

**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, 2023 through June 30, 2024. 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 and SEARUC Meetings / Conferences / Conference Calls**

**(I) SEARUC Annual Education Conference held in Ashville, N.C. — June 2-5, 2024.**

Sponsoring organization is the Southeastern Association of Regulatory Utility Commissioners (SEARUC). The conference was an in-person event, starting on Sunday, June 2 and concluding on Wednesday, June 5. I traveled to the conference on Sunday, June 2 and returned to Columbia on Wednesday, June 5. I was out of the office for three (3) days. No certificate of attendance was provided.

I attended the following sessions during the 2024 SEARUC Annual Education Conference:

Monday, June 3

- General Session 1
  - Opening Remarks
  - Panel of Speakers addressing: “Empowering the Southeast: Navigating Load Growth, Resiliency, and Affordability”
- Concurrent Session: “Perspectives from Wall Street”
- Keynote Address: Roy Cooper, Governor of North Carolina
- Concurrent Session: “Improving Long-Term and Future Affordability”
- General Session 2
  - Panel of Speakers addressing: “Empowering the Southeast: Navigating Load Growth, Resiliency, and Affordability – Part 2”

Tuesday, June 4

- Concurrent Session: “Load Growth and Capacity: Short Term Needs. Long-Term Solutions”
- Concurrent Session: “Powering Tomorrow: Confronting the Interconnection Backlog”

Wednesday, June 5

- Commissioner's Business Meeting
- General Session: Closing Remarks

## **(2) NARUC Energy Resources and the Environment Committee (ERE Committee)**

During the review period, I participated in one ERE Committee meeting via a Zoom conference call on September 26, 2023. (Approximately 2 hours) I was unable to participate in other calls scheduled during the review period due to conflicts with the Commission's scheduled hearings or with other Commission business.

Benefits of attending NARUC and SEARUC programs:

NARUC and SEARUC meetings provide excellent educational opportunities on multiple utility issues across industries. By attending these meetings, I have increased my knowledge and understanding of utility regulation and learned of current issues on both the state and national levels. Each meeting and session attended provides exposure to additional information on issues. The knowledge gained and shared through these meetings and conferences 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 help me make more informed decisions on the matters before the Commission for adjudication.

## **II. In House Briefings / Educational Sessions**

### **(1) Ethics Training (Required by S.C. Code Ann. § 58-3-30(C) (2015))**

**(Total hours 6.0)**

#### **a. October 2, 2023 (3.0 hours in this session)**

- Freedom of Information Act presented by Steven W. Hamm, Esquire (1.0 hour)
- Code of Judicial Conduct presented by Hon. Thomas W. Cooper, Jr. (1.0 hour)
- Code of Judicial Conduct/Ethics & Administrative Procedures Act presented by Desa Ballard, Esquire (1.0 hour)

#### **b. October 6, 2023 (3.0 hours in this session)**

- Ethical Public Service: Beyond the State Ethics Act presented by Barbara M. Seymour, Esquire (1.0 hour)
- Substance Abuse and Cyber Ethics presented by Jack Pringle, Esquire (2.0 hours)

This required training reinforces the Code of Judicial Conduct (CJC), the State Ethics Act (SEA), and the Administrative Procedures Act (APA). As Commissioners, we must adhere to these rules and statutes, and, for me, continual study strengthens my knowledge and understanding of the requirements contained in the CJC, SEA, and APA. It is a benefit to the

Commission as an institution that commissioners and employees are knowledgeable of the provisions of the CJC, SEA, and APA so that we may all conduct ourselves and the business of the Commission in compliance with the requirements of the CJC, SEA, and APA.

Additionally, a session of mental health, wellness, and substance abuse was presented. For us to be effective employees, we need to be aware of challenges and stresses we may encounter that could impact our ability to be productive employees. This session provided some valuable tips and resources on dealing with stress and challenges associated with both work-life and private-life and encouraging productive habits for mental well-being. This session has proven to be popular with commission employees.

