

State Regulation of Public Utilities Review Committee

Sen. Thomas C. Alexander, Chairman
Rep. William E. Sandifer, III, Vice Chairman
Margaret Bluestein, Esquire
Rep. P. Michael Forrester
Sen. C. Bradley Hutto
Dan Jones
Rep. David J. Mack, III
Sen. Luke A. Rankin, Sr.
John S. Simmons, Esquire
Richele K. Taylor, Esquire



Heather Anderson
Committee Counsel
Steve Davidson
Committee Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6208

MEMORANDUM

TO: Members of the General Assembly

FROM: Thomas C. Alexander and William E. Sandifer, III

DATE: November 18, 2020

RE: Evaluations of the South Carolina Public Service Commission, Members of the South Carolina Public Service Commission, Office of Regulatory Staff, and Executive Director of the Office of Regulatory Staff

Pursuant to §58-3-530(3), (4), (6), (7), and (8), the Review Committee is required to evaluate the Public Service Commission (the Commission), the members of the Commission, the Office of Regulatory Staff (ORS), and the Executive Director of the ORS and submit the evaluations to the General Assembly. Pursuant to §58-3-530(15), the Review Committee is required to review the state energy action plan of the State Energy Office. Enclosed are the Review Committee's evaluations and review. Below, we discuss the Review Committee's process for evaluating the agencies, the commissioners, the Executive Director of ORS, and the state energy action plan.

EVALUATION OF THE PUBLIC SERVICE COMMISSION

The Review Committee sent a list of goals and objectives for the Commission for the review period, and the Commission provided to the Review Committee a written report of its activities during

the review period as they relate to those goals and objectives. With the information provided in the Commission's written report and discussions during the Review Committee's meeting on September 30, 2020, the Review Committee reviewed the actions of the Commission. A summary of the Commission's report to the Review Committee regarding the Commission's goals and objectives is attached as **Exhibit A**. The Commission's full report can be found on the Review Committee's website at <https://www.scstatehouse.gov/CommitteeInfo/PublicUtilitiesReviewComm/PublicUtilitiesReviewComm.php>.

EVALUATION OF MEMBERS OF THE PUBLIC SERVICE COMMISSION

In order to evaluate the commissioners, the Review Committee sent a questionnaire to each commissioner requesting the following information:

- educational programs attended, sponsoring organizations, certificates or recognition received, a description of the topics, a summary of benefit to the Commission, how the program benefited the commissioner, and the amount of time spent out of the office due to attending the educational programs;
- organizations the commissioner is involved in, positions held, committees served on, descriptions of organizations' functions, explanation of the benefits of participation to the Commission, to the commissioner, and the amount of time spent out of the office due to the Commissioner's participation;
- events attended in the commissioner's official capacity, the sponsoring organizations, descriptions of the activity, and the amount of time spent out of the office due to this representation;
- a description of three significant cases in which the commissioner participated, including the case name, the docket number, and a brief summary of the deliberations and decision;
- greatest accomplishments of the Commission during the review period;
- the commissioner's work schedule and preparation during an average work week; and
- the effect of the Code of Judicial Conduct and South Carolina's ethics laws on the commissioner's role.

The Review Committee also sent a survey to persons appearing before the Commission and to Commission employees in accordance with Section 58-3-530(5). The survey solicited information to determine whether the commissioner exhibited the qualities necessary to be an effective hearing officer and decision maker, including:

- the commissioner's understanding and communication of the goals and mission of the Commission;
- the commissioner's familiarity and knowledge of public utility law;
- the commissioner's desire to increase his or her knowledge and skills;
- the commissioner's treatment of persons appearing before the commissioner;
- the commissioner's influence on employee morale and performance;
- the commissioner's adherence to applicable ethical standards; and
- the commissioner's assurance that hearings were conducted under dignified and orderly procedures.

Because the chairman of the Commission is also the chief executive and administrative officer, the Review Committee also solicited input from persons appearing before the Commission and Commission employees as to the effectiveness of the chairman's leadership and management of the Commission.

During the committee meeting on September 30, 2020, the Review Committee members discussed each commissioner's questionnaire responses. Although questions from the committee members were based upon the information submitted by each commissioner, every commissioner also was asked about the following: (1) work schedule and (2) ethics and judicial canons as they relate to public trust. Each Commissioner's written response to the questionnaire is attached as **Exhibit B**.

During the review period, the Review Committee received information regarding a possible ex parte violation by Commissioner Ervin. The Review Committee met on December 20, 2019, and forwarded the information received to the State Ethics Commission and to the Attorney General for investigation.

EVALUATION OF THE OFFICE OF REGULATORY STAFF

The Review Committee submitted a questionnaire with goals and objectives for the ORS. The ORS provided to the Review Committee a written report of its activities as they relate to those goals and objectives. With the information provided in ORS's written report and discussions during the Review Committee's meeting on September 30, 2020, the Review Committee reviewed the actions of the ORS. A summary of the ORS's report to the Review Committee regarding the ORS' goals and objectives is attached as **Exhibit C**. The ORS's full report can be found on the Review Committee's website at <https://www.scstatehouse.gov/CommitteeInfo/PublicUtilitiesReviewComm/PublicUtilitiesReviewComm.php>.

EVALUATION OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF

In order to fulfill its duty to evaluate the performance of the Executive Director, the Review Committee sent a questionnaire to the Executive Director requesting the following information:

- educational programs attended, sponsoring organizations, certificates or recognition received, a description of the topics, and how the program benefited the ORS;
- professional organizations the Executive Director is involved in, positions held, committees served on, and descriptions of organizations' functions. Explanation of the benefits of participation to the ORS, to the Executive Director, and to the State of South Carolina (e.g., government, consumers, regulated utilities);
- events attended in the Executive Director's official capacity, the sponsoring organizations, and descriptions of the activity (if speech or panel discussions, a description of the topic);
- notable cases in which the Executive Director took an active role, including the case name, the docket number, and a brief summary of the deliberations, and the decision;

- greatest accomplishments of the ORS during the review period;
- the Executive Director’s most significant accomplishments as the Executive Director during the review period; and
- areas where there is room for improvement and an explanation as to how the Executive Director will take advantage of any opportunities for improvement.

Additionally, the Review Committee sent a survey to ORS employees and persons who interacted with the Executive Director, seeking their opinions with respect to the Executive Director’s knowledge of public utility issues, her adherence to ethical constraints, her treatment of persons who interacted with her, her effect on employee morale, and her understanding of the goals and mission of the agency. The Executive Director’s written response to the questionnaire is attached as **Exhibit D**.

REVIEW OF THE STATE ENERGY ACTION PLAN OF THE STATE ENERGY OFFICE

Pursuant to §58-3-530(15), the Review Committee is required to review the state energy action plan of the State Energy Office. At the September 30th meeting, the State Energy Office provided information regarding subcommittee work regarding the “top tier” items identified in the previous State Energy Plan. Due to COVID-19, some of this work did not proceed at the pace initially anticipated; however, the State Energy Office was able to proceed in implementing some of these top-tier items during the review period. For example, the State Energy Office launched a website, energysaver.sc.gov, to help residential and commercial consumers find energy-savings programs. The State Energy Office, in conjunction with the Nicholas Institute at Duke University and stakeholders, will release an Energy Efficiency Roadmap, which will consist of a number of energy efficiency recommendations. The State Energy Office procured a Chevrolet Bolt electric vehicle in March 2020. This vehicle will be used as a case study to potentially incorporate more electric vehicles into the state fleet. In addition, the ORS established a partnership with the SC Department of Parks, Recreation and Tourism for electric vehicle charging stations. Additional details are contained within the ORS report posted on the Review Committee’s website.

If you have any questions, please contact Review Committee staff.

2019-2020 PSC Strategic Planning

MISSION

The Public Service Commission serves the public by providing open and effective regulation and adjudication of the state's public utilities, through consistent administration of the law and regulatory process.

VISION

At the Public Service Commission of South Carolina, our vision is to be a leader of investor-owned public utilities regulation by adhering to and embracing the highest level of impartiality, excellence, professionalism, and transparency.

Strategic Goal 1:

Optimize the Effectiveness of Commission Processes and Systems

1. The Commission will use technology to increase its effectiveness:
 - (a) Maintain the Order Index System by adding orders issued in 2019-2020.
The Commission updated its Order Index System by adding 844 orders and directive orders.
 - (b) Monitor Document Management System (DMS) activity through Google Analytics to understand stakeholder interest.
The Commission monitored its website and DMS activity through Google Analytics on a monthly basis.
2. The Commission will improve internal efficiencies through the implementation of new systems and enhancements to existing systems:
 - (a) Implement new phases of the Document Management Systems (DMS) eService Enhancement Project.

The Commission implemented Phase III of the DMS eService Enhancement Plan. This phase included the creation of a DMS pop-up survey, an updated text-alert platform, and the correction of issues found during last year's vulnerability scan.

(b) Implement Quarterly IT Operational Plan for 2019-2020.

The Commission implemented its Quarterly IT Operational Plan during the review period, which included upgrades to the Commission's hearing room technology, increasing its website transparency, and training.

Strategic Goal 2

Promote Operational Excellence and Transparency

1. The Commission will maintain an ongoing dialogue with various stakeholder groups regarding the Commission's regulatory mission and vision:

(a) Reinstate pop-up surveys on DMS website.

The Commission implemented and monitored pop-up survey responses from February to June 2020.

(b) Assess additional platforms for the mobile text-alert system.

The Commission's mobile text-alert system was reinstated in March 2020, following an interruption in service due to the original system provider ceasing business operations.

(c) Continue to use a digital newsletter platform to communicate with stakeholders quarterly.

The Commission used its digital newsletter platform to send quarterly Commission news, bi-annual ethics news, and occasional cybersecurity news to internal and external stakeholders.

(d) Monitor PSC ads and consumer education website with The State Newspaper.

The Commission utilized media outlets to promote its SC Utility Consumer website and engage with stakeholders on social media. Social media outlets included SC Utility Consumer Facebook, SC Utility Consumer Twitter, PSC Facebook and PSC Twitter.

(e) Procure and implement livestreaming video equipment.

The Commission upgraded its livestreaming equipment. All business meetings, allowable ex parte briefings, and major hearings were livestreamed during the review period. The Commission also utilized Skype to interview possible consultants and held two virtual public night hearings where public witnesses could deliver testimony via audio or video.

(f) Communicate with PSC Advisory Committee regarding Commission resources and procedures.
The Commission held two virtual meetings for the PSC Advisory Committee to provide feedback and suggestions for improvement in the effectiveness and efficiency of the Commission's operations.

2. The Commission commits to promoting forward thinking by, in part, anticipating and forecasting future necessary expenditures and documenting life cycles of existing assets to effectively manage its resources.

(a) Continue forecasting by analyzing and updating PSC IT Strategic Roadmap 2019-2029.

The Commission accomplished the following tasks during the review period in its IT Strategic Roadmap: scanned and archived old telecommunications dockets; combined databases and improved search capability for docket documents; added an additional camera to the hearing room to improve livestreaming; corrected issues identified by DMS and eTariff vulnerability scans; documented emergency live streaming process; conducted an information security policy internal audit; staff completed cybersecurity training; upgraded streaming system to support additional Skype participants; and enhanced e-file regulation.

(b) Continue to monitor life cycles of existing assets.

The Commission monitored and documented its existing technology assets.

Strategic Goal 3: Risk Management

1. Create a culture of risk awareness through the development, implementation and maintenance of an enterprise risk management program:

(a) Review and update risk management plan.

The Commission reviewed and updated its risk management plan. The highest priorities dealt with building and IT security needs.

(b) Implement monthly employee health and wellness initiatives.

The Commission released monthly health and wellness newsletters, which promoted healthy lifestyle and diet tips. It also implemented quarterly health and wellness activities, such as a healthy snacks cook-off, stress management luncheon, and a walk at work day.

2. Ensure information technology resources are utilized to implement continuing security initiatives:

(a) Conduct cybersecurity training.

All Commissioners and Commission staff completed cybersecurity training.

(b) Conduct a security audit and vulnerability scan.

The Commission discussed internal penetration testing with the Division of Information Security, but it was determined that internal penetration testing was not required.

(c) Continue planning for building security, upgrades, budget, and schedule.

The Commission's security contractor conducted a building security assessment. As a result of this assessment, the Commission made some physical security modifications and staff underwent security training.

Strategic Goal 4:

Maintain Commitment to an Engaged Adjudicatory Process

1. The Commission will provide expert staff support to the Commission through analysis and collaboration:

(a) Hold in-house educational seminars on regulatory topics for Commissioners and staff, and utilize outside experts when necessary to inform and instruct Commissioners and staff on emerging topics in the regulatory arena.

The Commission held in-house educational seminars that were provided by third-party independent consultants and experts. Some of the topics included avoided costs methodology, power purchase agreements, integrated resource plans, net metering, and competitive procurement of renewable energy resources.

(b) Preparation by staff for Commission proceedings by analyzing technical information.

Commission staff analyzed technical information from industry blogs for insight into recent news and the regulatory landscape.

(c) Provide weekly updates by staff to Commissioners.

Commission staff provided weekly updates to Commissioners, which included agenda briefing meetings, post-hearing briefs, and witness testimony summaries.

(d) Participate in national organizations.

Commissioners participated in NARUC, SEARUC, NRRI, and other national organizations. Commissioners and staff attended NARUC meetings and participated in webinars and teleconferences that addressed regulatory issues.

2. The Commission will ensure strict adherence to State ethics laws and the Code of Judicial Conduct:

(a) Hold ethics seminars each year for Commissioners and staff in accordance with S.C. Code of Laws §58-3-30(C).

The Commission held its annual ethics training for Commissioners and staff in October, 2019.

(b) Provide Commissioners and staff regular updates on ethical topics and developments.

The Commission provided Commissioners and staff regular updates on ethical topics and development through its PSC Ethics Watch newsletter.

(c) Respond to ethical issues.

The Commission responded to ethical issues by issuing an order (2019-748) regarding emailed filings, updating the agency's phone system, and establishing an ex parte communications policy.

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

**NAME: JOHN HOWARD
SEAT: 1ST DISTRICT
DATE ELECTED: MAY 2016
DATE TERM EXPIRES: JUNE 30, 2020**

Please provide information for the review period covering July 1, 2019 through June 30, 2020. Be sure to fully address each item.

1. Educational programs.

**National Association of Regulatory Utility Commissioners (NARUC)
NARUC Summer Policy Summit - July 19-24, 2019
NARUC Annual Meeting - November 17-20, 2019
NARUC Winter Meeting – February 9-12, 2020**

These meetings focus on policy issues that are relevant to state regulators - I attended the Education & Research Committee, the Consumer and Public Interest Committee and the Water Committee.

Electric Power Research Institute (EPRI) - August 10-13, 2019

Financial Research Institute (FRI) - September 23-26, 2019

Since the COVID-19 pandemic, I have attended, entirely or at least partially, the following webinars:

- EEI Webinar - Pandemic planning for the industry
- EPRI Summer Seminar
- Low Income Energy Issues Forum (LIEIF) - Planning for looming debt crisis
- LIEIF: Planning for vulnerable utility customers
- LIEIF: Daily Billing
- CCIF: Grid Resiliency
- Water Research Foundation; Indication of COVID-19 in Sewer sheds
- University of Florida; FCC Commissioner O’Rielly - Learning during this unprecedented pandemic
- Public Utilities Fortnightly - Questions your Legislators Should be Asking the PUCs

In-House Education:

- July 29, 2019 at 10:00 AM: Docket No. 2018-202-E: Allowable Ex Parte Briefing to Discuss Implementation of Tranche 1 of the Competitive Procurement of Renewable Energy Program and Future Plans for Tranche 2

In-House Education (continued):

- August 14, 2019 at 10:00 AM: Docket Nos. 2019-169-E, 2019-170-E, 2019-182-E, 2019-185-E, 2019-186-E, 2019-195-E, 2019-196-E, 2019-207-E, 2019-208-E, 2019-210-E, 2019-211-E, 2019-224-E, and 2019-225-E: Allowable Ex Parte Briefing to Discuss Key Components of Act 62
- September 17, 2019 at 2:00 PM: Docket No. 2019-281-S: Allowable Ex Parte Briefing Regarding Regulatory Treatment of Plant Acquisitions
- September 19, 2019 at 10:00 AM: NDI-2019-20-E: Allowable Ex Parte Briefing to Discuss Commerce Overview, Current Economic Development Activity, and Role Energy Plays in Recruiting and Growing Business
- September 25, 2019 at 2:30 PM: NDI-2019-21-E: Allowable Ex Parte Briefing to Discuss Duke Energy Carolinas, LLC's Anderson, South Carolina Energy Storage and Microgrid Project
- October 11, 2019 from 9:00AM-4:00PM: Annual Joint Ethics Training with the Office of Regulatory Staff
- November 7, 2019 at 2:00 PM: NDI-2019-29-E: Allowable Ex Parte Briefing to Discuss General Information and Consideration Regarding Regulatory Electric Vehicle Policies
- December 11, 2019 at 10:00 AM: NDI-2019-35-G: Request for Allowable Ex Parte Communication Briefing for an Update on Atlantic Coast Pipeline
- December 11, 2019 at 2:00 PM: Docket No. 2018-321-E: Application of Duke Energy Carolinas, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses
- December 11, 2019 at 2:00 PM: Docket No. 2018-322-E: Application of Duke Energy Progress, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses
- December 18, 2019 at 2:00 PM: NDI-2019-38-G: Allowable Ex Parte Briefing and Updates on Atlantic Coast Pipeline

2. Participation in organizations.

Provide the following information regarding your participation in organizations:

- A. The name of organization, position held, and committee served on;
- B. A description of the organization's function;
- C. How participation in the organization helped you as a commissioner and benefitted the Commission; and
- D. The amount of time spent out of the office due to your participation in organizations.

NARUC - Board of Directors – Chairman, Education & Research Committee – 3 days
NRRI - Board of Director
New Mexico State University Advisory Committee - Current Issues Series – 3 days
University of Missouri - Advisory Committee Financial Research Institute - 2 days
NARUC Rate School Faculty - 5 days

3. Representation in Official Capacity as Commissioner.

National Association of Water Companies (NAWC): Water on Wall Street – December 11-12, 2019, New York, NY – I attended all events and participated on a Panel “Exploring the Latest in the Regulatory Scene” with Commissioner Burman of New York, Commissioner Curran of Rhode Island, Commissioner Holden of New Jersey and Commissioner Silvey of Missouri.

