

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. M-100, SUB 160

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Rulemaking Proceeding to Amend)	ORDER ADOPTING AMENDED
Commission Rules R1-32 and R1-33)	RULES R1-32, R1-33, R7-37, AND
Regarding the Filing of Annual Reports)	R10-24 AND EXTENDING FILING
by Public Utilities and Municipalities)	DEADLINE FOR PUBLIC UTILITIES'
)	2022 ANNUAL REPORTS

BY THE COMMISSION: On May 27, 2021, the Commission issued an Order Initiating Rulemaking and Requesting Comments in the above-captioned proceeding proposing to amend Commission Rules R1-32 and R1-33 to require electronic filing of annual reports. Duke Energy Carolinas, LLC (DEC); Duke Energy Progress, LLC (DEP); Virginia Electric and Power Company, Inc., d/b/a Dominion Energy North Carolina (DENC); Piedmont Natural Gas Company, Inc. (Piedmont); Public Service Company of North Carolina, Inc. (PSNC); Aqua North Carolina, Inc. (Aqua); and Carolina Water Service, Inc. of North Carolina (CWSNC) were all made parties to this docket, and the intervention of the Public Staff was recognized pursuant to N.C. Gen. Stat. § 62-15(d) and Commission Rule R1-19.

Initial comments were filed by DEC and DEP, jointly; Piedmont; Aqua; CWSNC; and the Public Staff. DENC and PSNC jointly filed a letter in lieu of comments. Reply comments were filed by DEC and DEP, jointly; DENC and PSNC, jointly; CWSNC; and the Public Staff.

On September 13, 2021, after being made aware that the May 27, 2021 order may not have been served on all affected public utilities, the Commission issued an order re-serving the May 27, 2021 order on all jurisdictional utilities required to file annual reports pursuant to N.C.G.S. §§ 62-36 and -47 and Commission Rules R1-32 and R1-33 and extending the deadline for filing comments. No further comments were received.

SUMMARY OF COMMENTS

In its May 27, 2021 order the Commission requested that commenters address at least the following four issues:

- (1) Whether any information now required to be filed in the annual reports is confidential, and whether commenters foresee problems with filing redacted and unredacted versions of the annual report or with filing a public version and separate confidential pages, with the unredacted version or separate

confidential pages being filed electronically in the docket system as a confidential filing.

- (2) Whether any information now required to be filed in the annual reports is no longer necessary, or whether additional information should be required to be filed in the annual reports.
- (3) Whether the Commission should maintain the option for any utility to file a paper copy of its annual report, thereby exempt from the electronic filing requirement.
- (4) Whether the Commission should require that the data underlying the annual reports be filed in a format that allows for automatic collection and manipulation.

Initial Comments

DEC and DEP

DEC and DEP state that they support the Commission's goal to improve practices associated with annual reports. DEC and DEP maintain that to the extent that any of the information included is confidential, they do not foresee any problem with filing a public version of the report and separately filing the confidential pages electronically in the docket system. DEC and DEP affirm that they do not believe there is any additional information that needs to be required; however, there is information in the reports that are no longer necessary. Both DEC and DEP file annual cost-of-service studies with the Commission (DEP by April 30 and DEC by May 31), which they maintain are sufficient to provide the information requested in Commission Rule R1-32(b)–(e). Additionally, DEC and DEP note that Rule R1-32(g) requires (1) several additional pages that were eliminated by FERC in 1983, and (2) several pages that are required in the FERC Form 1 to be prepared with different instructions. DEC and DEP state that they are not aware of any party that uses the data provided, that the additional pages are no longer relevant, and that the requirement should be discontinued. Further, DEC and DEP state that they do not have an opinion on the Commission maintaining the option for any utility to file a paper copy of its annual report, as they intend to file their annual reports electronically. Finally, DEC and DEP note that FERC recently revised its electronic filing format to require energy companies to submit their annual Forms in eXensible Business Reporting Language (XBRL) format. DEC and DEP state that they will comply with this requirement starting in the third quarter of 2021; however, they will not have any North Carolina supplemental information in the XBRL format.

Dominion and PSNC

In their joint letter Dominion and PSNC voice support for the Commission's proposal to amend Commission Rules R1-32 and R1-33 and general support for electronic filings instead of paper copies. Dominion and PSNC state that they do not anticipate any issues or problems with the electronic filing requirement; however, their

reports may contain confidential information, as designated by the utilities, which pursuant to N.C.G.S. §§ 132-1.2 and 66-152(3) is protected from public disclosure and would be filed under seal.

Piedmont

Piedmont states that its annual report contains confidential information; however, it does not foresee having any issues with filing a redacted public version of its annual report and separately filing unredacted confidential pages. Piedmont states that it does not believe there is any additional information that needs to be required in the proposed electronic annual reports, and that it welcomes the opportunity to discontinue reporting unnecessary information and reduce the burden on all parties. Piedmont states that much of the information it files with the Commission in its quarterly GS-1 reports and similar monthly financial and operational data provided to the Public Staff is duplicative of the information found in its annual report provided pursuant to Rule R1-32, which is presented in the format of FERC Form 2, although not filed with the FERC because Piedmont is not regulated by the FERC. Piedmont does not foresee any problem with filing a PDF version of its annual report with the Commission, but it expresses no opinion as to whether the Commission should maintain the option for exemption from the electronic filing requirement. Finally, regarding the question of whether the Commission should require the data underlying the annual reports to be filed in a format that allows for automatic collection and manipulation, Piedmont states that it is not presently capable of preparing its annual reports for the Commission in the XBRL format, although it is aware that FERC recently revised its electronic filing format to require regulated energy companies to submit their annual forms in XBRL format.

