Nanette S. Edwards, *Executive Director*

BENJAMIN P. MUSTIAN
Senior Staff Attorney for ORS

Office of Regulatory Staff
1401 Main Street
Suite 900
Columbia, SC 29201
(803) 737-0800
ORS.SC.GOV

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August 25, 2021

VIA EMAIL

Kate Lee Mixson, Esq.
Emma C. Clancy, Esq.
525 East Bay Street, Suite 200
Charleston, South Carolina 29403
kmixson@selcsc.org
eclancy@selcsc.org

RE: Applications of Duke Energy Progress, LLC and Duke Energy Carolinas, LLC for Approval of Smart $aver Solar as Energy Efficiency Program
Docket Nos. 2021-143-E and 2021-144-E

Dear Ms. Mixson and Ms. Clancy:

Enclosed and served on the Southern Alliance for Clean Energy, South Carolina Coastal Conservation League, North Carolina Sustainable Energy Association, Upstate Forever, and Vote Solar regarding the above-referenced dockets, please find the South Carolina Office of Regulatory Staff's First and Continuing Interrogatories and Requests for Production of Documents and Things. By copy of this letter, I am filing the same with the Public Service Commission of South Carolina in the above-referenced dockets.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Benjamin P. Mustian

Encl.

cc: The Honorable Jocelyn G. Boyd
(via electronic filing)
All Parties of Record
(via e-mail with enclosure)

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BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NOS. 2021-143-E AND 2021-144-E

IN RE: Application of Duke Energy Progress, LLC for Approval of Smart $aver Solar as Energy Efficiency Program Application of Duke Energy Carolinas, LLC for Approval of Smart $aver Solar as Energy Efficiency Program	)	**SOUTH CAROLINA OFFICE OF REGULATORY STAFF'S FIRST AND CONTINUING INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS**

TO: KATE LEE MIXSON, ESQUIRE, AND EMMA C. CLANCY, ESQUIRE, COUNSEL FOR SOUTHERN ALLIANCE FOR CLEAN ENERGY, SOUTH CAROLINA COASTAL CONSERVATION LEAGUE, NORTH CAROLINA SUSTAINABLE ENERGY ASSOCIATION, UPSTATE FOREVER, AND VOTE SOLAR:

The South Carolina Office of Regulatory Staff ("ORS") hereby requests, pursuant to 10 S.C. Code Ann. Regulation 103-833 (2012) that the Southern Alliance for Clean Energy ("SACE"), South Carolina Coastal Conservation League ("CCL"), North Carolina Sustainable Energy Association ("NCSEA"), Upstate Forever, and Vote Solar (collectively, the "Entities") provide responses in writing and electronically where required and under oath and serve the undersigned by September 14, 2021, to ORS at 1401 Main Street, Suite 900, Columbia, South Carolina 29201.

DEFINITIONS

As used in these Requests, "identify" means, when asked to identify a person, to provide the full name, business title, address, and telephone number. As used in these Requests, "address" means mailing address and business address. When asked to identify or provide a document, "identify" and "provide" mean to provide a full and detailed description of the document and the

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name and address of the person who has custody of the document. In lieu of providing a full and detailed description of a document, you may attach to your responses a copy of the document and identify the person who has custody of it. When the word "document" is used herein, it means any written, printed, typed, graphic, photographic, or electronic matter of any kind or nature and includes, but is not limited to, statements, contracts, agreements, reports, opinions, graphs, books, records, letters, correspondence, notes, notebooks, minutes, diaries, memoranda, transcripts, photographs, pictures, photomicrographs, prints, negatives, motion pictures, sketches, drawings, publications, and tape recordings.

"Party" is defined as every entity that has intervened, petitioned to intervene, or filed an Application in these dockets, including SACE, CCL, NCSEA, Upstate Forever, Vote Solar, the Solar Energy Industries Association ("SEIA"), Duke Energy Progress, LLC ("DEP"), Duke Energy Carolinas, LLC ("DEC"), and each Party's officers, agents, employees (past and present), representatives, successors, or any other person or persons acting for or purportedly acting on the Party's behalf.

The words "you" and "your" refer to the Party to which these Requests are directed, as well as its officers, agents, employees (past and present), representatives, successors, or any other person or persons acting for or purportedly acting on behalf of the party to which this Request was sent.

Wherever in this Request a masculine pronoun or possessive adjective appears, it refers to both males and females in accordance with traditional English usage.

INSTRUCTIONS

I. All information shall be provided to ORS in the format requested.

II. All responses to the Requests below shall be labeled using the same numbers as used herein.

III. For information requested herein is found in other places or other exhibits, reference shall *not* be made to those other places or other exhibits; instead, the information shall be reproduced, and an additional copy shall be produced in response to the Request in the appropriate numerical sequence.

IV. This entire list of Requests shall be reproduced and included in front of each set of responses.

V. Each Request shall be reproduced and placed in front of the response provided.

VI. Unless otherwise set forth or requested, the Entities shall provide one (1) electronic copy of all responses to ORS.

VII. All exhibits shall be reduced or expanded to 8 ½" x 11" format, where practical.

VIII. For information requested herein where the information is kept, maintained, or stored using spreadsheets, please provide electronic versions of the spreadsheets, including the formulas used and embedded in the spreadsheet.

IX. If the response to any Request is that the information requested is not currently available, please state when the information requested will be available and provided to ORS. This statement is not a waiver of the deadline for all other responses.

X. If you are unable to respond to any of the Requests, or part or parts thereof, please specify the reason for your inability to respond and state what other knowledge or information you have concerning the unanswered portion.

XI. In addition to the signature and verification at the close of the Entities' responses, please indicate the name of the Entities' witness(es) or employee(s) or agent(s) responsible for the information contained in each response.