4. Notable Cases.

In your own words, describe three cases in which you participated that you believe were the most significant during the review period. Provide a brief summary of the case, including the case name, the docket number, and the issues and outcome (two-three sentences). Your response should focus on: (a) why this case was significant; and (b) how the educational programs you attended, your participation in organizations and/or experience as a commissioner benefitted your decisions in each case.

Blue Granite Water Company (Docket # 2017-292-WS)

This particular docket transcends just about all facets of the ratemaking process. This case is still being adjudicated as of this writing (over a year). It is a classic example of a company filing a rate over a tremendous ratepayer and legislator outcry. The Commission granted the Company a 57% reduction to the original request. The Company filed a Petition for Clarification and Reconsideration/Rehearing.

The case is now in the SC Supreme Court- If the case is overturned by the Court and rules in favor of the PSC, the Company must refund the differences + 12% to the ratepayers. If the court rules in favor of the Company, the original requested rates will be allowed, plus the additional rate case expenses. In the final analysis, the rate payers lose. In my opinion, the Commission must be sure that their case is solid and not influenced by outside pressure.

In addition, the Company must improve its public image – by better communicating with their customers - many programs exist that the Company needs to take advantage of to create better customer relations.

Noller & Halwig, v. Daufuskie Island Utility Company (Docket 2018-364-WS) Appellate # 2019-001354.

This case is under appeal; however, I think that it is worth addressing and, I won't discuss the issues in the case; however, this case might have far reaching implications in the future. My concern is the issue facing the low elevation area of SC - particularly the residents of the first and seventh district - and really the rest of the world. There is undisputed evidence that we are facing a future of rising sea levels and how the regulatory world will deal with consumer and really industry's cost recovery. This case originated because the Appellants suffered broken sewer mains during a hurricane. The company repaired the mains. Another weather event occurred and again washed out the mains. How many times do the ratepayers have to pay to replace damaged infrastructure to those building in critical areas? As sea levels rise these occurrences will become more frequent. One of the issues is should other ratepayers keep paying for infrastructure that is built in critical areas. Another is income disparity while some residents who live in this area do so by choice, many of the residents are living on their property and don't have the income or insurance to keep repairing the damaged infrastructure. Is it fair for the other ratepayers to subsidize these repairs? This problem will be more apparent as sea levels rise.

Dominion Energy, South Carolina, Inc. (Dominion) (Docket # 2020-2-E)

This was Dominion's annual fuel cost docket. The reason this case was unique is that it was a virtual hearing in which the entire hearing was done in a virtual format.

Besides Dominion and the Office of Regulatory Staff (ORS), six other interveners were involved. As far as to the benefit from my experience or education was concerned, it gave me the confidence that a virtual hearing can be conducted in a fair manner for all parties and it definitely will be something we will be dealing with even after the COVID-19 pandemic is over with. After the hearing, I attended several webinars on regulations in a virtual world. There will be many educational opportunities to draw on and make this method of hearing more available in the future.

5. Accomplishments of the Public Service Commission

Describe what you believe are the greatest accomplishments of the commission during the review period.

As I reflect on this review period without a doubt the greatest accomplishment was how our Commission dealt with the challenges thrown at us by the COVID-19 pandemic and how the Commission responded. Having to rely on the virtual program our Commission did not skip a beat - all the Commission's programs and hearings continued, and all parties were able to participate even in Public Hearings.

6. Work Schedule and Preparation.

- A. Describe your schedule during an average work week. For example, how often are you in your office in Columbia? How many hours do you telecommute?
- B. Describe how you prepare for a hearing.

Prior to the COVID-19 lock down, my schedule remained the same as it had in the past years. I would travel to Columbia to attend meetings and hearings. Since I would venture a guess approximately 90% of my time is spent reading testimony and other materials that will better prepare me to do a better job. In my case, for me to go to the office just for the sake of being there is ludicrous. I would travel 2 hours each way so consequently four hours of my day would be non-productive. The time spent in the office is also not as productive as my time at home. In the office, there is constant interruptions, while at home, my wife- and sometimes my dog, know that is my quiet time and they honor it.

Prior to COVID-19, I would estimate that I spent 25% of my time telecommuting and the remainder either in the office or travelling to Columbia or reading.

Preparing for a hearing - Reading testimony is the most important, time consuming and necessary. Studying trade magazines and looking over other information regarding the hearing is essential.

7. Effects of Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.

In your own words, discuss how the Code of Judicial Conduct and the Ethics Laws interact and affect you and your role as a commissioner.

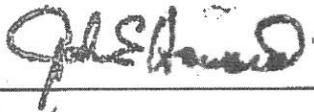
The Code of Judicial Conduct and the Ethics Laws govern just about all I say and do as a Commissioner.

I have said this many times before and as I depart the Commission I can truly say -

Since the enactment of Act 175, I haven't received anything from any utility we regulate - not even the proverbial - cup of coffee. I say that not only for myself, but I don't know of any of my fellow Commissioners that have either. I also might add neither have we been offered anything by any utility we regulate. We all know the rules and we play by them.

NOTE: Do not provide any information that would violate the prohibition against ex parte communication or would otherwise violate any privilege.

Ethics Statement: I, Commissioner John "Butch" E. Howard have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: 

Date: 9/14/20

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

**NAME: FLORENCE P. BELSER
SEAT: DISTRICT 2
DATE ELECTED: FEBRUARY 6, 2019
DATE TERM EXPIRES: JUNE 30, 2022**

Please provide information for the review period covering July 1, 2019 through June 30, 2020. Be sure to fully address each item.

1. Educational programs.

Provide the following information regarding educational programs attended:

- A. The name of the program and the sponsoring organization;
- B. A description of the topics and any certificate or recognition received;
- C. How the program helped you as a commissioner and benefitted the Commission; and
- D. The amount of time spent out of the office due to attending educational programs.

I. NARUC Meetings / Conferences

- A. The name of the program and the sponsoring organization:

Answer:

- (1) **NARUC Summer Policy Summit** held in Indianapolis, Indiana from July 21-24, 2019. Sponsoring organization is the National Association of Regulatory Utility Commissioners (“NARUC”).
- (2) **NARUC Annual Meeting and Education Conference** held in San Antonio, Texas from November 17-20, 2019. Sponsoring organization is NARUC.

- B. A description of the topics and any certificate or recognition received:

Answer:

- (1) I attended the following sessions during the 2019 NARUC Summer Policy Summit:

- **New Commissioner Forum & Breakfast**
- **General Session -**
 - **Delivering More Than Electrons**
 - **News You Can Use: The President’s Press Conference**
- **Committee on Energy Resources and the Environment Business Meeting**
- **100% Clean Energy: What Comes Next for Regulators?**
- **100% Clean Energy: What Comes Next for Markets and the Grid?**

- **SEARUC Regional Meeting** (“SEARUC” is the Southeastern Association of Regulatory Utility Commissioners.)
- **General Session -**
 - **Exploring Opportunities: What is in the Realm of the Possible?**
- **State Journeys in NEM and DER Rate Reform: A Long and Winding Road**
- **Creative Momentum Class for Today and Tomorrow: DERs are Changing Everything**
- **There’s a Major Change Headed Our Way: Forecasting DERs for Planning Purposes**
- **Bringing the Renewable Heat: How Renewable Natural Gas (“RNG”) Market Dynamics Are “Burning Up” Preconceived Notions of Traditional Regulatory Structures and Planning**

I did not receive a certificate or other recognition for attending the NARUC Summer Policy Summit.

(2) I attended the following sessions during the 2019 NARUC Annual Meeting and Education Conference:

- **Staff Subcommittee on Rate Design –**
 - **Behind the Meter Storage: What opportunities exist for customers to reduce their demand and energy charges?**
- **Staff Subcommittee on Energy Resources and the Environment –**
 - **Performance-Based Regulation: Helping to Enable a Customer-Centric Future**
- **Committee on Consumers and the Public Interest -**
 - **Following a disaster, how can government agencies and utilities work together to make recovery less stressful and more efficient for customers?**
- **Committee on Energy Resources and the Environment**
 - **Are Pilot Programs Going the Way of the Dodo?**
 - **What Commissions Should Know About Environmental, Social and Governance Issues in the Industry**
- **General Session**
 - **The Great Debate: Energy Resource Options**
- **SEARUC Regional Meeting**
- **General Session**

- Who Wants to be a Regulator?
- Commissioners Nick and Glick: Hot Topic Talk
- Concurrent Sessions – Section A
 - FERC’s PURPA Reforms – What does it mean for consumers, commissions, and clean energy?
- Concurrent Sessions – Section B
 - New Transmission Investments and FERC Order 1000

I received a “NARUC Certificate of Attendance” for attending the 2019 NARUC Annual Meeting and Education Conference. This certificate was issued in blank and was provided to document only hours approved for Continuing Legal Education (“CLE”) hours.

C. How the program helped you as a commissioner and benefitted the Commission:

Answer:

NARUC meetings provide excellent educational opportunities on multiple utility issues across all industries. By attending these meetings, I have increased my knowledge of utility regulation and learned of current issues on both the state and national levels. Every time I attend one of these meetings, I come away with additional information on issues and how issues are being addressed by other jurisdictions. I have benefitted from these programs through increased awareness of and exposure to pertinent issues. The knowledge gained and shared through these meetings broadens my perspective which I can draw upon in making decisions. The Commission benefits from my attendance at these meetings because increased knowledge, experience, and understanding of issues and possible solutions help me make more informed decisions on the issues presented to the Commission for adjudication.

D. The amount of time spent out of the office due to attending educational programs:

Answer:

- (1) For the 2019 NARUC Summer Policy Summit, I was out of the office for three days from Monday, July 22, 2019, through Wednesday, July 24, 2019.
- (2) To attend the 2019 NARUC Annual Meeting and Education Conference, I was out of the office for three days from Monday, November 18, 2019, through Wednesday, November 20, 2019.

II. In House Briefings / Educational Sessions

(1) Ethics Training:

- October 11, 2019. **Joint PSC/ORS workshop on Ethics and Administrative Procedures Act pursuant to S.C. Code Ann. § 58-3-30(C) (2015).**

(2) Ex Parte Briefings:

- July 29, 2019. **Allowable Ex Parte Briefing by Duke Energy Carolinas, LLC and Duke Energy Progress, LLC regarding Implementation of Tranche 1 of the Competitive Procurement of Renewable Energy Program and Future Plans for Tranche 2** (Docket No. 2018-202-E).
- August 14, 2019. **Allowable Ex Parte Briefing by Duke Energy Carolinas, LLC and Duke Energy Progress, LLC regarding Key Components of Act 62** (Dockets No. 2019-169-E, 2019-170-E, 2019-182-E, 2019-185-E, 2019-186-E, 2019-195-E, 2019-196-E, 2019-207-E, 2019-208-E, 2019-210-E, 2019-211-E, 2019-224-E, and 2019-225-E).
- September 17, 2019. **Allowable Ex Parte Briefing by Palmetto Utilities, Inc. regarding Regulatory Treatment of Plant Acquisitions** (Docket No. 2019-281-S).
- September 19, 2019. **Allowable Ex Parte Briefing by the South Carolina Department of Commerce regarding Commerce Overview, Current Economic Development Activity, and Role Energy Plays in Recruiting and Growing Business** (NDI-2019-20-E).
- September 25, 2019. **Allowable Ex Parte Briefing By Duke Energy Carolinas, LLC regarding Duke Energy Carolinas, LLC's Anderson, South Carolina Energy Storage and Microgrid Project** (ND-2019-21-E).
- November 7, 2019. **Allowable Ex Parte Briefing by Southeast Energy Efficiency Alliance ("SEEA") regarding General Information and Considerations Regarding Regulatory Electric Vehicle Policies** (ND-2019-29-E).
- December 11, 2019. **Allowable Ex Parte Communication Briefing by Duke Energy Carolinas, LLC, Duke Energy Progress, LLC, and Piedmont Natural Gas regarding an Update on Atlantic Coast Pipeline** (ND-2019-35-G).
- December 11, 2019. **Allowable Ex Parte Briefing by Duke Energy Carolinas, LLC regarding Proposed Electric Transportation Pilot and an Accounting Order to Defer Capital and Operating Expenses** (2018-321-E).
- December 11, 2019. **Allowable Ex Parte Briefing by Duke Energy Progress, LLC regarding Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses** (2018-322-E).
- December 18, 2019. **Allowable Ex Parte Briefing by Southern Environmental Center regarding updates on the Atlantic Coast Pipeline** (ND-2019-38-G).

(3) Other

- August 21, 2019. **Information Security and Privacy Awareness Training for State Employees.** (online course)
- September 9, 2019. **Active Shooter and Personal Protection Training.** (in house training)
- November 22, 2019. **South Carolina Local Government Attorney's Institute sponsored by the South Carolina Association of Counties.** (Continuing Legal Education program.)
- March 12, 2020. **PSC Ex Parte Communications Guidelines.** Review and discussion of agency guidelines and policies regarding ex parte communications. (in house training)
- March 27, 2020. **Information Security and Privacy Awareness Training for state employees.** (online course)

The Ethics Training is required annually and is a practical review of the Code of Judicial Conduct and state ethics laws which we must follow. The Allowable Ex Parte Briefings provide information on current issues. The in-house session on PSC Ex Parte Communications Guidelines reinforces the ex parte rules which we must follow and instructs us on the in-house procedures adopted to aid in avoiding inappropriate ex parte communications. Other programs provide us with awareness of information security and personal security.

All of these programs were conducted in-house, except for the South Carolina Local Government Attorney's Institute sponsored by the South Carolina Association of Counties. I was out of the office for one day to attend that CLE.

III. Other Educational Sessions

A. The name of the program and the sponsoring organization:

Answer:

Fundamentals of Utility Law presented by Scott Hempling, Esquire. This twelve-week course was presented via webinar.

B. A description of the topics and any certificate or recognition received:

Answer:

This webinar provided a broad examination of the purposes of regulation; overview of electric, gas, and telecommunications industries; market structure including the rights, obligations and powers of regulated utilities; ratemaking; legal doctrines in utility regulation; federal-state relationships; and attributes of effective utility regulators. The webinar covered twelve weeks and 18 hours.

No certificate was provided at the conclusion of the webinar.

C. How the program helped you as a commissioner and benefitted the Commission:

Answer:

This program helped me by strengthening previously learned regulatory principles and by introducing new concepts. Continued study involves not only learning new matter but also includes reinforcing and sometimes reexamining matters, issues, and principles already known. While this webinar provided the opportunity for discussion of new material, it also provided reinforcement of some basic regulatory principles. This program helped bolster my existing knowledge of regulatory law as well as increased my knowledge through the introduction of new material. The Commission benefits by having commissioners with knowledge of regulatory principles.

D. The amount of time spent out of the office due to attending educational programs:

Answer:

The webinar was held on Monday evenings from 7:00-8:30 p.m. This course did not require any time away from the office.

2. Participation in organizations.

Provide the following information regarding your participation in organizations:

A. The name of organization, position held, and committee served on:

Answer:

I am a member of the following organizations:

- National Association of Regulatory Utility Commissioners (“NARUC”)
 - NARUC Committee on Energy Resources and the Environment (“ERE”)
- Southeastern Association of Regulatory Utility Commissioners (“SEARUC”).

B. A description of the organization’s function:

Answer:

NARUC is a non-profit organization dedicated to representing the state public service commissions which regulate the utilities that provide essential services such as energy, telecommunications, power, water, and transportation. NARUC’s stated mission is

to serve in the public interest by improving the quality and effectiveness of public utility regulation. Under state law, NARUC’s members have an obligation to ensure the establishment and maintenance of utility services as may be required by law and to ensure that such services are provided at rates and conditions that are fair, reasonable, and nondiscriminatory for all consumers.

SEARUC is also a non-profit corporation, and the purpose of SEARUC is “the advancement and education of commission regulation through the study and discussions of subjects concerning the operation and supervision of public utilities to protect the interests of the people with respect to regulation of the Southeastern States.”

- C. How participation in the organization helped you as a commissioner and benefitted the Commission:

Answer:

Participation in NARUC and SEARUC provides increased educational opportunities. The conferences provide relevant and timely educational programs related to the specialized area of public utility regulation. The conferences are not only educational but provide an opportunity to learn from other utility commissioners as well as opportunities to gain regional and national perspectives on issues. I have benefited from these meetings by enhancing and expanding my knowledge of public utility regulation. The Commission and the state benefit from commissioners gaining additional education and increasing knowledge and experiences.

- D. The amount of time spent out of the office due to your participation in organizations.

Answer:

During the review period, I was out of the office for six days attending NARUC conferences. The SEARUC Conference scheduled for June 2020 was cancelled due to COVID-19.

As a member of NARUC’s Committee on Energy Resources and the Environment (“ERE”), I attend meetings of the committee when I attend NARUC meetings or conferences. The ERE committee meets in person three times per year during NARUC conferences and meetings. Other times during the year, the committee holds conference calls. Prior to COVID-19, conference calls of the committee were held monthly with each call scheduled for one hour. After the COVID-19 became an issue in March 2020, the conference calls of the ERE Committee were changed to quarterly calls.

3. Representation in Official Capacity as Commissioner.

For any event attended in your official capacity as commissioner that has not been included in item 1 or 2, provide the following information:

- A. Each event attended;
- B. The sponsoring organization;
- C. A description of the activity (if speech or panel discussions, describe the topic); and
- D. The amount of time spent out of the office due to your representation as commissioner.

Answer:

On January 24, 2020, I appeared on a panel at the 2020 South Carolina Bar Association’s Annual Convention held at the Columbia Metropolitan Convention

Center. The panel was part of a Continuing Legal Education seminar titled “South Carolina Administrative and Regulatory Extravaganza” presented by the Government Law Section and the Administrative & Regulatory Law Section. Appearing on the panel with me were PSC Chairman Randy Randell and PSC Executive Director Jocelyn Boyd, and the topic we addressed was “The Public Service Commission of South Carolina – An Overview and Update.” I was out of the office for approximately 3.0 hours.

4. Notable Cases.

In your own words, describe three cases in which you participated that you believe were the most significant during the review period. Provide a brief summary of the case, including the case name, the docket number, and the issues and outcome (two-three sentences). Your response should focus on: (a) why this case was significant; and (b) how the educational programs you attended, your participation in organizations and/or experience as a commissioner benefitted your decisions in each case.