Aqua

Aqua states that no confidential information is currently provided in its annual reports, and if confidential data is required in future filings, Aqua will file redacted and unredacted versions, including separate confidential pages, as necessary. Additionally, Aqua states that the current filing requirements do not request information that Aqua deems unnecessary, nor does Aqua identify any additional filing requirements at this time. Lastly, Aqua notes that it has not identified a situation for itself in which a paper-filing protocol would be preferable to the electronic filing system. However, in response to the Commission question regarding the filing of data underlying the annual reports in a format that allows for automatic collection and manipulation, Aqua states that it prefers to provide such information specifically in response to requests from the Commission, the Public Staff, or other entities.

CWSNC

CWSNC states that should confidential data be required in future annual reports, it does not foresee problems with the filing of redacted and unredacted versions as is currently done with other confidential filings. As did Aqua, CWSNC notes that the current filing requirements do not request information that CWSNC deems unnecessary, and CWSNC has not identified a situation in which a paper-filing protocol would be preferable

to the electronic system. Finally, CWSNC states that it is willing to electronically provide the underlying annual report data in a format that allows for automatic collection and manipulation.

Public Staff

The Public Staff states that it supports the Commission's proposal to amend Rules R1-32 and R1-33 to require annual reports to be filed in the Commission's docket system. The Public Staff believes that the proposal would promote efficiency and reduce administrative burden. In addition, the Public Staff notes that these amendments would facilitate public access to annual reports, as the Public Staff frequently receives inquiries for copies of the annual reports or sections of the annual reports.

The Public Staff states that all information provided in the annual reports should be considered public information, and that if a segment of a utility's annual report is deemed confidential, the utility may request confidential treatment from the Commission on a case-by-case basis. The Public Staff states that it does not have any items to recommend for addition or deletion to the electronic annual reports. The Public Staff also notes that converting to electronic annual reports will improve Commission and Public Staff administrative efficiency, facilitate transparency with public access and review, and better serve customers. The Public Staff recommends mandatory electronic filing of annual reports for all utilities and the elimination of the option for a utility to file a paper copy of its annual report. The Public Staff maintains that allowing for the continued filing of paper copies would significantly erode administrative efficiency.

The Public Staff strongly supports development of annual report forms that allow for the automatic collection and manipulation of data. The Public Staff states that it utilizes data from annual reports when evaluating the financial standing and operations of utilities in earnings reviews, rate cases, and other proceedings. A more user-friendly format would assist both the Public Staff and the Commission in working with the underlying data contained in the annual reports. Further, the Public Staff recommends that any underlying data submitted to the Commission be maintained by the Commission rather than the Public Staff, like the proposed treatment of the annual reports themselves. The Public Staff questions whether utilities would be required to provide data underlying the entirety of the annual report or only specific portions, and whether such data would be uploaded to the Commission's online docket system or provided to the Commission and other parties by other means.

Lastly, in its comments the Public Staff raises several issues that were not addressed in the Commission's order:

- (1) The importance of the Commission having a process in place for ensuring that all covered utilities are submitting annual reports. This includes a process in which the Commission will contact and assist any entities that do not file annual reports as required.

- (2) That annual report forms (excluding the FERC forms), which are currently available only on the Public Staff's website, should also be available for download on the Commission's website.
- (3) The use of an online form could assist the Commission with the collection of information and data for some utilities. Specifically, the Public Staff states that it created, but has not yet utilized, an online form for transportation utilities to submit their annual report information, whereby data entered directly online is fed into a spreadsheet, thus eliminating the administrative burden of rekeying the data from each report into a spreadsheet or database.
- (4) That notarization of annual forms should no longer be required for utilities. The removal of the notarization requirement would allow the annual form to be submitted electronically without the need for a separate hard copy of the verification page. The Public Staff believes it is sufficient to either (1) include a check box on the form for affirming under the penalty of perjury that the information therein is accurate, or (2) allow entities to upload a PDF with a signature affirming that the information therein is accurate. The Public Staff notes that notarization requirements were largely suspended throughout the pandemic with no discernible impact on the quality or accuracy of filings. Additionally, the Public Staff asserts that the self-authentication of annual forms in Commission proceedings is unnecessary. The Public Staff states that it sees no downside of dispensing with the notarization requirement for annual reports but does see a significant upside of eliminating an administrative burden for utilities and the Commission.

Reply Comments

DEC and DEP

In their reply comments DEC and DEP state that they met with the Public Staff and that the Public Staff does not object to DEC and DEP's proposed changes to the annual report, as follows:

- (1) Rule1-32(b)–(e): DEC and DEP will utilize their annual cost-of-service filings to meet the requirements of Rule1-32(b)–(e), but will continue to file the following pages in their annual reports:
 - North Carolina Page 301 — Electric Operating Revenues (Account 400) Allocated to North Carolina Electric
 - North Carolina Page 304 — Sales of Electricity by Rate Schedule Allocated to North Carolina Electric
 - North Carolina Page 447A — Class A Electric Company Statistical Data
 - North Carolina Page 450 — Gross Annual Premiums Paid — NEIL Primary Nuclear Property Insurance

DEC and DEP request that in order to align the filing date of the annual reports with the filing date of the annual cost-of-service studies, the Commission consider extending the filing date for the annual reports from April 30 to May 31. DEC and DEP further note that consistent with past practice, the Commission would still retain its authority to waive the filing requirement related to cost-of-service studies in years where the utility has a pending rate case or has notified the Commission of its intent to file a rate case in which cost-of-service studies will be included.

