

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH
STAFF CONFERENCE AGENDA
July 8, 2024
Commission Hearing Room 2115, 10:00 a.m.**

ELECTRIC

ELECTRIC GENERATOR LESSOR

Renu Energy Solutions, LLC

1. Docket No. EGL-21, Sub 0 – Application of Swell Services Inc., dba Swell Services NC, Inc., for a certificate to engage in business as an electric generator lessor per N.C. Gen. Stat. § 62-126.7 and Commission Rule R8-53 (*Hill/Creech*)
2. Docket No. EGL-22, Sub 0 – Application of Swell VPP Owner 2023-I LLC for a certificate to engage in business as an electric generator lessor per N.C. Gen. Stat. § 62-126.7 and Commission Rule R8-53 (*Hill/Creech*)

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Duke Energy Progress, LLC

3. SP-3775, Sub 0 – Application of Choco Solar, LLC, for an amended CPCN for a 5-MW_{AC} solar photovoltaic generating facility in Beaufort County, North Carolina (*T. Williamson/Keyworth*)
4. SP-62438, Sub 0 – Application of Scotch Grove Solar, LLC, for a CPCN and registration statement for a 80-MW_{AC} solar photovoltaic generating facility in Scotland County, North Carolina (*Thomas/Keyworth*)

Duke Energy Carolinas, LLC

5. SP-26335, Sub 0 – Application of Quaker Creek Farm Solar, LLC for an amended CPCN for a 35-MW_{AC} solar photovoltaic generating facility in Alamance County, North Carolina (*T. Williamson/Keyworth*)

North Carolina Electric Membership Corporation

6. SP-60377, Sub 0 – Application of Westfield Solar, LLC, for a CPCN and registration statement for a 40-MW_{AC} solar photovoltaic generating facility in Hoke County, North Carolina (*T.Williamson/Keyworth*)
7. SP-66593, Sub 0 – Application of Midfield Solar, LLC, for a CPCN and registration statement for a 24.99-MW_{AC} solar photovoltaic generating facility in Columbus County, North Carolina (*T.Williamson/Keyworth*)

Fayetteville Public Works Commission

8. SP-12717, Sub 4 – Application of FPWC for a CPCN and registration statement for a 4.875-MW_{AC} solar photovoltaic generating facility in Cumberland County, North Carolina (*Lawrence/Keyworth*)

WATER AND WASTEWATER

ORDER ESTABLISHING GENERAL RATE CASE AND SUSPENDING RATES

West Springdale, LLC d/b/a Springdale Water and Sewer, LLC

9. Docket No. W-1324, Sub 3 – Application for authority to adjust and increase rates for water and wastewater utility service in the Springdale Estates Subdivision and Springdale Country Club (together Springdale Estates) in Haywood County, North Carolina (*Franklin/Morgan/Holt*)

ORDER GRANTING FRANCHISE AND APPROVING RATE

Old North State Water Company, Inc.

10. Docket No. W-1300, Sub 98 – Application for a certificate of public convenience and necessity and for approval of rates to provide water utility service in Olivet Subdivision in Franklin County, North Carolina (*Franklin/Darden/Morgan/Coxton*)
11. Docket No. W-1300 Sub 83 – Application for a Certificate of Public Convenience and Necessity and for approval of rates to provide water utility service in the Reserve at Falls Lake Subdivision in Wake County (*Houser/Darden/Morgan/Coxton*)

Aqua North Carolina, Inc.

12. Docket No. W-218, Sub 586 – Application for a certificate of public convenience and necessity and for approval of rates to provide sewer utility service in Vickers Village Subdivision in Chatham County, North Carolina (*Houser/Henry/Morgan/Jost*)

ORDER APPROVING TARIFF REVISION AND REQUIRING CUSTOMER NOTICE

Carolina Water Service, Inc. of North Carolina

13. Docket No. W-354, Sub 434 – Application for authority to amend its tariff to increase rates for water utility service for the increased cost of purchased water from the Fayetteville Public Works Commission in its Tanglewood South and Eastgate service areas in Cumberland County, North Carolina
(Houser/Sun/Bernier)

ORDER RECOGNIZING CONTIGUOUS EXTENSION AND APPROVING RATES

Carolina Water Service, Inc. of North Carolina

14. Docket No. W-354, Sub 422 – Notification of intention to begin operations in an area contiguous to a present service area to provide water and sewer utility service in the Riverpointe Subdivision in Mecklenburg County, North Carolina
(Houser/Hunter/Bernier)

The Public Staff recommends approval of these agenda items as described above and reflected in proposed orders provided to the Commission Staff.

Back to Agenda

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EGL-21, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application of Swell Services, Inc., authorized) to transact business in North Carolina as Swell) Services NC, Inc., for a Certificate of Authority) to Engage in Business as an Electric) Generator Lessor)	ORDER GRANTING CERTIFICATE OF AUTHORITY TO ENGAGE IN BUSINESS AS AN ELECTRIC GENERATOR LESSOR
---	---

BY THE COMMISSION: On May 23, 2024, Swell Services, Inc., authorized to transact business in North Carolina as Swell Services NC, Inc. (Swell Services), filed an application for a certificate of authority to engage in business as an electric generator lessor in accordance with the provisions of N.C. Gen. Stat. § 62-126.7 and Commission Rule R8-73 (Application).

On May 23, 2024, Swell Services filed a Certificate of Service, indicating that it had served a copy of its Application on Duke Energy Carolinas, LLC (DEC), and Duke Energy Progress, LLC (DEP), pursuant to Commission Rule R8-73(f)(2).

The Public Staff presented this matter at the Commission's Regular Staff Conference on July 1, 2024, stating that it recommends approval based upon its review of the Application. Pursuant to Commission Rule R8-73(f)(5), more than 30 days have elapsed since Swell Services filed its Certificate of Service, and no protests were filed with the Commission. Therefore, it is appropriate for the Commission to proceed in considering and deciding the Application on the basis of information contained in the Application, the recommendations of the Public Staff, and the entire record in this proceeding.

Having carefully reviewed the Application, the Public Staff's recommendation, and the entire record in this proceeding, the Commission determines that the Application is complete and compliant with the requirements of Commission Rule R8-73 and N.C.G.S. § 62-126.7. The Commission further finds that the sample lease proposed by Swell Services complies with the requirements of N.C.G.S. §§ 62-126.5 and 62-126.6.

Based upon the foregoing and the entire record in this proceeding, the Commission finds good cause to approve the Application for a certificate of authority to engage in business as an electric generator lessor. The Commission further finds that Swell Services has demonstrated that it is fit, willing, and able to conduct business in this State as an electric generator lessor. The Commission, therefore, issues to Swell Services a certificate of authority to engage in business as an electric generator lessor.

IT IS, THEREFORE, ORDERED as follows:

1. That the Application of Swell Services for a certificate of authority to engage in business as an electric generator lessor within the service territories of DEC and DEP shall be, and is hereby, approved;

2. That Swell Services shall register with the Commission each solar energy facility it leases in this State by filing a report of proposed construction, and, if the facility is intended to earn renewable energy certificates eligible for compliance with the North Carolina Clean Energy and Energy Efficiency Portfolio Standard, register the facility as a new clean energy facility pursuant to Commission Rule R8-66;

3. That Swell Services shall notify the Commission of any material change to the information it provided to the Commission in this proceeding, including any change to the assigned service territories in which Swell Services operates as an electric generator lessor;

4. That Swell Services shall file with the Commission annually, on or before April 1 of each year, a certification of continued compliance with Article 6B of Chapter 62 and Commission Rule R8-73;

5. That Swell Services shall conduct its business in substantial compliance with all federal and State laws, regulations, and rules for the protection of the environment and conservation of natural resources, the provision of electric service, and the protection of consumers;

6. That Swell Services shall, for the duration of the effectiveness of this Certificate of Authority, maintain general liability insurance coverage with at least a \$100,000 minimum limit, and shall provide the name and contact information of the insurance carrier and policy number as part of its annual report to the Commission;

7. That this Order shall constitute the Certificate of Authority to Engage in Business as an Electric Generator Lessor, effective as of the date of issuance of this Order and to remain in effect unless terminated, suspended, or revoked by future Order of the Commission; and

8. That the Chief Clerk shall send a copy of this Order to the NC-RETS Administrator.

ISSUED BY ORDER OF THE COMMISSION.