Duke Energy Carolinas, LLC and Duke Energy Progress, LLC (Docket Nos. 2019-185-E and 2019-186-E)

These cases arose from passage of the South Carolina Energy Freedom Act (“SCEFA”). Pursuant to the SCEFA, the Commission was required to open a docket to establish each electrical utility’s standard offer, avoided cost methodologies, form contract purchase power agreements, commitment to sell forms, and other terms and conditions. The SCEFA also required the Commission’s decision to be rendered within six months of the effective date of the act. The Commission issued its order in these dockets in December 2019. Petitions for reconsideration and/or rehearing were filed by the utilities and by several intervenors. In ruling on those petitions, the Commission granted reconsideration on several issues and granted limited rehearing on the contract duration and related additional terms and conditions. After the rehearing was scheduled, the parties requested that the dockets be held in abeyance to allow the parties to pursue settlement discussions.

(a) Why this case was significant:

Answer:

These dockets were among the first cases heard by the Commission following passage of the SCEFA and presented numerous important issues.

(b) How the educational programs you attended, your participation in organizations and/or experience as a commissioner benefitted your decisions in each case;

Answer:

The issues presented in these dockets are among the most technical issues I have encountered as a commissioner. The educational programs I have attended (particularly the programs offered at the NARUC meetings) and experiences from my career have helped me to understand the issues in these cases. However, I recognize that changes and advancements in the industry require continual work and study to stay abreast of and understand the issues coming before the commission.

Palmetto Utilities, Incorporated (Docket No. 2019-281-S)

Palmetto Utilities, Inc. (“PUI”) filed an application on November 27, 2019, seeking to increase rates for sewer service from \$52.10 to \$66.62 per month per single-family equivalent (an increase of \$14.52 per month or 27.87%). The requested increase would yield additional annual revenues of \$5,933,328. PUI offered to phase-in the increase in increments of \$4.84 per year over three years. PUI also requested a return on equity of 10.50%. Major drivers of the rate case included valuation of plant purchased from the City of Columbia at a cost of \$18 million, effects from the 2017 Tax Cuts and Jobs Act, and additional plant in service of approximately \$11.4 million subsequent to PUI’s previous rate case. Following the onset of the COVID-19 pandemic and declared state of emergency in South Carolina, PUI moved for a sixty day stay of the proceeding which the Commission granted.

The Commission approved stipulations reached between PUI and the ORS and between PUI and the individual customer. Among matters approved were a 9.07% rate of return on equity; for the plant obtained from the City of Columbia to be valued at \$8,476,000 and the creation of a regulatory asset to be amortized over 9.31 years for an annual amortization amount of \$910,000; and a regulatory liability valued at \$2,032,146 for the impacts of the 2017 Tax Cuts and Jobs Act which is to be returned to the customers through a decrement rider of \$4.94 per ERC for 12 months or until the balance in the regulatory liability reaches zero. The monthly rate approved for sewer service is \$59.87, but taking into account the decrement rider for the 2017 Tax Cuts and Jobs Act, the rate for the first 12 months is \$54.93. In addition, PUI is required to conduct a Cost of Service Study coincident with PUI’s historic test year in its next base rate case, to examine and report on the feasibility of obtaining water and customer usage data from water providers to PUI’s customers, and to present a volumetric rate design alternative for consideration in the next rate case.

(a) Why this case was significant:

Answer:

This case presented a request for a significant rate increase All rate cases are important because the decision is significant to ratepayers and the utility. It is essential for the Commission to reach a decision that is fair to all impacted by the decision.

(b) How the educational programs you attended, your participation in organizations and/or experience as a commissioner benefitted your decisions in each case;

Answer:

Continued study is vital to any practitioner whether the practice is in law or other field such as utility regulation. The educational programs attended have provided the opportunity for me to continue to develop knowledge in not only the legal aspects of utility regulation but to learn from other commissions how issues are decided in other states.

Duke Energy Progress (Docket No. 2020-1-E)

This case involved the annual review of base rates for fuel costs pursuant to S.C. Code Ann. § 58-27-865 (2015). Following a virtual hearing, the Commission set Total Fuel Factors:

2.456 cents per kWh for Residential; 2.258 cents per kWh for Non-Demand General Service; 1.887 cents per kWh for Lighting; and 1.887 cents per kWh plus 116 cents per KW for Demand General Service. These fuel factors are lowered the factors set the previous year. The effect on a residential customer using 1,000 kWh per month would decrease in the bill by \$4.11.

(a) Why this case was significant:

Answer:

The fuel factors adopted by the Commission must comport with the requirements of S.C. Code Ann. § 58-27-865 (2015). By conducting the annual review, fuel costs should be recovered in a manner to avoid spikes either up or down. Of personal significance to this commissioner, this proceeding marked the first time I was called upon to preside at a hearing.

(b) How the educational programs you attended, your participation in organizations and/or experience as a commissioner benefitted your decisions in each case;

Answer:

The annual review of the electrical utilities' base rates for fuel costs can be complex proceedings. "Fuel costs" recoverable in the annual proceeding include not only the costs of fuel, the cost of fuel transportation, and fuel costs related to purchased power, but may also include variable environmental costs, cost of emission allowances, capacity costs, and incremental and avoided costs of distributed energy resource programs and net metering. I am able to draw upon my experience in the regulatory realm which includes information acquired from the various educational programs I have attended.

5. Accomplishments of the Public Service Commission

Describe what you believe are the greatest accomplishments of the commission during the review period.

Answer:

The COVID-19 state of emergency has created challenges for all citizens and entities in South Carolina. A major accomplishment from the past year is the manner in which the Commission transitioned from in-person proceedings to virtual proceedings. By utilizing technology, the Commission held hearings and conducted business (agenda) meetings which allowed the Commission to continue its work. Virtual public hearings for ratepayers to be heard were held, and virtual merits hearings where parties presented their witnesses and cases were conducted. Through the hard work of the Executive Director and the Commission Staff, the work of the Commission continued without much interruption.

6. Work Schedule and Preparation.

A. Describe your schedule during an average work week. For example, how often are you in your office in Columbia? How many hours do you telecommute?

Answer:

In an average week, I am in the office daily. I usually arrive by 8:45 a.m. and remain in the office until 5:00 p.m. or later. When the daily or weekly schedule requires additional time, I will arrive earlier or stay later. It is not unusual for me to arrive before 8:00 a.m. or to be in the office after 6:00 p.m. or to work in the office on the weekend. Because I am in Columbia, I have not needed to telecommute, but I do read materials in the evenings and on the weekends at home. While COVID-19 has required many to adjust their schedules to engage in telecommuting, I have continued to work in the office while taking necessary precautions of wearing a face covering and social distancing. I am accustomed to an office environment and am more comfortable with working in the office. Additionally, being in the office helps ensure that I have access to all materials I may need.

Each morning, I review the daily activity report containing matters which were filed the previous workday and go through emails. On Mondays, I set tasks to accomplish during the week. A large part of Monday is spent reviewing matters on the agendas for the Commission business meeting, which is usually held on Wednesday afternoon. On Mondays and Tuesday, I will discuss upcoming matters on the meeting agenda with other commissioners and Commission Staff. With social distancing restrictions imposed by COVID-19, many discussions are done by telephone. Hearings and the business meeting are now conducted virtually using the internet and telephone.

Throughout the week, I spend time reviewing materials for upcoming hearings or upcoming business meetings. Preparation for hearings and meetings requires significant time reading and reviewing materials of each case or matter.

As Vice Chair of the Commission, I work with the Chairman and staff members to set the agenda for the business meeting, and I am also called into discussions concerning administrative operations of the Commission.

B. Describe how you prepare for a hearing.

Answer:

Preparation for hearings requires extensive reading. The Commission's regulations require parties to prefile written testimony and exhibits. On most cases, I track the established dates for pre-filing of testimony and exhibits so that I can obtain the prefiled testimony and exhibits within a few days of the documents being filed. I read the testimony and exhibits to identify the issues in a proceeding and make notes for reference. As additional documents are filed by the parties, I review those materials. Once all the testimony and exhibits are filed, I read through the documents again to ensure that I am familiar with the parties' positions, evidence, and arguments. I also research and review relevant statutes and case law on the issues presented.

Following a hearing, there is still work needed to prepare for discussion and voting on a case or matter at a business meeting. I review post trial briefs or proposed orders and often review the hearing transcript or hearing record. Throughout the process, I may discuss issues with other commissioners and with Commission Staff. These discussions with other commissioners and with Commission Staff are helpful to review the issues and evidence upon which the commission must base our decisions.

7. **Effects of Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.** In your own words, discuss how the Code of Judicial Conduct and the Ethics Laws interact and affect you and your role as a commissioner.

Answer:

The Code of Judicial Conduct provides a set of ethical principles and guidelines to promote integrity, impartiality, and diligence. Our legal system is based on the premise that an independent, fair, and competent judiciary will interpret and apply the laws that govern us, and these same principles apply to us serving on the Public Service Commission. The Code of Judicial Conduct provides guidance and structure to our professional and personal lives, and when followed, the Code of Judicial Conduct helps us maintain high standards of professional and personal conduct. Similarly, the State Ethics Laws also provide structure how we must comport ourselves in the discharge of our duties.

It is an honor to serve as a Commissioner on the Public Service Commission. I take the responsibilities of this office seriously and strive to carry out my duties as a commissioner in a professional manner. Public trust is essential to government and is essential to being a good commissioner. It is important that we are fair, impartial, and unbiased. All who are impacted by the Commission's decisions, from the parties appearing before the Commission to ratepayers, deserve impartial decisions free from bias and improper influence. Adherence to the Code of Judicial Conduct and the state ethics rules help me be an effective commissioner and state employee.

NOTE: Do not provide any information that would violate the prohibition against ex parte communication or would otherwise violate any privilege.

Ethics Statement: I, Commissioner Florence P Belser have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: _____

Date: _____

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

NAME: COMER H. "RANDY" RANDALL, III
SEAT: DISTRICT 3
DATE ELECTED: JULY 1, 2013
DATE TERM EXPIRES: SEPTEMBER 23, 2020

Please provide information for the review period covering July 1, 2019 through June 30, 2020. Be sure to fully address each item.

1. Educational programs.

National Association of Regulatory Utility Commissioners (NARUC) Summer Policy Summit; Indianapolis, TN, July 19-24, 2019:

- Attended all general sessions
- Attended all Committee on Water meetings
 - Moderated a panel on water company response to catastrophic weather events
- Attended joint meetings of Committee on Electricity and Committee on Water
- Attended meeting of the Subcommittee on Nuclear Issues-Waste Disposal
- Went on an afternoon trip to a 20MW battery storage facility. Rode on an Electric Transit Bus made by Proterra in Greenville, SC.
- Attended a SEARUC business meeting

(Time spent out of the office: 3 days)

All NARUC sessions are designed to educate commissioners on utility issues from the national perspective, while helping us see how our states fit in and lead in the national discussion. I benefit greatly, as a commissioner from attending these meetings. My understanding of national and state issues grows each time I attend these sessions.

The NARUC sessions are beneficial to our commission and to the State of South Carolina from a couple of perspectives. We all benefit from hearing what is going on in other states, and I have learned that the South Carolina Public Service Commission is looked to for leadership nationwide.

NAWC's Water on Wall Street; New York, December 12-14, 2019:

- Discussed national water quality issues in a small group session
- Participated on a Panel with the Rhode Island PUC Chair and the Ohio PSC Chair. Most of the discussion centered around why our states are good places for water company investment

(Time spent out of the office: 2 days)

NARUC Winter Policy Summit; Washington, DC, February 8-12, 2020:

- Attended all general sessions
 - Attended all Committee on Water meetings
 - Attended meeting of the Subcommittee on Nuclear Issues-Waste Disposal
- (Time spent out of the office: 3 days)

1B. In-House Educational Programs.

- Allowable Ex Parte Briefing and Updates on Atlantic Coast Pipeline; December 18th, 2019, at 2:00 PM: NDI-2019-38-G:
- Allowable Ex Parte Communication Briefing on the Application of Duke Energy Carolinas, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses; December 11th, 2019 at 2:00 PM: Docket No. 2018-321-E:
- Allowable Ex Parte Communication Briefing on Application of Duke Energy Progress, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses; December 11th, 2019 at 2:00 PM: Docket No. 2018-322-E:
- Allowable Ex Parte Communication Briefing for an Update on Atlantic Coast Pipeline; December 11th, 2019, at 10:00 AM: NDI-2019-35-G:
- Allowable Ex Parte Briefing to Discuss General Information and Consideration Regarding Regulatory Electric Vehicle Policies; November 7th, 2019 at 2:00 PM: NDI-2019-29-E:
- Joint Ethics Training with the Office of Regulatory Staff (ORS); October 11th, 2019, at 8:00 AM:
- Allowable Ex Parte Briefing to Discuss Duke Energy Carolinas, LLC's Anderson, South Carolina Energy Storage and Microgrid Project; September 25th, 2019, at 2:30 PM: NDI-2019-21-E:
- Allowable Ex Parte Briefing to Discuss Commerce Overview, Current Economic Development Activity, and Role Energy Plays in Recruiting and Growing Business; September 19th, 2019, at 10:00 AM: NDI-2019-20-E:
- Allowable Ex Parte Briefing Regarding Regulatory Treatment of Plant Acquisitions; September 17th, 2019, at 2:00 PM: Docket No. 2019-281-S:
- Active Shooter Training; September 9th, 2019, at 9:00 AM:
- Allowable Ex Parte Briefing to Discuss Key Components of Act 62; August 14th, 2019 at 10:00 AM: Dockets No. 2019-169-E, 2019-170-E, 2019-182-E, 2019-185-E, 2019-186-E, 2019-195-E, 2019-196-E, 2019-207-E, 2019-208-E, 2019-210-E, 2019-211-E, 2019-224-E, and 2019-225-E:

- Allowable Ex Parte Communication Briefing to Discuss Implementation of Tranche 1 of the Competitive Procurement of Renewable Energy Program and Future Plans for Tranche 2; July 29th, 2019, at 10:00 AM; Docket No. 2018-202-E:

2. Participation in organizations

- **National Association of Regulatory Utility Commissioners (NARUC)**
I am a member of the National Association of Regulatory Utility Commissioners (NARUC). As referenced above, I attend all the meetings and educational sessions provided. I participate in the discussions, moderate panels and help shape national policy.
- **Committee on Water** –I serve as the Co-Vice Chair of the Committee on Water. I help build the Water Committee program with other Commissioners and staff from all over the country. I moderate a panel on a relevant topic at most meetings.
- **Subcommittee on Nuclear Issues - Waste Disposal** – I attend all of these meetings. I also receive a weekly update on Nuclear Issues from the NARUC office in Washington, DC.
- **Southeastern Association of Regulatory Utility Commissioners (SEARUC)**
SEARUC is one of the divisions of NARUC comprised of mostly southeastern states and Puerto Rico. We meet at every NARUC meeting and then on our own once a year to discuss issues that are relevant to the Southeast.

3. Representation in Official Capacity as Commissioner.

NAWC's Water on Wall Street; New York, NY, December 12-14, 2019

- Discussed national water quality issues in a small group session
 - Participated on a Panel with the Rhode Island PUC Chair and the Ohio PSC Chair. Most of the discussion centered around why our states are good places for water company investment
- (Time spent out of the office: 2 days)

South Carolina Bar Convention; Columbia, SC, January 24, 2020

- The PSC was invited to speak at one of the breakout sessions
 - I participated along with our Executive Director, Jocelyn Boyd and our Vice Chair, Commissioner Florence Belser. We shared information about The Public Service Commission in general, our live streaming capabilities and our improved Docket Management System (DMS)
- (Time spent out of the office: 3 hours)

4. Notable Cases.

- **Docket No. 2019-184-E: Dominion Energy South Carolina, Incorporated.** This was the first case under the South Carolina Energy Freedom Act (H.3659). It was a proceeding to Establish Dominion Energy South Carolina, Incorporated's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A). This case was significant because under Act

62, we were able to use an outside expert. This was an interesting exercise where we learned a lot about how to hire and use our outside expert. This part of Act 62 is a work in progress for the Commission. Originally there was a request for reconsideration, but the parties decided to accept the Commission's order. All my participation in NARUC meetings and especially the NARUC rate school helped me in doing my job in this case. My experience as PSC Chairman has helped me on all cases.

- **Docket No. 2019-281-S: Palmetto Utilities, Incorporated.** This case ushered us into the Covid-19 Virtual hearing world. We held our first two virtual night hearings on very short notice. They both went very well. We held the hearing virtually with me, as Chair, and the Vice-Chair on the bench. Other Commissioners and all the lawyers and witnesses for the parties appeared virtually. After a lot of good work, the parties agreed to a resolution by stipulation. After chairing the VC Summer hearings, the transition to virtual hearings did not seem to be an impossible task. Our staff and commissioners handled it well.
- **Docket No. 2020-1-E: Duke Energy Progress, LLC.** This was the Annual Review of Base Rates for Fuel Costs of Duke Energy Progress, LLC (For Potential Increase or Decrease in Fuel Adjustment or Gas Adjustment). The hearing had contentious issues, especially about procedural matters. All objections were handled in the final order with the case resulting in a decrease of a little over \$4.00 for a customer using 1000 kWh per month. This was another case where my experience and comfort as the Commission Chair helped us make it through a virtual hearing with relative ease.

5. Accomplishments of the Public Service Commission

The greatest accomplishment of the Commission has been the transition from traditional operations to virtual meetings, hearings and night hearings. We have had a smooth transition and have not missed a beat with the Commission schedule. We have held virtual night hearings where we heard from some ratepayers by phone and by video conferencing. All our rate cases, fuel cases, transportation hearings, oral arguments, etc. have all been held virtually. Cases that include lawyers and witnesses for the Company and for all intervenors can be complicated, but we have managed quite well. I also think that our Executive Director/General Clerk, Jocelyn Boyd has done an excellent job keeping our staff safe and productive during the challenge of this pandemic. I think that the other accomplishment I would mention is our attention to a gradual change in staffing and the effective interaction between Commissioners and staff.