- (2) Rule R1-32(g): DEC and DEP will discontinue filing the following pages:
- North Carolina Pages 323/323A — Summary of Electric Operation and Maintenance Expenses, per Rule R1-32(g)(10)
 - North Carolina Page 333 — Miscellaneous General Expenses (Account 930.2), per Rule R1-32(g)(4)

Dominion and PSNC

In their joint reply comments Dominion and PSNC add that they do not support filing reports in a format that allows for automatic collection and manipulation. Dominion states that it started complying with FERC's new XBRL format requirement in the third quarter of 2021. Requiring Dominion to submit additional information to the Commission in the XBRL format that is not required by FERC and requiring PSNC to file its annual report to the Commission in the XBRL format would impose a significant administrative burden on and require additional resources for them to prepare the Commission's annual reports. Finally, the Dominion and PSNC state they support the Public Staff's recommendation that the Commission no longer require notarization of annual reports, resulting in the removal of the need for a separate hard copy of the verification page.

CWSNC

CWSNC concurs with most of the initial comments of the Public Staff, including that the amendment of Rules R1-32 and R1-33 should require the submission of electronic annual reports, adding that a paper copy option would dilute the benefits of the electronic filing requirement. However, CWSNC disagrees with the Public Staff's support of using an online form for electronic submission to collect data. CWSNC argues that although the use of an online form would improve data collection by the Commission, these stagnant forms would require considerable work to create for each utility type and class. Additionally, CWSNC maintains that the use of an online form would require the utilities to rekey potentially hundreds of numbers and other information that has been compiled in their Excel-based report templates, which are often supported by workpapers, calculations, and formulas, to facilitate efficient preparation of the reports. Utilities also need to regularly add rows to their templates, where some templates are not easily accommodated in an online form, and that it is common practice for utilities to add footnotes and comments on various pages of annual reports to explain distinct accounting and presentation adjustments. Instead, CWSNC recommends that the Commission

create an automatic means of extracting the data from Excel-based electronic filings, such as macros, to facilitate any data collection needs.

Public Staff

In its reply comments the Public Staff states that all parties except the Public Staff indicate that they foresee no problems with filing redacted and unredacted versions of the annual reports or filing a public version and separate confidential pages. The Public Staff strongly maintains that all information contained within the annual reports should be public information, by default. The Public Staff explains that if a utility or municipality believes that information in its annual report should be treated as confidential, that utility or municipality should request confidential treatment from the Commission on a case-by-case basis. The Public Staff notes that DEC and DEP were the only utilities that requested items be deleted from the annual reports. The Public Staff states that after meeting with DEC and DEP it does not object to the deletion of certain pages contained in the annual report. The Public Staff notes that no party, including the Public Staff, requested additional information for inclusion in the annual reports, nor did any utility request an exemption from electronic filing. The Public Staff maintains that the requirement to file electronically should be mandatory for all entities. Lastly, the Public Staff reiterates its support for the development of a format allowing for automatic collection and manipulation of the data filed in the annual reports and the related issues set forth in its initial comments.

DISCUSSION AND CONCLUSIONS

The Commission recognizes and appreciates the participation of the parties and all the comments and suggestions filed in this proceeding. Further, the Commission finds the comments, suggestions, and recommendations extremely helpful and encourages similar collaboration, where possible, in future rulemaking procedures.

Based upon the record in this proceeding, the Commission finds it appropriate to amend Commission Rules R1-32 and R1-33 to require that annual reports currently provided to the Chief Clerk and retained by the Public Staff pursuant to N.C.G.S. §§ 62-36 and -47 be electronically filed into the Commission's online docket system beginning in 2022.¹

To allow sufficient opportunity for public utilities to prepare and file this year's annual reports, the Commission will extend the time for public utilities to file their reports until August 1, 2022, for calendar year 2021. The municipalities' reports will be due as usual on or before November 15, 2022. Annual reports will be due in future years on or before April 30 for the public utilities and November 15 for the municipalities per Rules R1-32 and R1-33.

Since Commission Rule R2-8.1 was amended in 2008 in Docket No. T-100, Sub 69, certificated household goods carriers have annually provided a verification of

¹ Instructions for electronic filing, including obtaining a login ID, are posted on the Commission's website at <https://www.ncuc.net/efiling.html>.

principals, an update of principals' criminal history and citizenship/employment authorization, and a certificate of liability insurance to the Commission and Public Staff at the same time as they filed their annual report. *The electronic filing requirement adopted herein applies only to the annual report itself* and not to the additional information just described. The remaining information is received and maintained confidentially by the Commission and Public Staff, and even though the Commission's electronic docket system is designed to accept confidential information, due to the extremely sensitive nature of these documents, this information has been and will continue to be handled separately from the docket system. This does not frustrate the objectives sought to be obtained in this proceeding as the confidential documents are not subject to public disclosure. Copies of the forms for reporting verification of principals and updates regarding principals' criminal history and citizenship/employment authorization should be mailed or emailed to Transportation Utilities Regulatory Director, North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300, email: transportation@ncuc.net. Copies of the certificate of liability insurance form should continue to be mailed, emailed, or faxed to Transportation Rates Division, Public Staff – North Carolina Utilities Commission, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300, email: transportation@psncuc.gov, fax: 919-733-0879.

