

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

NAME STEPHEN “MIKE” CASTON
SEAT 3RD CONGRESSIONAL DISTRICT
DATE ELECTED SEPTEMBER 23, 2020
DATE TERM EXPIRES JUNE 30, 2024

Please provide information for the review period covering July 1, 2024 through June 30, 2025. 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.

**Annual Ethics and Administrative Law Class, Public Service Commission
September 30, 2024:**

9:00 a.m.– 10:00 a.m. S.C. Administrative Procedures Act, Judge Ralph K. Anderson, III
(1 hour)

10:00 a.m. – 11:00 a.m. Ethics Challenges from the Bench, Judge James E. Lockemy
(1 hour)

11:15 a.m.– 12:15 p.m. Code of Judicial Conduct -- Judge Thomas W. Cooper, Jr. (1 hour)

**Annual Ethics and Administrative Law Class, Public Service Commission,
October 04, 2024:**

9:00 a.m. – 10:00 a.m. State Ethics Act –Renique Brabham, SC State Ethics Commission
(1 hour)

10:00 a.m. – 11:00 a.m. Substance Abuse – Desa Ballard, Esquire (1 hour)

11:15 a.m. – 12:15 p.m. Cyber Ethics – Jack Pringle, Esquire (1 hour)

**Foundations of Water 101, National Association of Regulatory Utility
Commissioners (NARUC), June 3-5, 2025** – The course discussed: economic regulation vs. environmental regulation, basics of “traditional economic regulation/rate making” (regulatory compact, determining and allocating revenue requirements), the impact of emerging environmental and public health water topics such as PFAS and lead service line replacements on economic regulation, alternative regulatory practices and approaches such as multi-year rate making, decoupling, consolidation of small systems, fair market value/acquisition adjustments, customer assistance programs, and performance rate making.

June 3, 2025, 2:00 p.m. – 4:00 p.m. Eastern Time

- The playing field. Overview of the water world from a regulatory standpoint
- Roles and responsibilities of different players in the water world
- Hot Issues

June 4, 2025, 2 p.m. - 4 p.m. Eastern Time

- Economic regulation in action
- General Rate Cases
- Acquisitions

June 5, 2025, 2:00 p.m. – 4:00 p.m. Eastern Time

- Economic regulation in action
- Allocating revenue requirements
- Rates and billing

Allowable Ex Parte Communication Briefings:

- December 19, 2024, at 10:00 a.m.: ND-2024-42-E: Duke Energy Carolinas, LLC and Duke Energy Progress, LLC on Hurricane Helene Restoration Efforts
- January 21, 2025, at 10:00 a.m.: ND-2024-44-E: Conservation Voters of South Carolina Regarding Transmission Planning Best Practices and Examples of Successful Transmission Planning in Other States
- January 29, 2025, at 10:00 a.m.: ND-2024-55-E: SERC Reliability Corporation Regarding SERC 101/ERO Enterprise, Transmission Planning, and Load Growth/Changing Resource Mix
- April 24, 2025, at 10:00 a.m.: ND-2024-56-E: Duke Energy Carolinas, LLC and Duke Energy Progress, LLC on a Proposed Merger
- May 12, 2025, at 10:00 a.m.: ND-2025-18-E: Conservation Voters of South Carolina on Electric Grid Benefits of Energy Efficiency

South Carolina Enterprise Information System (SCEIS) - through the SCEIS, I have annually completed various training on Ethics, Code of Judicial Conduct Rule 501, cyber security, security policy reminders, and a host of other State and PSC policy reminders.

Southeastern Association of Regulatory Utility Commissioners (SEARUC) - I was scheduled to attend SEARUC's Annual meeting June 8-11, 2025, but I was unable to attend due to the passing of my mother-in-law the night before my scheduled departure.

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

(See Section A. above)

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

Great sports teams, great athletes, and great companies review continually and practice the fundamentals. The Code of Judicial Conduct, Ethics and Administrative Law training is essential to develop the mental muscles to respond reflexively in judicial character. Courses such as Foundations of Water 101 provide reminders, updates, and information from the experience of others, as can allowable ex parte communication briefings. Programs such as these can expand my insight and understanding of the entities and areas the PSC regulates.

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

No time was spent out of the office to participate in these educational programs. I was scheduled to attend the SEARUC annual meeting June 8-11, 2025, but my mother-in-law passed away the night before my scheduled departure and I was unable to attend the SEARUC meeting.

2. Participation in organizations.

Provide the following information regarding your participation in organizations:

- A. The name of organization, position held, and committee served on; (see below)
- B. A description of the organization's function; (see below)

National Association of Regulatory Utility Commissioners (NARUC), Southeastern Association of Regulatory Utility Commissioners (SEARUC), and NARUC Committee on Water.