This the ___ day of July, 2024

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

[Back to Agenda](#)

1. That the Application of Swell VPP for a certificate of authority to engage in business as an electric generator lessor within the service territories of DEC and DEP shall be, and is hereby, approved;

2. That Swell VPP shall register with the Commission each solar energy facility it leases in this State by filing a report of proposed construction, and, if the facility is intended to earn renewable energy certificates eligible for compliance with the North Carolina Clean Energy and Energy Efficiency Portfolio Standard, register the facility as a new clean energy facility pursuant to Commission Rule R8-66;

3. That Swell VPP shall notify the Commission of any material change to the information it provided to the Commission in this proceeding, including any change to the assigned service territories in which Swell VPP operates as an electric generator lessor;

4. That Swell VPP shall file with the Commission annually, on or before April 1 of each year, a certification of continued compliance with Article 6B of Chapter 62 and Commission Rule R8-73;

5. That Swell VPP shall conduct its business in substantial compliance with all federal and State laws, regulations, and rules for the protection of the environment and conservation of natural resources, the provision of electric service, and the protection of consumers;

6. That Swell VPP shall, for the duration of the effectiveness of this Certificate of Authority, maintain general liability insurance coverage with at least a \$100,000 minimum limit, and shall provide the name and contact information of the insurance carrier and policy number as part of its annual report to the Commission;

7. That this Order shall constitute the Certificate of Authority to Engage in Business as an Electric Generator Lessor, effective as of the date of issuance of this Order and to remain in effect unless terminated, suspended, or revoked by future Order of the Commission; and

8. That the Chief Clerk shall send a copy of this Order to the NC-RETS Administrator.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

[Back to Agenda](#)

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-3775, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Choco Solar, LLC for a)	
Certificate of Public Convenience and	)	ORDER ISSUING
Necessity to Construct a 5 MW Solar	)	AMENDED CERTIFICATE
Facility in Beaufort County, North Carolina)	

BY THE COMMISSION: On June 16, 2014, the Commission issued an Order granting Choco Solar, LLC (Applicant), a certificate of public convenience and necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1(a) for the construction of a 5 MW solar photovoltaic generating facility (Facility) to be located on U.S. Highway 17 South in Chocowinity, Beaufort County, North Carolina. The Applicant planned to sell the electricity generated by this facility to Duke Energy Progress, LLC (DEP).

On March 31, 2015, the Commission issued an Order accepting the Applicant's registration of the Facility as a new renewable energy facility.

On July 18, 2019, the Applicant filed an amendment to its application. In its filing, the Applicant explained that its initial application failed to include one of the two parcels of land on which the facility was constructed. The amendment included an updated site plan map showing the addition of an adjoining parcel of land not included in the site plan originally filed with the Commission.

On July 23, 2019, the Commission issued an Amended Order Requiring Publication of Notice and further Clearinghouse review.

On September 26, 2019, the State Clearinghouse filed a letter stating that no comments were made in the review of this application, and therefore no further environmental review action was required for compliance with the North Carolina Environmental Policy Act. On December 11, 2019, the State Clearinghouse filed an additional letter with comments. Because of the nature of the comments, the cover letter indicated that no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On August 12, 2022, the Applicant filed a Notice of Change of Upstream Ownership from SunEnergy1, LLC (SunEnergy1), which is managed by Kenny Habul, to SE1 QF, LLC, which is owned by Mr. Habul.

On March 25, 2024, the Applicant filed updated contact information.

On March 26, 2024, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to DEP on March 20, 2024. The Applicant also requested a waiver of Commission Rule R8-64(c)(2), which calls for the dismissal of applications where an applicant has not filed the affidavit of publication and certificate of service within 12 months of the Commission's publication order, stating that it would be more efficient and economical to waive the dismissal rule in this instance than to dismiss and have the Applicant refile the amended application and republish notice.

On April 23, 2024, the Applicant filed an affidavit of publication from the Washington Daily News (Washington, North Carolina) stating that the publication of notice was completed on April 13, 2024. No complaints have been received.

On June 20, 2024, the Applicant filed updated contact information.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on July 1, 2024. The Public Staff stated that in its review of the amended application, the Public Staff learned that the facility was constructed and has been selling energy produced by the facility to DEP since 2015 despite the fact that the CPCN granted by the Commission did not encompass one of the parcels of land upon which the facility was constructed and is operating. The Public Staff stated that, as it noted in the testimony of Public Staff witness Evan D. Lawrence filed on June 10, 2024, in EMP-103, Sub 0 (Albemarle Beach), there is a recurring issue of SunEnergy1 facilities not being constructed or operated as approved in their CPCNs. Due to a similar issue in Docket No. EMP-120, Sub 0, SunEnergy1 conducted a review of compliance with Commission requirements across its portfolio of North Carolina projects, which resulted, among other things, in the Applicant's filing of the amended application now before the Commission in this proceeding. The Public Staff also recommended that the Commission grant a waiver of Commission Rule R8-64(c)(2) in this case, agreeing that it would be more efficient to waive the dismissal rule than to dismiss and have the Applicant refile the amended application and republish notice.

The Public Staff determined that the Applicant's request to amend its CPCN is otherwise in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64, and recommended that it be approved. Consistent with its recommendation in its Albemarle Beach testimony, the Public Staff also recommended that the Commission require the Applicant to file within 90 days of the Commission's order an attestation that the facility has been constructed within the approved site boundary and that the facility is operating with a nameplate capacity no greater than what has been approved in the CPCN or, if the Applicant cannot make such attestations, it be required to file with the Commission a request to further amend its CPCN.

After careful consideration, the Commission finds good cause to approve the amended application and issue the attached amended certificate for the solar photovoltaic generating facility.

IT IS, THEREFORE, ORDERED as follows:

1 That Commission Rule R8-64(c)(2) is waived for Choco Solar, LLC, for this proceeding.

2. That the application of Choco Solar, LLC, for an amended CPCN shall be, and is hereby, approved;

3. That Appendix A shall constitute the amended certificate of public convenience and necessity issued to Choco Solar, LLC, for the 5 MW_{AC} solar photovoltaic generating facility located on U.S. Highway 17 South, Chocowinity, Beaufort County, North Carolina; and

4. That Choco Solar, LLC, shall file within 90 days of the date of this order, an attestation that the facility has been constructed within the approved site boundary and that the facility is operating with a nameplate capacity no greater than what has been approved in the CPCN or, if the Applicant cannot make such attestations, it be required to file with the Commission a request to further amend its CPCN.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-3775, SUB 0

Choco Solar, LLC
c/o True Green Capital Management, LLC
315 Post Road West, 2nd Floor
Westport, Connecticut 06880

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 generating facility

located

on U.S. Highway 17 South, Chocowinity, Beaufort 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 July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-62438, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Scotch Grove Solar, LLC,	)	ORDER ISSUING
for a Certificate of Public Convenience and	)	CERTIFICATE AND
Necessity to Construct an 80-MW Solar	)	ACCEPTING REGISTRATION
Facility in Scotland County, North Carolina	)	OF NEW RENEWABLE
	)	ENERGY FACILITY

BY THE COMMISSION: On March 13, 2024, Scotch Grove Solar, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of an 80-MW_{AC} solar photovoltaic generating facility to be located on Scotch Grove Road, Laurinburg, Scotland County, North Carolina. The Applicant plans to sell the electricity generated by this facility to Duke Energy Progress, LLC (DEP), through participation in an annual competitive procurement cycle.

Contemporaneously with the CPCN application, the Applicant also included a registration statement for a 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 new 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.G.S. § 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 March 26, 2024, the Commission issued an Order Requiring Publication of Notice and Clearinghouse Review.

On March 27, 2024, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to DEP on March 27, 2024.

On May 9, 2024, the Applicant filed an affidavit of publication from The Laurinburg Exchange (Laurinburg, North Carolina) stating that the publication of notice was completed on April 24, 2024. No complaints have been received.