To aid in locating annual reports in the Commission's online docket system, the Commission will create new "M-2" dockets for electronic filing of annual reports. Initially, the Commission will create the following new dockets for the electronic filing of annual reports by public utilities — electricity, Docket No. M-2, Sub 2022E; telephone, Docket No. M-2, Sub 2022P; water or sewer, Docket No. M-2, Sub 2022W; natural gas, Docket No. M-2, Sub 2022G; household goods movers, Docket No. M-2, Sub 2022T; passenger ferries, Docket No. M-2, Sub 2022A; and passenger buses and brokers, Docket No. M-2, Sub 2022B — and by municipalities, Docket No. M-2, Sub 2022M.² Similar dockets will be created in future years. Within each docket, the description of each filing should include the name of the utility or municipality filing the annual report, e.g., "2022 Annual Report of Duke Energy Carolinas, Inc. (DEC)" in Docket No. M-2, Sub 2022E, or "2022 Annual Report of Aqua North Carolina, Inc." in Docket No. M-2, Sub 2022W.

Issue 1: Filing Confidential Information

The Commission agrees with the Public Staff that the information required to be filed in the annual reports is generally not confidential, with the possible exception of federally protected critical energy infrastructure information (CEII). North Carolina maintains a traditional, noncompetitive utility industry structure for electricity, natural gas, and water and wastewater service, and does not require disclosure of competitive trade secret information in the annual reports of regulated household goods carriers.

However, as with any other filings, the Commission's electronic filing system allows for the filing of confidential and nonconfidential, or redacted, public versions of documents. Thus, as suggested by the Public Staff, any utility or municipality that believes

² Users of the electronic docket system via the Commission's website at <https://starw1.ncuc.gov/NCUC/portal.aspx> should enter the docket number without a comma — e.g., "M-2 Sub 2022E" — where required.

its annual report contains confidential information should file both an unredacted, confidential version of its annual report and a redacted, public version with a request that the unredacted version remain confidential and an explanation of the need for such treatment. Consistent with past Commission practice, if the basis for any such confidential filings is challenged, the Commission will consider such requests for confidential treatment on a case-by-case basis. The Commission emphasizes, however, that it generally expects all annual reports to be filed as nonconfidential and to be immediately accessible by any member of the public.

Issue 2: Additional or Unnecessary Reporting Requirements

As noted by the Public Staff, no party requested additional information for inclusion in the annual reports. Moreover, only DEC and DEP suggested discontinuing the filing of any information currently in their annual reports. Given the Public Staff's agreement, the Commission will amend Rule R1-32(g) related to the information provided by DEC and DEP in their annual cost-of-service studies and in their annual reports, and delete the filing requirements of Rule R1-32(g)(4) and (10). However, the Commission declines to extend the filing date from April 30 to May 31 to align with the filing of its annual cost-of-service study by DEC. DEC expressed no problem with submitting its annual report by April 30 in the past, and the Commission would expect DEC to be able to comply with the amended filing requirements of Rule R1-32 in the future, understanding that DEC will continue to file its annual cost-of-service study by May 31 of each year. Moreover, FERC Form 1, which is required to be filed with the Commission by DEC and DEP as part of their annual reports pursuant to Rule R1-32(g), must be filed with the FERC by April 18th each year. 18 C.F.R. § 141.1.

Issue 3: Exemption from Electronic Filing Requirement

The Commission agrees with the Public Staff that all utilities and municipalities required to file annual reports should be required to file them electronically beginning with the annual reports for utilities now due August 1, 2022, and the annual reports for municipalities due November 15, 2022. As CWSNC noted, allowing a paper copy option would dilute the transparency, administrative efficiency, and other benefits of electronic filing. The Commission encourages any utility or municipality subject to Rules R1-32 and R1-33 to contact the Commission's Chief Clerk's Office if they need assistance with electronic filing but to continue to contact the Public Staff if they have questions or need assistance with completing the annual report form. Consistent with past practice, the Commission expects the Public Staff to initiate the annual reporting process by letter communication to the entities and to follow up with any entities that do not file their annual reports as required by the Commission's rules.

Issue 4: Automatic Collection and Manipulation of Data

The Commission is very interested in pursuing a means for automatic collection of data from annual reports to allow for additional analysis and manipulation of data, and the Commission appreciates the support of this initiative by several parties in their comments. However, given the current method by which the various utilities and municipalities prepare

and submit their annual reports, such a task is a substantial undertaking that cannot be completed in time for filing of the 2022 annual reports. The Commission notes that many, but not all, of the annual report forms currently available on the Public Staff's website are structured as Microsoft Excel spreadsheets, which would appear to facilitate such submission. The Commission is also mindful, however, of the comments by several parties herein that footnotes or other customization may be added by a utility prior to submission that would complicate uniformity and data collection. Also, while the electric and natural gas utilities utilize an electronic format adopted by the FERC, not all natural gas utilities subject to the Commission's annual report requirement are presently capable of preparing their annual reports in this format. The Commission will continue to pursue avenues for automatic collection of data from annual reports for possible adoption in the future.

Additional Issues Raised by the Public Staff

In its comments the Public Staff recommended that the Commission no longer require that annual forms be signed and notarized, but stated that it would be sufficient to either (1) include a check box on the form for affirming under the penalty of perjury that the information therein is accurate, or (2) allow entities to upload a PDF with a signature affirming that the information therein is accurate. The Public Staff stated that it sees no downside of dispensing with the notarization requirement for annual reports but sees a significant upside of eliminating an administrative burden for utilities and the Commission.