(2) Allowable *Ex Parte* Briefings (Pursuant to S.C. Code Ann. § 58-3-30(C) (2015))

- a. July 6, 2023 — Allowable *Ex Parte* Briefing from Texican Natural Gas Company.  
Topic of briefing: Natural Gas Markets in South Carolina. (Docket No. 2023-70-G)
- b. July 12, 2023 — Allowable *Ex Parte* Briefing from South Carolina Office of Regulatory Staff.  
Topic of briefing: SERC Reliability Corporation, Resource Adequacy, and Related Matters (ND 2023-33-E)
- c. September 15, 2023 — Allowable *Ex Parte* Briefing from Duke Energy Carolinas, LLC and Duke Energy Progress, LLC.  
Topic of briefing: Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's Integrated Resource Plan filing, "2023 Carolinas Resource Plan." (Docket No. 2023-8-E and Docket No. 2023-10-E)
- d. September 21, 2023 — Allowable *Ex Parte* Briefing from Conservation Voters of South Carolina.  
Topic of briefing: How other states have reliably integrated renewable energy onto their grids. (ND-2023-46-E)
- e. November 30, 2023 — Allowable *Ex Parte* Briefing from Duke Energy Carolinas, LLC and Duke Energy Progress, LLC.  
Topic of the briefing: Energy Efficiency, Demand-Side Management, and Demand Response Overview. (Docket No. 2023-8-E, Docket No. 2023-10-E, Docket No. 2013-298-E, and Docket No. 2015-163-E)
- f. January 24, 2024 — Allowable *Ex Parte* Briefing from Carolina for Affordable and Reliable Energy (CARE).  
Topic of the briefing: South Carolina Electric and Natural Gas Reliability Study. (ND-2024-3-EG)

- g. January 29, 2024 — Allowable *Ex Parte* Briefing from Conservation Voters of South Carolina.  
Topic of the briefing: Battery Storage. (ND -2023-88-E)
- h. February 27, 2024 — Allowable *Ex Parte* Briefing from TotalEnergies Renewables USA, LLC.  
Topic of the briefing: The Opportunity for Offshore Wind, including TotalEnergies Carolinas Long Bay Project to be developed off the coast of Wilmington, North Carolina. (ND-2024-4-E)
- i. March 19, 2024 — Allowable *Ex Parte* Briefing from Southeastern Wind Coalition.  
Topic of the briefing: Overview of offshore wind's potential to meet economic development, grid reliability, and resource demand needs in the Southeast. (ND-2024-12-E)
- j. May 7, 2024 — Allowable *Ex Parte* Briefing from Duke Energy Carolinas, LLC and Duke Energy Progress, LLC.  
Topic of the briefing: Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's proposed Customer Renewable Programs and proposed modifications to Green Source Advantage Programs and Riders GSA (Docket No. 2022-326-E and Docket No. 2018-320-E)

### (3) PSC Policies

- a. July 27, 2023 — PSC Information Security Policy Reminders and Quiz
- b. September 7, 2023 — Security Awareness Essentials for State Employees
- c. November 27, 2023 — Public Service Commission Tenant Handbook
- d. March 21, 2024 — PSC Reduction in Force Policy
- e. March 21, 2024 — PSC Alternate Work Schedule Policy and Guidelines and Quiz
- f. March 21, 2024 — PSC Confidentiality Agreement and Quiz
- g. March 21, 2024 — PSC Drug-Free Workplace and Substance Abuse Policy and Quiz
- h. March 21, 2024 — PSC Dual Employment Policy and Quiz
- i. March 21, 2024 — PSC IT Acceptable Use Policy and Quiz
- j. March 21, 2024 — PSC Mobile Device Management User Agreement and Quiz
- k. March 21, 2024 — PSC Social Media Policy and Quiz
- l. March 21, 2024 — PSC Emergency and Safety Procedures and Quiz
- m. March 21, 2024 — PSC South Carolina Code of Judicial Conduct Rule 501 and Quiz
- n. April 12, 2024 — PSC Revised *Ex Parte* Communications Guidelines and Quiz
- o. June 18, 2024 — PSC Information Security Policy Reminders and Quiz

The training listed in this section was conducted online through the SCEIS website. The training on PSC Policies is important to ensure commissioners and all employees of the agency

comply with the approved policies of the agency. Completion of the courses was recorded on the SCEIS website.