On May 22, 2024, the State Clearinghouse filed comments. Because of the nature of the comments, the cover letter indicated that no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina

Environmental Policy Act. After being contacted by the Applicant about the fact that there were references in the State Clearinghouse's comments to a different project, the State Clearinghouse filed a corrected set of comments on June 17, 2024, which again stated that no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

The Public Staff presented this matter at the Commission's regular Staff Conference on July 1, 2024. The Public Staff stated that the application meets the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. 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 approve the application and issue the attached certificate for the proposed solar photovoltaic generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept 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 renewable energy certificates.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Scotch Grove Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Scotch Grove Solar, LLC, for the 80-MW_{AC} solar photovoltaic generating facility to be located along Scotch Grove Road, Laurinburg, Scotland County, North Carolina;
3. That the registration statement filed by Scotch Grove Solar, LLC, for its solar photovoltaic generating facility to be located in Scotland County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted;
4. That Scotch Grove Solar, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year; and
5. That Scotch Grove Solar, LLC, shall renew this certificate by re-compliance with the requirements set forth in Commission Rule R8-64 if it does not begin construction within five years after the issuance of the certificate.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-62438, SUB 0

Scotch Grove Solar, LLC
3402 Pico Boulevard
Santa Monica, California 90405

is hereby issued this

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

for an 80-MW_{AC} solar photovoltaic generating facility

to be located

along Scotch Grove Road, Laurinburg, Scotland 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 July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

[Back to Agenda](#)

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-26335, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application of Quaker Creek Farm Solar, LLC,) for a Certificate of Public Convenience and) Necessity to Construct a 35 MW Solar Facility) in Alamance County)	ORDER ISSUING AMENDED CERTIFICATE
--	--------------------------------------

BY THE COMMISSION: On March 14, 2023, the Commission issued an order granting Quaker Creek Farm Solar, LLC (Applicant), a certificate of public convenience and necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of a 35 MW_{AC} solar photovoltaic generating facility to be located at 2480 Dickey Mill Road, Burlington, Alamance County, North Carolina. The Commission previously accepted registration of the facility as a new renewable energy facility.

On May 7, 2024, the Applicant filed a notice stating that the footprint of the facility had changed, and that the generating capacity had decreased from 35 MW to 34.9 MW. The notice also stated that the change in footprint involved land that had already been reviewed by the State Clearinghouse and was included in the previous Public Notice. Thus, the Applicant stated that additional review by the State Clearinghouse and a new Public Notice was unnecessary.

The Public Staff presented this matter at the Commission's Regular Staff Conference on July 8, 2024. The Public Staff stated that it had reviewed the amendment and determined it to be in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. Therefore, the Public Staff recommended that the Commission issue an amended CPCN to the Applicant.

After careful consideration, the Commission finds good cause to approve the application and issue the attached amended certificate for the solar photovoltaic generating facility.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Quaker Creek Farm Solar, LLC, for an amended certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Quaker Creek Farm Solar, LLC, for the 34.9 MW_{AC} solar photovoltaic generating facility to be located at 2480 Dicky Mill Road, Burlington, Alamance County,

North Carolina; and

3. That Quaker Creek Farm Solar, LLC, shall renew this certificate by re-compliance with the requirements set forth in Commission Rule R8-64 if it does not begin construction within five years after the issuance of the certificate.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-26335, SUB 0

Quaker Creek Farm Solar, LLC
130 Roberts Street
Asheville, North Carolina 28801

is hereby issued this

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

for a 34.9 MW_{AC} solar photovoltaic generating facility

located at

2480 Dicky Mill Road, Burlington, Alamance 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 July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-60377, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Westfield Solar, LLC, for a	)	ORDER ISSUING
Certificate of Public Convenience and	)	CERTIFICATE AND
Necessity to Construct a 40-MW Solar Facility	)	ACCEPTING REGISTRATION
in Hoke County, North Carolina	)	OF NEW RENEWABLE
	)	ENERGY FACILITY

BY THE COMMISSION: On March 19, 2024, Westfield Solar, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of a 40-MW_{AC} solar photovoltaic generating facility to be located along Old Maxton Road to the West of Toney's Creek, North of Chisolm Road and South of Bethel Road, Raeford, Hoke County, North Carolina. The Applicant plans to sell the electricity generated by this facility to North Carolina Electric Membership Corporation (NCEMC).

Contemporaneously with the CPCN application, the Applicant also included a registration statement for a 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 new 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.G.S. § 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 April 25, 2024, the Commission issued an Order Requiring Publication of Notice and Clearinghouse Review.

On May 16, 2024, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on April 30, 2024.

On May 28 and 29, 2024, the State Clearinghouse filed comments. Although the North Carolina Department of Natural and Cultural Resources – State Historic Preservation Office recommended that a reconnaissance level archaeological survey be conducted, the cover letters 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 (NCEPA). After being contacted by the Public Staff, the State Clearinghouse confirmed that no further action

was necessary for compliance with the NCEPA because the facility is a Qualifying Facility under the Public Utility Regulatory Policy Acts of 1978. Qualifying Facilities are not considered an undertaking subject to Section 106 of the National Historic Preservation Act and, therefore, are outside of the State Historic Preservation Office's review.

On June 7, 2024, the Applicant filed an affidavit of publication from The News-Journal (Raeford, North Carolina) stating that the publication of notice was completed on May 22, 2024. No complaints have been received.

The Public Staff presented this matter at the Commission's regular Staff Conference on July 1, 2024. The Public Staff stated that the application meets the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. 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 approve the application and issue the attached certificate for the proposed solar photovoltaic generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept 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 renewable energy certificates.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Westfield Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Westfield Solar, LLC, for the 40-MW_{AC} solar photovoltaic generating facility to be located along Old Maxton Road to the West of Toney's Creek, North of Chisolm Road and South of Bethel Road, Raeford, Hoke County, North Carolina;
3. That the registration statement filed by Westfield Solar, LLC, for its solar photovoltaic generating facility to be located in Hoke County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted;
4. That Westfield Solar, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year; and
5. That Westfield Solar, LLC, shall renew this certificate by re-compliance with the requirements set forth in Commission Rule R8-64 if it does not begin construction within five years after the issuance of the certificate.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-60377, SUB 0

Westfield Solar, LLC
3725 National Drive, Suite 210
Raleigh, North Carolina 27612

is hereby issued this

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

for a 40-MW_{AC} solar photovoltaic generating facility

to be located

along Old Maxton Road to the West of Toney's Creek, North of Chisolm Road and South
of Bethel Road, Raeford,
Hoke 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 July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-66593, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Midfield Solar, LLC, for a	)	ORDER ISSUING CERTIFICATE
Certificate of Public Convenience and	)	AND ACCEPTING
Necessity to Construct a 24.99-MW Solar	)	REGISTRATION OF NEW
Facility in Columbus County, North Carolina	)	RENEWABLE ENERGY
	)	FACILITY

BY THE COMMISSION: On February 15, 2024, Midfield Solar, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of a 24.99-MW_{AC} solar photovoltaic generating facility to be located on Peacock Road, south of Old Lumberton Road, Whiteville, Columbus County, North Carolina. The Applicant plans to sell the electricity generated by this facility to North Carolina Electric Membership Corporation (NCEMC).

Contemporaneously with the CPCN application, the Applicant also included a registration statement for a 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 new 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.G.S. § 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 April 4, 2024, the Commission issued an Order Requiring Publication of Notice and Clearinghouse Review.

On May 16, 2024, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on April 5, 2024.

Also on May 16, 2024, the Applicant filed an affidavit of publication from The News Reporter (Whiteville, North Carolina) stating that the publication of notice was completed on May 2, 2024. No complaints have been received.