The requirement that annual reports by utilities required pursuant to N.C.G.S. § 62-36 be notarized is discretionary: "All reports shall be under oath when required by the Commission." No such discretion is provided in N.C.G.S. § 62-47, which provides that an annual report filed by a municipality shall be "verified by the oath of the general manager or superintendent thereof." However, in response to the COVID-19 pandemic, the General Assembly enacted Session Law 2021-47 (Senate Bill 255), section 17.(a) of which adds N.C.G.S. § 7A-98 providing, in part, as follows:

§ 7A-98. Unsworn declarations under penalty of perjury.

(a) Any matter required or permitted to be supported, evidenced, established, or proved in writing under oath or affirmation may, if filed electronically pursuant to rules promulgated by the Supreme Court under G.S. 7A-49.5, with like force and effect be supported, evidenced, established, or proved by an unsworn declaration in writing, subscribed by the declarant and dated, that the statement is true under penalty of perjury.

(b) Declarations given pursuant to this section shall be deemed sufficient if given in substantially the following form:

"I declare (or certify, verify, or state) under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on (date).
(Signature)."

Further, electronic signatures have been recognized as valid in North Carolina for electronically filed documents for more than two decades. The Commission, therefore, finds good cause to adopt the Public Staff's recommendation and amend the annual report forms to require an electronic signature under penalty of perjury rather than a notarized signature.

The Commission notes that water and sewer public utilities are required by Commission Rules R7-37(g) and R10-24(g) to attach to their annual reports a separate notarized statement stating the amount of their bond, whether the bond is still in effect, and the date of next renewal. Consistent with the decision above to no longer require annual reports to be notarized but simply electronically signed under penalty of perjury, the Commission finds good cause to similarly amend Rules R7-37(g) and R10-24(g) to remove the notary requirement. These statements should be attached to and electronically filed with the annual reports required to be filed by water and sewer public utilities pursuant to Commission Rule R1-32.

In addition, for household goods carriers, the forms for annually reporting verification of principals and updates regarding principals' criminal history and citizenship/employment authorization were previously required to be verified. Consistent with the above, to allow these forms to be submitted electronically to the Commission by household goods carriers, the Commission will no longer require the forms to be notarized but simply electronically signed under penalty of perjury and emailed to the Commission as provided herein.

Lastly, the Public Staff noted that annual report forms (excluding the FERC forms), are currently available only on the Public Staff's website and recommended that they should also be available for download on the Commission's website. The Commission's website currently hosts a number of application and other forms, and the Commission agrees that these annual report forms should be added to the Commission's website. Minor modifications will need to be made consistent with this Order to direct that the annual reports be electronically filed in the Commission's online docket system rather than mailed to the Public Staff.

IT IS, THEREFORE, ORDERED as follows:

1. That annual reports required by Commission Rules R1-32 and R1-33 shall be electronically filed into the Commission's online docket system beginning in 2022. Annual reports for the public utilities shall be electronically filed as provided in this Order on or before August 1, 2022, and annual reports for the municipalities shall be electronically filed on or before November 15, 2022. In future years, pursuant to Rules R1-32 and R1-33, public utilities' annual reports shall be due on or before April 30 for the preceding calendar year, and municipalities' annual reports shall be due on or before November 15 for the preceding fiscal year;

2. That in addition to electronically filing annual reports with the Commission as required in Ordering Paragraph No. 1 above, household goods carriers shall mail or email copies of the forms for reporting verification of principals and updates regarding principals' criminal history and citizenship/employment authorization to Transportation Utilities

Regulatory Director, North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300, email: transportation@ncuc.net, and to mail, email, or fax copies of the certificate of liability insurance form to Transportation Rates Division, Public Staff – North Carolina Utilities Commission, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300, email: transportation@psncuc.gov, fax: 919-733-0879;

3. That the Commission hereby adopts revised Rules R1-32, R1-33, R7-37(g), and R10-24(g) as shown in Appendix A (redlined) and Appendix B (clean), effective as of the date of this Order;

4. That the Chief Clerk shall serve this Order on all jurisdictional utilities and municipalities required to file annual reports pursuant to N.C.G.S. §§ 62-36 and -47 and Commission Rules R1-32 and R1-33;

5. That the Chief Clerk shall mail a copy of this Order to Electricities of North Carolina, Inc., and the North Carolina Movers Association to aid in dissemination to their members of this new electronic filing requirement; and

6. That consistent with current practice the Public Staff shall initiate the annual reporting process by letter communication to the jurisdictional utilities and municipalities required to file annual reports pursuant to N.C.G.S. §§ 62-36 and -47 and Commission Rules R1-32 and R1-33 and shall follow up with any entities that do not file their annual reports as required by the Commission's rules.

ISSUED BY ORDER OF THE COMMISSION.

This the 30th day of March, 2022.

NORTH CAROLINA UTILITIES COMMISSION

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

Joann R. Snyder, Deputy Clerk

Rule R1-32. FILING OF ANNUAL REPORTS BY PUBLIC UTILITIES.

(This rule is not applicable to interexchange carriers, pursuant to *Order Modifying Ceiling Rate Plan and Financial Reporting Requirements*, Docket No. P-100, Sub 72, December 9, 1993, and to competing local providers, pursuant to Rule R17 2(j).)