NARUC - NARUC's function is to serve the public interest by improving the quality and effectiveness of public utility regulation; under state laws, 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 – SEARUC's function 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. It promotes cooperation among its 12 members: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and Texas.

NARUC Committee on Water – The Committee on Water's function is to increase awareness and understanding about the issues surrounding uses and reuses of water and wastewater.

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

Participation in NARUC and SEARUC provide information and training opportunities specific to state regulatory commissioners and my involvement provides the opportunity to meet peers from other states. Relative to my participation on NARUC's Committee on Water, it provides an opportunity for the Commission to provide input on water related issues at NARUC and to learn about issues important to other state commissions. In my role on the NARUC Committee on Water, I have provided feedback and input during water committee meetings that helped shape future NARUC sessions on water and wastewater topics and issues; I reviewed and provided feedback on a resolution supporting a new edition of the Uniform System of Accounts for Water; and feedback on other Resolutions that state NARUC's position on relevant regulatory issues.

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

No time was spent out of the office. I participated in the Committee on Water meetings virtually or I responded via email.

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.

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.

7/11/24: Docket No. 2024-109-E: Application of Duke Energy Progress, LLC for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Construction and Operation of the Robinson Solar Center and Associated Facilities in Chesterfield and Darlington Counties, South Carolina, Pursuant to S.C. Code Ann. Section 58-33-10 et seq. and S.C. Code Ann. Regs. 103-304

Duke Energy Progress (DEP) provided testimony that the proposed Robinson Solar Facility was designed to be a 76 MWac solar photovoltaic (PV) electric generator that would cover 345 acres and requested a Certificate of Environmental Compatibility and Public Convenience and Necessity (CECPCN). The Company asserted that the statutory demonstration, specifically S.C. Code Ann. Section 58-33-110-(8)(a), need not be made per site because its Commission-approved IRP made such comparisons. The Commission majority granted a CECPCN for the Robinson Solar Facility in Order No. 2024-691 on October 11, 2024. I provided a dissenting opinion.

This case was significant because it was the first project, during my tenure, where DEP sought a CECPCN for new utility-owned generation. The project exceeded 75MW requiring compliance with the Utility Facility Siting and Environmental Protection Act (Siting Act) and constituted a “major utility facility” under S.C. Code Ann. Section 58-33-110(1).

My experience as a commissioner over the past five (5) years, my previous experience as a consulting engineer and manager of a utility, and numerous discussions with PSC legal staff greatly benefitted me and informed my decision-making in weighing the evidence presented by the parties in the record and evaluating the testimony provided by witnesses during the hearing.

The changes resulting from Act 41 provide additional language addressing the evidence applicants must submit in accordance with S. C. Code Ann. §58-33-110(8)(a).

12/6/24: Docket No. 2024-264-E: Application of South Carolina Public Service Authority (Santee Cooper) for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Construction and Operation of a Steam Turbine Generator and Associated Facilities as Part of the Combined Cycle Conversion Project at its Rainey Generation Station Near Iva, South Carolina, Pursuant to S.C. Code Ann. § 58-33-10 et seq.

On September 16, 2024, the South Carolina Public Service Authority (Santee Cooper) filed an application for a Certificate of Environmental Compatibility and Public Convenience and Necessity (CEPCN) to construct and operate a combined cycle steam turbine generator and associated facilities at the Rainey Generating Station. According to Santee Cooper's testimony, the system peak need was projected to be 6,608 MW by winter 2030, with total winter capacity requirements of 7,798 MW including planning reserves. Santee Cooper's testimony also indicated a total capacity need of 547 MW in winter 2028.

Santee Cooper provided a comparison of the Rainey Combined Cycle Conversion to other generation options in terms of cost and reliability to other available long-term power supply alternatives, demand side management, energy efficiency measures, and renewable energy resources. The Commission granted a CEPCN in Order No. 2025-137 issued on March 4, 2025.

This case was significant because it was the first project, during my tenure, where Santee Cooper sought a CEPCN for new utility-owned generation. Santee Cooper stated they had an immediate need for additional generation.

My experience as a commissioner over the past five (5) years, my previous experience as a consulting engineer and manager of a utility, and numerous discussions with PSC legal staff greatly benefitted me and informed my decision-making in weighing the evidence presented by the parties in the record and evaluating the testimony provided by witnesses during the hearing.

