

**E-MAILS**

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alongside the boat.

Six of the e-mails were sent in 2015 — four of them in the month of August. At that time large numbers of people started packing county commission meetings to voice opposition to the Apex project known as Timbermill Wind. Perhaps as a result, in October 2015 the county imposed a moratorium on approving any new wind project until the county planning board had a chance to review the requirements. The Apex project was the only new one being considered and at that point and Apex hadn't submitted an actual application for a Conditional Use Permit (CUP) at that time so there was no project for the commission to actually vote on.

Two of the e-mails were sent this year, one in January — a month before the county considered changes to the ordinance. The last was sent in June — after Apex submitted the CUP application. It was directed to Sen. Bill Cook, a Republican from

Beaufort County.

In May Cook backed a bill in the General Assembly that would put serious limits on any new wind or solar projects in the state. It would require a one and a half mile buffer (7,920 feet) between wind and solar projects and any neighboring property line. The Perquimans ordinance requires a setback of two and half times the maximum blade height, or 1,500 feet from nearest homes. In one e-mail Peeler pushed for a two-kilometer setback (6,560 feet).

Critics point out that the state allows hazardous materials facilities as close as 200 feet away. Swine waste lagoons can be 500 feet from a property line.

Cook's bill passed the Senate but never got the full vote in the House. But in June Peeler wrote the senator asking him to separate the two issues — wind and solar.

"I do realize you are working to make our state better," Peeler wrote. "A tough job considering the rationale the opposition tends to use as their basis. Anything a Republican does is bad and needs to be fought. I see

people not willing to fight against solar to the same degree as wind," Peeler wrote. He said government should be proactive in protecting the health, safety and welfare of citizens and praised Cook for his stance.

"My board failed that thinking. I see where you are being proactive. The left wants these things in the state and because they are not living under the shadows of these turbines, see no reason to fret over them.

"I ask that you divide the opposition so we may conquer them. By including both solar and wind as renewables that the left is galvanized to oppose any change because they feel they are being attacked on one of their core principles.

"By lumping together wind and solar under renewables, it enables the left to rally behind their 'go green' banner. Keep them separate," Peeler advised Cook. "To me wind is the 15-foot alligator in my 14-foot boat trying to eat me while solar is the 6-foot-alligator swimming in the water near the boat waiting for the fallout."

In one e-mail in August

2015 admits being worried about getting too involved with wind power opponents.

"I was originally penning that for Tommy, but then realized I might be too in-depth with my analysis," Peeler wrote. The e-mail provided by Apex did not include whom that e-mail was sent to. However Peeler said he wanted to "show folks what the other side might be using as their scientific documentation or their playbook.

"The other thing I am worried about is getting so involved in the discussion that I become a liability to the cause due to conflict of interest. I could be considered highly biased and my fellow board members would use that against those speaking up if they perceive it is me driving this movement. Legally, I am not in a conflict of interest, but the perception is what my fellow board members might key upon. I do not want to give my fellow board members the chance to clump the people into one voice. I

want each person to be an independent individual that the body politic is willing to say no to."

In the same month Peeler talks of the "other side" is thinking is key.

"To me, knowing what 'the other side' is using or thinking is important to formulating a strategy. This paper found here (he lists a web site) is a strong candidate for the other side's playbook."

In another email Peeler referred to "folks who want turbines in the county" as the "other side."

In another e-mail Peeler said he did not want to appear as helping opponents.

He wrote "please do not say I said this to your group and please do not send this e-mail to anyone as it might be construed as a conflict of interest that I am working to assist your group instead of being neutral in the process, but I would encourage you to suggest to every person that speaks to have written comments as well to be presented to the board."

**Reunion planned**

From Staff Reports

A reunion for everybody who graduated from Perquimans County High School in the 1980s is planned for Oct. 8 at Nixon's Catering in Edenton.

Potentially that could attract more than 1,000 people. Michael Hurdle, a member of the Class of 1981 said there were 113 people walk across the stage when he graduated.

He said typically people who live within a 30 mile area don't attend in large numbers.

The event will be held from 6-11 p.m. at Nixon's Catering in Edenton. The social hour runs from 6 p.m. until 7 p.m. with dinner from 7 p.m. until 8 p.m. and dancing from 8 p.m. until 11 p.m.

The cost is \$40 per person. For more information contact Hurdle, 455 Hurdletown Road or call 312-6252.