(a) Pursuant to the provisions of G.S. 62-36 relating to annual reports by utilities, all public utilities doing business in the State of North Carolina and subject to regulation as to franchises, rates or services by the North Carolina Utilities Commission shall electronically file annual reports of the operations of said public utility as soon as possible after the close of the calendar year, but in no event later than the 30th day of April of each year for the preceding calendar year. Such annual reports shall be ~~under oath and shall~~ be prepared on forms approved or furnished by the Utilities Commission for the respective utility services offered by such companies; to wit, the appropriate approved form respectively for electric service, telephone service, water service, sewer service, natural gas service, motor carriers of household goods, motor carriers of passengers, and common carriers by water. Where prescribed by the forms furnished or approved by the Commission, such public utilities shall make such annual reports in accordance with the classification of such utility as prescribed by the instructions for said forms; to wit, Class A, Class B, or Class C utility companies, or other classifications, for the respective utility services. All operating data, financial statistics, and other accounting and financial information required for said form shall be furnished in accordance with the respective Uniform System of Accounts prescribed for the said respective utility services, unless otherwise specifically provided by the Commission. ~~The Chief Clerk shall, immediately upon the filing of any annual report, transmit the same to the Public Staff for retention and use in accordance with its statutory duties.~~

(b) All such annual reports shall show the utility's total operations. If the utility operates in other states in addition to North Carolina, the report shall also show separately stated either the utility's total operations in North Carolina or its total operations in intrastate commerce in North Carolina. Any utility which elects to separately state its total operations in intrastate commerce in North Carolina rather than its total operations in North Carolina shall include therein any interstate operations over which the Commission has rate-making jurisdiction.

(c) The separate statement of total operations in North Carolina or of total operations in intrastate commerce in North Carolina may be shown by supplementary addenda or by different colored insert pages in sequence to the report of total operations. The underlying basis for all separations and allocations used in obtaining the separate statement shall be given in sufficient detail to permit analysis thereof by the Commission.

(d) In the case of public utilities which file annual reports with federal agencies such as the Federal Energy Regulatory Commission, Federal Communications Commission, or Department of Transportation, a copy of said report to the federal agency will comply with this rule insofar as it requires a report of total company operations; provided all said copies shall contain supplementary addenda or different colored insert sheets in

sequence showing the required separate statement of total operations in North Carolina or of total operations in intrastate commerce in North Carolina.

(e) The separate statement of total operations in North Carolina or of total operations in intrastate commerce in North Carolina shall show for the separately stated operations

- (1) The original cost of the utility's plant and equipment used therein,
- (2) The portion of the cost thereof which has been consumed by previous use recovered in depreciation expenses,
- (3) The gross revenues derived therefrom,
- (4) The operating and maintenance expenses, actual investment currently consumed through depreciation, and taxes attributable thereto, and
- (5) The net utility operating income derived therefrom.

(e1) In lieu of filing annual report forms furnished or approved by the Commission, or otherwise filing any other information as provided for in Sections (a) through (e) above, incumbent local exchange companies (ILECs) that are price regulated under G.S. 62-133.5(a), and any carrier electing regulation under G.S. 62-133.5(h), may instead satisfy all of their annual reporting obligations by providing the following as soon as possible after the close of the calendar year, but in no event later than the 30th day of April of each year for the preceding calendar year:

- (1) Publicly traded ILECs may provide the Commission with a link to their annual filings with the SEC;
- (2) ILECs that are not publicly traded may annually file copies of their audited financial statements with the Commission;
- (3) CLPs with COLR responsibilities that are publicly traded may provide the Commission with a link to their annual filings with the SEC; and
- (4) CLPs with COLR responsibilities that are not publicly traded may annually file copies of their audited financial statements with the Commission.

(f) Common carriers of passengers and household goods will be in compliance with the provisions of this rule by completing and electronically filing the annual report form prescribed by the Commission.

(g) In addition to filing FERC Form No. 1 as revised by the Federal Energy Regulatory Commission effective on February 5, 1982, for reports to be filed on or before April 30, 1983, and for reports filed thereafter, Electric Companies shall also electronically file the following financial schedules in addition to the revised FERC Form No. 1, or modify the revised FERC Form No. 1 schedules as follows:

- (1) The following schedules previously included in FERC Form No. 1 but not included in the revised FERC Form No. 1 shall continue to be filed in Revised Form No. 1 and assigned the page numbers indicated below:

Schedule Title	Page Number of Previous Form No. 1	Page Number To Be Assigned Revised Form No. 1
Investments	202	216
Accumulated provision for uncollectible accounts	204	219
Production fuel and oil stocks	209	218-A
Miscellaneous current and accrued assets	210	221
Preliminary survey and investigation charges	212	222
Deferred losses from disposition of utility plant	214-A	222-A
Unamortized loss and gain on reacquired debt	214-B	222-B
Miscellaneous current and accrued liabilities	224	262
Operating reserves	226	263
Investment tax credits generated and utilized	228	274
Gain or loss on disposition of property	300	305
Income from utility plant leased to others	301	306
Particulars concerning certain other income accounts	303	307
Extraordinary items	306	319
Plant acquisition adjustments and accumulated provision for amortization of plant acquisition adjustments	407	325
Sales of electricity — by communities	410-411	302-303
Lease rentals charged	421A-D	328A-D

- (2) The schedule entitled "Charges for Outside Professional and Consultative Services," which was Page 354 of previous Form No. 1 shall be filed as Page 324 of revised Form No. 1, but the previous \$10,000 limit may be increased to \$50,000.
- (3) For Page Numbers 102 and 250 of revised Form No. 1 the electric companies shall file the information requested by these schedules instead

of making reference to Securities and Exchange Commission 10-K Report Form.