On May 23, 2024, the State Clearinghouse filed comments. Because of the nature of the comments, the cover letter indicated that no further State Clearinghouse review

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

The Public Staff presented this matter at the Commission's regular Staff Conference on July 1, 2024. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. 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 approve the application and issue the attached certificate for the proposed solar photovoltaic generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept 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 renewable energy certificates.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Midfield Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Midfield Solar, LLC, for the 24.99-MW_{AC} solar photovoltaic generating facility to be located on Peacock Road, south of Old Lumberton Road, Whiteville, Columbus County, North Carolina;
3. That the registration statement filed by Midfield Solar, LLC, for its solar photovoltaic generating facility to be located in Columbus County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted;
4. That Midfield Solar, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year; and
5. That Midfield Solar, LLC, shall renew this certificate by re-compliance with the requirements set forth in Commission Rule R8-64 if it does not begin construction within five years after the issuance of the certificate.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-66593, SUB 0

Midfield Solar, LLC
3725 National Drive, Suite 210
Raleigh, North Carolina 27612

is hereby issued this

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

for a 24.99-MW_{AC} solar photovoltaic generating facility

to be located

on Peacock Road, south of Old Lumberton Road, Whiteville,
Columbus 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 July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-12717, SUB 4

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Fayetteville Public Works	)	ORDER ISSUING CERTIFICATE
Commission, for a Certificate of Public	)	AND ACCEPTING
Convenience and Necessity to Construct a	)	REGISTRATION OF NEW
4.875-MW Solar Facility in Cumberland	)	RENEWABLE ENERGY
County, North Carolina	)	FACILITY

BY THE COMMISSION: On March 22, 2024, Fayetteville Public Works Commission (FPWC or Applicant), filed an application in the above-captioned docket seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of a 4.875-MW_{AC} solar photovoltaic generating facility to be located at 430 Carvers Falls Road, Fayetteville, Cumberland County, North Carolina. The Applicant states the electricity will be delivered to the FPWC system and its retail electric customers.

Contemporaneously with the application, the Applicant filed a registration statement for a 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 new 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.G.S. § 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 March 26, 2024, the Commission issued an Order Requiring Publication of Notice.

On April 12, 2024, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to FPWC on April 4, 2024.

On May 9, 2024, the Applicant filed an affidavit of publication from the Fayetteville Observer stating that the publication of notice was completed on April 30, 2023. No complaints have been received.

On May 22, 2024, the State Clearinghouse filed comments. Because of the nature of the comments, the cover letters indicated that no further action was required for compliance with the North Carolina Environmental Policy Act.

The Public Staff presented this matter to the Commission at its regular Staff Conference on July 1, 2024. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. 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 approve the application and issue the attached certificate for the proposed solar photovoltaic generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept 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 renewable energy certificates.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Fayetteville Public Works Commission for a certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Fayetteville Public Works Commission for the 4.875-MW solar photovoltaic generating facility to be located at 430 Carvers Falls Road, Fayetteville, Cumberland County, North Carolina;
3. That the registration statement filed by Fayetteville Public Works Commission for its solar photovoltaic generating facility to be located in Cumberland County, North Carolina, as a new renewable energy facility shall be, and is hereby, accepted;
4. That Fayetteville Public Works Commission shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year; and
5. That Fayetteville Public Works Commission shall renew this certificate by re-compliance with the requirements set forth in Commission Rule R8-64 if it does not begin construction within five years after the issuance of the certificate.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-12717, SUB 4

Fayetteville Public Works Commission
955 Old Wilmington Road
Fayetteville, North Carolina 28301

is hereby issued this

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

for a 4.875-MW_{AC} solar photovoltaic generating facility

to be located at

430 Carvers Falls Road, Fayetteville, Cumberland 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 July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1324, SUB 3

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by West Springdale, LLC d/b/a)	
Springdale Water and Sewer, LLC, for)	
Authority to Adjust and Increase Rates for	)	ORDER ESTABLISHING
Water and Wastewater Utility Service to the	)	GENERAL RATE CASE AND
Springdale Estates Subdivision and	)	SUSPENDING RATES
Springdale Country Club in Haywood County,)	
North Carolina)	

BY THE COMMISSION: On May 23, 2024, West Springdale, LLC d/b/a Springdale Water and Sewer, LLC (Applicant), filed an application with the Commission seeking authority to increase its rates for providing water and wastewater utility service to the Springdale Estates Subdivision and Springdale Country Club (together, Springdale Estates) in Haywood County, North Carolina (Application). The Application states the Applicant serves approximately 111 metered water customers and 51 metered wastewater customers.

The present water and wastewater utility rates have been in effect since February 28, 2023, pursuant to the Commission’s Order in Docket No. W-1324, Sub 1.

The Commission finds that the application constitutes a general rate case and concludes that the proposed new rates should be suspended pending investigation.

IT IS, THEREFORE, ORDERED as follows:

1. That this proceeding is declared a general rate case pursuant to N.C. Gen Stat. § 62-137.
2. That the proposed new rates are suspended for up to 270 days from the proposed effective date of October 1, 2024, pursuant to N.C.G.S. § 62-134.
3. That the test year period is established as the 12-month period ending December 31, 2023.
4. That the Commission shall issue an order establishing discovery guidelines, scheduling hearings, and requiring customer notice at a later date.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

[Back to Agenda](#)

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1300, SUB 98

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Old North State Water Company,)	
Inc., for a Certificate of Public Convenience and)	ORDER GRANTING
Necessity to Provide Water Utility Service in)	FRANCHISE AND
Olivet Subdivision, in Franklin County, North)	APPROVING RATES
Carolina, and for Approval of Rates)	

BY THE COMMISSION: On April 23, 2024, Old North State Water Company, Inc. (ONSWC), filed an Application for a Certificate of Public Convenience and Necessity and for Approval of Rates (Application) to provide water utility service in Olivet subdivision, in Franklin County, North Carolina, in accordance with N.C. Gen. Stat. § 62-110.

On May 10, 2024, the Public Staff – North Carolina Utilities Commission (Public Staff) filed a letter with the Commission indicating that this docket includes all the information required for a complete application.

On May 13, 2024, the Commission issued an Order Finding Application Complete and Requiring the Public Staff to Provide Specific Application Data. On May 20, 2024, the Public Staff provided the information requested by the Commission.

On May 30, 2024, the Commission issued its Order Scheduling Hearing and Establishing Discovery Guidelines (Scheduling Order).

On June 11, 2024, a Motion to Suspend Testimony Filing Deadlines and to Cancel Hearing was filed by ONSWC. On June 13, 2024, an Amended Motion to Suspend Testimony Filing Deadlines and to Cancel Hearing was filed by ONSWC.

On July 1, 2024, the Public Staff presented this matter at the Commission’s Regular Staff Conference. The Public Staff recommends that the Commission issue an order granting the franchise and approving the proposed rates.

Based upon the verified Application and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. ONSWC presently holds water franchises serving approximately 2,000 customers and wastewater franchises serving approximately 4,100 customers in North Carolina. ONSWC's record of service is satisfactory.

2. ONSWC presently does not serve any customers in Olivet subdivision and eventually plans to serve 36 water customers. The service area is shown on the plans filed with the Application.

3. The North Carolina Department of Environmental Quality, Division of Water Resources, Public Water Supply Section, has issued a plan approval letter for Olivet subdivision, part of Water System No. NC4035034. The plans are approved under serial number 23-00793, dated January 30, 2024.

4. ONSWC has entered into an Agreement dated February 13, 2024, with Olivet 38, LLC (Developer), under which (1) the Developer is installing the water utility system; (2) ONSWC is requesting a one-time meter installation fee of \$125 for water service; (3) ONSWC is charging a connection fee of \$1,000 per residential equivalent unit (REU); and (4) ONSWC is purchasing the water system from the Developer for \$1,000 per REU, payable quarterly based upon the number of water service meters installed during the previous quarter.

5. ONSWC has filed all exhibits required with the Application.

6. ONSWC has the technical, managerial, and financial capacity to provide water utility service in this franchise location.

7. ONSWC proposes to charge its statewide, uniform water utility service rates approved by the Commission on June 13, 2022, in Docket No. W-1300, Sub 60.

