

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**STAFF CONFERENCE AGENDA
March 20, 2023
Commission Hearing Room 2115, 10:00 a.m.**

ELECTRIC

*CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC CONVENIENCE
AND NECESSITY*

Duke Energy Progress, LLC

1. Docket No. E-2, Sub 1316 – Application of Duke Energy Progress, LLC, for a certificate of environmental compatibility and public convenience and necessity and motion for waiver of notice and hearing to relocate a transmission line in Beaufort County, North Carolina
(*T. Williamson/Creech/Felling*)

COMMUNICATIONS

INTERCONNECTION AGREEMENT AMENDMENTS

BellSouth Telecommunications, LLC, d/b/a AT&T North Carolina (AT&T)

2. Docket No. P-55, Sub 1437 – Amendment to the interconnection agreement with XO Communications Service, LLC, approved by the Commission on June 19, 2003 (*Proffitt/Coxton*)
3. Docket No. P-474, Sub 14 – Amendments to the interconnection agreement with MCImetro Access Transmission Services, LLC, approved by the Commission on November 1, 2006 (*Proffitt/Coxton*)

WATER AND WASTEWATER

*ORDER INCREASING EMERGENCY OPERATOR'S PROVISIONAL RATES AND
REQUIRING CUSTOMER NOTICE*

Edwin Worth White - Emergency Operator of McCullers Pines Subdivision

4. Docket No. W-727, Sub 3 – Petition of the Public Staff to Increase emergency operator’s provisional rate for water service at McCullers Pines Subdivision, Raleigh, Wake County, North Carolina (*Bhatta/Little*)

ORDER APPROVING TARIFF REVISION

Old North State Water Company, Inc.

5. Docket No. W-1300, Sub 90 – Application for Authority to Amend Its Tariff to Increase Rates for Water Utility Service for the Increased Cost of Purchased Water from the Town of Stedman (*Houser/Akpom/Coxton*)

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

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1316

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application of Duke Energy Progress, LLC, for) a Certificate of Environmental Compatibility) and Public Convenience and Necessity and) Motion for Waiver of Notice and Hearing) Pursuant to N.C. Gen. Stat. §§ 62-100 <u>et seq.</u>) to Relocate a Transmission Line in Beaufort) County, North Carolina)	ORDER WAIVING NOTICE AND HEARING REQUIREMENT AND ISSUING CERTIFICATE
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BY THE COMMISSION: On January 30, 2023, pursuant to N.C. Gen. Stat. §§ 62-101 and 62-102, Duke Energy Progress, LLC (DEP or the Company) filed with the Commission a letter of intent to file for a waiver of the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104. On that same date, pursuant to Commission Rule R8-62(k), DEP prefiled with the Public Staff an application for a certificate of environmental compatibility and public convenience and necessity to relocate approximately 1.6 miles of the Aurora-New Bern 230-kV line (Line) for the purpose of accommodating an industrial development conflict near Aurora, Beaufort, County, North Carolina.

On February 20, 2023, DEP formally filed the application for a certificate and motion for waiver of notice and hearing and a separate motion to proceed with initial clearing, excavation, and construction for the Line.

North Carolina Gen. Stat. § 62-101(d)(1) authorizes the Commission to waive the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104 when it finds that the owners of the land to be crossed by the proposed transmission line do not object to the waiver and the transmission line is for the purpose of relocating an existing transmission line segment to accommodate a commercial, industrial, or other private development conflict. The application states that, at the customer's request and expense, the Company will relocate a portion of the Line to a new location on the same customer's property. In this matter, the Company has obtained new easements from the property owner. Thus, the conditions of N.C.G.S. § 62-101(d)(1) for a waiver of notice and hearing have been met. The application is also supported by a Certificate Application Report. This report satisfies the requirements of N.C.G.S. § 62-102(a).

The Public Staff presented this matter at the Commission's Regular Staff Conference on March 20, 2023. The Public Staff stated that the application meets the requirements of N.C.G.S. § 62-102 and Commission Rule R8-62 for a certificate and the

conditions of N.C.G.S. § 62-101(d)(1) for waiver of the notice and hearing requirements of N.C.G.S. §§ 62-102 and 62-104. The Public Staff recommended that the Commission grant the motion for waiver and issue the requested certificate. The Public Staff stated that the issuance of the requested certificate addresses the relief requested by the Company in its motion to proceed with initial clearing, excavation, and construction for the Line.