- (4) ~~The limit of \$5,000 required in Line Number 5 of Page 333 of revised Form No. 1 shall be decreased from \$5,000 to \$1,000. [REPEALED.]~~
- (5) A column (e) entitled "Increase or Decrease" shall be added to Pages 110-113 of revised Form No. 1.
- (6) Columns (c) through (j) of Pages 214C-D of previous Form No. 1 shall be added as Columns (c) through (j) of Page 224 of revised Form No. 1. Column (c) of Page 224 of revised Form No. 1 shall be changed to Column (k).
- (7) The information requested in instruction 1.B of Page 106 of previous Form No. 1 which was omitted from Page 106 of revised Form No. 1 shall continue to be provided on Page 106 of revised Form No. 1.
- (8) Page 337 of revised Form No. 1 shall be filed based on the instructions for Page 304 of previous Form No. 1.
- (9) Pages 350 and 351 of revised Form No. 1 shall be filed based on the instructions for Pages 353-353A of previous Form No. 1.
- (10) ~~A summary of operation and maintenance expenses shall be inserted on Page 323 of revised Form No. 1 in the same format as contained on Page 420 of previous Form No. 1. [REPEALED.]~~

Duke Energy Carolinas, LLC, and Duke Energy Progress, LLC (DEP), shall use their annual cost-of-service filings to meet the requirements of Sections (b) through (e) above but shall continue to file the following pages in their annual reports:

- (1) North Carolina Page 301 — Electric Operating Revenues (Account 400) Allocated to North Carolina Electric
- (2) North Carolina Page 304 — Sales of Electricity by Rate Schedule Allocated to North Carolina Electric
- (3) North Carolina Page 447A — Class A Electric Company Statistical Data
- (4) North Carolina Page 450 — Gross Annual Premiums Paid — NEIL Primary Nuclear Property Insurance

Rule R1-33. FILING OF ANNUAL REPORTS BY MUNICIPALITIES.

Pursuant to the provisions of G.S. 62-47, the annual reports therein required to be filed by every municipality furnishing gas, electricity, or telephone service shall be electronically filed on a fiscal year basis for an annual reporting period from July 1st of each year through June 30th of the succeeding year. Beginning with the fiscal year July 1, 1964 — June 30, 1965, and continuing thereafter, such municipal annual reports shall be electronically filed as soon as possible after the close of the fiscal year, but in no event later than November 15th next following the end of said fiscal year. Each such annual report of a municipality furnishing gas, electricity, or telephone service shall be made upon annual report forms furnished or approved by the North Carolina Utilities Commission for the respective service; to wit, the approved annual report form for gas service, the approved annual report form for electric service, and the approved annual report form for telephone service. Such annual reports shall be ~~verified by the oath of~~ signed under penalty of perjury by the general manager or superintendent of such utility service in accordance with the requirements of G.S. 62-47. ~~The Chief Clerk shall, immediately upon the filing of any annual report, transmit the same to the Public Staff for retention and use in accordance with its statutory duties.~~

Rule R7-37. BONDS.

. . .

(g) The company shall attach a separate ~~notarized~~ statement to its annual report which is due on or before April 30th of each year signed under penalty of perjury stating the amount of the bond, whether the bond is still in effect, and the date of next renewal.

Rule R10-24. BONDS.

. . .

(g) The company shall attach a separate ~~notarized~~ statement to its annual report which is due on or before April 30th of each year signed under penalty of perjury stating the amount of the bond, whether the bond is still in effect, and the date of next renewal.

Rule R1-32. FILING OF ANNUAL REPORTS BY PUBLIC UTILITIES.

(This rule is not applicable to interexchange carriers, pursuant to *Order Modifying Ceiling Rate Plan and Financial Reporting Requirements*, Docket No. P-100, Sub 72, December 9, 1993, and to competing local providers, pursuant to Rule R17 2(j).)

(a) Pursuant to the provisions of G.S. 62-36 relating to annual reports by utilities, all public utilities doing business in the State of North Carolina and subject to regulation as to franchises, rates or services by the North Carolina Utilities Commission shall electronically file annual reports of the operations of said public utility as soon as possible after the close of the calendar year, but in no event later than the 30th day of April of each year for the preceding calendar year. Such annual reports shall be prepared on forms approved or furnished by the Utilities Commission for the respective utility services offered by such companies; to wit, the appropriate approved form respectively for electric service, telephone service, water service, sewer service, natural gas service, motor carriers of household goods, motor carriers of passengers, and common carriers by water. Where prescribed by the forms furnished or approved by the Commission, such public utilities shall make such annual reports in accordance with the classification of such utility as prescribed by the instructions for said forms; to wit, Class A, Class B, or Class C utility companies, or other classifications, for the respective utility services. All operating data, financial statistics, and other accounting and financial information required for said form shall be furnished in accordance with the respective Uniform System of Accounts prescribed for the said respective utility services, unless otherwise specifically provided by the Commission.

(b) All such annual reports shall show the utility's total operations. If the utility operates in other states in addition to North Carolina, the report shall also show separately stated either the utility's total operations in North Carolina or its total operations in intrastate commerce in North Carolina. Any utility which elects to separately state its total operations in intrastate commerce in North Carolina rather than its total operations in North Carolina shall include therein any interstate operations over which the Commission has rate-making jurisdiction.

(c) The separate statement of total operations in North Carolina or of total operations in intrastate commerce in North Carolina may be shown by supplementary addenda or by different colored insert pages in sequence to the report of total operations. The underlying basis for all separations and allocations used in obtaining the separate statement shall be given in sufficient detail to permit analysis thereof by the Commission.