8. The Public Staff recommends that ONSWC be required to post a \$25,000 bond for Olivet subdivision. ONSWC currently has a \$1,000,000 bond secured by an irrevocable letter of credit with BNY Mellon, National Association posted with the Commission. Of this amount, \$840,000 of bond surety is assigned to specific subdivisions, and \$160,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission concludes that \$25,000 of ONSWC's unassigned bond surety should be assigned to Olivet subdivision in Franklin County, North Carolina; that the water utility franchise requested by ONSWC in Olivet subdivision should be granted; that a meter installation fee of \$125 for water utility service should be approved; that a connection fee of \$1,000 per REU should be approved; and that the requested rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$25,000 of ONSWC's unassigned surety is assigned to Olivet subdivision. The remaining unassigned bond surety shall be \$135,000;

2. That ONSWC is granted a certificate of public convenience and necessity to provide water utility service in Olivet subdivision in Franklin County, North Carolina, and Appendix A, attached hereto, constitutes the Certificate of Public Convenience and Necessity;

3. That ONSWC's existing Schedule of Rates approved by Commission Order issued on June 13, 2022, in Docket No. W-1300, Sub 60, is approved for water utility service in Olivet subdivision;

4. That a meter installation fee of \$125 and a connection fee of \$1,000 per REU for water utility service are approved for Olivet subdivision;

5. That ONSWC shall follow applicable state and federal laws and Commission guidance with respect to income tax gross-up on contributions in aid of construction per orders issued in Docket No. W-100, Sub 57;

6. That, to the extent not previously filed in the docket, ONSWC shall file, within 14 days of their availability, all completed exhibits to the Agreement with Olivet 38, LLC including, but not limited to, deeds, easements, warranties, bills of sale, and written certifications of cost;

7. That, to the extent not already filed in the docket, ONSWC shall file, within 14 days of their availability, copies of documents showing that ONSWC has acquired ownership or control of all components of the system and the land on which it is situated, including, but not limited to, bills of sale and properly recorded deeds and easements;

8. That the Parties are excused from the requirement to prefile expert witness testimony; and

9. That the expert witness hearing scheduled for 2:00 p.m. on December 16, 2024 is hereby cancelled.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1300, SUB 98

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

OLD NORTH STATE WATER COMPANY, INC.

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide water utility service

at

OLIVET SUBDIVISION

Franklin County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1300, SUB 83

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by Old North State Water)	
Company, Inc., for a Certificate of Public	)	ORDER GRANTING
Convenience and Necessity to Provide Water	)	FRANCHISE AND
Utility Service in The Reserve at Falls Lake,	)	APPROVING RATES
Phase 4 Subdivision, in Wake County, North)	
Carolina, and for Approval of Rates)	

BY THE COMMISSION: On March 28, 2024, Old North State Water Company, Inc. (ONSWC), filed an Application for a Certificate of Public Convenience and Necessity and for Approval of Rates (Application) to provide water utility service in Phase 4 of The Reserve at Falls Lake (the Reserve) subdivision, in Wake County, North Carolina, in accordance with N.C. Gen. Stat. § 62-110.

On April 17, 2024, the Public Staff – North Carolina Utilities Commission (Public Staff) filed a deficiency letter with the Commission indicating that the application was incomplete. On April 19, 2024, the Commission issued an Order Finding Application Incomplete and Request for Additional Information. Also on April 19, 2024, ONSWC filed supplemental information. On April 26, 2024, the Public Staff filed a letter with the Commission indicating this docket includes all the information required for a complete application.

On April 29, 2024, the Commission issued an Order Finding Application Complete and Requiring the Public Staff to Provide Specific Application Data. On May 10, 2024, the Public Staff provided the information requested by the Commission. Also on May 10, 2024, ONSWC filed an amended application.

On May 15, 2024, the Commission issued its Order Scheduling Hearing and Establishing Discovery Guidelines (Scheduling Order).

On July 8, 2024, the Public Staff presented this matter at the Commission’s Staff Conference. The Public Staff recommends that the Commission issue an order granting the franchise and approving the proposed rates subject to the condition discussed below.

Based upon the verified Application and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. ONSWC presently holds water franchises serving approximately 2,000 customers and wastewater franchises serving approximately 4,100 customers in North Carolina. ONSWC's record of service is satisfactory.

2. ONSWC presently does not serve any customers in the Reserve and eventually plans to serve 16 water customers. The service area is shown on the plans filed with the Application.

3. The North Carolina Department of Environmental Quality, Division of Water Resources, Public Water Supply Section, has issued a plan approval letter for the Reserve, part of Water System No. NC4092213. The plans are approved under serial number 21-01094, dated February 3, 2022.

4. ONSWC has entered into an Agreement dated June 9, 2021, with Falls Lake Developer's, LLC (Developer), under which (1) the Developer is installing the water utility system; (2) ONSWC is requesting a one-time meter installation fee of \$125 for water service; (3) ONSWC is charging a connection fee of \$500 per residential equivalent unit (REU); and (4) ONSWC is purchasing the water system from the Developer for \$500 per REU, payable quarterly based upon the number of water meters installed during the previous quarter.

5. ONSWC has filed all required exhibits with the Application.

6. ONSWC has the technical, managerial, and financial capacity to provide water utility service in this franchise location.

7. ONSWC proposes to charge its statewide, uniform water utility service rates approved by the Commission on June 13, 2022, in Docket No. W-1300, Sub 60.

8. The Public Staff has concerns about ONSWC's decision to provide service in the Reserve but recommends that the Commission grant the requested certificate of public convenience and necessity subject to the following condition: ONSWC shall not enter into future developer agreements that will result in pumping capacity below 1 gallon per minute (gpm) per residential connection without first consulting with the Public Staff.

9. The Public Staff further recommends that ONSWC be required to post a \$25,000 bond for the Reserve. ONSWC currently has a \$1,000,000 bond secured by an irrevocable letter of credit with BNY Mellon, National Association posted with the Commission. Of this amount, \$840,000 of bond surety is assigned to specific subdivisions, and \$160,000 of bond surety is unassigned.

CONCLUSIONS

The Public Staff expressed concerns about ONSWC's decision to provide service in the Reserve and requests that the Commission consider rulemaking to address adequate well pumping capacity for new service areas going forward.

Specifically, the Public Staff noted that the well pumping capacity at the Reserve of 12 gallons per minute (gpm) for 16 residential connections equates to 0.75 gpm per residential connection, which is less than the Public Staff's recommended minimum pumping capacity of 1 gpm per residential connection. While the Public Staff acknowledged that 1 gpm per residential connection exceeds the 0.556 gpm per residential connection required by the North Carolina Department of Environmental Quality (DEQ), it pointed out that it has observed, in a number of cases, that less than 1 gpm per residential connection has been insufficient to meet demand and provide adequate service to customers, especially over the long-term. Additionally, the Public Staff pointed out that ONSWC has its own internal standard of 1 gpm per residential connection.

The Public Staff indicated that the Reserve is also a stand-alone system with no potential for expansion by ONSWC and that the other phases of the Reserve are served by Aqua North Carolina, Inc. As a result, the Public Staff believes that granting the requested certificate of public convenience and necessity (CPCN) may result in a utility providing inefficient service and appears to be inconsistent with the Commission's view on utility consolidation and the orderly transfer of utility systems.

Despite its concerns, the Public Staff nevertheless recommends that the Commission grant the requested CPCN subject to the condition listed discussed below. When making its recommendation, the Public Staff noted the following: (1) agreement with the Developer was executed on June 9, 2021; (2) the system was fully constructed before ONSWC submitted its application in this docket; and (3) if the requested CPCN is denied, present and future residents of the Reserve may be without service for an unknown period of time while additional capacity is added so a CPCN can be issued.

Based on the foregoing and the recommendations of the Public Staff, the Commission concludes that \$25,000 of ONSWC's unassigned bond surety should be assigned to the Reserve in Wake County, North Carolina; that the water utility franchise ONSWC requested for the Reserve should be granted; that a meter installation fee of \$125 for water utility service should be approved; that a connection fee of \$500 per REU should be approved; that the requested rates should be approved; and that ONSWC shall consult the Public Staff before entering into future developer agreements that will result in a pumping capacity below 1 gpm per residential connection.

