

Commission Business Meeting Notes

May 6th, 2020

Post-Meeting Summary Notes, Drafted and Presented by Rob Bockman

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Thank you for joining us for today's post-meeting summary. These Commission Business Meetings are held each Wednesday at 2 p.m. and all agendas and materials are posted to the Docket Management System prior to each meeting. If you have questions about Commission business, we encourage you to reach out to us at robert.bockman@psc.sc.gov or via social media by following the SC Utility Consumer program on Twitter at @UtilityConsumer and on Facebook at SC Utility Consumer.

Today's business meeting started at 2:00 p.m. with item one on the utilities agenda, a request in Docket No. 2020-1-E to treat an exhibit as confidential. Commissioner Belser, noting that the exhibit contains propriety and sensitive information, moved to grant this request. Her motion carried.

Item two was a request for Commission approval of Duke Energy Carolinas, LLC's Excess Deferred Income Tax (EDIT) Rider. Some background: Commission Order No. 2019-323 established a mechanism by which consumers received any excess deferred income taxes accrued by the utility. Duke has calculated an annual revenue decrement of approximately \$67,838,000, triggering this mechanism. Commissioner Ervin made a motion to grant this, noting that ORS has reviewed the company's calculations and found them to be accurate. Commission staff notes that, if approved, the decrement results in a decrease of approximately \$.24 per month for a typical residential customer using 1000 kWh. Commissioner Ervin's motion carried.

Item three was a similar request for Duke Energy Progress, Inc.—Commission Order No. 2019-341 established a mechanism to return excess deferred income taxes through an EDIT Rider. The company calculated an approximate revenue decrement of \$14,803,000. Commissioner Ervin moved to approve the Updated Excess Deferred Income Tax, and his motion carried.

Item four was a request made by Duke Energy Progress, LLC to terminate the filing of annual reports regarding customer savings related to AMI meter deployment. Commissioner Howard moved to grant this request and his motion carried.

Item five was a petition to intervene in Docket No. 2020-83-E; Commissioner Hamilton moved to grant this request; the motion carried.

Item six was a request for a renewed motion to dismiss—Commissioner Ervin moved to deny the complainant's motion to recuse the Commissioners, as no evidence was presented. Commissioner Ervin also noted that no legal rights were violated and that, since this is the third complaint by the same complainant against the utility, this request is barred by the doctrine of res judicata, meaning "a matter between two parties that has already been adjudicated by a competent court."

Item seven was a consideration of Dominion Energy South Carolina, Incorporated's Application for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Construction and

Operation of several facilities. Commissioner Belser, noting that all requirements and standards have been fully met by the evidence in the record during the hearing of April 14th, 2020 in this docket, moved to grant this request; her motion carried.

Item eight involved Dominion Energy's proposed code of conduct, as agreed upon as part of the merger between SCANA and Dominion Energy, and ORS and DESC's collaboration on developing that code. ORS expressed general approval, but proposed six recommendations and one deletion. Commissioner Howard moved to approve the revised code of conduct with these revisions incorporated. Howard also moved "that we find that the recommendations and additions by ORS are appropriate consumer protections and in the public interest." Commissioner Howard's motion carried.

Item nine involved Docket No. 2019-393-E; Commissioner Whitfield moved to instruct the hearing officer to set a procedural schedule as a result of the end of the stay period granted by Order No. 2020-245. This motion carried.

Item ten was carried over.

Item eleven was a request to withdraw an application, which was granted following a motion made by Commissioner Hamilton.

Item twelve was a request for a virtual public night hearing in Docket No. 2019-281-S. Commissioner Whitfield moved to instruct the Clerk's office to schedule a virtual public night hearing in the docket on June 22nd, 2020, which carried. Consumers will be able to attend that hearing virtually either by phone or by Webex. More instructions will follow on our [social media](#) and [website](#).

Item thirteen was a request for substitution of counsel in Docket No. 2019-13-A, which was granted following a motion made by Commissioner Hamilton.

Finally, item fourteen dealt with ORS's petition for the waiver of communication regulations and an expedited order. Commissioner Hoard brought a motion before the Commission that outlined his agreement with ORS's judgment, noting that he believes "more flexibility is necessary to assist utilities and their customers in mitigating the hardship many are currently facing." His motion included the approval of "a temporary waiver of the Commission regulations...concerning customer payment plans and amend[ment of] Order No. 2020-243 for a 30 day extension from the date of this directive, until June 5, 2020 for utilities to file Annual reports." Commissioner Howard's motion carried.

In addition to these items, Commissioners were also briefed on sixty-three other issues related to utilities in South Carolina. The complete list of these items, as well as links to dockets and all materials, is available on the Docket Management System at dms.psc.sc.gov.

Moving on to the transportation agenda: items one through three were requests to approve new applications. Commissioner Hamilton made the motion to grant these requests, and his motion carried.

Item four was a request for an extension of time one month past the customary one-year maximum. Commissioner Whitfield moved to grant this, which carried.

In addition to the items discussed in detail, Commissioners were advised on twelve other transportation-related issues. The complete list of these, as well as links to dockets and materials, can be found on the Docket Management System at dms.psc.sc.gov.

The next regular Commission Business Meeting is set for Wednesday, May 13th at 2 p.m. You can access the livestream broadcast of that meeting by visiting our site at www.psc.sc.gov and clicking on “livestream.” If you have questions about today’s proceedings, please follow us on social media—on Twitter at @PSCofSC and at @UtilityConsumer or on Facebook at Public Service Commission of South Carolina or SC Utility Consumer—or call the offices of the PSC at 803.896.5100. Thank you.