(d) In the case of public utilities which file annual reports with federal agencies such as the Federal Energy Regulatory Commission, Federal Communications Commission, or Department of Transportation, a copy of said report to the federal agency will comply with this rule insofar as it requires a report of total company operations; provided all said copies shall contain supplementary addenda or different colored insert sheets in sequence showing the required separate statement of total operations in North Carolina or of total operations in intrastate commerce in North Carolina.

(e) The separate statement of total operations in North Carolina or of total operations in intrastate commerce in North Carolina shall show for the separately stated operations

- (1) The original cost of the utility's plant and equipment used therein,
- (2) The portion of the cost thereof which has been consumed by previous use recovered in depreciation expenses,
- (3) The gross revenues derived therefrom,
- (4) The operating and maintenance expenses, actual investment currently consumed through depreciation, and taxes attributable thereto, and
- (5) The net utility operating income derived therefrom.

(e1) In lieu of filing annual report forms furnished or approved by the Commission, or otherwise filing any other information as provided for in Sections (a) through (e) above, incumbent local exchange companies (ILECs) that are price regulated under G.S. 62-133.5(a), and any carrier electing regulation under G.S. 62-133.5(h), may instead satisfy all of their annual reporting obligations by providing the following as soon as possible after the close of the calendar year, but in no event later than the 30th day of April of each year for the preceding calendar year:

- (1) Publicly traded ILECs may provide the Commission with a link to their annual filings with the SEC;
- (2) ILECs that are not publicly traded may annually file copies of their audited financial statements with the Commission;
- (3) CLPs with COLR responsibilities that are publicly traded may provide the Commission with a link to their annual filings with the SEC; and
- (4) CLPs with COLR responsibilities that are not publicly traded may annually file copies of their audited financial statements with the Commission.

(f) Common carriers of passengers and household goods will be in compliance with the provisions of this rule by completing and electronically filing the annual report form prescribed by the Commission.

(g) In addition to filing FERC Form No. 1 as revised by the Federal Energy Regulatory Commission effective on February 5, 1982, for reports to be filed on or before April 30, 1983, and for reports filed thereafter, Electric Companies shall also electronically file the following financial schedules in addition to the revised FERC Form No. 1, or modify the revised FERC Form No. 1 schedules as follows:

- (1) The following schedules previously included in FERC Form No. 1 but not included in the revised FERC Form No. 1 shall continue to be filed in Revised Form No. 1 and assigned the page numbers indicated below:

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- (2) The schedule entitled "Charges for Outside Professional and Consultative Services," which was Page 354 of previous Form No. 1 shall be filed as Page 324 of revised Form No. 1, but the previous \$10,000 limit may be increased to \$50,000.
- (3) For Page Numbers 102 and 250 of revised Form No. 1 the electric companies shall file the information requested by these schedules instead

of making reference to Securities and Exchange Commission 10-K Report Form.

- (4) [REPEALED.]
- (5) A column (e) entitled "Increase or Decrease" shall be added to Pages 110-113 of revised Form No. 1.
- (6) Columns (c) through (j) of Pages 214C-D of previous Form No. 1 shall be added as Columns (c) through (j) of Page 224 of revised Form No. 1. Column (c) of Page 224 of revised Form No. 1 shall be changed to Column (k).
- (7) The information requested in instruction 1.B of Page 106 of previous Form No. 1 which was omitted from Page 106 of revised Form No. 1 shall continue to be provided on Page 106 of revised Form No. 1.
- (8) Page 337 of revised Form No. 1 shall be filed based on the instructions for Page 304 of previous Form No. 1.
- (9) Pages 350 and 351 of revised Form No. 1 shall be filed based on the instructions for Pages 353-353A of previous Form No. 1.
- (10) [REPEALED.]

Duke Energy Carolinas, LLC, and Duke Energy Progress, LLC (DEP), shall use their annual cost-of-service filings to meet the requirements of Sections (b) through (e) above but shall continue to file the following pages in their annual reports:

- (1) North Carolina Page 301 — Electric Operating Revenues (Account 400) Allocated to North Carolina Electric
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Pursuant to the provisions of G.S. 62-47, the annual reports therein required to be filed by every municipality furnishing gas, electricity, or telephone service shall be electronically filed on a fiscal year basis for an annual reporting period from July 1st of each year through June 30th of the succeeding year. Beginning with the fiscal year July 1, 1964 — June 30, 1965, and continuing thereafter, such municipal annual reports shall be electronically filed as soon as possible after the close of the fiscal year, but in no event later than November 15th next following the end of said fiscal year. Each such annual report of a municipality furnishing gas, electricity, or telephone service shall be made upon annual report forms furnished or approved by the North Carolina Utilities Commission for the respective service; to wit, the approved annual report form for gas service, the approved annual report form for electric service, and the approved annual report form for telephone service. Such annual reports shall be signed under penalty of perjury by the general manager or superintendent of such utility service in accordance with the requirements of G.S. 62-47.

Rule R7-37. BONDS.

. . . .

(g) The company shall attach a separate statement to its annual report which is due on or before April 30th of each year signed under penalty of perjury stating the amount of the bond, whether the bond is still in effect, and the date of next renewal.

Rule R10-24. BONDS.

. . . .

(g) The company shall attach a separate statement to its annual report which is due on or before April 30th of each year signed under penalty of perjury stating the amount of the bond, whether the bond is still in effect, and the date of next renewal.