IT IS, THEREFORE, ORDERED as follows:

1. That \$25,000 of ONSWC's unassigned surety is assigned to the Reserve. The remaining unassigned bond surety shall be \$110,000 (a total of \$50,000 is being assigned concurrently in Docket No. W-1300, Subs 83 and 98);
2. That ONSWC is granted a certificate of public convenience and necessity to provide water utility service in the Reserve in Wake County, North Carolina, and Appendix A, attached hereto, constitutes the Certificate of Public Convenience and Necessity;

3. That ONSWC's existing Schedule of Rates approved by Commission Order issued on June 13, 2022, in Docket No. W-1300, Sub 60, is approved for water utility service in the Reserve;

4. That a meter installation fee of \$125 and a connection fee of \$500 per REU for water utility service are approved for the Reserve;

5. That ONSWC shall follow applicable state and federal laws and Commission guidance with respect to income tax gross-up on contributions in aid of construction per orders issued in Docket No. W-100, Sub 57;

6. That, to the extent not previously filed in the docket, ONSWC shall file, within 14 days of their availability, all completed exhibits to the Agreement with Falls Lake Developer's, LLC including, but not limited to, deeds, easements, warranties, bills of sale, and written certifications of cost;

7. That, to the extent not already filed in the docket, ONSWC shall file, within 14 days of their availability, copies of documents showing that ONSWC has acquired ownership or control of all components of the system and the land on which it is situated, including, but not limited to, bills of sale and properly recorded deeds and easements;

8. That the Parties are excused from the requirement to prefile expert witness testimony;

9. That the expert witness hearing scheduled for 2:00 p.m. on November 4, 2024 is hereby cancelled; and

10. That ONSWC shall not enter into future developer agreements that will result in pumping capacity below 1 gpm per residential connection without first consulting with the Public Staff.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. W-1300, SUB 83

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

OLD NORTH STATE WATER COMPANY, INC.

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide water utility service

at

THE RESERVE AT FALLS LAKE – PHASE 4 SUBDIVISION

Wake County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-218, SUB 586

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by Aqua North Carolina, Inc.,)	
for a Certificate of Public Convenience and	)	ORDER GRANTING
Necessity to Provide Sewer Utility Service	)	FRANCHISE AND
in Vickers Village in Chatham County,	)	APPROVING RATES
North Carolina)	

BY THE COMMISSION: On April 25, 2023, Aqua North Carolina, Inc. (Aqua), filed an Application for a Certificate of Public Convenience and Necessity and for Approval of Rates (Application) to provide sewer utility service to Vickers Village subdivision in Chatham County, North Carolina, in accordance with N.C. Gen. Stat. § 62-110.

On July 25, 2023, the Public Staff filed a letter outlining the deficiencies in the Application and indicating that the Public Staff considers the Application incomplete.

On July 31, 2023, the Commission issued an Order Finding Application Incomplete and Request for Additional Information.

On May 16, 2024, Aqua filed additional information in response to the Public Staff's letter outlining deficiencies.

On May 28, 2024, the Public Staff filed a letter with the Commission indicating that this docket now includes all the information required for a complete application.

On May 29, 2024, the Commission issued an Order Finding Application Complete and Requiring the Public Staff to Provide Specific Application Data.

On June 3, 2024, the Public Staff filed the information requested by the Commission.

On June 4, 2024, the Commission issued an Order Scheduling Hearing and Establishing Discovery Guidelines.

On June 19, 2024, Aqua filed a revised page 7 of its Application.

On _____, 2024, Aqua and the Public Staff filed a Joint Motion to Cancel Prefiling of Testimony and Cancel Hearing.

On _____, 2024, the Commission issued its Order cancelling the requirement for prefiled testimony and cancelling the expert witness hearing.

On July 1, 2024, the Public Staff presented this matter at the Commission's Regular Staff Conference. The Public Staff recommended that the Commission issue an order granting the franchise and approving the requested rates.

Based upon the verified Application, and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. Aqua presently holds water franchises serving approximately 84,000 customers and sewer franchises serving approximately 21,000 customers throughout North Carolina. Aqua's record of service is satisfactory.

2. Aqua expects eventually to serve 204 sewer customers in Vickers Village. The service area is shown on plans filed with the Application.

3. The North Carolina Department of Environmental Quality, Division of Water Resources, issued a permit for Vickers Village with permit No. WQ0044496 dated April 30, 2024.

4. Aqua entered into an Asset Purchase Agreement effective February 21, 2023, with The Vickers Bennett Group, LLC (Developer), under which (1) the Developer is installing the wastewater treatment facility and collection system and (2) Aqua is acquiring the collection system and wastewater treatment facility from the Developer at \$5,250 per single-family residential equivalent (SFRE) payable quarterly based upon the number of SFREs connected during the previous quarter.

5. Aqua has filed all exhibits required with the Application.

6. Aqua has the technical, managerial, and financial capacity to provide sewer utility service in this franchise location.

7. Aqua proposes to charge Vickers Village its uniform statewide sewer utility service rates approved for its other franchised service areas.

8. The Public Staff recommends that Aqua be required to post a \$25,000 bond for Vickers Village. Aqua currently has \$16,125,000 of bonds posted with the Commission. Of this amount, \$13,120,000 of bond surety is assigned to specific subdivisions and \$3,005,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission concludes that \$25,000 of Aqua's unassigned bond surety should be assigned to Vickers Village, that the sewer utility franchise requested by Aqua in Vickers Village should be granted, and that the requested rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$25,000 of Aqua's unassigned bond surety is assigned to Vickers Village. The remaining unassigned bond surety shall be \$2,955,000 (a total of \$50,000 is being assigned concurrently in Docket No. W-218, Subs 586 and 603).;

2. That Aqua is granted a certificate of public convenience and necessity to provide sewer utility service in Vickers Village in Chatham County, North Carolina, and Appendix A, attached hereto, constitutes the Certificate of Public Convenience and Necessity;

3. That Aqua's existing Schedule of Rates approved by Commission Order issued on July 31, 2023, in Docket No. W-218, Sub 573, is approved for sewer utility service in Vickers Village;

5. That Aqua shall follow applicable state and federal laws and Commission guidance with respect to income tax gross-up on contributions in aid of construction per orders issued in Docket No. W-100, Sub 57;

6. That, to the extent not previously filed in the docket, Aqua shall file, within 14 days of their availability, all completed exhibits to the Wastewater Utility System Agreement including, but not limited to, deeds, easements, warranties, bills of sale, and written certifications of cost; and

7. That, to the extent not previously filed in the docket, Aqua shall file, within 14 days of their availability, copies of documents showing that Aqua has acquired ownership or control of all components of the wastewater system and the land on which it is situated, including, but not limited to, bills of sale and properly recorded deeds and easements.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-218, SUB 586

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

AQUA NORTH CAROLINA, INC.

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

in

VICKERS VILLAGE SUBDIVISION

Chatham County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 434

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application by Carolina Water Service, Inc. of) North Carolina, for Authority to Amend Its Tariff) to Increase Rates for Water Utility Service for) the Increased Cost of Purchased Water from) the Fayetteville Public Works Commission in) the Tanglewood South and Eastgate Service) Areas in Cumberland County, North Carolina)	ORDER APPROVING TARIFF REVISION AND REQUIRING CUSTOMER NOTICE
--	---

BY THE COMMISSION: On May 23, 2024, Carolina Water Service, Inc. of North Carolina (CWSNC or Company), filed a verified petition with the North Carolina Utilities Commission (Commission) pursuant to N.C. Gen. Stat. § 62-133.11, requesting authority to amend its tariff for the purpose of passing along to its metered water customers in the Tanglewood South and Eastgate service areas in Cumberland County an increase in the cost of purchasing water service from the Fayetteville Public Works Commission (PWC). Section 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 Company stated that, effective May 1, 2024, PWC increased its usage charge for water service by \$0.62 per 1,000 gallons, increasing the rate from \$5.86 to \$6.48 per 1,000 gallons. The Company requests to increase its usage charge to its customers in the Tanglewood South and Eastgate service areas for service rendered on and after May 1, 2024, to pass along this increase in the cost of purchasing water service from PWC.

The Company's current monthly base facility charge for Rate Year 2 water service in its Tanglewood and Eastgate service areas became effective for service rendered on and after April 1, 2024, pursuant to the Commission's Order Approving Schedules of Rates, Schedules of Connection Fees, and Customer Notices in Docket No. W-354, Sub 400, issued on May 12, 2023. The Company's current usage rate related to its bulk purchased water service from PWC became effective for service rendered on and after August 8, 2023, upon issuance of the Commission's Order Approving Tariff Revision and Requiring Customer Notice in Docket No. W-354, Sub 417. The Company requests authority to increase its water usage rate from \$5.86 to \$6.48 per 1,000 gallons to reflect the increase in the cost of purchasing water service from PWC. The monthly base facility charge for a <1" meter is \$29.02. Under the new monthly base facility charge and water

usage rate, the average residential customer's monthly water bill will increase by \$2.46, from \$52.27 to \$54.73 based on 3,968 gallons of usage.¹

The Public Staff – North Carolina Utilities Commission (Public Staff) presented this matter at the Commission's Staff Conference on July 1, 2024. The Public Staff stated that it had reviewed PWC's rates and the Company's request and recommended that the Commission approve the tariff revision at the proposed rates for service rendered on and after the date of this order and require customer notice.