### **III. Other Educational Session**

(1) IPU Accounting and Ratemaking Course 2024 (March 12 – 14, 2024).

Sponsoring organization — Michigan State University Institute of Public Utilities

Sessions addressed:

- Foundations of Public Utility Regulation and Ratemaking (topics included: introduction to the course and objectives; public utility monopolies and governance; sustainable utilities and elements of capacity; regulatory policy foundations; jurisdiction for utility rates; regulatory standards of review; accounting basics and concepts; accounting governance (FASB, GASB); generally accepted accounting principles and standards; regulatory accounting vs. GAAP; Uniform System of Accounts (USoA); regulatory and rate-case auditing; financial statements and reports; regulatory enforcement; ratemaking process and key steps; cost-of-service ratemaking; test year for revenues and rates; revenue requirements and formulas; case-study overview.)
- Balance Sheet, Capital Expenditures, and Rate Base (Capex) (topics included: balance sheet overview; capital planning and asset management; certificates of need and preapproval; utility plant in service; contributed capital (CIAC); funds for construction (AFUDC, CWIP); asset valuation methods; acquisition adjustments; plant service lives and depreciation; accumulated depreciation; deferred income taxes; working capital; operating reserve accounts; regulatory assets and liabilities; deriving the rate base; ratemaking scenarios.)
- Income Statement, Revenues, and Expenses (Opex) (topics addressed: income statement overview; operating revenues; revenues by customer class; operating expenses; personnel-related expenses; expenses by function; disallowed expenses; depreciation expense; income and other taxes; cost adjusted mechanisms (trackers); system improvement charges; financial auditing for ratemaking; management auditing; rate-case adjustments; ratemaking scenarios.)
- Cash Flow, Debt and Equity Financing, and Revenue Requirements (topics included: cash-flow statement overview; financial performance metrics; utility ownership structures; corporate governance and accountability; financial regulation and reporting; risk factors and disclosure; capital structure (debt and equity); debt financing and credit ratings; equity financing and capital markets; cost of equity methods; return on equity calculation; weighted cost of capital; authorized rates of return; risk, returns, and incentives; regulatory lag and returns; deriving

revenue requirements; revenue deficiency and conversion factors; rate-case scenarios.)

- Tariffs, Cost Allocation, Rate Design, and Consumer Policies (topics included: rate schedules (tariffs); evaluation criteria in ratemaking; price elasticity of demand; dynamic role of price; variations and trends in demand; deliveries to the system; non-revenue production; price differentiation; cost-of-service studies and methods; functionalization and classification; cost allocation by class; metering and billing; fixed and variable charges; rate-design alternatives; bill calculation and impact; consumer rights and responsibilities; affordability and assistance; implementing rate changes; settlement conditions; ratemaking scenarios.)

The class lasted three days and instruction covered five 160-minute sessions for total attendance of 13.33 hours. The class was conducted on the internet with virtual attendance. I participated from the office and received a certificate of attendance.

The class provided me with additional instruction in regulated utility ratemaking principles and increased knowledge is a benefit to Commission. I try to take advantage of as many classes as possible as there is always something new to learn. Also, review of material aids is very helpful. Continued exposure and study leads to an expanded understanding of issues and regulatory policies and law. Classes which broaden my knowledge, and which assist in understanding the issues in the cases that come before the Commission, aid in making reasoned and sound decisions.

**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.

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

I am a member of the National Association of Regulatory Utility Commissioners (NARUC) and the Southeastern Association of Regulatory Utility Commissioners (SEARUC). Within NARUC, I am a member of the NARUC Committee on Energy Resources and the Environment (ERE).

