

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>April 13, 2016</u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u>2015-362-E</u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u>2016-281</u>

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

DOCKET NO. 2015-362-E - Joint Application of Duke Energy Carolinas, LLC, Duke Energy Progress, LLC and South Carolina Electric & Gas Company for Approval of the Revised South Carolina Interconnection Standard - Staff Presents for Commission Consideration the Petition for Reconsideration of Order No. 2016-190 Filed on Behalf of SC Solar Development, LLC.

COMMISSION ACTION:

In Docket No, 2015-362-E, the intervenor South Carolina Solar Development, LLC ("SCSD") has moved that we reconsider and vacate Order No. 2016-190, which was entered March 16, 2016. In that Order, we denied SCSD's request that we "carry over" this docket to a future agenda, essentially delaying the issuance of our decision to allow SCSD further opportunity to present comments.

I move that we deny the motion for reconsideration. With regard to SCSD's complaint to the effect that it has been denied the opportunity for meaningful participation in this Docket, we note that SCSD represented to the Commission in support of its motion to intervene that:

"Representatives of NARENCO and/or SC Solar Development have previously participated in multiple discussions with the staff of the South Carolina Office of Regulatory Staff ("ORS"), as to the Distributed Energy Resource Program Act..., and other Solar issues, including the new Interconnection Standard for South Carolina... Representatives of NARENCO and/or SC Solar Development have shown their interest in Solar issues and the Act, by participation with the South Carolina Solar Business Alliance ("SCSBA"). Mr. Bret J. Sowers, Sr. Business Developer with NARENCO, is also a Board Member of the SCSBA."

SCSD's motion to intervene further represented that Mr. Bret J. Sowers "will be attending and participating in a meeting on December 2, 2015, at the ORS concerning a new Interconnection Standard for South Carolina." The fact that SCSD's motion for reconsideration now informs the Commission that "NARENCO did not participate **individually** in the discussion at ORS" does not change the fact that its motion made clear it had the opportunity to do so. The Commission can only infer from the manner in which SCSD refers to itself "and/or" NARENCO almost interchangeably in making its case for intervention that the two closely-related entities have interests consistent with one another.

In any case, SCSD had ample opportunity to participate independently of NARENCO at ORS and at the Commission if it deemed such independent participation desirable or necessary. SCSD is presumed to have read and fully understood the Joint Application filed on October 9, 2015, in which the Joint Applicants requested approval of a Proposed Interconnection Standard "to apply to all state jurisdictional interconnections to avoid any gaps in regulation and provide greater transparency and certainty to all interconnection customers, and the Utilities themselves..." In other words, SCSD was on notice from the date of the filing that the proposed Standards were proposing interconnection standards for projects sized up to 80 megawatts, at which point the Federal Energy Regulatory Commission has jurisdiction. Several other intervenors filed comments with the Commission regarding the Proposed Interconnection Standard. In fact, they filed Comments more than three months prior to SCSD's March 7, 2016, filing of its Comments – which also included its request that the Commission carry over the

matter from March 9th "to receive and review SC Solar's Comments."

Whatever their choices as to timing, SCSD was able to and did file substantive Comments with the Commission several days prior to the Commission's vote. Although they desired to hear from other entities as to their Comments, the choice to file so close to the Commission's announced date for decision precluded that opportunity. Several entities in the docket, including the ORS and the SC Solar Business Alliance, encouraged the Commission to go forward with approval of the Standards. Of course, further delay in ruling on the interconnection standards would have delayed the development of small state-jurisdictional solar generation.

Finally, with regard to SCSD's characterization of its request as one for a continuance, we note that decisions to grant or deny continuances are well within the discretion of the tribunal, absent a showing of abuse of discretion resulting in prejudice. SCSD has made no showing of denial of its right to be heard, or of any other prejudice resulting from the Commission's decision not to delay its decision on the joint application.

PRESIDING: Hall

SESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
ELAM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RANDALL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

(SEAL)

RECORDED BY: J. Schmieding