Based upon the foregoing, the Commission finds that CWSNC should be allowed to pass through the costs associated with the increased purchased water expense.

IT IS, THEREFORE, ORDERED as follows:

1. That Carolina Water Service, Inc. of North Carolina is granted a revision to Appendix D-1 of its tariff for water utility service in Tanglewood South and Eastgate in Cumberland County in which it purchases and resells water from the Fayetteville Public Works Commission, as set forth herein;

2. That the revised Appendix D-1 attached hereto is approved and deemed filed with the Commission pursuant to N.C.G.S. § 62-138. These Schedules of Rates shall become effective for service rendered on and after the date of this Order; and

3. That the Notice to Customers attached hereto as Appendix G-1 (RY 2) shall be mailed with sufficient postage or hand delivered by the Company to all its affected customers in the Tanglewood South and Eastgate service areas contemporaneously with the next billing of customers, and that the Company shall submit to the Commission the attached Certificate of Service, properly signed and notarized, no later than ten days after the date of the next billing.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

¹ The average usage was determined based on Average Usage of Uniform Purchased Water Customers in the 2021-2022 test year, found in Exhibit 9 of the testimony of Lindsay Q. Darden, filed on October 26, 2022, in Docket No. W-354 Sub 400.

SCHEDULE OF RATES
WSIP RATE YEAR 2¹

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, Larkhaven (Sewer) 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	\$ 28.42
1" meter	\$ 71.05
1 1/2" meter	\$ 142.10
2" meter	\$ 227.36
3" meter	\$ 426.30
4" meter	\$ 710.50
6" meter	\$1,421.00
8" meter	\$2,273.60

Usage Charge:

A. Treated Water/1,000 gallons	\$ 13.64
B. Untreated Water/1,000 gallons (Brandywine Bay Irrigation Water)	\$ 6.98

¹ Effective under CWSNC's Water and Sewer Investment Plan (WSIP) Rate Year 2 for service rendered on and after April 1, 2024 through March 31, 2025.

Monthly Metered Purchased Water Service (Residential and Commercial):

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

< 1" meter	\$ 29.02
1" meter	\$ 72.54
1 1/2" meter	\$ 145.08
2" meter	\$ 232.13
3" meter	\$ 435.25
4" meter	\$ 725.42
6" meter	\$1,450.83
8" meter	\$2,321.33

Purchased Water for Resale, per 1,000 gallons:

<u>Service Area</u>	<u>Bulk Provider</u>	
Carolina Forest	Montgomery County	\$ 3.19
Eastgate	Fayetteville PWC	\$ 6.48
Tanglewood South	Fayetteville PWC	\$ 6.48
High Vista Estates	City of Hendersonville	\$ 6.51
Riverbend	Town of Franklin	\$ 9.00
Riverpointe	Charlotte Water	\$ 4.37
Whispering Pines	Town of Southern Pines	\$ 3.85
White Oak Plantation/ Lee Forest	Johnston County	\$ 3.40
Winston Plantation	Johnston County	\$ 3.40
Winston Point	Johnston County	\$ 3.40
Willowbrook	Johnston County	\$ 3.40
Woodrun	Montgomery County	\$ 3.19
Yorktown	City of Winston Salem	\$ 5.79
Zemosa Acres	City of Concord	\$ 5.52
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.

<u>Monthly Flat Rate Service:</u> (Billed in Arrears)	\$ 79.85
<u>Availability Rate:</u> (Semiannual)	
Applicable only to property owners in Carolina Forest and Woodrun Subdivisions in Montgomery County	\$ 35.01
<u>Availability Rate:</u> (Monthly)	
Applicable only to property owners in Linville Ridge Subdivision	\$ 17.54
<u>Availability Rate:</u> (Monthly rate, billed semiannually)	
Applicable only to property owners in Fairfield Sapphire Valley Service Area	\$ 12.96
<u>Availability Rate:</u> (Monthly rate, billed quarterly)	
Applicable only to property owners in Connestee Falls	\$ 6.83
<u>Meter Testing Fee:</u> ^{1/}	\$20.00
<u>New Water Customer Charge:</u>	\$27.00
<u>Reconnection Charge:</u> ^{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
<u>Reconnection Charge:</u> ^{3/} (Flat-rate water customers)	
If water service is cut off by utility for good cause	Actual Cost

Management Fee: (in the following subdivisions only)
(Per connection)

Wolf Laurel	\$150.00
Covington Cross Subdivision (Phases 1 & 2)	\$100.00

Oversizing Fee: (in the following subdivision only)

(One-time charge per single-family equivalent) Winghurst	\$400.00
---	----------

Meter Fee:

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

<u>Irrigation Meter Installation:</u>	Actual Cost
---------------------------------------	-------------

SEWER RATES AND CHARGES

Monthly Metered Sewer Service:

A. Base Facility Charge:	
Residential (zero usage)	\$ 50.67
Commercial (based on meter size with zero usage)	
< 1" meter	\$ 50.67
1" meter	\$ 126.68
1 1/2" meter	\$ 253.35
2" meter	\$ 405.36
3" meter	\$ 760.05
4" meter	\$1,266.75
6" meter	\$2,533.50
8" meter	\$4,053.60
B. Usage charge, per 1,000 gallons	\$ 15.32

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) \$ 35.47

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

<u>Service Area</u>	<u>Bulk Provider</u>	
White Oak Plantation/ Lee Forest/Winston Pt.	Johnston County	\$ 7.10
Kings Grant	Two Rivers Utilities	\$ 4.61
College Park	Town of Dallas	\$ 7.77

Monthly Flat Rate Service, per SFE or REU: \$ 98.88

Multi-residential customers who are served by a master
meter shall be charged the flat rate per unit. \$ 98.88

Mt. Carmel Subdivision Service Area:

Monthly Base Facility Charge \$ 8.11

Monthly Collection Charge
(Residential and Commercial) \$ 35.47

Usage Charge, per 1,000 gallons \$ 7.04

(based on metered water from the water supplier)

Regalwood and White Oak Estates Subdivision Service Area:

Monthly Flat Rate Sewer Service

Residential Service \$ 98.88

White Oak High School \$3,178.43

Child Castle Daycare \$ 407.47

Pantry \$ 223.43

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

Monthly Sewer Rates:

Residential	
Collection charge/dwelling unit	\$ 35.47
Treatment charge/dwelling unit	\$ 90.00
Total monthly flat rate/dwelling unit	<u>\$ 125.47</u>

Commercial and Other:

Minimum monthly collection and treatment charge \$ 125.47

Monthly collection and treatment charge for customers who do not take water service \$ 125.47

Treatment charge per dwelling unit

Small (less than 2,500 gallons per month)	\$ 103.00
Medium (2,500 to 10,000 gallons per month)	\$ 182.00
Large (over 10,000 gallons per month)	\$ 286.00

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

The Ridges at Mountain Harbour:

Monthly Sewer Rates:

Collection charge (Residential and Commercial)	\$ 35.47
Treatment charge (Residential and Commercial)	
< 1" meter	\$ 16.95
2" meter	\$ 135.60

Availability Rate: (Monthly rate, billed semiannually)

Applicable only to property owners in Fairfield Sapphire Valley Service Area \$ 13.91

Availability Rate: (Monthly rate, billed quarterly)

Applicable only to property owners in Connestee Falls \$ 7.84

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>	Bills shall be rendered monthly in all service areas, except for Mt. Carmel, which will be billed bimonthly. 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.
Finance Charge for Late Payment:	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.

6/ All nondomestic and industrial waste is subject to the Sewer Use Rule. The Sewer Use Rule can be accessed at <https://www.myutility.us/docs/default-source/carolinawater/sewer-use-tariff.pdf> and is also available upon request. The Sewer Use Rule requires Users (utility customers) to provide advance notice of any nondomestic or industrial waste discharge into the Utility's sanitary sewer systems, and to meet certain effluent limitations and pretreatment requirements. Violations of the Sewer Use Rule may result in disconnection. Reconnection will require reimbursement of the Utility's actual costs incurred as a result of the violation. Repeat violations may result in permanent disconnection.