6. Work Schedule and Preparation.

The answer to this question really doesn't vary much from year to year. We really don't have a typical work week at the Commission. The second half of this year has been especially atypical with the onset of the Covid-19 pandemic. We really don't have a typical work week at the Commission, and with the onset of Covid-19 our work week has become even more atypical without losing any effectiveness. We have a variety of issues that we deal with and actions that we take every week. This variety is what keeps this job interesting and worthwhile. I commute to the Commission office from my home in Clinton (two-hour round trip). I was physically in the office

usually four days and rarely less than three days a week before the onset of the pandemic. Since the spring we have taken actions to keep everyone safe. Even then, I am usually in the office three days a week and rarely fewer than two days. As Commission Chairman I begin almost every day on the phone beginning between 7:30 and 8:30am with Jocelyn Boyd discussing the events of the day and what we need to accomplish that day. I speak with the legal staff and technical staff every day about cases and about general issues at the commission. On the days that I telecommute, I really keep the same type of schedule that includes conversations with the Executive Director, staff members and Commissioners, as well as reading emails, new filings in our docket management system, transcripts and testimony from hearings, as well as trade articles from magazines and blogs.

In preparation for a hearing, I spend many hours reading hundreds of pages of testimony. After reading the testimony, I spend time with our staff looking at historical data to help me draw my conclusions. If I am not in the office, I have an office in District 3 set up in my home complete with a Commission laptop computer and the Commission iPad. My day does not change significantly. During the pandemic protocols we have call-in briefings, along with Skype, Zoom and Webex meetings. We have kept everyone safe while being very prepared for the work at hand.

7. Effects of Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.

Being under the Judicial Code has positive and negative effects. With that in mind, I do think that being under the Judicial Code is appropriate for members of the South Carolina Public Service Commission. It does allow and require us to maintain distance from the parties involved in each docket. It is important that we are always unbiased in our deliberations. It also sets boundaries for everyone to follow that are clear. Making sure that ex parte communications are controlled is a benefit to all parties. The Commission has instituted a written ex parte policy to make sure that there are no misunderstandings. The one negative is that the Judicial Code prevents the Commissioners from being able to speak about the merits of a case while it is pending. The ethics laws in our state do assist in aiding the unbiased appearance of the Commission's decisions. The Commissioners and staff are all very professional and very serious about their duty and obligations regarding the Judicial Code and the ethics laws. I am confident that the South Carolina Public Service Commission's business is conducted in a manner that should make everyone proud.

NOTE: Do not provide any information that would violate the prohibition against ex parte communication or would otherwise violate any privilege.

Ethics Statement: I, Commissioner Comer H. "Randy" Randall have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: Comer H. Randall

Date: 8/31/2020

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

NAME TOM J. ERVIN
SEAT FOURTH DISTRICT
DATE ELECTED MAY 11, 2018
DATE TERM EXPIRES JUNE 30, 2022

Please provide information for the review period covering July 1, 2019 through June 30, 2020. Be sure to fully address each item.

1. Educational programs.

- July 29, 2019 at 10:00 AM: Docket No. 2018-202-E: Allowable Ex Parte Briefing to Discuss Implementation of Tranche 1 of the Competitive Procurement of Renewable Energy Program and Future Plans for Tranche 2
- August 14, 2019 at 10:00 AM: Docket Nos. 2019-169-E, 2019-170-E, 2019-182-E, 2019-185-E, 2019-186-E, 2019-195-E, 2019-196-E, 2019-207-E, 2019-208-E, 2019-210-E, 2019-211-E, 2019-224-E, and 2019-225-E: Allowable Ex Parte Briefing to Discuss Key Components of Act 62
- September 17, 2019 at 2:00 PM: Docket No. 2019-281-S: Allowable Ex Parte Briefing Regarding Regulatory Treatment of Plant Acquisitions
- September 19, 2019 at 10:00 AM: NDI-2019-20-E: Allowable Ex Parte Briefing to Discuss Commerce Overview, Current Economic Development Activity, and Role Energy Plays in Recruiting and Growing Business
- September 25, 2019 at 2:30 PM: NDI-2019-21-E: Allowable Ex Parte Briefing to Discuss Duke Energy Carolinas, LLC's Anderson, South Carolina Energy Storage and Microgrid Project
- October 11, 2019 from 9:00AM-4:00PM: Annual Joint Ethics Training with the Office of Regulatory Staff
- November 7, 2019 at 2:00 PM: NDI-2019-29-E: Allowable Ex Parte Briefing to Discuss General Information and Consideration Regarding Regulatory Electric Vehicle Policies
- December 11, 2019 at 10:00 AM: NDI-2019-35-G: Request for Allowable Ex Parte Communication Briefing for an Update on Atlantic Coast Pipeline
- December 11, 2019 at 2:00 PM: 2018-321-E: Application of Duke Energy Carolinas, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses
- December 11, 2019 at 2:00 PM: 2018-322-E: Application of Duke Energy Progress, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses

- December 18, 2019 at 2:00 PM: NDI-2019-38-G: Allowable Ex Parte Briefing and Updates on Atlantic Coast Pipeline

All educational programs during this review period were conducted in the office; therefore, no time was spent out of the office.

2. Participation in organizations.

National Association of Regulatory Utility Commissioners (NARUC) – I am a member. During this review period, I did not attend any NARUC conferences; therefore, no time was spent out of the office.

3. Representation in Official Capacity as Commissioner.

None during this review period.

4. Notable Cases.

- **Blue Granite Water Company, Docket No. 2019-290-WS** was heard on 02/26/2020. Before the merits hearing, I attended six public hearings to allow ratepayers an opportunity to be heard on this rate case. A great majority of customers testified that the company's rate increase request was excessive and, if granted, would result in adverse financial impacts on their household budgets. After hearing all the testimony and evidence, the Commission issued its decision which reduced the company's requested rate increase by fifty seven percent based upon a number of factors including the company's poor customer service record, it's numerous billing errors which resulted in wrongful termination of service and disallowance of certain questionable expenses related to rebranding.

The company's motion for reconsideration was denied. The company then moved to place most of its requested rate increase under bond pending its appeal. The S.C. Department of Consumer Affairs then requested a clarification on the company's decision to implement increases under bond given that the Governor had declared a statewide health emergency due to the COVID-19 pandemic and the Chief Justice's Order staying evictions had expired. The Commission decided to allow the company to file a Contingency Petition for an Accounting Order while the rate increase under bond was temporarily stayed through December 31, 2020.

- **Palmetto Utilities Inc., Docket No. 2019-281-S** - Due to the high COVID-19 infection rates in the midlands of South Carolina, the Commission held two virtual night hearings to allow affected ratepayers to be heard on the company's requested rate increase which would raise rates for residential customers from \$52.10 to \$66.62.

Prior to the merits hearing, Palmetto entered a stipulation with the Office of Regulatory Staff which, among other terms, set residential flat sewer rates at \$59.87 which would take effect on 09/20/2020 resulting in an increase of the company's annual revenues of \$3,215,000. The parties also agreed upon a stipulated valuation of \$8,476,000 to be included as part of the company's rate base for a sewer plant which the company previously

purchased from the City of Columbia. This was a significant compromise because in its filing, the company had valued the plant at \$18,000,000.

Palmetto also agreed in the stipulation to establish a regulatory liability for the impact of tax reductions created by the Tax Cuts and Jobs Act valued at \$2,032,146 which will be returned to customers using a detriment rider until the balance is exhausted.

The S.C. Department of Consumer Affairs opposed the stipulation and offered additional testimony and evidence to support its position for a larger reduction in rates. The Commission ultimately adopted the stipulation between Palmetto and ORS finding that it was fair, just and reasonable by way of a final Order.

- **Duke Energy Carolinas, LLC - Docket No. 2019-3-E - Annual Review of Base Rates for Fuel Costs.** The parties to this docket reached a stipulation prior to the hearing which was signed by Duke Energy Carolinas, ORS and the S.C. Energy Users Committee which resolved fuel factors for residential, general service and industrial customers. These fuel factors were ultimately adopted by the Commission resulting in an increase of \$1.54 for residential customers using 1,000 kWh per month.

5. Accomplishments of the Public Service Commission

I believe restoring public trust in the work of the Public Service Commission is a great accomplishment of the Commission during this review period.

Despite the COVID-19 pandemic emergency, the Commission used virtual technology to allow citizens access to testify virtually at the public night hearings on contested rate cases. This virtual technology made it possible for the Commission to hear from the ratepayers through their sworn testimony on how these cases affected their daily lives. Special thanks to our Commission Staff, and in particular the IT Department in making these virtual night hearings possible.

6. Work Schedule and Preparation.

- A. Describe your schedule during an average work week. For example, how often are you in your office in Columbia? How many hours do you telecommute?

On average, during a work week, I am traveling approximately 3 to 4 hours round trip, depending upon weather and traffic conditions, to the office from Greenville 2-4 days per week depending upon our hearing schedule and weekly attorney Agenda briefings.

Once our Governor declared a public health emergency, our daily work schedule necessarily changed from commuting to the PSC office to virtual briefings and hearings due to the high rate of positive COVID-19 infections in South Carolina which far exceeded the national average.

As Commissioners, our first priority was to protect the health, safety and welfare of our Commission staff and the members of the public which we interacted with daily. I wish to commend our Chairman Randy Randall for his leadership in protecting the public, our staff and the parties and their attorneys from being exposed to COVID-19.

B. Describe how you prepare for a hearing.

As I prepare for upcoming hearings, I review all filings and briefs, read the prefiled testimony and consult with PSC staff members on technical issues, as needed.

7. Effects of Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.

The Code of Judicial Conduct and the South Carolina Ethics laws serve as instructions on how the Commission is to conduct itself.

NOTE: Do not provide any information that would violate the prohibition against ex parte communication or would otherwise violate any privilege.

Ethics Statement: I, Commissioner Thomas J. Ervin have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: Tom J Ervin

Date: September 2, 2020

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

NAME SWAIN E. WHITFIELD
SEAT DISTRICT 5
DATE ELECTED 2008
DATE TERM EXPIRES 2020

Please provide information for the review period covering July 1, 2019 through June 30, 2020. Be sure to fully address each item.

1. Educational programs.

- On January 23, 2020, I attended Driver Safety Training from 8:30AM – 5:00PM
- On Friday, October 11, 2019, I attended our annual statutory required Ethics Training. This was held jointly in our Commission hearing room with the Office of Regulatory Staff (ORS) from 9:00AM - 4:00PM. A detailed agenda is in Commission records.
- On September 9, 2019, I attended Active Shooter Training from 1:00PM – 4:00PM

All Allowable Ex Parte Briefings are informative in nature, but some are also educational in addition. Therefore, I have provided a list of all Allowable Ex Parte briefings during the last year and these are as follows:

- December 18, 2019 at 2:00 PM: NDI-2019-38-G: Allowable Ex Parte Briefing and Updates on Atlantic Coast Pipeline
- December 11, 2019 at 2:00 PM: 2018-321-E: Application of Duke Energy Carolinas, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses
- December 11, 2019 at 2:00 PM: 2018-322-E: Application of Duke Energy Progress, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses
- December 11, 2019 at 10:00 AM: NDI-2019-35-G: Request for Allowable Ex Parte Communication Briefing for an Update on Atlantic Coast Pipeline
- November 7, 2019 at 2:00 PM: NDI-2019-29-E: Allowable Ex Parte Briefing to Discuss General Information and Consideration Regarding Regulatory Electric Vehicle Policies
- September 25, 2019 at 2:30 PM: NDI-2019-21-E: Allowable Ex Parte Briefing to Discuss Duke Energy Carolinas, LLC's Anderson, South Carolina Energy Storage and Microgrid Project
- September 19, 2019 at 10:00 AM: NDI-2019-20-E: Allowable Ex Parte Briefing to Discuss Commerce Overview, Current Economic Development Activity, and Role Energy Plays in Recruiting and Growing Business

- September 17, 2019 at 2:00 PM: Docket No. 2019-281-S: Allowable Ex Parte Briefing Regarding Regulatory Treatment of Plant Acquisitions
- August 14, 2019 at 10:00 AM: Dockets No. 2019-169-E, 2019-170-E, 2019-182-E, 2019-185-E, 2019-186-E, 2019-195-E, 2019-196-E, 2019-207-E, 2019-208-E, 2019-210-E, 2019-211-E, 2019-224-E, and 2019-225-E: Allowable Ex Parte Briefing to Discuss Key Components of Act 62
- July 29, 2019 at 10:00 AM: Docket No. 2018-202-E: Allowable Ex Parte Briefing to Discuss Implementation of Tranche 1 of the Competitive Procurement of Renewable Energy Program and Future Plans for Tranche 2

2. Participation in organizations.

Provide the following information regarding your participation in organizations:

- A. The name of organization, position held, and committee served on;
- B. A description of the organization's function;
- C. How participation in the organization helped you as a commissioner and benefitted the Commission; and
- D. The amount of time spent out of the office due to your participation in organizations.

Summary of all organizations and positions that I am a member of:

- Vice-Chairman – NARUC Committee on Critical Infrastructure
- Member – NARUC Washington Action Committee
- Member – NARUC Nuclear Issues and Waste Disposal Subcommittee
- Member – NARUC Committee on Gas
- Immediate Past Chairman – Gas Technology Institute Advisory Board
- Immediate Past President – Southeastern Association of Regulatory Utility Commissioners (SEARUC)
- Member – NARUC – US DOE Gas Infrastructure Modernization Partnership

For items B and C: I have historically given longer and detailed answers / descriptions of these; I see no point in that now, except to say that these are honorable, extremely informative and educational organizations that are dedicated to serving and improving the lives of ALL citizens and ratepayers in America, and that my participation in these organizations (as PURC encouraged when I first became a Commissioner) has been crucial / essential / necessary for me to be (and remain to be) an informed, knowledgeable and effective Commissioner.

For item D: I have historically attended the 3 NARUC meetings and 1 SEARUC meeting each year along with 2 GTI meetings. So, historically I have been out of the office for these meetings / education forums which on average the annual cumulative total is about 9 to 11 days depending on the schedule and some fall over weekends. For THIS current reporting Period, I was out only 6-7 days due to these meetings, as I missed the GTI fall meeting due to the Act 62 docket and only attended NARUC meetings over the last year due to travel restrictions and Covid-19.

3. Representation in Official Capacity as Commissioner.

For any event attended in your official capacity as commissioner that has not been included in item 1 or 2, provide the following information:

- A. Each event attended;
- B. The sponsoring organization;
- C. A description of the activity (if speech or panel discussions, describe the topic); and
- D. The amount of time spent out of the office due to your representation as commissioner.

During this review period my only representation in Official Capacity as Commissioner was attending the NARUC meetings in the question above. Item B: These were NARUC meetings and the SC PSC is a dues paying member of NARUC, and South Carolina is a member State of NARUC. For item C: I have historically provided a long, detailed and very thorough account of this each year, and I see no point in that now. For a detailed account of these, NARUC maintains a very accurate description of ALL of these, and it can easily be attained if necessary or if anyone on the PURC Committee is interested.

For item D: 6-7 days.

4. Notable Cases.

In your own words, describe three cases in which you participated that you believe were the most significant during the review period. Provide a brief summary of the case, including the case name, the docket number, and the issues and outcome (two-three sentences). Your response should focus on: (a) why this case was significant; and (b) how the educational programs you attended, your participation in organizations and/or experience as a commissioner benefitted your decisions in each case.

Docket No. 2019-290-WS – Blue Granite Water Company - In this docket, the Commission held a lengthy merits hearing in the Commission's Offices, that commenced on February 26, 2020. Six public Night hearings were held around the State throughout Blue Granite Water's service territory. During my tenure, I am not sure that I have seen a water rate case where ratepayers were angrier. While customers were highly upset at ALL of the night hearings, one of the common themes in some of the night hearings were that customers were really upset that Blue Granite Water had subcontracted out much of its regulated service operations to an unregulated 3rd party. The Commission was unaware of this until ratepayers testified at these night hearings. Blue Granite Water had not followed Commission rules and regulations and had not sought Commission approval of these contracting arrangements. On April 9, 2020, the Commission issued its Order No. 2020-306 which set the total revenue at \$28,733,986. This is an increase of \$4,958,848 which was made up of \$2,161,536 in water revenue and \$2,797,312 in sewer revenue. A rate of return on equity of 7.46% was granted, along with a 10.54% operating margin. The Commission's decision amounted to a 57% reduction to the Company's original request. However, the Commission's decision in this matter was a 5-1 vote and I was the lone "NO" vote involving this rate increase. On April 29, 2020, the Company filed a Petition for Reconsideration and / or Rehearing, which was denied by the Commission. On August 7, the SC Consumer Advocate's office sent a letter requesting a denial of the surety bond and

a stay of the rate increase. On August 27, the Commission held oral arguments in this matter, and the Commission has since upheld the approval of the surety bond, and granted a deferred accounting order, but issued a stay of the current rates on customers until December 31, 2020.

I relied on my experience from training at NARUC, and NARUC water rate school and other NARUC educational sessions in this case. I also relied on my experience as a Commissioner and knowledge of Blue Granite Water's (Formerly Carolina Water Service) service territory and operations, and my knowledge of Commission rules and regulations in this case. This case was significant because customers testified at public night hearings repeatedly that Blue Granite Water Company had subcontracted out much of their service operations to a 3rd party "unregulated" company. This 3rd party company was not under the jurisdiction of the Commission; and therefore, this made it tougher for ORS to enforce, investigate or even audit as ORS normally does in every case and is tasked with doing.

Docket No. 2019-184-E – Dominion Energy South Carolina, Incorporated - South Carolina Energy Freedom Act- Act 62 (H.3659). This case was a Proceeding to Establish Dominion Energy South Carolina, Incorporated's Avoided Cost Methodologies, Standard Offer avoided cost rates, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Standard Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A). The intervenors to the proceeding were Dominion Energy South Carolina, Coastal Conservation League, and Southern Alliance for Clean Energy, Johnson Development Associates, South Carolina Energy Users Committee, Solar Business Alliance (SBA), and Walmart, Inc. The hearing in this case began Monday, October 14, 2019. The resulting Commission Order was Commission Order No. 2019-847, which was subsequently amended by Commissioner Order No. 2020-244. In its Order, and subsequent Order on Rehearing and Reconsideration, the Commission determined appropriate rates for avoided energy rates, interim integration charges, treatment for mitigation measures taken by energy producers to reduce system integration impact, avoided cost methodology, standard offer avoided cost rates, form contract power purchase agreements ("PPAs"), commitment to sell forms, and standard terms and conditions. On Reconsideration, by Commission Order No. 2020-244, the Commission took action and amended five items of interest: 1) decreased the Variable Integration Charge (VIC) / Embedded Integration Charge (EIC) from \$2.29/MWh to \$0.96/MWh. 2) Ordered Mitigation Protocols to be filed for solar facilities that are able to mitigate their costs of interconnection on the grid. 3) Adopted the Solar Business Alliance (SBA) Witness's proposed Avoided Energy Rates 4) Adopted ORS Witness Horii's proposed Avoided Capacity Value. 5) Agreed to rehear the of PPA's longer than 10 years.

