

**COMMISSIONER QUESTIONNAIRE
PERFORMANCE SUMMARY**

NAME HEADEN B. THOMAS
SEAT 5TH 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;
- 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.

Answers to A and B (No certificate or recognition received):

NARUC – Annual Meeting and Education Conference “Focused on the Future - State Regulators Leading the Way” (3 days)

- Demand Growth & Risk Management: Investing in Energy Infrastructure to Meet Customer Needs
- Meeting Rapid Demand Growth with Investments that Balance Reliability and Affordability
- Strengthening Pipeline Integrity Culture and Safety Oversight
- Benefits of Using an Advanced Mobile Leak Detection System for Natural Gas Leak Detection
- Exploring the Past, Present, and Future Contributions of Nuclear Power to U.S. National Defense
- A Minute for Your Thoughts?, with Hon. Jehmal Hudson and Hon. Jeff Hughes
- Remarks from Clair Moeller, President and COO, MISO
- Natural Gas: Energy Demand and Emission Challenges Leading Up to 2030 and Beyond

- More Questions than Answers: Controlling Gas Risk in an Era of Surging Load Growth
- Good Vibrations or Grid Disruptions: AI's Tune in Homeland Security and Energy Policy
- General Session: Hot Stuff: Navigating Financial Risks of Wildfires Without Getting Burned & NARUC Incoming President Remarks
- Federal – State Current Issues Collaborative: The Overarching Topic for the Collaborative is Gas-Electric Coordination
- Load Flexibility in Gas and Dual-Fuel Systems
- Closing General Session: Building Things is Hard but Doable: Lessons Learned from Infrastructure Development Projects

NARUC - Committee on Gas Meeting – January 13, 2025 (1.0 hr.) – Long Term Reliability Assessment 2024 NERC Key Findings

New Mexico State University - Center for Public Utilities, Current Issues 2025 Conference (2.5 days)

- Opening Comments – CEO Panel
- CEO and Industry Leaders Panel – The Intersection of Policy and Reality
- New Nuclear – The Promise and the Reality
- Treatments, Policies and Costs for Entities PFAS Rules Compliance
- Minimizing the Risks of Outage: How New Tools and Technologies will Ensure and Enhance Distribution Grid Resilience and Planning for More Uncertainty
- The Future of Broadband
- People Power – How Do We Grow It and Where Do We Find It
- Combating the Invisible Enemy
- Commissioner Grill – Conference Participants Submit Questions

Cybersecurity Awareness Videos and PSC Policies – Public Service Commission via SCEIS – various dates throughout the review period

Public Service Commission's Annual Ethics Training (2 sessions):

September 30, 2024 (3.25 hrs.)

- South Carolina Administrative Procedure Act, Judge Ralph K. Anderson, III
- Ethics Challenges from the Bench, Judge James E. Lockemy
- Code of Judicial Conduct – Judge Thomas W. Cooper, Jr.

October 4, 2024 (3.25 hrs.)

- State Ethics Act – Renique Brabham, Assistant General Counsel, SC State Ethics Commission
- Substance Abuse – Desa Ballard, Esquire
- Cyber Ethics – Jack Pringle, Esquire

Allowable Ex Parte Communication Briefings:

- May 12, 2025, at 10:00 a.m.: ND-2025-18-E: Conservation Voters of South Carolina on Electric Grid Benefits of Energy Efficiency
- 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
- 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
- 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
- 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

In addition to the above, I completed 40 hours of online courses related to my annual CPA license renewal, some of which included: annual ethics training, plus various tax, accounting, business, and auditing courses.

Answer to C:

The knowledge gained through my participation in these programs benefits the Commission by helping me better understand the issues before us and provides background helping me ask better questions during proceedings and of staff during briefings. PSC staff provides many training and briefing sessions that are closely related to the issues before us. The NARUC 2024 Annual Conference was held in Anaheim, CA, in November. It is very informative to meet and have discussions in person with individuals from around the country who are involved in a regulatory

role like my own. The New Mexico State University Center for Public Utilities conference was held in Santa Fe in April and was the first time I have attended this conference. There are fewer attendees at this event compared to the NARUC meetings and there are advantages to attending both smaller and larger conferences. All these programs help me be a better, informed commissioner.

Answer to D:

I spent approximately 100 hours on these educational activities. The only time spent on travel away from the office were the NARUC Annual Conference (Sunday through Wednesday) and the New Mexico State Conference which was Monday through Wednesday.

2. Participation in organizations.

Provide the following information regarding your participation in organizations:

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

I am a member of the following organizations and committees:

1. National Association of Regulatory Utility Commissioners (“NARUC”)
2. NARUC Committee on Gas
3. Southeastern Association of Regulatory Utility Commissioners (“SEARUC”)

B. A description of the organization’s function;

NARUC is dedicated to representing state public service commissions which regulate utilities that provide essential services. It serves the public interest by improving the effectiveness and quality of public utility regulation.

The purpose of SEARUC is the advancement and education of commission regulation through the study and discussion 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 Committee on Gas fosters awareness and understanding of issues affecting the transportation, distribution, and sale of natural gas safely, efficiently, and economically.

