do not take water service \$ 110.74

Treatment charge per dwelling unit

Small (less than 2,500 gallons per month)	\$ 78.50
Medium (2,500 to 10,000 gallons per month)	\$ 139.50
Large (over 10,000 gallons per month)	\$ 219.50

Collection Charge (per 1,000 gallons) \$ 13.93

The Ridges at Mountain Harbour:

Monthly Sewer Rates:

Collection charge (Residential and Commercial)	\$ 41.24
Treatment charge (Residential and Commercial)	
< 1" meter	\$ 18.42
2" meter	\$ 147.36

Availability Rate: (Monthly rate, billed semiannually)

Applicable only to property owners in Fairfield Sapphire Valley Service Area	\$ 10.20
---	----------

Availability Rate: (Monthly rate, billed quarterly)

Applicable only to property owners in Connestee Falls	\$ 5.75
---	---------

New Sewer Customer Charge: ^{4/} \$ 27.00

Reconnection Charge: ^{5/}

If sewer service is cut off by utility for good cause:	Actual Cost
--	-------------

MISCELLANEOUS UTILITY MATTERS

<u>Charge for processing NSF Checks:</u>	\$ 25.00
<u>Bills Due:</u>	On billing date
<u>Bills Past Due:</u>	21 days after billing date
<u>Billing Frequency:</u>	<p>Bills shall be rendered monthly in all service areas, except for Mt. Carmel, which will be billed bimonthly.</p> <p>Availability rates will be billed quarterly in advance for Connestee Falls, semiannually in advance for Carolina Forest, Woodrun, and Fairfield Sapphire Valley, and monthly for Linville Ridge.</p>
<u>Finance Charge for Late Payment:</u>	1% per month will be applied to the unpaid balance of all bills still past due 25 days after billing date.

Notes:

^{1/} If a customer requests a test of a water meter more frequently than once in a 24-month period, the Company will collect a \$20.00 service charge to defray the cost of the test. If the meter is found to register in excess of the prescribed accuracy limits, the meter testing charge will be waived. If the meter is found to register accurately or below prescribed accuracy limits, the charge shall be retained by the Company. Regardless of the test results, customers may request a meter test once in a 24-month period without charge.

^{2/} Customers who request to be reconnected within nine months of disconnection at the same address shall be charged the base facility charge for the service period they were disconnected.

^{3/} The utility shall itemize the estimated cost of disconnecting and reconnecting service and shall furnish this estimate to customer with cut-off notice.

^{4/} This charge shall be waived if customer is also a water customer within the same service area.

^{5/} The utility shall itemize the estimated cost of disconnecting and reconnecting service and shall furnish this estimate to customer with cut-off notice. This charge will be waived if customer also receives water service from Carolina Water Service within the same service area. Customers who request to be reconnected within nine months of disconnection at the same address shall be charged the base facility charge for the service period they were disconnected.

APPENDIX B

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**NOTICE TO CUSTOMERS
DOCKET NO. W-354, SUB 381
BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

Notice is given that the North Carolina Utilities Commission has granted Carolina Water Service Inc. of North Carolina (Applicant), an increase in its water usage charge to customers in the Whispering Pines service area in Moore County, North Carolina.

The Applicant filed a letter with the Commission pursuant to N.C.G.S. § 62-133.11, requesting authority to amend its tariff for the purpose of passing along to water customers in its Whispering Pines service area in Moore County an increase in the cost of purchasing water service from Town of Southern Pines. N.C.G.S. § 62-133.11 provides that the Commission shall allow a water or sewer utility to adjust its rates approved pursuant to N.C.G.S. § 62-133 to reflect changes in its costs based solely on changes in the rates imposed by third-party suppliers of purchased water or sewer service.

The Public Staff – North Carolina Utilities Commission has reviewed the Town of Southern Pines' current rates and recommended that the Applicant be allowed to increase its usage charge for water service by \$0.10 per 1,000 gallons, increasing the rate from \$3.28 to \$3.38 per 1,000 gallons.

The new rates will increase the average residential monthly bill from \$44.27 to \$44.74 based on an average usage of 4,680 gallons.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

CERTIFICATE OF SERVICE

I, _____, mailed with sufficient postage or hand delivered to all affected customers the attached Notices to Customers issued by the North Carolina Utilities Commission in Docket No. W-354, Sub 381 and the Notice was mailed or hand delivered by the date specified in the Order.

This the _____ day of _____, 2020.

By: _____
Signature

Name of Utility Company

The above named Applicant, _____, personally appeared before me this day and, being first duly sworn, says that the required Notices to Customers were mailed or hand delivered to all affected customers, as required by the Commission Order dated _____ in Docket No. W-354, Sub 381.

Witness my hand and notarial seal, this the _____ day of _____, 2020.

Notary Public

Printed Name

(SEAL) My Commission Expires: _____

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