This case is significant because it was the first of the new Act 62 dockets and accelerates the deployment of solar generation as the General Assembly intended in Act 62. In this case, I relied on the many educational forums I have attended at NARUC and NARUC related events on Solar and distributed generation. I also relied on my experience and knowledge of the incumbent Utility's service territory and infrastructure in this case, and my knowledge the impacts and reach of the General Assembly's Act 236 passed in 2014 in this case.

Appellate Case No. 2018-000475: *Docket No. 2017-32-E: 3109 Hwy. 25 S., L.L.C. d/b/a 25 Drive-In and Tommy McCutcheon, Complainant/Petitioner v. Duke Energy Carolinas, LLC, Defendant/Respondent.*

The case was appealed to the Supreme Court of South Carolina by Duke Energy Carolinas, LLC – the Appellant. The Respondents were 3109 Hwy. 25 S., L.L.C. d/b/a 25 Drive-In and Tommy McCutcheon. Commission Order Nos. 2017-774 and 2018-101 were under appeal. The issue appealed was whether the Public Service Commission of South Carolina erred in ordering Duke Energy Carolinas, LLC, to return a Greenwood, South Carolina customer to a less expensive electricity rate (a/k/a “the Greenwood Rate”) that is available to certain Duke customers in Greenwood County. “The Greenwood Rate” is a very “unique” rate, unlike any other in the Duke Energy Carolinas’ service territory that serves only a few remaining customers who qualify.

The Commission's decision was affirmed in Memorandum Opinion No. 2019-MO-034. Further, pursuant to Rule 222, the Respondent's motion for costs was granted in the amount of \$3,460.75. This case is now fully resolved.

This case was significant for many reasons, but mainly because it showed that a consumer complaint went to the highest level and was fully litigated. It was the case of a small business owner (individual customer) prevailing at the Commission and the Supreme Court affirming the Commission's ruling. This case involved very technical electrical engineering issues concerning distribution infrastructure, as well as complex legal and rate/tariff issues. While the Supreme Court has upheld many other Commission rulings during my tenure, I recall the Supreme Court being very complimentary of the Commission's ruling in this matter. Given the technical nature of this case, I relied on some of the training I received at electric grid school, and at NARUC. I am also relied on my experience and knowledge as a South Carolina Commissioner of Duke's service territory / previous similar customer situations / and my knowledge of “the Greenwood Rate” from previous Duke rate cases.

5. Accomplishments of the Public Service Commission

Describe what you believe are the greatest accomplishments of the Commission during the review period.

The greatest accomplishments of the Commission during the review period were aggressively and swiftly implementing and carrying out the requirements of Act 62, South Carolina's new Energy Freedom Act. Another great accomplishment of the Commission during the review period was facing the reality of Covid-19 and swiftly and somewhat seamlessly converting our hearings, meetings, briefings and cases from live and in person proceedings to virtual, remote forums performed over Skype, Zoom, WebEx and other forms of electronic media for video and audio purposes.

6. Work Schedule and Preparation.

- A. Describe your schedule during an average work week. For example, how often are you in your office in Columbia? How many hours do you telecommute?
- B. Describe how you prepare for a hearing.

My work schedule for the most part remains unchanged from the previous year, as I continue to be in the office in Columbia practically every day during the work week. However, my time in the office was much less for several months in 2020 due to Covid-19. The Commission had the technology for us to broadcast cases, meetings and hearings remotely. I look back on my words from when I was Chairman three years ago in this evaluation, and I pledged to the Ratepayers of South Carolina, PURC Committee, the Legislature, the Governor, the staff at the PSC, and my fellow Commissioners to take the Commission to a "better place". I kept those words and I have followed all of the laws of South Carolina and the rules of the PURC Committee. As the PURC Committee knows extremely well (but still widely unknown to the average citizen and the public), the PSC was reformed in a MAJOR way via Act 175 in 2004. This was 4 years prior to me becoming a Commissioner in 2008, and I have upheld every detail of Act 175 during my entire time as Commissioner. In January, I told a member of the PURC Committee staff, that I would serve the remainder of this term out "honorably" and I have done that also, and I have always resisted requests from the media to be interviewed. I have been thoroughly interested in every area this job. I loved this job and put my heart in it. I do Not know a thing that I could have done differently to prevent my current situation. With the recent plea agreement of a former utility official, the public now knows that information was purposely withheld from the Commission, and that as Commissioners, we were misled by company officials under oath about the progress, time and costs to complete the two nuclear plants. Act 175 prohibits Commissioners from visiting the Nuclear plant site to see the plants in person. I was really wanting another 4-year term. I do Not have enough time to retire, and I am three years short from being able to keep my benefits. As I write these words, I am in a tough situation, and I do not have any idea where I will go, or what I will do, but I am appreciative of the time I have had as a Commissioner.

My preparation during the review period remains unchanged from previous years. I still receive printed copies of the testimony here at the Commission and review (while the Commission is completely electronic and state of the art—I still read printed copies in most cases, especially large cases, as I prefer not to look at a computer screen for those long periods of time). I am briefed by the Commission's technical and legal staff in the law library. Due to covid-19, we can Not hold meetings in close quarters such as the law library, and much of this reading and the briefings have been done electronically and remotely through conference calls. During the hearings, I listen to the Testimony, evidence, cross-examination by the attorneys, questions by my fellow Commissioners, and then I ask questions of the witnesses. I have done a lot of telecommuting

recently as these hearings, cases, and meetings have been done through Skype, Zoom, WebEx and other virtual forms of communication. After the cases are concluded, I read proposed orders from all parties in the case and seek advice and counsel from Commission technical staff and Commission attorneys.

7. Effects of Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.

In your own words, discuss how the Code of Judicial Conduct and the Ethics Laws interact and affect you and your role as a commissioner.

I fully understand the 5 Canons of the Judicial Code of Conduct and South Carolina's ethics laws, and I understand how important it is that we as Commissioners follow them in order to retain public confidence in the Commission as a fair and impartial body. I have "gladly and willingly" accepted this responsibility and abided by the Judicial Code of Conduct and SC Ethics laws during my more than 12 years as Commissioner. It was my desire to have another 4-year term and to continue to operate under SC Ethics Laws and the Judicial Code of Conduct.

NOTE: Do not provide any information that would violate the prohibition against ex parte communication or would otherwise violate any privilege.

Ethics Statement: I, Commissioner Whitfield have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: _____

Date: 9-15-20

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

NAME: JUSTIN THOMAS WILLIAMS
SEAT: SIXTH DISTRICT
DATE ELECTED: MAY 10, 2018
DATE TERM EXPIRES: JUNE 30, 2022

Please provide information for the review period covering July 1, 2019 through June 30, 2020. Be sure to fully address each item.

1. Educational programs.

Provide the following information regarding educational programs attended:

I did not attend educational programs during the review period because I was deployed for approximately ten months during the period.

2. Participation in organizations.

Provide the following information regarding your participation in organizations:

I did not participate in organizations during the review period.

3. Representation in Official Capacity as Commissioner.

I did not represent the Public Service Commission of South Carolina in an Official Capacity as a Commissioner during the review period.

4. Notable Cases.

In your own words, describe three cases in which you participated that you believe were the most significant during the review period. Provide a brief summary of the case, including the case name, the docket number, and the issues and outcome (two-three sentences). Your response should focus on: (a) why this case was significant; and (b) how the educational programs you attended, your participation in organizations and/or experience as a commissioner benefitted your decisions in each case.

Case 1.

Case Name: Dominion Energy South Carolina, Incorporated's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary – South Carolina Energy Freedom Act Hearing

Docket Number: Docket No. 2019-184-E

Issues: The commission was asked to determine Avoided Cost Methodology, Standard Offer Avoided Cost Rates, Form Contract Power Purchase Agreements, Commitment to Sell Form Approval, and Standard Terms and Conditions (for the standard offer interconnection) among other issues.

Outcome: The commission adopted the Power Advisory Report recommendations (independent third-party consultant) for the Variable Integration Charge and Embedded Integration Charge, Avoided Cost Rates, and Avoided Capacity Rates. The commission also set Contract Terms.

Case Significance: This case was most significant because it was Dominion Energy South Carolina's first case under the South Carolina Energy Freedom Act before the commission. This case also was significant because it was the first time during my time on the commission that the commission secured the services of an independent third-party consultant to assist with the review of party filings.

Case 2 (Note: the two cases below were presented together in a joint hearing before the commission)

Case Name: Duke Energy Carolinas, LLC's & Duke Energy Progress, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary – South Carolina Energy Freedom Act Hearing

Docket Numbers: 2019-185-E & 2019-186-E

Issues: The commission was asked to determine Avoided Cost Methodology, Standard Offer Avoided Cost Rates, Form Contract Power Purchase Agreements, Commitment to Sell Form Approval, and Standard Terms and Conditions among other items.

Outcome: The commission adopted the Power Advisory Report recommendations (independent third-party consultant) for the Variable Integration Charge and Embedded Integration Charge, Avoided Cost Rates, and Avoided Capacity Rates. The commission also set Contract Terms.

Case Significance: This case was most significant because it was Duke Energy Carolinas, LLC's & Duke Energy Progress, LLC's first proceeding under the South Carolina Energy Freedom Act before the commission. This case also was significant because it was the first time during my time on the commission that the commission secured the services of an outside independent expert to assist with the review of party filings.

5. Accomplishments of the Public Service Commission

Describe what you believe are the greatest accomplishments of the commission during the review period.

Implementing Act 62 of 2019 was the commission's greatest accomplishment the two months that I was present during the review period.

6. Work Schedule and Preparation.

A. Describe your schedule during an average work week. For example, how often are you in your office in Columbia? How many hours do you telecommute?

Because I was deployed for ten of the twelve months of the review period, my answers to the questions are identical to the answers I provided the last review period.

My average work week consists of coming to the office Monday through Friday to prepare for hearings, the weekly business meeting, and other commission matters as they arise. On Mondays, I spend the majority of the day reading items on the agenda for the commission's weekly meeting. On Tuesdays, I talk with staff and fellow commissioners (no more than two commissioners at a time) about the items on the agenda and any issues that I have. This is in addition to the weekly agenda briefing that is also scheduled for Tuesdays. The weekly briefings can be long and intense at times because I, along with other commissioners, ask the staff a lot of questions about their recommendations. On Wednesdays, I review the meeting agenda again to make sure that I don't have any lingering concerns. I spend most of the day on Thursdays and Fridays reading and preparing for the next week.

The schedule does not include the many hearings that the commission has held since my election. The hearings range from noncomplex requests for certificates to move household goods, to very complex rate cases. Sometimes the commission conducts the weekly business meeting and a hearing in the same day. I prepare for each hearing by reading the materials submitted by the parties before attending the staff briefing. Similar to the weekly meeting briefings, the hearing briefings can be long and intense due to the questions and issues that arise. The most time-consuming part of this job is the reading necessary for preparation for staff briefings and hearings. I have spent hours on the Docket Management System after business hours and on the weekends reading material submitted by parties to the hearings in order to be prepared.

The only time I recall telecommuting during the review period was on November 15, 2019, when I was on military leave.

B. Describe how you prepare for a hearing.

Because I was deployed for ten of the twelve months of the review period, my answers to the questions are identical to the answers I provided the last review period.

I prepare for hearings by reviewing all the material submitted by the parties, discussing the material with commission staff, reviewing the material submitted by the parties again, and discussing the material with commission staff again.

7. Effects of Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.

In your own words, discuss how the Code of Judicial Conduct and the Ethics Laws interact and affect you and your role as a commissioner.

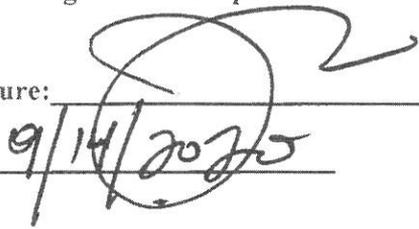
The Code of Judicial Conduct and the Ethics Laws serve as a constant reminder that my conduct is under intense scrutiny. I am always mindful of the company that I keep and my conversations so that I remain compliant with both the Code of Judicial Conduct and the Ethics Laws.

NOTE: Do not provide any information that would violate the prohibition against ex parte communication or would otherwise violate any privilege.

Ethics Statement: I, Commissioner Justin T. Williams have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: _____

Date: _____

Handwritten signature and date. The signature is a cursive scribble that overlaps the signature line and extends above it. The date is written as "9/14/2025" and is written over the date line.

COMMISSIONER QUESTIONNAIRE

PERFORMANCE SUMMARY

NAME: G. O'NEAL HAMILTON

SEAT: 7

DATE ELECTED: 2004

DATE TERM EXPIRES: 2020

Please provide information for the review period covering July 1, 2019 through June 30, 2020. Be sure to fully address each item.

1. Educational programs.

In House Education:

- July 29th, 2019, at 10:00 AM; Docket No. 2018-202-E: Allowable Ex Parte Briefing to Discuss Implementation of Tranche 1 of the Competitive Procurement of Renewable Energy Program and Future Plans for Tranche 2.
- August 14th, 2019 at 10:00 AM; Dockets No. 2019-169-E, 2019-170-E, 2019-182-E, 2019-185-E, 2019-186-E, 2019-195-E, 2019-196-E, 2019-207-E, 2019-208-E, 2019-210-E, 2019-211-E, 2019-224-E, and 2019-225-E: Allowable Ex Parte Briefing to Discuss Key Components of Act 62.
- September 9th, 2019, at 9:00 AM: Active Shooter Training
- September 19th, 2019, at 10:00 AM; NDI-2019-20-E: Allowable Ex Parte Briefing to Discuss Commerce Overview, Current Economic Development Activity, and Role Energy Plays in Recruiting and Growing Business.
- September 25th, 2019, at 2:30 PM; NDI-2019-21-E: Allowable Ex Parte Briefing to Discuss Duke Energy Carolinas, LLC's Anderson, South Carolina Energy Storage and Microgrid Project.
- October 11th, 2019, at 9:00 AM: Joint Ethics Training with the Office of Regulatory Staff (ORS)
- November 7th, 2019, at 2:00 PM; NDI-2019-29-E: Allowable Ex Parte Briefing to Discuss General Information and Consideration Regarding Regulatory Electric Vehicle Policies.
- December 11th, 2019, at 10:00 AM; NDI-2019-35-G: Allowable Ex Parte Communication Briefing for an Update on Atlantic Coast Pipeline.
- December 11th, 2019, at 2:00 PM; 2018-321-E: Allowable Ex Parte Communication Briefing on the Application of Duke Energy Carolinas, LLC for Approval of Proposed Electric Transportation Pilot and An Accounting Order to Defer Capital and Operating Expenses.
- December 11th, 2019, at 2:00 PM; 2018-322-E: Allowable Ex Parte Communication Briefing on the Application of Duke Energy Progress, LLC for Approval of Proposed Electric Transportation Pilot and Accounting Order to Defer Capital and Operating Expenses

- December 18th, 2019, at 2:00 PM; NDI-2019-38-G: Allowable Ex Parte Briefing and Updates on Atlantic Coast Pipeline.

I believe the in-house training and the NARUC sponsored training through conferences, special schools, publications and conference calls, plus on the job experience has prepared me to be professionally prepared to perform my duties at a high level.

2. Participation in organizations.

- National Association of Regulatory Utility Commissioners (NARUC)
- Southeastern Association of Regulatory Utility Commissioners (SEARUC)
(Please also see responses to Question No. 3)

3. Representation in Official Capacity as Commissioner.

- Appointed by NARUC President to the NARUC Board of Directors – Served on the Board of Directors for 12 out of the 16 years that I have served as a Commissioner.
- Member of Nuclear Waste Sub-Committee
- Member of Clean Coal Sub-Committee
- Former Chairman of the Gas Committee and currently still a Member of Gas Committee

4. Notable Cases.

- **Blue Granite Water Company (Docket No. 2019-290-WS):** In my opinion, Blue Granite decided to re-brand the company without any notification to the Commission.
 - They changed the name of the company.
 - They decided to relocate the company office to Greenville, SC where the then president lived. This created a large additional cost to the company which they intended to pass to the ratepayers.
 - They sold the company's Columbia facilities without notification to the Commission.

The Commission held six (6) night hearings to allow ratepayers the opportunity to voice their concerns.

The Commission reduced the rate request by 57%. This was in line with the proposed rate presented by The Office of Regulatory Staff (ORS). The company filed a Petition for Reconsideration and Clarification which the Commission denied.

Blue Granite Water Company appealed and was initially granted to put rates into effect under bond, however, in August 2020, the Commission ruled that the stay of the proposed increase in rates under bond ordered by Commission Order No. 2020-549 remain in effect.

- **Palmetto Utilities Inc. (Docket No. 2019-201-S):** The Commission held two virtual public night hearings to allow rate payers to express their views. The case was extended 60 days due to the COVID-19 pandemic. The company's present rates took effect on March 7, 2018. The company requests a flat rate increase of \$14.52 which would raise the rate to \$66.62 per single family home. They proposed to put the rate into effect over a three-year schedule of \$4.84 per year.

Major issues in this case were that they purchased assets from the City of Columbia for 15 million dollars and the application of the Tax Cuts and Jobs Act. The Office of Regulatory Staff settled into a stipulation. The stipulation would allow a monthly rate of \$59.87 per single family home. This rate would take effect September 20, 2020.

- **Duke Energy Progress, LLC. (Docket No. 2020-1-E):** Annual Review of Base Rates for Fuel Costs of Duke Energy Progress, LLC (For Potential Increase or Decrease in Fuel Adjustment or Gas Adjustment). The parties to this proceeding were Duke Energy Progress, LC, Nucor Steel – South Carolina, Southern Alliance for Clean Energy and Coastal Conservation League, and the Office of Regulatory Staff. Due to the COVID-19 Pandemic, the hearing was conducted in a virtual setting. The testimonies of all witnesses were accepted into the record, subject to certain objections; the Commission then proceeded to ask probing questions of available witnesses. The points of contentions between the parties largely involved procedural issues, such as scheduling of fuel proceedings, generally. All objections were disposed of in the final Commission Order, Order No. 2020-439. In that Order, the Commission established the following Total Fuel Factors: 2.456 cents per kWh for Residential; 2.258 cents per kWh for Non-Demand General Service; 1.887 cents per kWh for Lighting; and 1.887 cents per kWh plus 116 cents per KW for Demand General Service. These fuel factors result in a decrease of \$4.11 for a residential customer using 1,000 kWh per month.

