

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-48, Sub 7

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	PETITION TO EXTEND
Application for a Certificate of Public	)	CERTIFICATE OF PUBLIC
Convenience and Necessity To Install	)	CONVENIENCE AND NECESSITY
Diesel Generator Facilities to be Owned	)	AUTHORIZING INSTALLATION
by North Carolina Eastern Municipal	)	OF PEAK SHAVING
Power Agency and/or Its Participants	)	GENERATORS

North Carolina Eastern Municipal Power Agency (“NCEMPA”) and its 32 member municipalities (the “Participants,” and together with NCEMPA, “Petitioners”) hereby petition the North Carolina Utilities Commission (the “Commission”) to extend the Certificate of Public Convenience and Necessity issued on February 26, 2013 in the above-captioned docket (the “Current Certificate”), to authorize NCEMPA and/or its Participants to install up to 9.67 MW of additional generating capacity at or near customers’ premises during a two-year period ending February 26, 2017. In support of this Petition, Petitioners show the Commission as follows:

1. The Commission issued the Current Certificate on February 26, 2013 authorizing the Petitioners to construct and operate a maximum of 35 MW of generating capacity at or near customers’ premises for the purpose of reducing purchases of electricity during peak periods and otherwise enhancing the ability of the Petitioners to provide a reliable and economic power supply, so long as the capacity of each facility was 2.5 MW or less and the construction was completed on or before February 26, 2015. The Current Certificate also requires the Petitioners to provide individual site information to the State Clearinghouse, obtain all necessary local, state and federal permits prior to construction and installation of any generating facility, imposes certain requirements for facilities proposed to be located at a location near, rather than at, the site of a customer, and requires the filing of annual facilities reports with the Commission.

2. To date, the Petitioners have constructed and installed generating facilities having an aggregate generating capacity of 25.333 MW pursuant to the Current Certificate.

3. The purpose of such generating facilities was and is to enable Petitioners to generate their own electricity and provide the same to the customer at the time of the monthly coincident peak with Duke Energy Progress, Inc, (formerly

known as Progress Energy Carolinas, Inc. (“PEC”) and Carolina Power and Light Company and, herein, “DEP”), the time when the Petitioners experience their highest costs for purchased power. As a result, the Petitioners reduce purchases of electricity during peak periods and otherwise enhance their ability to obtain lower wholesale costs, and the Participants’ retail customers experience lower retail costs.

4. Petitioners believe it is advantageous to place small power generators at or near the sites of customers and so desire to extend the Current Certificate to authorize the construction and operation of a maximum of 9.67 MW of additional generating capacity over an additional two-year period, through the installation of small power generators at or near the premises of customers.

5. Extending the Current Certificate is in the public interest. As stated above, the purpose of the small power generators is to reduce the wholesale power costs of the customers of NCEMPA and its Participants. Further, the Petitioners finance the generators through available revenues or short-term debt repaid through the cost savings experienced. The acquisition of the generators does not increase the long-term debt of NCEMPA.

6. Prior to the issuance of the Current Certificate, the Commission issued and extended Certificates of Public Convenience and Necessity to Petitioners in Dockets No. E-48, Sub 3, 4 and 5. During the time period of January 15, 1997 through the date hereof, the Petitioners have constructed and installed generating facilities having an aggregate output of 59.89 MW pursuant to the certificates issued (See Annual Report filed December 16, 2014, Docket No. E-48, Sub 7).

7. A list of the Participants who join in this petition is set forth in Exhibit A attached hereto and incorporated herein by reference.

WHEREFORE, NCEMPA and its Participants respectfully request that the Commission issue an Order extending for an additional two years the Current Certificate issued on February 26, 2013, pursuant to N.C.G.S. § 62-110.1, authorizing the Petitioners, subject to the same requirements as the Current Certificate, to construct and operate an additional maximum of 9.67 MW of additional generating capacity at or near customers’ premises for the purpose of reducing purchases of electricity during peak periods and otherwise enhancing the ability of the Petitioners to provide a reliable and economic power supply, provided that the capacity of each generator is 2.5 MW or less and the construction is completed by February 26, 2017.

This the 29th day of January, 2015.

POYNER SPRUILL LLP

By: /s/ Michael S. Colo  
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*Attorney for North Carolina Eastern Municipal  
Power Agency, acting on behalf of itself and the  
32 municipalities listed on Exhibit A*

**EXHIBIT A**

**Participants of North Carolina Eastern  
Municipal Power Agency**

Apex  
Ayden  
Belhaven  
Benson  
Clayton  
Edenton  
Elizabeth City  
Farmville  
Fremont  
Greenville  
Hamilton  
Hertford  
Hobgood  
Hookerton  
Kinston  
La Grange  
Laurinburg  
Louisburg  
Lumberton  
New Bern  
Pikeville  
Red Springs  
Robersonville  
Rocky Mount  
Scotland Neck  
Selma  
Smithfield  
Southport  
Tarboro  
Wake Forest  
Washington  
Wilson

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the foregoing Petition on the following party by electronic mail and by U. S. mail, postage prepaid and properly addressed as follows:

Dianna Downey, Esq.  
Public Staff  
North Carolina Utilities Commission  
4326 Mail Service Center  
Raleigh, NC 27699-4326

This the 29th day of January, 2015.

/s/ Michael S. Colo

Michael S. Colo

STATE OF NORTH CAROLINA

COUNTY OF WAKE

VERIFICATION

For purposes of filing the Petition above, Michael S. Colo, being duly sworn, deposes and says that he is an attorney in the above-entitled action representing North Carolina Eastern Municipal Power Agency; that he has read the foregoing document and knows the contents thereof; and that the contents thereof are true of his own knowledge.



Michael S. Colo

Sworn to and subscribed before me this 29<sup>th</sup> day of January, 2015.



Notary Public

My Commission Expires:

3/18/2016

[SEAL]

