

**RESOLUTION FOR THE SHALL CONSIDER REGULATORY STANDARDS ADDED
TO THE PURPA BY THE INFRASTRUCTURE INVESTMENT ACT AND JOBS ACT
OF 2021**

WHEREAS, on November 15, 2021, the infrastructure Investment and Jobs Act of 2021 (“IIJA”) was enacted into law, amending the Public Utility Regulatory Policies Act 1978, as previously amended (“PURPA”), requiring both state-regulated electric utilities and certain non -regulated electric utilities (as defined under PURPA) to either consider or to establish a date to hold a hearing after public notice, within one year from the date of enactment (i.e., by November 15, 2022 thereof), following which the affected electric utilities are to consider the proposed standards hereto;

WHEREAS, on July 9, 2023, the City of Concord, a non-regulated utility, as that term is defined by PURPA, 16 U.S.S. 2602, initiated proceeding to make a determination whether or not it is appropriate for the City to implement either of the two new PURPA standards;

WHEREAS, the amendments to PURPA require the City to consider and make a final determination as to whether it is appropriate to implement the standards related to the Demand-Response Practices and Electric Vehicle Charging Programs to fulfill the purposes of PURPA, which are to encourage the conservation of energy supplied by the City; to optimize efficiency of electric utility facilities and resources; and to facilities equitable rate for electric customers;

WHEREAS, as part of its consideration, the City is required to hold a public hearing and issue a final determination, in writing, based upon the evidence presented at the hearing and upon findings specifically included in its written determination, and thereafter make a final determination available to the public;

WHEREAS, the City gave public notice of a virtual hearing as advertised in *The Independent Tribune* on July 9th, 12th, and 16th along with the link being provided on the City’s website. The virtual hearing was conducted July 9, 2023 through August 4, 2023 at 5 P.M. This virtual public hearing allowed for written submitted comments;

WHEREAS, the City of Concord Council is of the opinion that all hearing proceedings were conducted and notices provided in full compliance with PURPA;

WHEREAS, in considering each of the two new PURPA standards the City of Concord Council must make a determination “whether or not it is appropriate to implement such standards to carry out the purpose of this title” pursuant to 16 U.S.C.A. 2621(a)(2006);

WHEREAS, in making these determinations, the City of Concord Council has considered how the implementation of these standards might affect the City of Concord and its citizens in the area of encouraging energy conservation by citizens, making efficient use of facilities and resources, and maintaining equitable rates to customers, as well as conditions and circumstances specific to the City in reaching its conclusions.

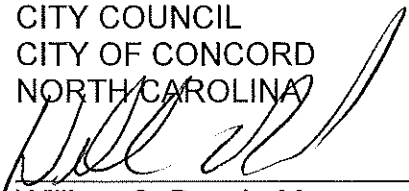
WHEREAS; the current and planned demand-response and demand flexibility programs of the City are programs that promote demand-response and demand flexibility practices by commercial, residential, and industrial customers to reduce electricity consumption during periods of unusually high demand, to the extent that the City is reasonably able to do so based upon information available and circumstances specific to operations of the City Electric System; and

NOW, THEREFORE, on this 14th day of September 2023, the City of Concord Council hereby issues its final determinations on the implementation of the Demand-Response Practices standards and the Electric Vehicle Charging Programs standard as follows, to-wit:

1. **Demand-Response Practices:** the City has already adopted programs that promote demand-response and demand flexibility practices by commercial, residential, and industrial customers to reduce electricity consumption during periods of unusually high demand. As the technology is available through advanced metering infrastructure (AMI), the City will consider additional programs that will promote demand-response and demand flexibility practices.
2. **Electric Vehicle Charging Programs:** the City owns and operates five publicly available electric vehicle charging station locations. The City will continue to consider measures to promote greater electrification of the transportation sector as circumstances change and opportunities arise. As the technology is available through advanced metering infrastructure (AMI), the City will consider additional programs that will promote electric vehicle charging programs.

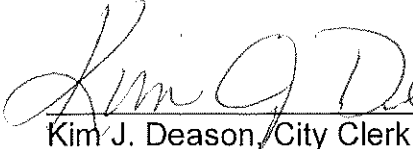
NOW, FURTHER THEREFORE, the City of Concord, having completed the mandatory consideration of these two standards, shall cause this final determination to be made available to the public by posting it on the City's website through and until December 31, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA



William C. Dusch, Mayor

ATTEST:



Kim J. Deason, City Clerk