- B. A description of the organization's function;

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."

The NARUC ERE Committee focuses on renewable and distributed resources, energy efficiency, consumer protection, environmental protection, and public interest research and development. The Committee provides a venue for state regulators to discuss current issues on both the national and state levels and to exchange information of environmentally sustainable and affordable energy.

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

The greatest benefits from participation in NARUC and SEARUC are education and exposure to current issues. The conferences provide relevant and timely educational programs related to public utility regulation. The conferences, while educational, provide opportunities 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 increasing my knowledge of public utility regulation. Information gained from attending conferences and participating on committee conference calls has alerted me to recent issues and provided me with a better understanding of many issues. Increased knowledge and exposure of relevant, current topics improves my effectiveness as a regulator by providing greater understanding of public utility regulation. The Commission and the state benefit from commissioners being well-informed, and the conferences, webinars, and conference calls offered by NARUC and SEARUC are opportunities for me to further study and learn about utility regulation and issues.

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

In June 2024, I attended the SEARUC annual conference and was out of the office for three (3) days.

I also participated in one NARUC ERE Committee meeting during the review period. These committee meetings are held virtually via Zoom, and I participate from my office. Due to scheduled hearings and other Commission business, I only participated in one ERE Committee meeting.

**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.

I did not attend any events in my 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.

**A. Petition of Duke Energy Progress, LLC for a Storm Securitization Financing Order (Docket No. 2023-89-E)**

In 2022, the South Carolina General Assembly passed Act 227 (Storm Securitization Statute) which addressed storm damage recovery costs by authorizing an electrical utility to pursue securitization to recover prudently incurred costs due to storm recovery activity. The process consists of two parts: first, identification of prudently incurred storm recovery costs (Phase 1) and second, issuance of a financing order which will authorize the issuance of the storm recovery bonds; the imposition, collection, and periodic adjustments of a storm recovery charge; the creation of storm recovery property; and the sale, assignment, or transfer of storm recovery property to an assignee (Phase 2).

In August 2022, DEP filed a petition for review and recovery of storm recovery principal costs (Phase 1). (*See*, Docket No. 2022-256-E). Following a hearing in Docket No. 2022-256-E, the Commission issued Order No. 2023-260 (dated May 30, 2023) approving a partial Stipulation and approving storm costs of approximately \$170 million.

On March 31, 2023, Duke Energy Progress, LLC (DEP) filed its petition for a financing order requesting authorization for the financing of storm recovery costs due to storm recovery activities resulting from several named storms (Phase 2). This docket marked the continuation of the first case brought by an electrical utility pursuant to the S.C. Act No. 227 of 2022 (Storm Securitization Statute). The parties filed a Settlement Agreement in the case. Following a hearing on the Phase 2 petition and the Settlement Agreement, the Commission on October 23, 2023, issued the “Storm Recovery Financing Order Approving Comprehensive Settlement Agreement and Accounting Order.” (*See*, Order No. 2023-752(A)).



This case is significant because it is the first case on a financing order pursuant to the Storm Securitization Statute. Commissioners and staff members spent considerable time preparing for the case including studying the Storm Securitization Statute and the materials filed in the docket. My experience as a commissioner and as a lawyer practicing in the area of utility regulation, along with knowledge gained from seminars and educational opportunities, helped in understanding the issues presented in this case.

**B. 2023 Integrated Resource Plan for the South Carolina Public Service Authority (Santee Cooper) (Docket No. 2023-154-E)**

2019 Act 62 (South Carolina Energy Freedom Act or SCEFA) requires the Commission to hold a proceeding to review each electrical utility's IRP. Act 90, passed in 2021, requires the South Carolina Public Service Authority (Santee Cooper) to file its IRP with the Commission for review. Prior to the passage of 2019 Act 62 and 2021 Act 90, electrical utilities filed their IRPs with the State Energy Office, but no formal proceedings were required for review of the IRPs.