5. Accomplishments of the Public Service Commission

In my opinion this has been a productive year for the Commission. We have made every possible effort to assure Act 62 was fair to all parties. We are now seeing agreements between utilities and solar developers. I believe our actions have been fair and reasonable to the ratepayers.

6. Work Schedule and Preparation.

Work schedules have changed due to the COVID-19 pandemic. Virtual meetings have put me to the test. I can not thank the PSC staff enough for the help, consideration, and kindness during this time. As I prepare to leave the Commission, I fully realize the value and importance of these individuals now and in the future. I am honored that I was allowed to serve the Commission, ratepayers and the utilities for sixteen years ----- God Speed.

7. Effects of Code of Judicial Conduct and South Carolina's ethics laws on your role as Commissioner.

Understanding the Code of Judicial Conduct and the ethics laws demonstrate the way in which you must live your professional life. You learn to say, "I cannot discuss that matter – hope you understand." I have no problem with either Code of Conduct or ethics laws. I am thankful for our annual training. I believe that continues to reinforce the need.

NOTE: Do not provide any information that would violate the prohibition against ex parte communication or would otherwise violate any privilege.

Ethics Statement: I, Commissioner G. O'Neal Hamilton have read and understand the Code of Judicial Conduct and the ethics laws of South Carolina. I certify that I have adhered to these standards at all times during this review period.

Signature: 

Date: 8-31-20

EXHIBIT C

STATE REGULATION OF PUBLIC UTILITIES REVIEW COMMITTEE PERFORMANCE EVALUATION

AGENCY: South Carolina Office of Regulatory Staff

PERIOD: July 1, 2019 - June 30, 2020

MISSION: The Office of Regulatory Staff represents the public interest of South Carolina before the Public Service Commission; “public interest” is defined as the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer, and preservation of continued investment in and maintenance of utility facilities so as to provide reliable and high-quality utility services.

GOAL:

THE ORS PROVIDES SERVICES TO BENEFIT THE STATE OF SOUTH CAROLINA

OBJECTIVES/ACTION ITEMS

1. The ORS resolves complaints, conducts audits and enforcement actions, provides technical regulatory assistance, and participates in Public Service Commission proceedings.
 - The ORS Consumer Services handled over 1,800 consumer complaints and inquiries, including issues regarding billing, smart meters, net metering and solar leasing. Consumer Services investigations saved consumers over \$186,000, of which \$127,000 is from annually recurring recoveries. The ORS transportation inspectors conducted 4,434 vehicle inspections and 124 compliance audits. The ORS also conducted driver file audits of the three transportation network carriers operating in South Carolina. It conducted audits for all electric cooperatives for disclosure of trustee compensation and benefits, pursuant to Act 56 (2019). Beginning in June, 2020, the ORS began monthly reviews of some Santee Cooper operations, pursuant to Act 135 (2020).
 - The ORS participated in 73 docketed cases at the Public Service Commission during the review period. These cases included electric, water and sewer services. It also participated in dockets resulting from Act 62, which involved matters such as avoided costs and standard power purchase agreements.
2. The ORS’ operations contribute to utility rate stability and affordability, as well as reliable and high-quality utility services.
 - The ORS, PSC, and utilities have worked to balance assisting customers with utility bills and utilities’ financial stability during the COVID-19 crisis. In

March, the Governor contacted the ORS requesting that the ORS relay his request that no utilities suspend or disconnect essential services for nonpayment during the state of emergency. The ORS participated in an administrative docket established by the PSC to deal with COVID-19 issues. Some of the matters addressed in the PSC administrative docket included: (a) temporary suspension of disconnections; (b) waiving late payment charges and reconnection fees; (c) extending 2019 report filing deadlines for utilities; (d) receipt of stakeholder comments regarding measures to mitigate COVID-19 impacts for utility customers; (e) requiring utilities to provide quarterly reports to the PSC on the revenue impacts, incremental costs, and savings related to COVID-19; (f) utilities working with customers for payment plans; and (g) referring customers to community organizations that may be able to help with utility bills.

- Out of the 73 docketed matters before the PSC, there was a savings of \$14,519,796 for consumers.
- The ORS is working with the Department of Consumer Affairs to develop consumer protection regulations regarding the sale or lease of renewable energy generation facilities.

GOAL:
THE ORS PROMOTES RELIABLE AND HIGH-QUALITY SERVICES.

OBJECTIVES/ACTION ITEMS

1. The ORS analyzes and evaluates the performance of regulated public utilities.
 - The ORS Audit Department conducted 351 regulatory reviews and audits during the review period. It examined 151 telecommunications companies. The ORS has begun auditing electric cooperatives' compliance with their respective by-laws, pursuant to Act 56 (2019).
2. The ORS equitably enforces the laws, rules, and regulations relating to public utilities.
 - The ORS Pipeline Safety staff conducted 203 inspections during the review period; the Rail Safety staff conducted 266 inspections and issued 713 safety defect citations. The ORS inspected 31 household goods movers. Transportation inspectors conducted 4,434 vehicle inspections and 124 compliance audits of transportation carriers, and driver file audits were conducted for the transportation carrier networks.
3. The ORS provides technical assistance and streamlines processes for consumer and utilities.
 - The Pipeline Safety staff responded to 304 technical pipeline safety-related inquiries. The Rail Safety staff responded to 418 railroad safety-related inquiries. Transportation inspectors investigated 87 complaints regarding motor carriers.

- The ORS established an online portal for Class C passenger carriers, such as taxis and limousines, to pay license decal fees online; 6,303 decals were issued.
- There were 22,979 technical assistance inquiry responses provided by the Transportation Department.
- The ORS responded to 110 inquiries from water and wastewater companies.
- The ORS provided technical assistance to 300 existing telecommunications companies and 10 new applicants, consultants and regulated companies.

GOAL:
THE ORS IS RESPONSIVE TO THE PUBLIC.

OBJECTIVES/ACTION ITEMS

1. The ORS resolves consumer complaints in a timely manner.
 - The ORS Consumer Services received over 1,800 consumer complaints and questions during the review period.
2. The ORS provides technical regulatory assistance.
 - The ORS offered technical assistance to several utilities with matters related to consumer-relations. It is currently working with the Department of Administration to develop an overflow call center in anticipation of a possible surge in phone calls when utilities resume collection processes.
3. The ORS provides consumer education.
 - The ORS distributed approximately 20,000 brochures on a variety of consumer education topics. This figure is lower than previous years as some of the entities that help distribute this information were closed due to COVID-19.
4. The ORS issues press releases and information to the media.
 - The ORS posted 38 news releases, public announcements, and other documents on its website.
 - The ORS ran a public service announcement in July 2019, after it obtained information regarding questionable sales tactics during a solar sales training session. The agency contacted the Attorney General’s Office and the Department of Consumer Affairs regarding the tactics described in the session. The ORS also worked to educate the public by utilizing the public service announcement for television and radio stations, as well as an editorial.

GOAL:
**THE ORS ANTICIPATES AND RESPONDS TO POLICY DEVELOPMENTS THAT
IMPACT THE ORS' MISSION.**

OBJECTIVES/ACTION ITEMS

1. The ORS consults with and/or retains recognized experts to assess emerging trends or specific issues.
 - The ORS either consulted with, or retained, experts for the following: (a) identification of needs and unserved areas in regards to broadband; (b) analyses and recommendations for topics in Act 62 (2019); (c) utility ratemaking; (d) analysis and recommendations regarding utilities' integrated resource plans; and (e) review and verification of utilities' demand-side management filings.
2. The ORS reviews, analyzes, and monitors regulatory, statutory, and judicial decisions or trends with regard to utility regulation. The ORS gathers and provides input, participates, educates, or takes other appropriate action when necessary.
 - In addition to consulting with experts, ORS staff attended industry-specific workshops and meetings, regionally and nationally, to discuss trends and emerging issues that could affect South Carolina's utility costumers.

GOAL:
**THE ORS ENERGY OFFICE ADVANCES SOUTH CAROLINA'S ENERGY STRATEGY
AND POLICY THROUGH EDUCATION AND OUTREACH.**

OBJECTIVES/ACTION ITEMS

1. The ORS Energy Office facilitates the development of the State Energy Plan.
 - The ORS Energy Office continued to work towards addressing top-tier State Energy Plan recommendations as part of the Phase III implementation efforts.
2. The ORS Energy Office promotes energy efficiency, renewable energy, clean transportation, and alternative fuels through education and outreach activities.
 - The ORS Energy Office began working on the South Carolina Energy Efficiency Roadmap in October 2019, to review and reassess remaining energy efficiency recommendations from the 2016 State Energy Plan. Several stakeholder workshops were held, and 20 recommendations were ultimately made. These recommendations will be outlined in a report that is anticipated to be released in October 2020.
 - The ORS Energy Office procured a 2020 Chevrolet Bolt electric vehicle, and intends to advance clean transportation by leading by example. This vehicle

will be used as a case study for further adoption of electric vehicles in the state fleet.

3. The ORS Energy Office administers federal financial assistance to support public and private entities investing in energy-saving programs.
 - The ORS Energy Office administered federal financial assistance through the following programs: (a) ConserFund; (b) ConserFund Plus; (c) mini-grants; and (d) energy efficiency revolving loan programs. It is projected that projects completed during the review period will result in lifetime savings of over \$2 million.
4. The ORS Energy Office provides technical assistance through energy audits of public facilities.
 - The ORS Energy Office worked with state agencies, colleges and school districts to meet the mandatory 2020 reduction of energy consumption.
5. The ORS Energy Office serves as an informational and educational resource on energy matters.
 - The ORS Energy Office promoted clean energy issues through education and outreach. Some of those outreach methods included: (a) presentations at public forums, schools, and conferences; (b) informational materials, including two monthly email newsletters; (c) responding to 1,300 inquiries; (d) managing three websites - energy.sc.gov, solar.sc.gov, and palmettocleanfuels.org; and (e) publishing South Carolina energy data. The Energy Office facilitated 18 technical workshops.
 - The Energy Office created an online tool to consolidate energy assistance programs and incentives, at energysaver.sc.gov.

GOAL:

THE ORS' OPERATIONS ARE MARKED BY PROFESSIONAL EXCELLENCE.

OBJECTIVES/ACTION ITEMS

1. The ORS hires and retains qualified personnel who will carry out the mission of the ORS.
 - The ORS hired and retained qualified personnel to carry out the agency's mission. In addition to retaining staff to carry out the agency's mission, the ORS made some organizational changes to improve upon how the agency carries out its missions. For example, the ORS hired a Chief Financial Officer to oversee the administrative functions of the agency. The Executive Assistant position was expanded to encompass the role of Legislative Liaison. The Utility Rates and Services Department was reorganized to incorporate additional responsibilities resulting from Act 62 (2019).

- The ORS established the ORS Marketing and Communications Committee to further its consumer orientated mission. A Community Outreach and Communications Manager was hired from within the agency to expand the Information Services Department.
2. The ORS strives to allocate resources to maximize efficiency and address the changing needs of stakeholders.
 - During the COVID-19 crisis, ORS's Information Services created a Consumer Resources COVID-19 page on the agency's website to provide up-to-date information on consumer resources. Some of the resource topics included assistance with utility bills, utilities' actions in response to COVID-19, PSC action on matters related to COVID-19, and other relevant information.
 3. The ORS maintains and enhances knowledge by attending conferences and meetings, staying current on best regulatory practices in other states, and participating in ethics training and other types of internal and external professional training.
 - The ORS staff attended classes, seminars, and conferences during the review period, as well as the required annual ethics course in October 2019. The ORS also joined the National Association of State Utility Consumers during the review period.
 4. The ORS embraces the implementation of technology in the workplace.
 - During the COVID-19 state of emergency, ORS staff continued to answer calls and emails while working remotely. Staff with the Equipment Distribution Program came into the office once a week to ship equipment and process applications.
 5. The ORS responds to requests for assistance from the Governor, legislators, and others.
 - The ORS responded to 183 requests from legislators and 176 requests from the media. The ORS remained in contact with the Governor's Office during the COVID-19 state of emergency, as described further in item 6.
 6. The ORS coordinates with local, state, and federal agencies.
 - The ORS coordinated with local, state and federal agencies during the review period. The agency remained in contact with the Governor, state agency heads, local government, and the National Association of State Energy Officials regarding COVID-19 matters, and it participated in responses through its ESF-12 role. Some examples of the agency coordinating efforts with other entities include: (a) utilities and various other entities for PPE supplies; (b) the Nuclear Regulatory Commission and the utilities to ensure inspectors had access to nuclear plants; (c) DHEC to obtain priority testing for critical infrastructure workers with COVID-19 symptoms; and (d) shared funding opportunities from the CARES Act with all partners.

- In addition to responding to COVID-19 matters, the ORS responded to needs of citizens following the tornados in the spring, and emergency management during Hurricane Dorian. A complete list of the agencies that ORS coordinated with during the review period is provided in the Appendix of ORS's Performance Measures Report.

EXHIBIT D



Executive Director Questionnaire

Fiscal Year 2019-2020

Performance Summary for:

Nanette S. Edwards
Executive Director

Review Period:

July 1, 2019 – June 30, 2020

Table of Contents

Educational Programs Attended	1
Participation in Organizations	3
Representation in Official Capacity as Executive Director	7
Notable Cases	9
Accomplishments of the ORS	14
Accomplishments of the Executive Director	21
Suggested Improvements	26

Educational Programs Attended

The Executive Director stays current on issues that may impact the ORS' mission and actively engages in educational and professional development opportunities toward that goal. With restrictions brought on by COVID-19, opportunities for education and professional development were limited.

Program Name	Organization & Date	Topic	Hours	Benefit to the ORS/Executive Director
Energy Storage Stakeholder Forum	Duke Energy 8/7/2019	Energy Storage	2	Professional Development
Ethics Training 2019	ORS and PSC 10/11/2019	Required annual ethics training	6	Professional Development
Clean Energy Summit	SCCEBA 11/8/2019	Panel Participant	6	Professional Development
NASUCA Annual Conference	NASUCA 11/18/2019- 11/20/2019	Conference on Utility Consumer Advocacy	18	Professional Development
Forum on Proposed Consumer Protection Solar Regulations	ORS and Dept. of Consumer Affairs 1/9/2020	Panel for Regulations	2	Professional Development
Annual SC Bar Convention	SC Bar Association 1/24/2020	Panel on ORS	3	Professional Development

How States Can Bridge the Broadband Gap	Pew 2/11/2020	Broadband	3	Professional Development
SC Net Energy Metering (NEM) Stakeholder Workshop	Duke Energy 3/12/2020	NEM	3	Professional Development
Duke Energy Integrated Resource Plan (IRP) Forum	Duke Energy 3/17/2020	IRP	5	Professional Development
Duke Energy IRP Forum	Duke Energy 4/16/2020	IRP	3	Professional Development
SC Net Energy Metering Stakeholder	Duke Energy 4/23/2020	NEM	2	Professional Development
UTC Broadband Seminar	UTC 5/20/2020	Broadband	2	Professional Development
2020 Governor's Annual Tabletop Exercise	SCEMD 6/2/2020	Emergency Preparedness	3	Professional Development

TOTAL	58
--------------	-----------

Participation in Organizations

The Executive Director focuses her involvement on areas in which she can best build awareness for the ORS and its role among consumers, utilities, state and federal agencies, legislators, and the media.

From July 1, 2019 to June 30, 2020, the Executive Director served on the following committees:

State Emergency Response Team

This team represents the most critical life-safety functions for immediate response during a disaster or emergency.

SC Energy Advisory Committee

Part of the ORS Energy Office, this Committee is charged with formulating a State Energy Plan and commenting and advising on energy-related activities.

Energy Efficiency Roadmap Stakeholder Workshops

The Energy Office launched the South Carolina Energy Efficiency Roadmap initiative in October of 2019 to seize energy efficiency opportunities in the state. Facilitated by the Duke University Nicholas Institute, this stakeholder process reviewed and reassessed remaining energy efficiency recommendations from the 2016 State Energy Plan according to current priorities, identified new opportunities, and developed next steps.

The Executive Director works collaboratively with federal, state, and local agencies and organizations to build relationships and further the mission of the ORS. Coordination of services among these organizations is a priority to effectively carry out the mission and to efficiently utilize agency funding.

