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August 17, 2020

VIA ELECTRONIC FILING
The Honorable Jocelyn G. Boyd
Chief Clerk/Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia SC 29210

Re: South Carolina Energy Freedom Act (H.3659) Proceeding Initiated Pursuant to S.C. Code Ann. Section 58-40-20(C): Generic Docket to (1) Investigate and Determine the Costs and Benefits of the Current Net Energy Metering Program and (2) Establish a Methodology for Calculating the Value of the Energy Produced by Customer-Generators
Docket Number: 2019-182-E

Dear Ms. Boyd:

The Public Service Commission of South Carolina (the "Commission") issued Order No. 2020-487 in the above-referenced docket on July 15, 2020, and requested that "all parties consider and comment" on the following proposed procedural schedule (the "Original Schedule") by July 27, 2020:

- Last Day to File a Petition to Intervene: Thursday, September 17, 2020
- All Interested Persons Direct Testimony Due: Thursday, October 8, 2020
- All Responses to Direct Testimony Due: Thursday, October 29, 2020
- Hearing Date: Tuesday, November 17, 2020, at 10:00 a.m.

On July 27, 2020, Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP") (DEC and DEP are jointly referred to herein as "the Companies") submitted comments (the "Duke Letter") suggesting an alternative schedule (the "Modified Schedule") and indicating that the Companies would submit joint filings for DEC and DEP pursuant to the South Carolina Energy Freedom Act ("Act 62"). In this filing, the Companies proposed to address not only the items in S.C. Code Ann. § 58-40-20(C) that are required by the generic docket, but to also contemporaneously address S.C. Code Ann. § 58-40-20(F)(1). Specifically, in the July 27th filing, the Companies proposed to address the following three items contemporaneously under Act 62:

- Costs and benefits of the current net energy metering program;
- A methodology for calculating the value of the energy produced by customer-generators; and
- A proposed Solar Choice metering tariff.

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After the Companies submitted the Duke Letter, the Clerk's Office issued a Notice of Filing and Hearing and Prefile Testimony Deadlines on July 29, 2020 (the "Notice"). The Notice adopted the Original Schedule, but did not address Solar Choice metering tariff filings. This was generally consistent in principle with the views and proposals of the Office of Regulatory Staff filed on July 27, 2020. Given that the Notice only related to the generic docket, the Companies took the Notice issued by the Commission's Clerk as the official schedule and significantly altered their work plan accordingly, shifting internal resources, established workflows, set assignments, working to comply with the initial filing deadline of October 8, 2020 versus September 3, understanding that the Solar Choice metering tariff would be considered sometime thereafter.

However, on August 12, 2020, the Commission issued a directive which cannot be reconciled with the Notice. The Companies appreciate the consideration given to its July 27, 2020 filing, and the filings of other parties on the same date. However, due to actions taken in reliance on the Notice issued July 29, 2020, and given that the Companies have changed their plans toward an October 8, 2020 filing as prescribed in the Notice, the Companies can no longer meet a September 3, 2020 filing date. As such, the Companies request that the Commission amend the procedural schedule for the generic docket on the methodology for calculating the value of energy produced by customer generators and the costs/benefits of the current net energy metering program to correspond with the dates in the Notice, which would allow the utilities to file their Solar Choice tariffs upon each utility's individual schedule and in their own dockets. In the alternative, the Companies request that the Commission hold the schedule in abeyance and appoint a hearing officer who can hold a scheduling conference such that parties can confer about the schedule to propose a solution to the Commission in an expedited manner. Both of these options are supported by the Southern Environmental Law Center, the South Carolina Coastal Conservation League, the Southern Alliance for Clean Energy, Upstate Forever, Vote Solar, and the North Carolina Sustainable Energy Association.[1] Additionally, either option will provide sound administrative procedure by setting adequate time for intervention, initial discovery, and testimony development.

Thank you for your consideration of this matter.

Sincerely,

Heather Shirley Smith

Heather Shirley Smith

cc: Parties of record

[1] These parties reviewed a draft of this letter prior to filing and consent to the Companies representing their support to the Commission. Likewise, Dominion Energy South Carolina, Inc. submitted a filing in this docket earlier today that requested similar reconsideration of the Original Schedule.