In May 2023, Santee Cooper filed its 2023 Integrated Resource Plan (IRP). This docket is significant because this is the first instance where Santee Cooper's IRP was reviewed by the Commission. The Commission issued its order in March 2024 approving Santee Cooper's IRP.

This case is noteworthy because this docket was the first instance where the Commission reviewed an IRP filed by Santee Cooper. To me, this case is also significant because the Commission has only recently been tasked with reviewing IRPs and IRP Updates, and each IRP case the Commission reviews presents another opportunity to gain more understanding of the complex issues involved and addressed in the IRP process. In reviewing an IRP, I rely upon my experience as a commissioner, as an attorney having practiced in the area of utility regulation for 30 years, as well as knowledge gained from attendance at conferences, seminars, and educational sessions, in identifying and understanding the issues presented in these cases. I have also found that every case, not just cases involving IRPs, presents a learning experience, and with the review of IRPs and the complexity and detail of the issues, each IRP case involves considerable study of the materials to grasp the issues.

**C. Annual Review of Base Rates for Fuel Costs of Duke Energy Progress, LLC (Docket No. 2024-1-E)**

Under the provisions of S.C. Code Ann. Section 58-27-865 (2015), the Commission must review annually the base rate for fuel costs of electrical utilities. The Commission is required to determine the amount designed to recover the fuel costs found to be appropriate for the succeeding twelve months, including adjustment for any over-recovery or under-recovery from the preceding twelve months. Stated another way, the base rate of fuel for the upcoming twelve months is based on the true-up of the cost of fuel the utility paid in the previous year and the projected cost of fuel for the upcoming year. Also addressed in the context of the annual fuel proceeding is the Distributed Energy Resource Program (DERP) charge allowed pursuant to S.C. Code Ann. Section 58-39-150 (2015) and Commission Order No. 2015-194.

This case is important for two reasons. First, this 2024 case resulted in a decrease in the fuel factor following increases from the past couple of years. Second, an issue that arose from a customer complaint case was addressed in this docket. In Docket No. 2023-242-E, the Commission heard a customer complaint alleging improper billing by Duke Energy Progress (DEP). One area where the customer alleged to have been overcharged related to the charge for the Distributed Energy Resource Program (DERP). In that customer complaint docket, the Commission determined that DEP had charged the customer an extra DERP charge on the customer's outdoor lighting service. DEP agreed with the billing error related to that customer and started an investigation of possible instances where other customers may have also been overcharged. In this current fuel case, DEP reported results of its investigation and reported 3,584 accounts were affected by the overcharge for a total amount of \$69,956.12. DEP agreed to refund the overcharges to all customers identified, and DEP is in the process of making the refunds to those customers. Further, the Commission required DEP to continue to investigate the DERP overcharge issue, report its findings to ORS, provide a root cause analysis and corrective action plan to ORS, and further update and address this issue in the 2025 annual fuel proceeding.

The statute governing the recovery of fuel costs by electric utilities is designed to provide recovery of prudently incurred fuel costs. The parties to the proceeding must present evidence regarding, and the Commission must review, the prices paid during the review period, the prices forecast for the upcoming twelve months, outages of generating units, and other factors to ensure that the utility made every reasonable effort to minimize fuel costs. The totality of my experiences (as a commissioner, previous work experiences, and numerous educational opportunities over a number of years) has helped me understand the concepts and issues presented in these cases which occur annually. Further, my experience helped to identify that one of the issues raised by the customer in the complaint docket was valid, leading to DEP's investigation and identification of the billing error which impacted numerous customers.

#### **5. Accomplishments of the Public Service Commission**

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

The time in issuing Commission orders has improved. In the review period, the average time to issue orders improved to 32.83 days — an improvement from 37.80 days in 2022-2023 and 39.55 days in 2021-2022. The Commission speaks through its orders, and it is important to the parties, the public, the Commission, and the regulatory process that well-written, well-reasoned, and accurate orders are issued in a timely manner. The Commission continues to work toward issuing all orders within thirty (30) days of the decision on a matter. During the review period, all orders subject to a statutory deadline have been issued within the statutory deadline.