XII. This Request shall be deemed to be continuing so as to require the Entities to supplement or amend their responses as any additional information becomes available.

XIII. If you refuse to disclose any document requested herein, in whole or in part, based on any claim of privilege or immunity, please identify the specific privilege or protection claimed and state the basis for the claim, identifying the pertinent circumstances with sufficient specificity to ORS to assess the basis of any such claim. If you have a good-faith objection to any of these Requests, or any part thereof, the specific nature of the objection and whether it applies to the entire Request or to a certain portion thereof shall be clearly stated. If there is an objection to any part of a Request, then the part or parts objected to should be indicated and documents responsive to the remaining unobjectionable parts should be provided.

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XIV. For every page produced to ORS that contains confidential information, the page is to be marked "CONFIDENTIAL" in the header. Any specific information which the Entities designates as confidential information must also be marked by notation, highlighting, or other conspicuous means.

XV. Any inquiries or communications relating to questions concerning clarification of the information requested below should be directed to Alexander W. Knowles, Esquire [803.737.0889], Benjamin P. Mustian, Esquire [803.737.0898], or Andrew M. Bateman, Esquire [803.737.8440], of ORS.

REQUESTS

1-1 Please provide copies of any Requests for information and responses to or from any other Party in connection with these dockets.

1-2 Please provide copies of any documents or communications, oral or written, electronic or hardcopy, made to, sent to, supplied to, or received from any other Party in these dockets in connection with these dockets. You may exclude any documents or communications which have been filed with the Commission in these dockets and any communications on which ORS has been copied.

1-3 Produce copies of all communications or other documents exchanged between you and any other Party in these dockets that relate to any of the following subjects:

a. Commission Docket No. 2020-264-E;
b. Commission Docket No. 2020-265-E;
c. Commission Docket No. 2019-182-E; and
d. Commission Docket No. 2015-163-E, Bring Your Own Thermostat ("BYOT") related information.
e. Commission Docket N. 2013-298-E, BYOT related information.

1-4 To the extent you assert a joint defense or common interest agreement exists between you and another Party in these dockets or the dockets identified in response to Request 1-3 above, produce copies of every joint defense agreement or common interest agreement that you entered with any Party in connection with these dockets or in connection with the dockets identified in response to Request 1-3 above.

1-5 To the extent you assert a joint defense or common interest agreement exists between you and another Party in these dockets or the dockets identified in response to Request 1-3 above, produce all documents and communications, including e-mails, that you contend evidence the existence of a joint defense agreement or a common interest agreement that you entered with any Party in connection with these dockets or in connection with the dockets identified in response to Request 1-3 above.

1-6 Please state the mission of SACE.

1-7 Please state the mission of CCL.

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1-8 Please state the mission of NCSEA.

1-9 Please state the mission of Upstate Forever.

1-10 Please state the mission of Vote Solar.

1-11 In Paragraph 6 of the Applications filed in these dockets, DEP and DEC state "[p]ursuant to the agreement referenced above, and to reflect the value of the anticipated savings, the Company proposes an upfront rooftop solar incentive of $0.36/Watt-DC." Please produce any communications, agreements, or other documents in your possession that relate to this "agreement."

1-12 Produce any estimates, projections, evaluations, studies or other related documents in your possession that relate to or reference the following:

a. The number and class of customers expected to utilize or participate in the proposed Smart $aver program; and
b. The amount of residential rooftop solar PV expected to be installed as a result of the proposed Smart $aver program.

1-13 Please provide a list of current members of each of the Entities.

1-14 Please provide a detailed description and amounts of membership dues or donations received by the Entities in 2020 and 2021.

1-15 Please identify if you or any of your members have executed contracts in 2019, 2020, or 2021 to supply the Companies with Home Energy Management services, including but not limited to, smart thermostat or battery storage. Please identify your member by entity name.

1-16 For years 2019, 2020, and/or 2021, provide any and all memorandums of agreement, memorandums of understanding, contracts, purchase orders, and other agreements between you and/or your membership and DEC or DEP which relate or pertain to these dockets.

Andrew M. Bateman, Esquire
Alexander W. Knowles, Esquire
Benjamin P. Mustian, Esquire
South Carolina Office of Regulatory Staff
1401 Main St., Ste. 900
Columbia, SC 29201
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August 25, 2021
Columbia, South Carolina

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BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2021-144-E AND 2021-143-E

IN RE: Application of Duke Energy Carolinas, LLC for Approval of Smart $aver Solar as Energy Efficiency Program	)	
	)	**CERTIFICATE OF SERVICE**
Application of Duke Energy Progress, LLC for Approval of Smart $aver Solar as Energy Efficiency Program	)	

This is to certify that I, Kristy L. Hatem, have this date served one (1) copy of the **SOUTH CAROLINA OFFICE OF REGULATORY STAFF'S FIRST SET AND CONTINUING INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO SACE, CCL, NCSEA, UPSTATE FOREVER, AND VOTE SOLAR** on all parties of record in the above-referenced matters by causing said copy to be electronically mailed, addressed as shown below:

Heather Shirley Smith, Esquire
Duke Energy Carolinas, LLC
heather.smith@duke-energy.com

Emma C. Clancy, Esquire
Kate Lee Mixson, Esquire
Southern Environmental Law Center
Eclancy@selcsc.org
kmixson@selcsc.org

Samuel J. Wellborn, Esquire
Robinson Gray Stepp & Laffitte, LLC
swellborn@robinsongray.com

Jeffery W. Kuykendall, Esquire
jwkuykendall@jwklegal.com

Kristy L. Hatem

August 25, 2021
Columbia, South Carolina