

NORTH CAROLINA UTILITIES COMMISSION
MINUTES OF REGULAR COMMISSION STAFF CONFERENCE

May 22, 2023

The Regular Commission Staff Conference of the North Carolina Utilities Commission was held on Monday, May 22, 2023, at 10:00 a.m., with Chair Mitchell presiding.

The following were present:

COMMISSIONERS:

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

COMMISSION STAFF: Mr. Watson, Mr. Green, Ms. Fennell, Ms. Jarvis, Ms. Hilburn, Mr. Barber, Ms. Jayasheela, Ms. Forrest; Mr. Barley; Mr. Keshar; Mr. McCoy

PUBLIC STAFF: Ms. Edmondson, Mr. Creech, Ms. Keyworth, Mr. McLawhorn, Mr. Lucas, Mr. Junis, Ms. Proffitt, Mr. Franklin,

ATTORNEY GENERAL:

COURT REPORTER: Ms. Vines

ELECTRIC*CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY***Duke Energy Carolinas, LLC**

1. Docket No. SP-26422, Sub 0 – Application of Ronda Solar, LLC for a certificate of public convenience and necessity and registration statement to construct a 21 MW solar photovoltaic generating facility in Wilkes County, North Carolina (*Lucas/Keyworth*)

On August 16, 2021, Ronda Solar, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of a 21 MW_{AC} solar photovoltaic generating facility to be located at the intersection of Money Road and Macedonia Church Road, Ronda, Wilkes County, North Carolina. The Applicant plans to sell the electricity generated by this facility to Duke Energy Carolinas, LLC (DEC).

Also on August 16, 2021, the Applicant filed a registration statement for a new renewable energy facility.

The Public Staff stated that it had reviewed the application and subsequent filings and determined them 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).

The Public Staff recommended approval of the certificate and registration for the facility.

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

Duke Energy Progress, LLC

2. Docket No. SP-28033, Sub 0 – Application of Lumber River Solar, LLC for an amended certificate of public convenience and necessity to construct a 70 MW solar photovoltaic generating facility in Robeson County, North Carolina (T. Williamson/Keyworth)

On May 19, 2021, the Commission issued an order granting Lumber River Solar, LLC (Applicant), a certificate of public convenience and necessity (CPCN) pursuant to N.C. Gen. Stat. § 62-110.1 for construction of a 74 MW_{AC} solar photovoltaic generating facility to be located west of Elrod Road, north of Junior Road, and near the intersection with Elrod Road and Martin Luther King Jr. Highway, Maxton, Robeson County, North Carolina. The Commission previously accepted registration of the facility as a new renewable energy facility.

On November 3, 2022, the Applicant filed a notice that the footprint of the facility had been changed and the capacity had been reduced from 74 MW_{AC} to 70 MW_{AC}.

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.

The Public Staff recommended that the Commission issue an amended CPCN to the Applicant.

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

Commissioner Kemerait did not participate in this decision.

WATER AND WASTEWATER

ORDER SCHEDULING HEARINGS, ESTABLISHING DISCOVERY GUIDELINES, AND REQUIRING CUSTOMER NOTICE

Carolina Water Service, Inc. of North Carolina and Mountain Air Utilities Corporation

3. Docket Nos. W-354, Sub 411 and W-1148, Sub 22 – Application for Authority to Transfer the Mountain Air Utilities Corporation water and wastewater utility systems and Public Utility Franchise in Yancey County, North Carolina to Carolina Water Service, Inc. of North Carolina and approval of rates (*Franklin/Allison/Edmondson*)

On September 26, 2022, Carolina Water Service, Inc. of North Carolina (CWSNC), and Mountain Air Utilities Corporation (Mountain Air), filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates (Application) seeking authority to transfer the water and wastewater utility systems and public utility franchise serving the Mountain Air Development in Yancey County, North Carolina, from Mountain Air to CWSNC and approval of rates.

The Public Staff recommended that the matter be scheduled for a public witness hearing for the sole purpose of receiving testimony from customers; that the public witness hearing should be scheduled subject to cancellation if no significant protests are received from customers on or before [Date]; that the matter should also be scheduled for an expert witness hearing for the sole purpose of receiving expert witness testimony from CWSNC, the Public Staff, and intervenors; and that CWSNC should be required to provide notice to all affected customers of the Application, including the applied for rates and the scheduled hearings.

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

ORDER ESTABLISHING GENERAL RATE CASE AND SUSPENDING RATES

Dry Ridge Properties, LLC

4. Docket No. W-1299 Sub 4 – Application for Authority to Adjust and Increase Rates for Water and Sewer Utility Service to the Eden Glen Mobile Home Park in Buncombe County, North Carolina (Proffitt/Morgan/Culpepper)

On March 22, 2023, Dry Ridge Properties, LLC (Dry Ridge or the Company) filed an application with the Commission seeking authority to increase its rates for providing water and sewer utility service in Eden Glen Mobile Home Park in Buncombe County, North Carolina. On April 10, 2023, Dry Ridge filed an amended application. The amended application states that Dry Ridge serves approximately 54 metered water and sewer customers. This is the first time Dry Ridge has come before the Commission requesting an adjustment and increase in its rates.

The Public Staff recommends that the application be found to constitute a general rate case and the proposed new rates be suspended pending investigation.

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

The Minutes of the Regular Commission Staff Conference of May 1, 2023, were approved.

Minutes prepared by Le Anne Ackerman.