

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. M-100, SUB 164

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	ORDER ALLOWING
Consideration of the Federal Funding)	COMMENTS REGARDING
Available Under the Infrastructure)	FEDERAL FUNDING FOR
Investment and Jobs Act)	UTILITY SERVICE IN NORTH
)	CAROLINA

BY THE COMMISSION: On November 15, 2021, the President of the United States signed into law the Infrastructure Investment and Jobs Act, H.R. 3684, 117th Cong. (2021) (IIJA). The IIJA contains a number of provisions that relate to utility infrastructure improvement including electric generation and transmission, access to clean water, and improved cybersecurity.

The IIJA authorizes an investment of billions of dollars in federal funds in the country's utility infrastructure. The Commission has identified the following programs, which may not be exhaustive:

- grants for the acquisition and installation of publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle (IIJA § 11401);
- a grant program to allow grid hardening activities to reduce the occurrence of or consequences of events that disrupt operations of the electric grid due to extreme weather, wildfire, or natural disasters (IIJA § 40101);
- loans under a transmission facilitation program (IIJA § 40106);
- additional funding for the Smart Grid Investment Matching Grant Program, originally established as part of the Energy Independence and Security Act of 2007 (IIJA § 40107);
- incentive payments to qualifying hydroelectric facilities pursuant to the Energy Policy Act of 2005 (IIJA §§ 40331-40334);
- financial assistance for a demonstration project for pumped storage hydropower for intermittent renewable energy (IIJA § 40334);

- additional funding for various demonstration and pilot projects, such as energy storage demonstration projects, advanced nuclear reactor demonstration projects, and hydropower projects (Title X of the IIJA);
- grants to connect lower income individuals to public water systems (IIJA § 50104); and
- grants to public water systems to increase resilience and reduce cybersecurity vulnerabilities (IIJA § 50107).

Moreover, the IIJA creates a program of federal financial assistance to States, to be used in coordination and collaboration with electric sector owners and operators, in order to demonstrate innovative approaches to transmission, storage, and distribution infrastructure to harden and enhance resilience and reliability and to demonstrate new approaches to enhance regional grid resilience. (IIJA § 40103(b)).

The Commission draws the preliminary conclusion that it is in the public interest for the public utilities of this State to fully and carefully consider taking advantage of these available federal grants and loans, in order to promote adequate, reliable, and economical utility service to the citizens and residents of the State.

The Commission finds good cause to allow interested parties to file written comments regarding this preliminary conclusion, and regarding the following facts and considerations:

- a. The identification of all federal programs under the IIJA that are available to North Carolina public utilities to assist them in meeting their obligations under the North Carolina General Statutes and the Rules of the Commission;
- b. The identification of actions that are reasonable and appropriate for North Carolina's public utilities to take to access those funds;
- c. The identification of the entities, public or private, with which North Carolina public utilities should coordinate in order to access available federal funds;
- d. The identification of the processes that have been either established or contemplated by other agencies of the State;
- e. The identification of actions that may be appropriate for this Commission to consider taking in order to facilitate appropriate receipt and deployment of available federal funding within the State.

IT IS, THEREFORE, ORDERED as follows:

1. That Duke Energy Progress, LLC; Duke Energy Carolinas, LLC; Virginia Electric and Power Company d/b/a Dominion Energy North Carolina; Piedmont Natural

Gas Company, Inc.; Public Service Company of North Carolina, Inc., d/b/a Dominion Energy North Carolina; AQUA North Carolina, Inc.; and Carolina Water Service, Inc. of North Carolina are hereby made parties of record in this proceeding;

2. That other parties desiring to become formal participants and parties of record shall file petitions to intervene or notices of intervention in accordance with the applicable Commission rules on or before March 15, 2022;

3. That parties may file written comments as provided herein on or before March 15, 2022, provided that each utility party is only required to comment on available federal programs as they pertain to its particular industry;

4. That parties may file written reply comment on or before April 14, 2022; and

5. That the Chief Clerk shall serve all public electric, natural gas, water, and wastewater utilities with this Order.

ISSUED BY ORDER OF THE COMMISSION.

This the 1st day of February, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, appearing to read "Joann R. Snyder".

Joann R. Snyder, Deputy Clerk