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

IT IS, THEREFORE, ORDERED as follows:

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

2. That, pursuant to N.C.G.S. § 62-102, a Certificate of Environmental Compatibility and Public Convenience and Necessity to relocate approximately 1.6 miles of the Line in Beaufort County, North Carolina, as described in DEP's application is issued, and the same is attached as Appendix A.

3. That, by issuance of this Order, the Company's motion to proceed with initial clearing, excavation, and construction for the Line is now moot, and does not warrant further action by the Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of March, 2023

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1316

Know All People by These Presents, That

DUKE ENERGY PROGRESS, LLC

is hereby issued this

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

to relocate approximately 1.6 miles of the Aurora-New Bern 230-kV transmission line in
Beaufort County, North Carolina

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

ISSUED BY ORDER OF THE COMMISSION.

This the ___ day of March, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. P-55, SUB 1437

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Interconnection Agreement between BellSouth)
Telecommunications, LLC, d/b/a AT&T North) ORDER APPROVING
Carolina, and XO Communications Services,) AMENDMENT
LLC)

BY THE COMMISSION: On January 4, 2023, BellSouth Telecommunications, LLC, d/b/a AT&T North Carolina, and XO Communications Services, LLC (collectively, the Parties), filed, for Commission approval, an amendment to their existing interconnection agreement, approved by the Commission on June 19, 2003, while XO Communications Services, LLC was operating as XO North Carolina, Inc.

The amendment implements the changes mandated by the Federal Communications Commission (FCC) in WC Docket No. 18-141, by FCC 19-66 and FCC 19-72 (FCC UNE and Resale Forbearance Orders) and WC Docket No. 19-308, by FCC 20-152 (FCC UNE Relief Order), and modifies DS1 and DS3 rates.

The filing was made in compliance with Commission Rule R17-4(d) and Sections 252(e) and 252(i) of the Telecommunications Act of 1996. The Commission considered the amendment at its Regular Staff Conference on March 20, 2023. The Public Staff recommended that the amendment be approved, and the Commission approved the recommendation.

IT IS, THEREFORE, ORDERED that the amendment, filed on January 4, 2023, to the existing agreement between the Parties is hereby approved effective on the date of filing.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of March, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. P-474, SUB 14

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Interconnection Agreement between BellSouth)
Telecommunications, LLC, d/b/a AT&T North) ORDER APPROVING
Carolina, and MCImetro Access Transmission) AMENDMENTS
Services LLC)

BY THE COMMISSION: On December 29, 2022, BellSouth Telecommunications, LLC, d/b/a AT&T North Carolina, and MCImetro Access Transmission Services LLC, formerly MCImetro Access Transmission Services Corp. (MCImetro) (collectively, the Parties), filed, for Commission approval, amendments to their existing interconnection agreement, approved by the Commission on November 1, 2006, while MCImetro Access Transmission Services LLC was operating as MCImetro Access Transmission Services Corp.

The first amendment implements the changes mandated by the Federal Communications Commission (FCC) in WC Docket No. 18-141, by FCC 19-66 and FCC 19-72 (FCC UNE and Resale Forbearance Orders) and WC Docket No. 19-308, by FCC 20-152 (FCC UNE Relief Order), and reflects the name change from MCImetro Access Transmission Services Corp. to MCImetro Access Transmission Services LLC that occurred when MCImetro converted from a corporation to a limited liability company.

The second amendment modifies the specified rates, terms, and conditions related to DS1 and DS3 transport service.

The filing was made in compliance with Commission Rule R17-4(d) and Sections 252(e) and 252(i) of the Telecommunications Act of 1996. The Commission considered the amendments at its Regular Staff Conference on March 20, 2023. The Public Staff recommended that the amendments be approved, and the Commission approved the recommendation.

IT IS, THEREFORE, ORDERED that the amendments, filed on December 29, 2022, to the existing agreement between the Parties are hereby approved effective on the date of filing.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of March, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

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Blankenship to take over and operate the water system for the benefit of the water customers residing in the subdivision.

4. On June 9, 1980, Mr. Blankenship assumed his duties as emergency operator and served as emergency operator in a competent and satisfactory manner.