State and local agencies and organizations include, but are not limited to, the following:

- Governor's Office
- SC General Assembly
- State Regulation of Public Utilities Review Committee (PURC)
- Public Service Commission of South Carolina
- SC Emergency Management Division
- SC Department of Administration
- SC Department of Health and Environmental Control
- SC Department of Social Services
- SC Department of Consumer Affairs
- SC Department of Health and Human Services

- SC Department of Public Safety
- SC Attorney General
- SC Insurance Reserve Fund
- SC Department of Insurance
- SC Department of Parks, Recreation, and Tourism
- SC Department of Natural Resources
- SC Department of Commerce
- SC Department of Revenue
- SC Tariff Bureau
- SC Department of Transportation
- SC Office of The State Auditor
- SC Public Service Authority - Santee Cooper
- State Climatology Office
- SCETV
- State Transport Police
- SC Energy Users Committee
- SC Solar Council
- SC Telecommunications and Broadband Association
- SC Trucking Association
- SC Association of Municipal Power Systems
- Electric Cooperatives of SC
- Community Action Agencies
- Community Development Corporation
- SC 811
- Medical Transportation Advisory Committee
- Midlands Utility Coordinating Committee (gas pipeline)
- Operation Lifesaver
- SC Thrive
- Sistercare, Inc.
- Pee Dee Coalition Against Domestic Violence
- Safe Harbor, Inc.
- SC Clean Energy Business Alliance
- Municipal Association of South Carolina
- SC Regional Transmission Planning Stakeholder Group
- DSM/EE Advisory Council for Dominion Energy and Duke Energy
- SC Small Business Chamber of Commerce
- SC Appleseed Legal Justice Center
- Southern Environmental Law Center

- Transportation Association of South Carolina
- SC Assistive Technology Program
- Coastal Conservation League
- Conservation Voters of South Carolina
- Southern Alliance for Clean Energy
- Solar Energy Industries Association
- Vote Solar
- SC Solar Business Alliance
- SC Farm Bureau
- Sustainable Energy Solutions, LLC
- Sierra Club
- SC Manufacturers Alliance
- Upstate Forever
- Savannah River National Laboratory
- York County
- League of Women Voters of South Carolina
- AARP South Carolina
- Distributed Energy Resource Program Collaboratives – Dominion Energy and Duke Energy
- City of Orangeburg
- Together SC
- SC Association of Licensed Trades

Regulatory organizations, federal agencies, and related groups include:

- National Association of State Utility Consumer Advocates (NASUCA)
- National Association of Regulatory Utility Commissioners (NARUC)
- National Regulatory Research Institute (NRRI)
- Federal Energy Regulatory Commission (FERC)
- Nuclear Regulatory Commission (NRC)
- Federal Communications Commission (FCC)
- Pipeline and Hazardous Materials Safety Administration (US DOT PHMSA)
- Federal Railroad Administration (FRA)
- Federal Motor Carrier Safety Administration
- Universal Service Administrative Company (USAC)
- US Department of Energy
- US Environmental Protection Agency
- US Department of Defense and all other federal executive agencies
- Society of Utility and Regulatory Financial Analysts (SURFA)

- Atlantic Compact Commission
- American Council for an Energy Efficient Economy (ACEEE)
- Association of Energy Engineers
- National Association of Pipeline Safety Representatives
- North Carolina Public Staff
- Low-Level Radioactive Waste Forum
- Georgia Public Service Commission

Representation in Official Capacity as Executive Director

The Executive Director welcomes opportunities for speaking engagements to groups and organizations interested in learning about the ORS and its role in utility regulation for South Carolina. The Executive Director is called upon to share her experience, knowledge, and expertise with stakeholder groups and the general public. Due to COVID-19 restrictions, in-person presentations for the latter third of the year (March through June) were less frequent. The following table lists presentations made by the Executive Director on behalf of the ORS:

Name	Date	Topic
State Energy Policy Panel	10/4/2019	Energy
Pipeline Safety Seminar Conference	10/8/2019	Pipeline
PURC Subcommittee	10/8/2019	ORS Performance
SC Energy Users Committee Fall Meeting	11/1/2019	Energy
SC Clean Energy Business Alliance CLE	11/8/2019	ORS
SC Telecommunications and Broadband Association Fall Conference	11/13/2019	ORS Telecommunication
SC Farm Bureau Annual Meeting	12/6/2019	ORS
Forum on Proposed Consumer Protection Solar Regulation	1/9/2020	Solar Regulation

Ways and Means Transportation and Regulatory Subcommittee	1/14/2020	ORS Budget
Senate Finance Transportation Regulatory Subcommittee	2/4/2020	ORS Budget
Senate Judiciary Subcommittee	3/11/2020	Santee Cooper
Senate Re-Open SC Select Committee	6/2/2020	Broadband
Governor's Hurricane Tabletop Exercise	6/2/2020	EMD
Senate Broadband Plan Presentation	6/10/2020	Broadband
House COVID-19 Education and Public Works Committee	6/24/2020	Broadband

In leading the ORS, the Executive Director has established a policy of accessibility and responsiveness for herself and for the agency. This policy has greatly benefited the ORS in the development of positive relationships with the media, legislators, and other stakeholder groups. Whether directly quoted by the media or serving as a reliable source of information for them, the Executive Director is regarded as a respected and accessible expert in utility regulation.

- In FY 19-20, the ORS responded to **176** contacts from the media. Of this total, **21** were responded to directly by the Executive Director; many others were addressed in collaboration with the agency spokesperson.
- In FY 19-20, the agency received and addressed **183** requests from state lawmakers. The Executive Director directly addressed **125** of these requests.

Notable Cases

Despite adjustments driven by the COVID-19 situation, the ORS' preparation for and participation in cases before the Public Service Commission of South Carolina (PSC) during the last third of the fiscal year continued without interruption. Due to postponements, many cases that would have concluded in FY 19-20 will be carried over to FY 20-21.

See the *Accomplishments of the Executive Director* section of this report for more information on actions taken to help consumers deal with the crisis.

Blue Granite Water Company: 2019-290-WS

On September 30, 2019, Blue Granite Water Company (BGWC or the Company) filed a rate case with the PSC. BGWC has over 17,000 water customers and over 13,000 sewer customers in 16 South Carolina counties.

The Company's last rate request was made in November 2017, with rates that went into effect in June 2018. In that case, the PSC awarded the Company a \$2.9 million increase out of \$4.5 million requested and a 10.5% Return on Equity (ROE).

In the 2019 filing, the proposed increase to customers totaled approximately \$11.7 million.

ORS staff spent countless hours preparing for the case and conducted site visits of the Company's operations throughout the state.

The case drew considerable public attention. The ORS Consumer Services Department noted an increase in calls regarding the case and advised consumers on how to file a protestant letter. Staff attended all night hearings; posted hearing dates, including information on night hearings, on the ORS website; and provided consumer-oriented information about the case on the website. ORS Consumer Services staff members were available to assist consumers with questions and any complaint issues.

The merits hearing began on February 26, 2020 and concluded on March 2, 2020. On April 9th, the PSC issued its final order setting the new rates that BGWC customers will pay beginning September 1, 2020. In Order 2020-306, the PSC generally ruled in favor of the ORS' and Consumer Advocate's positions on most issues. The ROE awarded by the PSC is 7.46% based on the evidence provided by the Consumer Advocate. The Company originally requested an ROE within a range of 10.2 to 10.7% (later revised downward to a range of 9.75% to 10.25%).

Following petitions for reconsideration of Order No. 2020-306, the Commission made several adjustments to Order No. 2020-306 through a Directive on May 28, 2020. A formal written order on the adjustments is pending. As a result of the May 28, 2020 Directive, the total revenue

awarded to the Company was 18% lower than that sought by the Company in its application. The total savings to customers is **\$6,731,714**.

Rate Stabilization Act (RSA) Annual Reviews

The ORS filed its reports with the PSC on August 30, 2019 for both the Piedmont Natural Gas (PNG) 2019 RSA and the Dominion Energy SC (DESC) 2019 RSA; both reports covered the 12-month period ending March 31, 2019.

PNG: *2019-007-G*

PNG's calculation of an increase in revenue requirement totaled \$16,964,048. The ORS reached a settlement with PNG resulting in annual savings to rate payers of **\$6,845,620**.

DESC: *2019-6-G*

DESC's calculation of an increase in revenue requirement totaled \$7,106,649. The ORS' review determined the additional retail revenue target is \$6,273,054. No settlement was reached. Savings to customers is **\$833,595**.

CUC, Inc.: *2019-64-WS*

CUC, Inc. (CUC or the Company) filed an application for a rate increase for water and wastewater services on July 23, 2019. In addition to the ORS, the Callawassie Island Property Owners Association intervened in the case. The merits hearing was held on December 16, 2019. Major issues disputed between the ORS and CUC included the appropriate operating margin for the Company and excess revenues collected due to the 2017 Tax Cuts and Jobs Act. After consideration of the issues by the Commission, Order No. 2020-94 on January 30, 2020 resulted in a total savings of **\$108,867** to customers.

Palmetto Utilities, Incorporated (PUI): *2019-281-S*

PUI filed an application for a rate increase late last fall seeking, among other things, to increase customers' monthly sewer bills from \$52.10 to \$66.62, an almost 28% increase.

The pandemic added additional challenges to the highly contested proceeding – the public night hearings were held virtually, with participants calling in to offer their testimony. The merits hearing was also held virtually with Commissioners, counsel for the parties, and the witnesses all appearing via video conference. During the two virtual public night hearings, the PSC heard from many PUI customers who voiced their concerns over the impact of the requested rate increase and the unfairness of a flat rate for all customers instead of a volumetric rate.

The day before the merits hearing was to begin, PUI entered into a comprehensive stipulation with the ORS that resolved all issues between the two parties. The stipulations contain many

provisions that greatly benefit PUI's customers, with a three-year rate freeze, a return to customers of \$2,032,146 related to the Tax Cuts and Jobs Act, and a rate increase that is a fraction of what PUI originally requested. For the first year, the rate is \$54.93 and thereafter \$59.87. The parties submitted proposed orders to the PSC on July 29, 2020. In its final order issued on August 20, 2020, the PSC approved the stipulation.

Avoided Cost Cases

The SC Energy Freedom Act, or Act 62, directs the PSC to consider and promote South Carolina's policy of encouraging renewable energy and ensuring the promotion of the public interest while ensuring that no costs or expenses incurred by a utility in compliance with Act 62 are then borne by the utility's ratepayers, unless expressly authorized by the PSC. Pursuant to Act 62, the ORS participated in cases involving the three largest investor-owned utilities in South Carolina to determine their avoided costs.

DESC: 2019-184-E

In this docket, in which the PSC considered DESC's avoided costs, the PSC approved the standard offer, avoided cost methodologies, form contract power purchase agreements, and commitment to sell forms of DESC in accordance with Act 62. While the solar and environmental intervenors initially filed petitions for limited rehearing regarding contracts with terms of over 10 years and the associated terms and conditions, those parties subsequently withdrew their petitions and asserted that it would be appropriate for the PSC to consider the issue of contract length and appropriate terms and conditions in the next avoided cost docket.

At the time of this writing, the only outstanding area of review is the proposed opt-in mitigation protocols submitted by DESC to the PSC on June 1st. DESC asserts that the proposed mitigation protocols could reduce or eliminate the integration charges incurred by solar projects on the DESC system that reduce the variability of their generation. The proposed mitigation protocols were reviewed by the ORS and other stakeholders, and any applicable comments were filed July 20, 2020. Accordingly, this docket is now substantially concluded.

Duke Energy Carolinas and Duke Energy Progress:

2019-185-E, 2019-185-E

In these dockets, in which the PSC considered the avoided costs of Duke Energy Progress, LLC (DEP), and Duke Energy Carolinas, LLC (DEC), the PSC adopted most of the recommendations of DEP, DEC, and the ORS with respect to avoided costs. Interested parties submitted petitions for reconsideration on January 13, 2020. In their petitions for reconsideration, the solar developers and conservation groups asked the PSC to reconsider, among other things, energy pricing periods, avoided energy rates for large Qualifying Facilities, and the PSC's adopted seasonal allocation of capacity values. Solar developers and conservation groups also

requested reconsideration or limited rehearing on power purchase agreements with a duration of longer than 10 years.

Subsequently, the solar developers and conservation groups notified the PSC that they were working on settlement discussions with DEC and DEP. Accordingly, the solar developers and conservation groups requested that the DEC and DEP avoided costs dockets be held in abeyance. On June 24, 2020, the PSC granted the request.

DESC Code of Conduct: *2019-386-E*

The primary issue is protection of consumer information. The ORS proposed that consumers should have to opt-in (give permission) before DESC can share their information with third parties. DESC proposed that the burden be on consumers to opt-out; otherwise, their information can be shared with third parties. The PSC adopted the ORS' recommendations for the Code of Conduct.

DESC – HomeServe: *2019-363-E*

Customers of DESC received marketing solicitations for appliance and non-appliance repair plans offered by HomeServe USA Repair Management Company in November 2019. In response to the solicitations, the PSC requested the ORS to investigate “the matter concerning Dominion Energy’s sale of its customers’ personal information to a third party.” The ORS concluded no state law, PSC regulation, or PSC order prohibited the type of customer information sharing that occurred.

In its report to the PSC, in part, the ORS recommended:

1. DESC’s privacy policies be revised to clearly disclose this type of information sharing occurs and how customers can opt out of it
2. Approval of a regulation on sharing of customer information consistent with that proposed in Docket Nos. 2019-367-A and 2019-387-A
3. DESC’s Code of Conduct include clarified language regarding marketing disclaimers
4. DESC include disclaimers on its marketing materials

In response, DESC stated it was in the process of integrating with Dominion Energy, Inc., including transitioning to an updated privacy policy with the clarified provisions the ORS requests. DESC opposed ORS’ proposed clarified language for marketing disclaimers and that disclaimers be included on marketing materials. The parties are still awaiting a final order from the PSC.

Rulemaking Proceeding to Create a Regulation:

2019-367-A, 2019-387-A

The ORS petitioned the PSC to open a docket for a rulemaking proceeding to determine appropriate parameters and standards regarding a utility's use of customer data. On November 25, 2019, in a regularly scheduled business meeting of the PSC, Commissioner Ervin addressed an article in *The State* newspaper regarding the sale of customer information from one regulated utility to an outside third party, which then proceeded to use that information in an attempt to sell insurance to utility customers by way of mail marketing.

On November 27, 2019, the ORS filed a petition in recognition that the use of customer data by an independent third party could confuse and mislead utility customers. Accordingly, in order to protect consumers and the public interest, the ORS recommended that the PSC examine regulations regarding a utility's ability to sell customers' data. Numerous parties have intervened and filed comments. The rulemaking proceeding to create a regulation is currently pending before the PSC.

DEP and DEC – Appeals in Rate Cases: *2018-318-E, 2018-319-E*

DEP and DEC filed notices of appeal in their respective rate cases with the SC Supreme Court (Court) in November 2019. The Court consolidated the appeals, and DEP and DEC filed their initial brief on April 21, 2020. The ORS will submit its initial brief by July 6 with oral argument expected for the fall.

The most significant dispute relates to coal ash costs that DEP and DEC incurred in North Carolina as a result of that state's Coal Ash Management Act. The ORS argued, and the PSC agreed, that these costs should not be borne by South Carolina customers because these costs were caused by a North Carolina-specific law, and that law was passed in response to a major coal ash spill that resulted from criminal negligence by DEP and DEC in North Carolina. At stake are over \$800 million in coal ash-related costs that should not come from the pockets of South Carolina customers. The Court's decision is also likely to establish important precedent for the recovery of future coal ash-related expenses.

Accomplishments of the ORS

Mission and Values

Mission Change

Act 258 became law on June 28, 2018. Through this legislation, public interest is defined as follows:

the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer, and preservation of continued investment in and maintenance of utility facilities so as to provide reliable and high-quality utility services.

This revised public interest definition shifted the ORS from balancing competing interests to a more concentrated focus on consumers. FY 19-20 was the second fiscal year under this new mission.

The **values** of the ORS remain unchanged and are fundamental to its success: *Integrity, Impartiality, Responsiveness, Respect, Professionalism, Innovation, and Excellence*. These seven values are required performance characteristics of every ORS employee as indicated on each employee’s EPMS evaluation.

Savings Resulting from Cases

In FY 19-20, total savings is **\$14,519,796**. The *Notable Cases* section earlier in this report details the ORS’ efforts and accomplishments in major cases.

Savings by Fiscal Year (Rounded to the nearest thousand)

FY 04-05	\$63,356,000
FY 05-06	\$95,475,000
FY 06-07	\$59,794,000
FY 07-08	\$114,662,000
FY 08-09	\$147,692,000
FY 09-10	\$198,992,000
FY 10-11	\$233,461,000
FY 11-12	\$405,436,000
FY 12-13	\$83,097,000
FY 13-14	\$175,000,000
FY 14-15	\$45,983,000
FY 15-16	\$30,816,000
FY 16-17	\$69,388,000
FY 17-18	\$28,736,000
FY 18-19	\$158,850,000
FY 19-20	\$14,520,000
TOTAL	\$1,925,258, 000

Energy

Financial Support

The Energy Office promotes energy efficiency, renewable energy, and clean transportation among public and private entities and nonprofits through four low-interest loan/grant programs: ConserFund, ConserFund Plus, mini-grants, and the Energy Efficiency Revolving Loan (EERL) program. The Energy Office has provided financial support in a variety of ways:

- Through Energy Office efforts, the public is projected to save more than \$20.9 million over the life of various energy initiatives.
- Provided public and private entities and nonprofits with low-interest loans totaling \$1.8 million. Projects completed this year will result in projected lifetime monetary savings to borrowers of over \$2 million.
- Awarded public entities and nonprofits five mini-grants totaling \$27,800 to spur innovation and save over \$244,000 over the useful life of projects.
- Approved approximately \$862,000 in renewable energy, energy efficiency, and transportation tax credits and incentives.
- Collaborated with the SC Department of Parks, Recreation, and Tourism to install EV charging stations at three state parks.

State Energy Plan

Energy Efficiency Roadmap

The Energy Office launched the South Carolina Energy Efficiency Roadmap initiative in October of 2019 to seize energy efficiency opportunities in the state. Facilitated by the Duke University Nicholas Institute, this stakeholder process reviewed and reassessed remaining energy efficiency recommendations from the 2016 State Energy Plan according to current priorities, identified new opportunities, and developed next steps.

Several broad stakeholder workshops were held, each with over 50 participants from a diverse range of organizations. Guided by an advisory committee, individual working groups were formed to focus on efficiency in buildings, energy equity/energy burden, utility programs, financing mechanisms, nonprofits and public entities, and workforce and education. This process culminated in the development of 20 recommendations, which will be outlined in the final Energy Efficiency Roadmap report by October 2020.

Transportation: Lead by Example

A key component of the 2016 State Energy Plan was to lead by example to advance clean transportation. After conducting an extensive review of the full spectrum of vehicles — based on cost, emissions, safety, reliability, maintenance, and numerous other factors — and months of close collaboration with State Fleet Management and the State Fiscal Accountability Authority, the Energy Office procured a 2020 Chevrolet Bolt electric vehicle (EV) in March of 2020.

The Energy Office is developing training materials for staff on the Bolt that can be replicated and provided to other agencies. The Energy Office also intends to use this as a case study for further adoption of EVs in the state's fleet and to help other state agencies navigate the procurement process.

Consumer Protection and Assistance

Consumer Services

Under the direction of the Executive Director, the ORS Consumer Services Department is the first line of contact for consumers who have complaints regarding their utilities. Consumer Services supported consumers to arrange installment payments, extensions to payment due dates, manageable security deposits, and access to community financial assistance resources. Staff worked with consumers to recover funds due to erroneous charges, refunds of deposits, unauthorized charges, incorrect rates being charged, or disputes about charges.

In FY 19-20, Consumer Services fielded over **1,800** complaints and inquiries from consumers and recovered over **\$186,000** on their behalf (approximately \$127,000 of which are annually recurring recoveries).

Even when contacted by consumers of utilities the ORS does not regulate (e.g., municipal utilities), staff attempts to help resolve issues, if possible.

"Company advised that it has been a pleasure and very insightful experience working with the ORS and that they were glad to have had this discussion. He (company representative) stated in 19 years of working for Seneca Light & Water he has never spoken with another party like ORS that has so much knowledge."