During the review period and to assist with tracking and collaborating on orders, the Commission implemented the use of Smartsheet, a workflow management program. Among other functions, Smartsheet generates and sends reports to Commissioners and

Staff from information entered into the spreadsheets in the program. Use of this program has assisted in keeping Commissioners informed on the status of orders, including when deadlines are nearing and when orders are available for review by Commissioners. Once the benefits of Smartsheet were observed, the Executive Director and Staff members identified other areas where Smartsheet could be useful and began using Smartsheet for workflow in other departments and areas. In my opinion, Smartsheet has proven to be an effective tool and has resulted in improved workflow, collaboration, and communication.

## **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?

I live in Columbia and rarely telecommute. I am in the office daily, usually arriving by 8:30 a.m. and remaining in the office until 4:45 p.m. or later. When the daily or weekly schedule requires additional time, I arrive earlier or stay later than normal business hours or work on the weekend. I am accustomed to an office environment and am more comfortable with working in the office than working from home. Additionally, being in the office helps ensure that I have access to all materials I may need.

I usually start the day by going through emails and reviewing the daily activity report containing matters which were filed the previous day. A large part of Monday is spent reviewing matters on the agendas for the Commission business meeting, which is usually held on Thursday afternoon. Throughout the week, I will discuss upcoming matters on the meeting agenda with other commissioners and commission staff.

I spend a good portion of my time reviewing materials for upcoming hearings or upcoming business meetings. Preparation for hearings and meetings requires reviewing materials of each case or matter. Pleadings and prefiled testimony take considerable time to read. I read quite a bit while at the office and also read at home during the evenings and on weekends. After hearings, time is spent reviewing the record and proposed orders in preparation for making decisions on various matters at a Commission Business Meeting. After the Commission votes on a matter at the Commission Business Meeting, a directive recording the prevailing motion and vote is issued. Commission Staff attorneys then prepare an order memorializing the decision of the Commission and submit the order for Commissioner review. After I complete my review of an order, I will discuss with one or more of the attorneys any edits, suggestions, or concerns I have with the order. Reviewing the orders drafted by the staff attorneys and discussions following my review take time, but it is time well spent to produce a good order.

During the review period, I served as Chair of the Commission and met with the Executive Director and the leadership team to set the agendas for the business meetings. I also attended meetings with the Executive Director, managers, and other personnel regarding agency operations.

**B. Describe how you prepare for a hearing.**

Hearing preparation requires reading and studying the pleadings, prefiled testimony, and other documents filed in a case. Pursuant to Commission's regulations parties must prefile written testimony and exhibits. On most cases, I track the established dates for prefiling of testimony and exhibits so that I can obtain the prefiled testimony and exhibits within a few days of the documents being filed. I go through the testimony and exhibits to identify issues and make notes for reference. I try to keep up with additional materials as they are filed because I find it better to stay abreast as matters are received than try to absorb all the information at one time shortly before the hearing. However, once all the testimony and exhibits are filed, I go through the materials 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. Commission staff members also provide briefings on major cases, and it is helpful to consult with staff members and other commissioners on issues and matters on which I have questions.

Following a hearing, work continues 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 try to 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 Commissioners 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.

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 Commissioners who serve 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 on 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.

## **8. Challenges of the Public Service Commission**

Describe three challenges of the Public Service Commission during the review period, and how those challenges were managed.