5. On November 1, 1985, Mr. Blankenship tendered his resignation as emergency operator and remained an emergency operator until the Commission found a successor.

6. On or about June 4, 1986, Mr. Blankenship died.

7. As a result of the death of Mr. Blankenship, there was no one lawfully authorized to operate and maintain the water system in McCullers Pines subdivision and to collect rates and expend the same for operation and upkeep of the water system.

8. In April 1986, Edwin Worth White, a resident in McCullers Pines subdivision and a customer of the water system, agreed to become emergency operator of the water system. Mr. White's home is adjacent to the well lot of the water system.

9. On June 11, 1986, the Commission issued an order in Docket No. W-737, Sub 1 appointing Mr. White as emergency operator of the McCullers Pines water system. Mr. White has performed the duties of emergency operator in a competent and satisfactory manner to this date and has provided adequate service.

10. As of December 22, 2020, Mr. White obtained ownership of the well lot of the water system, further indicating that Mr. White is committed to his emergency operator responsibilities and desires to serve the customers of the McCullers Pines water system.

11. On March 20, 1990, in Docket No. W-737, Sub 2, the Commission issued an order approving a provisional flat rate of \$22 per lot per month for the water system.

12. Mr. White began charging a rate of \$30 per month per lot in January 2018, without Commission approval, which was confirmed in a telephone conversation with Mr. White, and the Annual Reports submitted to the Commission for McCullers Pines water system.

13. Since the water system was constructed in the 1960s, it is reasonable to expect some repairs have been necessary over the years. Mr. White has made repairs to the water system (e.g., two water main breaks/leaks, water tank replacement, and well pump electrical wire repair) in recent years that have resulted in additional costs.

14. Mr. White, as an emergency operator, should be made financially whole by being reimbursed for all reasonable and prudent operating expenses and capital

investment, including but not limited to replacements and upgrades.

15. The Public Staff recommended that the Commission approve an emergency rate increase so the emergency operator, Mr. Edwin White, will have adequate funds to continue to operate the system, perform necessary administrative functions, provide the necessary supplies, repair parts, conduct system improvements, and have a minimal reserve for emergencies.

16. The Public Staff recommended that the Commission approve, on a provisional basis, an emergency rate increase of the monthly flat rate from \$22 to \$35.

Based on the foregoing and the Petition of the Public Staff, the Commission concludes that the provisional rate increase for the McCullers Pines water system should be approved, and that customer notice should be required.

IT IS, THEREFORE, ORDERED as follows:

1. That the January 2018 rate increase of the provisional flat rate from \$22 per lot per month to \$30 per lot per month is approved *nunc pro tunc*;

2. That the emergency rate increase of the monthly flat rate from \$30 per lot to \$35 per lot is approved effective immediately on a provisional basis;

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

4. That a copy of the Notice to Customers, attached hereto as Appendix B, shall be mailed with sufficient postage or hand delivered by Edwin Worth White to all customers of McCullers Pines water system contemporaneously with the next billing of customers, and that Edwin Worth White shall submit to the Commission the attached Certificate of Service, properly signed and notarized, no later than 20 days after the date of the next billing.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of March, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

SCHEDULE OF PROVISIONAL RATES

for

EDWIN WORTH WHITE

for providing water utility service in

MCCULLERS PINES SUBDIVISION

Wake County, North Carolina

Monthly Flat Rate for Residential Water Service:

\$ 35.00

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-727, Sub 3 and the Notice was mailed or hand delivered by the date specified in the Order.

This the ____ day of _____, 2023.

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-727, Sub 3.

Witness my hand and notarial seal, this the ____ day of _____, 2023.

Notary Public

Printed Name

(SEAL) My Commission Expires: _____
Date

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the North Carolina regulatory fee and would be sufficient to recover the regulatory fee under the proposed new water usage rate.

The Public Staff – North Carolina Utilities Commission (Public Staff) presented this matter at the Commission’s Regular Staff Conference on March 20, 2023. The Public Staff stated that it had reviewed the Town of Stedman’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 ONSWC should be allowed to pass through the costs associated with the increased purchased water expense.