**ORS Consumer Services staff report
April 2, 2020**

As part of its consumer education outreach, Consumer Services distributed close to **20,000** publications and promotional materials. Due to the remote working environment in late spring, the spring mailout was delayed until July 2020. This mailout of 5,100 (smaller than usual because many community action agencies were closed) will be reflected in FY 20-21 totals.

Through weekly conference calls during the COVID-19 pandemic, Consumer Services staff offered technical assistance to several utilities with matters related to the companies' consumer-relations operations.

SC Equipment Distribution Program

The South Carolina Equipment Distribution Program (SCEDP), housed within the ORS, helps consumers who are deaf or have hearing or speech challenges by providing them with specialized telephone equipment. In FY 19-20, SCEDP expanded outreach around the state including distribution of over **125,000** publications and printed materials, up more than threefold from over 36,000 last fiscal year. The program received and reviewed **703** applications, approved **638** applications, coordinated and shipped **1,524** pieces of equipment, and coordinated equipment installation for **94** clients.

During the COVID-19 pandemic, the SCEDP kept its commitment to clients. Staff continued to answer calls and emails while working remotely so clients would feel less isolated. Installation and troubleshooting help was available by phone. The program dedicated at least one day a week in the office to ship equipment and process applications. The SCEDP Facebook page remained updated with information so that individuals could have resources at their fingertips. The SCEDP made sure the hearing- and speech-impaired citizens of South Carolina continued to connect to family and friends over the phone.

Safety and Enforcement

During the COVID-19 pandemic, the Pipeline Safety, Rail Safety, and Transportation programs continued inspections while following all guidelines for safety and social distancing. Each of these areas consulted with federal and state counterparts on best practices for safe inspections during the COVID-19 crisis.

Pipeline

Inspectors focused on right-of-way, regulator, and drug and alcohol abuse inspections, all of which can be conducted while maintaining social distancing safety practices. In addition, staff assisted in securing masks for pipeline companies through the Pipeline and Hazardous Materials Safety Administration.

Rail

Inspectors focused on right-of-way, roadway worker, and general rail yard inspections, all of which are conducive to social distancing.

Transportation

Transportation staff members conducted inspections of new passenger carriers, worked numerous complaints, and continued to issue certificates and decals for passenger carriers while working remotely.

Other highlights from the year are as follows:

Pipeline Safety

The Calendar Year 2018 inspection of the ORS Pipeline Safety program was conducted by the Pipeline and Hazardous Materials Safety Administration (PHMSA) in June 2019, and scores were received in late July 2019. The ORS scored 48 out of a possible 50 points on its Progress Report (96%) and 110 out of 112 possible points on its Program Evaluation (98%). The Progress Report score remained constant from last year because South Carolina's maximum civil penalty for violations of regulations does not match the federal penalty amount. The Program Evaluation score increased over 2 full percentage points from the previous year.

Through its damage-prevention initiative, ORS Pipeline Safety makes educating third-party contractors on safe-digging practices a top priority. In addition, ORS Pipeline Safety is a leader in the SC Pipeline Emergency Response Initiative (SC PERI) that trains firefighters to respond to natural gas-related incidents. These efforts will continue in FY 20-21.

ESF 12

COVID-19

Unlike a response to a tornado, ice storm, or hurricane, the ORS' ESF 12 response to COVID-19 is a prolonged effort that is still underway. From March 10 through June 30, ESF 12 coordinated with utilities to ensure they obtained and maintained adequate supplies of personal protective equipment (PPE); shared and interpreted public health information and executive orders with utilities; and stood ready to assist utilities in restoration of service in the event of severe weather and to facilitate recovery of damaged energy systems by providing relevant Federal Emergency Management Agency (FEMA) information to utilities.

From March 16 through May 9, the Executive Director and a member of her management team (representing ESF 12) participated in a daily conference call with the Governor, his staff, and all other agency heads to brief him on the impacts of COVID-19 on the citizens and economy of South Carolina. From May 11 through May 29, the calls transitioned to Monday, Wednesday and Friday updates. On June 3, the updates transitioned to weekly conference calls, and they continue to this day.

As of this writing, ESF 12 continues to provide information to ORS partners and utilities and to participate in weekly calls with the Governor, the counties, and the National Association of State Energy Officials, as well as periodic logistics calls with the SC Emergency Management Division (SCEMD).

Examples of tasks accomplished by the ESF 12 team from March through May, under the direction of the Executive Director, include:

- Coordinated with ESF 18, which handles donated goods, to facilitate the donation by Dominion Energy SC of 9,000 N-95 masks to the SC Hospital Association
- Coordinated with the Nuclear Regulatory Commission (NRC) and the utilities that have nuclear plants to ensure that NRC inspectors have access to the plants in case a county or municipality decides to shelter in place or issue a stay-at-home order
- Coordinated with Amtrak and local authorities to ensure that passengers would have free access when embarking and disembarking along Amtrak routes
- Worked with the SC Department of Health and Environmental Control (SCDHEC) to get priority testing for critical-infrastructure workers who have symptoms of COVID-19
- Helped to secure 30,000 KN95 masks for the SC Truckers Association
- Coordinated with Dixie Pipeline to distribute 75 Tyvek suits to Richland and Chesterfield County EMS
- Assisted with purchases/delivery of PPE
- Worked to obtain quarantine exemptions for essential specialized utility personnel coming to South Carolina from the Tri-State area or New Orleans
- Coordinated with the SC Department of Agriculture on issuing a second fuel waiver that modified the original fuel waiver (issued in March) to be more consistent with one recently issued by the US Environmental Protection Agency
- Participated in daily calls with SCEMD and the Governor's Office
- Helped to procure over 24,000 masks for electric utilities through FEMA
- Assisted truck drivers and others with commercial driver's licenses with best practices guidance during COVID-19 published by the Federal Motor Carrier Safety Administration
- Shared funding opportunities from the CARES Act with all partners
- Directed partners to the SC Department of Commerce for assistance with questions regarding appropriate business operations during COVID-19

Tornadoes During COVID-19

In April, during the COVID-19 pandemic, 27 confirmed tornadoes swept over many portions of South Carolina. Over 290,000 power outages occurred; about 85% were restored within 24 hours. In the hardest hit areas in and near Seneca, almost 2,000 homes and businesses (customers of Seneca Light & Water) were without power for almost two weeks. The ORS, through its responsibilities with the SCEMD, monitored the restoration of power by Seneca Light & Water. The ORS also assisted the SC Department of Social Services to help residents who had been without power for more than 4 hours recover their benefits under the Supplemental Nutrition Assistance Program.

Hurricane Dorian

The ORS' initial role in the storm preparations was twofold. First, the ORS provided the evacuation routes and timing with fuel partners to provide them with the opportunity to fully stock their fuel stops with gas, water, and groceries. Second, the ORS communicated with electric providers, railroads, and pipeline operators to monitor their preparations for staging, supply acquisition, and enactment of their mutual assistance agreements.

On Thursday, September 5, 2019, electric providers reported a peak of 252,000 outages, mostly on the Dominion Energy SC system. By Friday, the utilities had restored over 80% of all customers and by Sunday evening (September 8), nearly 100% of customers had their service restored.

During the response effort, the ORS assisted utilities in obtaining access to reentry passes, access to airspace for damage assessment, national guard liaison officers for the electric cooperatives, and curfew information.

Accomplishments of the Executive Director

We cannot look back on FY 19-20 without remembering the unprecedented challenges brought about by the COVID-19 pandemic. The swift nature in which the world as we knew it changed could have thrown some leaders off course. Executive Director Edwards' ability to effectively lead the ORS through this crisis speaks volumes about the quality of her leadership and the level of her commitment to fulfill the mission of the ORS.

Leadership in Unprecedented Times

This section focuses on the tremendous leadership of the Executive Director in taking action to help consumers deal with the COVID-19 crisis.

Case Management During the Pandemic

Under the leadership of the Executive Director, the ORS initiated several actions to help consumers deal with the continuing COVID-19 crisis.

On March 14, 2020, the Executive Director received a letter from Governor McMaster requesting the ORS to communicate with all utilities and put into effect his request that all regulated utilities and cooperatives serving the State of South Carolina—including those not currently under the jurisdiction of the ORS—not suspend or disconnect essential services for nonpayment during the state of emergency. On March 16th, the ORS filed a letter with the PSC requesting 1) waivers of regulations related to late payment charges and procedures for termination of service for all utilities under the PSC's jurisdiction and 2) that utilities be allowed to waive reconnection fees. On March 18th, the PSC issued a directive granting the waiver requests.

In response to continuing hardships facing both consumers and utilities during the pandemic, the ORS made several filings within an administrative docket established by the PSC to deal with COVID-19 issues. Among these requests were 1) further extension of the 2019 deadline for annual reports and 2) waiver of PSC regulations for deferred payment plans. The PSC granted both of the aforementioned requests, extending the deadline for 2019 annual reports filing until June 5, 2020, and waiving certain DDP regulations "so that utilities can offer customers greater flexibility and terms longer than six months to pay arrearages on their utility bills."

The ORS also filed a two-part motion on May 8th requesting the PSC to 1) solicit comments from utilities and other interested stakeholders regarding measures that could be taken to mitigate impacts of COVID-19 on utility customers and 2) require utilities to keep records and report to the PSC on a quarterly basis the revenue impacts, incremental costs, and savings related to COVID-19.

The PSC granted both requests. Utilities and other interested stakeholders were to file comments on or before noon on May 22, 2020. Findings from utilities' recordkeeping were to be filed as soon as possible but no later than the end of the second quarter of 2020. The PSC held a virtual forum on May 27, 2020 and discussed with utilities and stakeholders the comments that were filed.

On May 13, 2020, the ORS filed a letter with the PSC sharing a letter received from Governor McMaster on that same date. In his letter, the Governor asked, "that ORS work with the PSC and providers of utility services to take similar steps to allow for a return to normal business operations, while continuing to provide flexibility and assistance to customers and ratepayers." On May 14, 2020, the PSC issued Order 2020-374 acknowledging the Governor's letter and rescinding portions of Commission Order No. 2020-228, which required a temporary suspension of utility disconnections. In Order 2020-374, disconnections are conditioned upon utilities 1) working with customers on arranging payment plans and 2) referring customers to community organizations that may be able to help.

Planning ahead for a likely surge in calls when utilities resume collection processes, the Executive Director is working with the SC Department of Administration and its technology division (DTO) to develop an overflow call center. This center would assist the ORS Consumer Services group so that utility consumers can continue to be served in a timely fashion. As of this writing, implementation of the overflow plan is tentatively scheduled for September 2020 to align with the seasonal high bill call season, Dominion Energy SC's rate case application, and the regulated utilities' resumption of collection processes.

Keeping Consumers Informed and Connected During the Pandemic

COVID-19 Resource Page

In March 2020, as the crisis began, the Executive Director quickly recognized the need for a dedicated space to house information to help consumers navigate the rapidly changing circumstances. She directed the Information Services Department to create a *Consumer Resources During COVID-19* page on the ORS website. This page includes up-to-date information on consumer resources to help with utility bills and additional updates for consumers; updates on what utilities are doing in response to COVID-19; correspondence between the Governor, the ORS, and the PSC and PSC orders related to COVID-19; state of emergency executive orders arising from COVID-19; and other relevant information. As of this writing, this page continues to be updated as new information is received.

State Energy Plan

During FY 19-20, the Executive Director and Energy Office staff continued to work toward addressing top-tier State Energy Plan recommendations as part of the Phase III implementation efforts. The Executive Director will continue to lead the Energy Office in further developing the State Energy Plan in the coming fiscal year.

Protection and Assistance for Consumers

Helping Victims of Domestic Violence

The Executive Director represents the public interest with an ever-vigilant eye toward the protection of consumers. As part of this role, the Executive Director oversees certain safety-net programs for at-risk consumers such as the deposit waiver for domestic-violence victims begun by the ORS several years ago. In this agreement with the investor-owned electric and gas utilities and women's shelters, the utilities waive the initial credit and deposit requirements for domestic-violence victims. Through the years, this effort has expanded to law enforcement agencies who certify domestic violence victims. In FY 19-20, this program benefited **29** individuals and has benefited **525** individuals since its inception.

Warning Consumers of Possible Scams

The Executive Director takes action to alert the public to potential scams. One example that occurred this year was a campaign to warn consumers of potentially misleading sales practices by certain solar companies.

In FY 18-19 (May 2019), the ORS received a file containing a recorded solar sales training session. The recording was transcribed by the ORS and distributed internally to key personnel. The Executive Director contacted the SC Attorney General's office and the SC Department of Consumer Affairs to make them aware of the sales tactics described therein. She then embarked on a strategy to educate the public that included 1) an op-ed to distribute to papers across South Carolina and 2) a Public Service Announcement (PSA) for television and radio stations. The op-ed was released in June 2019, and details of its success were covered in the FY 18-19 Executive Director report.

The PSA began running around July 1, 2019. It was the result of cooperation among the ORS, SCDHEC (providing studio production at no cost), the US Department of Energy (providing \$8,000 in grant funding through its Office of Energy Efficiency and Renewable Energy), and the SC Broadcasters Association (providing access to every radio and television market in the state).

In September 2019, the ORS received a report from the Broadcasters Association regarding the impact of its PSA campaign. For an \$8,000 investment, the total confirmed value of the radio

and TV airtime the ad received was \$137,126, a 17:1 return on investment. The radio and television ads had a statewide reach, with 2,835 plays across the Midlands, Greenville/Spartanburg, Charleston, Hilton Head, Rock Hill/Charlotte, Florence/Myrtle Beach, and Aiken/Augusta markets on radio and 517 airings on television. The social media effort that coincided with it was successful as well, picking up traction through retweets and postings by the SC Department of Consumer Affairs, AARP, the Appleseed Legal Justice Center, and the PSC.

Administration

Budget

The Executive Director successfully managed the ORS budget through careful monitoring of expenses on a regular basis. During the review period, the agency underwent the FY 2019 Agreed Upon Procedures engagement conducted by the State Auditor's Office and received satisfactory audit results.

Agency Staffing

The Executive Director continues to make organizational changes that better position the ORS for the future. At the beginning of FY 19-20, she hired a Chief Financial Officer to oversee the administrative functions of the agency (auditing, general administration, financial reporting, human resources, information technology, and so forth). This new position quickly became key in consolidating resources, streamlining processes, and generally making an already very efficient agency even more so. In addition, the Executive Director expanded the position of the Executive Assistant to encompass the role of Legislative Liaison. This change proved particularly valuable as several new pieces of legislation, passed between May 2019 and June 2020, created new responsibilities for the ORS.

To better support the agency's mission and to incorporate additional responsibilities arising from the SC Energy Freedom Act (Act 62), the Executive Director reorganized the Utility Rates and Services Department and hired or promoted several staff members within that reorganization.

Recognizing the need for a consistent approach to marketing and outreach efforts that are in sync with the agency's consumer-oriented mission, the Executive Director created an ORS Marketing and Communications Committee. The Committee has developed communications policies and recommendations and created an inventory of foundational communications pieces on which to build in the future. This work will continue in FY 20-21.

In the last quarter of the fiscal year, a Community Outreach and Communications Manager was hired from within the agency to expand the Information Services Department. This position

provides a means to more fully support the customer-focused mission and the additional areas in which the ORS now has a presence.

The Executive Director continues to assess the agency's core functions, particularly considering new responsibilities the agency now has, and plans career development and career paths for employees.

Looking Ahead

FY 19-20 brought challenges due to COVID-19 that no one could have imagined. Despite the extraordinary circumstances, the Executive Director was successful in seamlessly carrying out the agency's mission. For consumers, there was little to no interruption in services the ORS provides.

Major pieces of legislation passed by the General Assembly in 2019 and 2020 will shape the work of the ORS in FY 20-21 and in years to follow.

Some of the already-known opportunities and challenges on the horizon for FY 20-21 are:

- A continuing heavy caseload for the agency, including the upcoming Dominion Energy SC rate case
- Implementation of the Broadband portion of Act 142, which passed in June 2020. Work has begun and will continue in FY 20-21.
- Continued implementation of Act 135, Section 11, which passed in May 2020, and requires a monthly review by the ORS of certain Santee Cooper operations
- Continued implementation of Act 56, which passed in May 2019 and became effective in January 2020, and requires the ORS to determine compliance with bylaws for the 22 electric cooperatives serving the state
- Continued implementation of the SC Energy Freedom Act (Act 62), which also passed in May 2019. This legislation covers a wide range of topics including avoided cost and power purchase agreements (PPA), voluntary and community solar, net metering, integrated resource plan (IRP), integration study, interconnection, and consumer protection.

Through leadership and consensus building, Executive Director Edwards has successfully led the ORS through many challenges and will continue to do so.

Suggested Improvements

- The ORS has completed two fiscal years operating under the consumer-focused mission resulting from the passage of Act 258. The Executive Director will continue to implement new long-term responsibilities arising from this change. These responsibilities include continuing to educate customers, utilities, and stakeholders regarding the revised public interest definition.
- The Executive Director will continue to address legislative changes affecting the regulatory environment and adding to responsibilities of the ORS. Four recent pieces of legislation have significantly added to the responsibilities of the ORS: the broadband portion of Act 142; Act 135, Section 11 (Santee Cooper); Act 56 (electric cooperatives); and Act 62 (SC Energy Freedom Act).
- The Executive Director will continue to search for additional ways to inform customers and the general public of information by utilizing Public Service Announcements, consumer advisories, and other forms of outreach.
- The Executive Director will continue to lead the Energy Office in developing the State Energy Plan.
- The Executive Director will continue to seek cost-efficient educational and training opportunities, including remote-education resources such as webinars, to provide her and her staff with the most up-to-date skills and information necessary to lead the ORS in a rapidly changing regulatory environment.
 - The ORS joined the National Association of State Utility Consumer Advocates (NASUCA) in July 2019 on a one-year trial basis and, thus far, has found it to be very relevant to the revised mission of the ORS. The Executive Director will continue to engage with NASUCA, such as attending mid-year and annual conferences when feasible.
 - The Executive Director will also continue developing joint training opportunities with the Executive Director of the North Carolina Public Staff. A joint training program held in December of 2019 resulted in cost-efficient training for ORS employees and had the added benefit of maintaining dialogue between the two agencies.

- The Executive Director will focus on enhanced methods to communicate, explain, and share the results of the ORS' reviews and examinations with interested stakeholders, the PSC, and the courts. One such method, consumer-oriented summaries of cases, has already been implemented and will continue to be fine-tuned in FY 20-21.
- The Executive Director will strive to educate regulated utilities about the ORS review and examination process.

ORS.SC.GOV