### **A. Scheduling**

During the review period, the Commission dealt with a number of complex and time-consuming cases. Scheduling of matters is often a challenge. There are several types of cases which occur annually, and for these annual cases, schedules have been developed to meet dates for decisions which are set internally or by statute for when these cases must be decided. For many cases which do not require a hearing, study of pleadings, filings, and law is required to make an informed decision, and some of these cases require considerable preparation and study. In cases requiring a hearing, scheduling can be a challenge to ensure that parties have enough time for preparation, that time is reserved for hearing, that adequate time is afforded for commissioners to review the case record and deliberate before making a decision, and that sufficient time to prepare an order is reserved. Even after schedules are set, schedules must often be adjusted to accommodate requests from parties. Challenges in scheduling have been met by the Commission and the parties working together as much as possible to ensure that conflicts in scheduling are resolved while maintaining all parties' right to a fair process. Flexibility from the Commission and parties to the proceeding is needed to address scheduling of matters. Scheduling challenges will continue to arise, and the Commission will need to continue to work with the parties to ensure that all are afforded a fair hearing while balancing the Commission's need for sufficient time to study a record, make a decision, and timely issue a well-reasoned, complete order.

### **B. Content of Orders**

While more of a goal than a challenge, the writing of clear, well-reasoned, accurate orders is an area where continued improvement is desired. The Commission's orders must accurately explain the case, address the issues presented, and clearly and correctly explain the reasons for the decision reached. The Commission has a statutory requirement to ensure that "final orders and decisions of the commission must be sufficient in detail to enable the court on appeal to determine the controverted questions presented . . . and must include (1) findings and conclusions, and the reasons or bases therefor, upon all materials issues of fact or law presented." *See*, S.C. Code Ann. Section 58-3-250 (2015). Staff attorneys worked diligently on orders during the review period, and commissioners have worked with the staff attorneys in reviewing and providing suggestions to reflect the decisions of the Commission. Content of the orders has been, and continues to be, a priority and is an area where improvement should always be sought.

### **C. Continued Improvement**

Despite best efforts and hard work, issues will arise that indicate areas of improvement. The Commission and commission staff must be engaged to identify when improvements may be required. Upon identifying issues, we must all be willing to address the issue, work on solutions, and reassess to ensure resolution. As discussed above, shortening the timeframe for issuance of orders has been a challenge which the Commission and commission staff have worked to address and will continue to address. Identifying and utilizing technology (Smartsheet) is one area that helped in reducing the time to issue

orders. However, technology alone will not solve an issue. We all must be willing to change habits or thoughts to improve our work. A mindset of “this is the way we have always done it” and not being open to change or new approaches will not produce different or better results. While change may not be easy, we must seek to improve so that we can do our best work and produce a quality work product. The only way to improve is to work with an open mind to new methods and opportunities and approaches. We are all creatures of habit; there is comfort in routine. However, the challenge lies in changing our habits and routines to work smarter and more effectively—whether that be through embracing new technologies or by treating challenges as an opportunity for improvement.

**9. Recusal**

If there was a matter in which you were recused during the review period, provide a brief description of the matter and the reason(s) for the recusal.

I had no recusals during this review period for any reason under the Code of Judicial Conduct.

On June 20, 2023, I was on sick leave due to illness. The Commission was scheduled to hear two dockets on that date. Pursuant to Commission Order No. 2023-295 (dated April 27, 2023), the Commission scheduled the hearing in Docket No. 2022-159-E to be heard starting at 10:00 a.m. on June 20, 2023, and upon conclusion of that hearing, to hear the matter in Docket No. 2022-158-E. At the outset of the hearing in Docket No. 2022-159-E, a motion was made to hold the hearing in Docket No. 2022-158-E in abeyance to allow the parties additional time to discuss and resolve certain issues in that docket. That motion was granted on the record by the Acting Chairman, and the hearing in Docket No. 2022-158-E was not held. The hearing in Docket No. 2022-159-E proceeded as scheduled on June 20, 2023. Pursuant to S.C. Code Ann. Section 58-3-225 (2015) which states in relevant part, “If a commissioner is absent from or leaves a hearing for fifteen consecutive minutes or longer . . . the commissioner may not participate in the deliberations or vote on the matter.” Because I missed the hearing in Docket No. 2022-159-E, I did not participate in deliberations or vote on the matter when it came before the Commission for a decision.

*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: \_\_\_\_\_

Oct. 16, 2024