IT IS, THEREFORE, ORDERED as follows:

1. That Old North State Water Company, Inc. is granted a revision to Appendix A of its tariff for water utility service in the Blawell subdivision in Cumberland County in which it purchases and resells water from the Town of Stedman, as set forth herein;

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

3. That the Notice to Customers attached hereto as Appendix B be mailed with sufficient postage or hand delivered by the Company to all its affected customers in the Blawell service area 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 March, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

SCHEDULE OF RATES

for

OLD NORTH STATE WATER COMPANY, INC.

for providing water utility service in

ALL OF ITS SERVICE AREAS IN NORTH CAROLINA

Monthly Base Rate (zero usage):	\$ 24.11
Usage Rate per 1,000 gallons for Rocklyn	\$ 5.57
Usage Rate per 1,000 gallons for Blawell	\$ 4.01
Usage Rate per 1,000 gallons for all other systems	\$ 7.57
<u>Connection (tap) Fee:</u>	
Shiloh	\$ 500.00
Meadow Lake	\$ 500.00
Olde Mill Trace	\$ 500.00
Leone Landing	\$4,000.00
Kanata Mills	\$ 500.00
Ethans Meadow	\$ 500.00
Bella Vista	\$ 500.00
Yates Mill Estates	\$ 500.00
Vernon Place	\$ 500.00
Jackson Manor	\$ 500.00
Kingston	\$ 500.00
Autumn Ridge	\$ 500.00
Knights Landing	\$ 500.00
Mornington	\$ 500.00
Baileys at Glenmoor	\$ 500.00
Carriage Cove	\$ 500.00
Prescott	\$ 500.00
Camberly Estates	\$ 500.00
Ashcroft Park	\$ 500.00
Yardley	\$ 500.00
Fish Hawk Ranch	\$ 500.00
Sterling Crest II	\$ 500.00
Thatcher Woods	\$ 500.00
Arlington Manor	\$ 500.00
Bella Terra	\$ 500.00
All other systems	\$ 0.00

<u>Meter Installation Fee:</u>	\$ 125.00
<u>New Account Fee:</u>	\$ 20.00
<u>Reconnection Charge:</u>	
Service Discontinued by Utility:	\$ 30.00
<u>Reconnection Charge:</u>	
Service Discontinued by Customer:	\$ 15.00

<u>Bills Due:</u>	On billing date
<u>Bills Past Due:</u>	15 days after billing date
<u>Billing Frequency:</u>	Monthly for service in arrears
<u>Finance Charges for Late Payment:</u>	1% per month will be applied to the unpaid balance of all bills still past due 25 days after billing date.

All rates and fees are per Residential Equivalent Unit

Issued in Accordance with Authority Granted by the North Carolina Utilities Commission in Docket No. W-1300, Sub 90, on this the ___th day of March, 2023.

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**NOTICE TO CUSTOMERS
DOCKET NO. W-1300, SUB 90
BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

Notice is given that the North Carolina Utilities Commission has granted Old North State Water Company, Inc. (ONSWC), an increase in its water usage charge for customers in the Blawell subdivision in Cumberland County, North Carolina.

ONSWC filed a verified request 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 Blawell subdivision area in Cumberland County an increase in the cost of purchasing water service from the Town of Stedman. N.C.G.S. § 62-133.11(a) provides that the Commission shall allow a water or sewer utility to adjust its rates approved pursuant to N.C.G.S. § 62-133 to reflect changes in its costs based solely on changes in the rates imposed by third-party suppliers of purchased water or sewer service.

The Public Staff – North Carolina Utilities Commission (Public Staff) reviewed the Town of Stedman's rates and the Company's request and recommended that ONSWC be allowed to increase its water usage rate by \$1.00 per 1,000 gallons, increasing the rate from \$3.01 to \$4.01 per 1,000 gallons effective for service rendered on and after the date of this Notice. The monthly base facility charge remains \$24.11.

The new water usage rate will increase the average residential monthly water bill by \$3.79, from \$35.50 to \$39.29 based on an average usage of 3,785 gallons.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of March, 2023.

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-1300, Sub 90 and the Notice was mailed or hand delivered by the date specified in the Order.

This the ____ day of _____, 2023.

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-1300, Sub 90.

Witness my hand and notarial seal, this the ____ day of _____, 2023.

Notary Public

Printed Name

(SEAL) My Commission Expires: _____
Date