**PEELER**

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Nelson and Kyle Jones.

The emails were brought to the board's attention by Henry Campen, the lead attorney for Apex. He said they showed Peeler could not make an objective decision on Apex's permit request, even though that's what Peeler agreed to do during the board's first quasi-judicial hearing on the request. Campen asked the Perquimans Board of Commissioners to recuse Peeler from the permitting decision.

Cole asked the other commissioners if they wanted to comment on the request from Campen. After about two minutes of silence, Cole said she'd start.

Cole said while it was possible for Peeler to separate his legislative role from his role as an impartial decider in the permit request, Peeler has consistently fought wind development, even the Desert Wind project which the board of commissioners had already approved.

"He took a position that he wanted to do anything he could do to stop the project," Cole said.

Leigh said she was bothered by the email in which Peeler said, "I will admit now and in the future I will oppose these things on their health and welfare impacts."

Muzzulin pointed out that all six commissioners attended a workshop in May where lawyers explained the quasi-judicial hearing process and were advised not to have contact with anyone involved in matters being considered at those hearings.

Jones said Peeler's emails help erode the public's trust in elected officials and the email to Sen. Cook was particularly troubling.

"It was a poor decision to do that," Jones said.

For his part, Peeler responded that he could be objective on the Apex request when he was asked if he could be by Nelson. Peeler pointed out that, while he's opposed to solar projects because he believes they don't really fit in a rural area, he did vote for

one of the four projects that have come before the board during his tenure as a commissioner.

"I couldn't say no to it because the evidence said I had to say, 'yes,'" he said.

Following the vote, Peeler left his seat on the stage at the historic Perquimans County Courthouse where the board was meeting and took a seat in the audience.

Leary Winslow, one of

the group that is fighting the Apex project, was critical of Wednesday's decision.

"Commissioners have their mind made up," Winslow said. "I've been told this for the past 10 months but it was ever so prevalent last night. The disrespect and bias from the chair was completely unprofessional. It has become extremely obvious she has an immovable bias in favor of the Timbermill project.

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**STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH**

**DOCKET NO. E-22, SUB 535**

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application of Virginia Electric and Power Company, d/b/a Dominion North Carolina Power for Approval of Renewable Energy and Energy Efficiency Portfolio Standard Cost Rider Pursuant to G.S. 62-133.8 and Commission Rule R8-67

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission has scheduled a public hearing in the annual Renewable Energy and Energy Efficiency Portfolio Standard (REPS) cost recovery application and compliance report filed by Virginia Electric and Power Company, d/b/a Dominion North Carolina Power (DNCP), in the above-captioned docket. The public hearing has been scheduled to begin immediately following the hearings in Docket Nos. E-22, Subs 534 and 536, which are scheduled to begin at 1:30 p.m., on Monday, November 7, 2016, in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. This proceeding is being held pursuant to G.S. 62-133.8 and Commission Rule R8-67 to consider DNCP's application for approval of REPS cost recovery and compliance with the REPS requirements during the 2015 calendar year. Public witness testimony will be received in accordance with Commission Rule R1-21(g).

On August 25, 2016, DNCP filed direct testimony and exhibits in support of its application for REPS cost recovery and 2015 REPS compliance report. By its application, DNCP proposes to implement the following total REPS rates, including regulatory fee, effective for service rendered on and after January 1, 2017: a \$0.88 charge per month for residential customers; a \$3.87 charge per month for commercial customers; and a \$25.82 charge per month for industrial customers.

The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Written statements to the Public Staff should include any information that the writers wish to be considered by the Public Staff in its investigation of the matter. Such statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Roy Cooper, Attorney General, 9001 Mail Service Center, Raleigh, North Carolina, 27699-9001.

Written statements are not evidence unless persons appear at a public hearing and testify concerning the information contained in their written statements. Any person desiring to intervene in the proceeding as a formal party of record should file a petition under North Carolina Utilities Commission Rules R1-5 and R1-19 on or before Monday, October 24, 2016. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. The direct testimony and exhibits of expert witnesses to be presented by interveners should also be filed with the Commission on or before Monday, October 24, 2016.

ISSUED BY ORDER OF THE COMMISSION.

This the 31st day of August, 2016.

NORTH CAROLINA UTILITIES COMMISSION  
Janice H. Fulmore, Deputy Clerk

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