7/15/24: Docket No. 2024-34-E: Application of Dominion Energy South Carolina, Inc. For Authority to Adjust and Increase Its Retail Electric Rate Schedules, Tariffs, and Terms and Conditions (This Filing Includes a Request for an Increase to Retail Electric Rates)

On March 1, 2024, Dominion Energy South Carolina, Inc. (DESC) filed an Application for Authority to Adjust and Increase Its Retail Electric Rate Schedules, Tariffs, and Terms and Conditions.

The Application sought a base increase of approximately \$302,894,000, which was 13.17% on Adjusted Revenue, a return on common equity (ROE) of 10.60% and a capital structure consisting of 47.49% debt and 52.51% equity. On July 12, 2024, a Settlement Agreement was reached. Although not all parties of record signed onto the Settlement

Agreement, the non-signatories did not raise any objection to the Settlement Agreement as filed with the Commission. The Settlement Agreement provided for an annual base revenue increase equaling \$219,470,000, a ROE of 9.94%, a capital structure of 47.49% long-term debt and 52.51% equity, and a cost of debt of 5.70%. Multiple public hearings were held throughout DESC's service area. The Commission approved the Settlement Agreement in Order No. 2024-610 on August 9, 2024.

This case was significant because the Settlement Agreement of the parties reduced the requested annual base revenue increase by approximately \$84,000,000. The approved Settlement Agreement resulted in a revenue increase of \$219,470,000, or 9.54%.

My experience as a commissioner over the past five (5) years, my previous experience as a consulting engineer and manager of a utility along with internal training relative to capital structure and return-on-equity, NARUC sessions, and Michigan State University – Institute of Public Utilities on ratemaking, have all benefitted my understanding and decision-making in weighing the evidence presented by the parties in the record and evaluating the testimony provided by witnesses during the hearing.

5. Accomplishments of the Public Service Commission

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

- In a continued effort to optimize our processes, systems, and decisions, the Commission held its first Regulatory Process Forum on June 13, 2025 (see Non-Docket 2025-19-A - Docket Established Pursuant to Commission Order No. 2025-181 Related to the Commission's Regulatory Processes). Attorneys representing various entities spoke favorably of the opportunity and process to provide feedback. A follow-up meeting was held August 1, 2025.
- The continued improvement in the time Commission Orders are issued is consistently less than thirty days and Order issuance continues to trend downward.
- The continued implementation of the Docket Management System (DMS) eService Enhancement Project (DEEP) included search engine updates and improvements to the Order Index System. The use of the Smartsheet platform to streamline processes across multiple functions is an ongoing effort to function more effectively and efficiently as an organization. The PSC utilized the Smartsheet platform to implement a Transportation Applications Smartsheet that automatically updates the PSC's website with pending transportation applications, ensuring the Commission's continued compliance with Act 214 of 2022.

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 participated in 99% or 75 of the 76 Commission Business Meetings (CBM) and Hearings. I was on annual leave and missed one CBM on August 8, 2024. I was in-person and in the office 85% of the time, with the remaining 15% via virtual participation. My work-related roundtrip drive from home is approximately five (5) hours, plus or minus depending on traffic and weather conditions.

B. Describe how you prepare for a hearing.

Similarly to previous descriptions, I review the appropriate legislation and Commission regulations prior to reading pre-filed testimony and exhibits. I frequently refer to the relevant statutes and regulations as I read through the testimony, especially when either are referenced. I try to identify any areas of dispute and typically develop questions that I may have for witnesses. I also have discussions with legal and technical staff to verify my understanding.

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 (CJC) is a set of mandatory rules and guidelines of professional conduct and ethical behavior for the judicial system to function appropriately. Its focus is on serving in the judicial role with integrity, to deal with all people courteously and respectfully, to make judgments impartially, without bias, and without prejudice. Ethics Laws provide openness and transparency relative to financial disclosure, campaign disclosure, lobbying efforts, and ethical rules of conduct. As public employees, we should serve the public and not use the position inappropriately to benefit ourselves. The CJC and the State Ethics Laws interact by combining the CJC's expected and required standard of character, with tangible and measurable outcomes of the Ethics Laws to help verify one's character with openness and transparency.

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.

1. Occasional tie votes at Commission Business Meetings occurred when six (6) Commissioners presided. Commissioners voted their understanding and conscience of matters before us.
2. The timely issuance of Orders requires technical and legal staff to maintain focus on decisions at hand. This can create challenges for staff to provide a level of detail in other matters that come before the commission. How best to manage this is ongoing.
3. Functioning as a highly effective and efficient organization is a challenge for every organization, including the Public Service Commission. These efforts are ongoing.

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 was not recused on any matters.

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 Stephen M. "Mike" Caston 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: _____

Stephen M Caston

Date: _____

8/28/25