As part of the Sewer Use Rule, the Utility may require installation and/or proper operation of grease traps or other pre-treatment devices on grease producing commercial facilities. Failure to properly operate grease traps will result in disconnection of service pursuant to Commission Rule R10-16.

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**NOTICE TO CUSTOMERS
DOCKET NO. W-354, SUB 434
BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

Notice is given that the North Carolina Utilities Commission (Commission) has granted Carolina Water Service Inc. of North Carolina (CWSNC), an increase in its water usage charge for customers in the Tanglewood South and Eastgate service areas in Cumberland County, North Carolina.

CWSNC filed a verified petition 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 the Tanglewood South and Eastgate service areas in Cumberland County an increase in the cost of purchasing water service from the Fayetteville Public Works Commission. Section 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 Public Staff – North Carolina Utilities Commission (Public Staff) reviewed CWSNC's petition and recommended that CWSNC be allowed to increase its water usage rate by \$0.62 per 1,000 gallons, increasing the rate from \$5.86 to \$6.48 per 1,000 gallons effective for service rendered on and after the date of this Notice. The monthly base facility charge for <1" meter remains \$29.02.

The new water usage rate will increase the average residential monthly water bill by \$2.46, from \$52.27 to \$54.73 based on an average usage of 3,968 gallons.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

CERTIFICATE OF SERVICE

I, _____, mailed with sufficient postage or hand delivered to all affected customers the attached Notice to Customers issued by the North Carolina Utilities Commission in Docket No. W-354, Sub 434 and the Notice was mailed or hand delivered by the date specified in the Order.

This the ____ day of _____, 2024.

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 Notice to Customers was mailed or hand delivered to all affected customers, as required by the Commission Order dated _____ in Docket No. W-354, Sub 434.

Witness my hand and notarial seal, this the ____ day of _____, 2024.

Notary Public

Printed Name

(SEAL) My Commission Expires: _____
Date

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 422

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Notification by Carolina Water Service, Inc.)	
of North Carolina, of Intention to Begin	)	ORDER RECOGNIZING
Operations in Contiguous Service Area	)	CONTIGUOUS EXTENSION
to Provide Water and Wastewater Utility	)	AND APPROVING RATES
Service for Riverpointe Subdivision in)	
Mecklenburg County, North Carolina)	

BY THE COMMISSION: On February 6, 2024, Carolina Water Service, Inc. of North Carolina (CWSNC) filed a Notification of Intention to Begin Operations in Area Contiguous to Present Service Area (Notification) to provide water and wastewater utility services to seven additional customers in the Riverpointe service area in Mecklenburg County, North Carolina. The proposed service area, addressed herein as the Riverpointe Expansion, is contiguous to CWSNC’s Riverpointe service area (Docket No. W-354, Sub 72). The Company proposes to charge the rates currently approved for its Riverpointe service area.

The Public Staff – North Carolina Utilities Commission (Public Staff) presented this matter to the Commission at its Regular Staff Conference on July 1, 2024. The Public Staff stated that it had reviewed the Notification and recommends that the Commission issue an order recognizing the contiguous extension and approving the requested rates.

Based upon the verified Notification, and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. CWSNC presently holds water franchises serving approximately 34,000 customers and wastewater franchises serving approximately 21,000 customers in North Carolina. CWSNC’s record of service is satisfactory.

2. CWSNC presently serves approximately 201 water and wastewater customers in Riverpointe. CWSNC expects to eventually serve 208 water and wastewater customers in Riverpointe. The service area is shown on plans filed with the Notification.

4. The North Carolina Department of Environmental Quality, Division of Water Resources, Water Quality Regional Operations Section, issued a Wastewater Collection System Extension permit number WQ0044573 dated July 18, 2023, for the Riverpointe

Expansion service area. The wastewater collection system for the Riverpointe Expansion is deemed permitted by the North Carolina Department of Environmental Quality under permit number WQCSD0398.

5. CWSNC entered into an Agreement for Water & Sewer Service with Northway Homes LLC (Developer), on June 29, 2023 (Agreement). Under the Agreement (1) the Developer shall construct and install any additional necessary water distribution and wastewater collection facilities to service the Riverpointe Expansion at no cost to CWSNC, (2) the Developer shall submit to CWSNC \$1,000 for a Plan Review Fee and \$500 for an Inspection Fee, and (3) the Developer shall pay to CWSNC the non-recurring service connection and capacity fees provided for under CWSNC's rate schedule as approved by the Commission, including any taxes imposed on CWSNC for such charges, multiplied by the Single Family Equivalent (SFE) amounting to \$18,016, and (4) prior to the commencement of utility service to any parcel within the Property, the parcel's owner must pay CWSNC all applicable wastewater fees, totaling \$19,516, composed of the Plan Review Fee, Inspection Fee, and Tap fees.

6. The connection charge for customers of the Riverpointe Subdivision is \$300 per connection for water service and \$300 per connection for sewer service per Appendix B-1 and B-2 of the Commission's Order Approving Schedules of Rates, Schedules of Connection Fees, and Customer Notices issued on May 12, 2023, in Docket No. W-354 Sub 400.

7. CWSNC has filed all required exhibits with the Notification.

8. CWSNC has the technical, managerial, and financial capacity to provide water and wastewater utility service in this franchise location.

9. CWSNC proposes to charge the WSIP Rate Year 2 water and wastewater base charges approved by the Commission on May 12, 2023, in Docket No. W-354, Sub 400, and the usage charge approved by the Commission on August 8, 2023, for its existing customers in the Riverpointe service area.

10. The Public Staff recommends that CWSNC be required to post a \$50,000 bond for the Riverpointe Expansion. CWSNC currently has \$4,520,000 of bonds posted with the Commission. Of this amount, \$4,180,000 of bond surety is assigned to specific subdivisions and \$340,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendation of the Public Staff, the Commission concludes that \$50,000 of CWSNC's unassigned bond surety should be assigned to the contiguous extension; that the contiguous extension by CWSNC in the Riverpointe Expansion should be recognized as meeting the Commission's criteria for the extension; and that the requested rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$50,000 of CWSNC's unassigned surety bond is assigned to the Riverpointe Expansion. The remaining unassigned bond surety shall be \$290,000;

2. That the contiguous extension of water and wastewater utility service from Riverpointe into the Riverpointe Expansion in Mecklenburg County, North Carolina, is recognized as meeting the Commission's criteria for the extension pursuant to N.C. Gen. Stat. § 62-110(a), and Appendix A, attached hereto, constitutes CWSNC's Certificate of Public Convenience and Necessity covering the contiguous extension;

3. That CWSNC's existing WSIP Rate Year 2 base charges for water and wastewater service approved by Commission Order in Docket No. W-354 Sub 400, on May 12, 2023, and usage rate approved by the Commission's Order in Docket No. W-354 Sub 418, on August 8, 2023, are approved for water and wastewater utility service in the Riverpointe Expansion;

4. CWSNC's currently approved connection fee for the Riverpointe service area should be approved for future water and wastewater connections in the Riverpointe Expansion;

5. That CWSNC shall follow applicable state and federal laws and Commission guidance with respect to income tax gross-up on contributions in aid of construction per orders issued in Docket No. W-100, Sub 57;

6. That, to the extent not previously filed in the docket, CWSNC shall file, within 14 days of their availability, all completed exhibits to the Agreement for Water & Sewer Service including, but not limited to, deeds, easements, warranties, bills of sale, and written certifications of cost; and

7. That, to the extent not previously filed in the docket, CWSNC shall file, within 14 days of their availability, copies of documents showing that CWSNC has acquired ownership or control of all components of the system and the land on which it is situated, including, but not limited to, bills of sale and properly recorded deeds and easements.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 422

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

CAROLINA WATER SERVICE INC. OF NORTH CAROLINA

is given this acknowledgement of
contiguous extension to the
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
pursuant to N.C. Gen. Stat. § 62-110(a)

to provide water and wastewater utility service

in

the Riverpointe Expansion

Mecklenburg County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

[Back to Agenda](#)