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

I attended the NARUC Annual Conference in person. I have been active in NARUC, particularly the Gas Committee. The programs are educational and relate to my work as a commissioner. I have benefited personally, and the state and the Commission have benefited from my increasing knowledge of the areas that we regulate.

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

The only time spent away from the office in connection with these organizations was related to the NARUC Annual Conference and that was from Sunday through Wednesday.

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 – not applicable, all information was included in item 1 or 2.

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.

(1) Docket No. 2025-65-E: Duke Energy Carolinas, LLC's Petition for Storm Securitization Financing Order

On March 13, 2025, S.157 was signed into law which amended the securitization process. On March 21, 2025, Duke Energy Carolinas, LLC filed a petition for authorization to finance its estimated storm recovery costs related to Hurricane Helene through the securitization process. The new law allows the use of estimated costs with a true-up to actual costs in a later proceeding. A Comprehensive Settlement Agreement was reached and was approved by the Commission.

(a) Why this case was significant:

The securitization process is intended to provide quantifiable net benefits to ratepayers. The costs will be recovered from ratepayers as a line item on their bills at a much lower triple “A” rated bond interest rate compared with the costs included in rate base and recovered at the Company’s weighted average cost of capital.

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

Many of the topics covered at the NARUC meeting and at the New Mexico State conference relate directly to finance and ratemaking and are directly related to the issues addressed in this case. My experience as a commissioner working directly with legal and technical staff and training provided internally by staff provided me with a strong background and understanding of the issues in this case. Additionally, my experience working at a regulated public utility in the finance and accounting areas is directly related to the type of financing information and knowledge that is relevant to this case.

(2) 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

DESC filed an application for a rate increase and reached a Settlement Agreement (Agreement) with some of the parties. The Department of Consumer Affairs and CMC Steel were not signatories but did not oppose the Agreement. The Agreement was approved by the Commission.

(a) Why this case was significant:

The Commission heard from many DESC ratepayers in person from around the state. Customer public hearings were held in Aiken, Bluffton and North Charleston and in the Commission's Hearing Room during the fall of 2024. This is an important part of the process, and we received meaningful input from a wide range of ratepayers.

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

Many of the topics covered at the NARUC meeting and at the New Mexico State conference relate directly to finance and ratemaking and are directly related to the issues addressed in this case. My experience as a commissioner working directly with legal and technical staff and training provided internally by staff provided me with a strong background and understanding of the issues in this case. Additionally, my experience working at a regulated public utility in the finance and accounting areas is directly related to the type of information and knowledge that is relevant to this case.

(3) 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. Section 58-33-10 et. seq.

Santee Cooper filed an application for a Certificate of Environmental Compatibility and Public Convenience and Necessity to construct and operate combined cycle

steam turbine generators and associated facilities at its Rainey Generating Station. The Commission granted the Certificate.

(a) Why this case was significant:

The project will utilize the exhaust heat from the existing simple cycle combustion turbine units to power the new steam generators. As such, no additional fuel (natural gas) will be required to generate an additional 178 MWs of capacity. An additional benefit is that existing transmission lines will be utilized to deliver the power.

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

My experience as a commissioner working directly with legal and technical staff and the training provided internally by staff provided me with a strong background and understanding of the issues in this case. This enabled me to ask good questions of witnesses and the ability to better evaluate their responses and to ask follow-up questions.

5. Accomplishments of the Public Service Commission

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

Answer - The Commission continued to focus on optimizing its systems and processes. The staff organization structure was modified within the Legal Department during the review period. The Commission issued orders within an average of 22 days between the Commission decision and order issuance. This is an average improvement of 10 days compared with the prior year.

In another effort to further improve the Commission processes, on June 13, 2025, the Commission held its first Regulatory Process Forum. Attorneys representing a variety of entities spoke favorably of the opportunity and the process to have input. A follow-up meeting was held on August 1, 2025, and the Commission hopes to implement some suggestions during the 2025 – 2026 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?

Answer – Time management is a very high priority for me. I attended all Hearings in person and the vast majority of the weekly Commission Business Meetings. During an average week, I was in the Columbia office 2 to 3 days per week. My normal workday is 8:00 AM to 5:00 PM with extra time during evenings and weekends as needed. I

work some extra hours almost every week and almost every weekend. I am dedicated to doing whatever it takes to get the job done.

B. Describe how you prepare for a hearing.

Answer - Preparation requires extensive reading and studying. I read pre-filed testimony and staff prepared briefing materials and the relevant law as well as regulations. Preparation also involves participating in briefings and discussions with both legal and technical staff and other commissioners. Due to the large volume of materials pre-filed in the cases and the complexity of the issues, effective preparation is quite time consuming.

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 and State Ethics Laws provide the foundation on which we base our professional and personal conduct. Our legal system in South Carolina is based on the understanding that an independent and fair judicial body will interpret and apply the laws applicable to the cases before us. Many citizens of the state are impacted by our decisions. I take this job very seriously. Maintaining the public trust is necessary to be a good commissioner. While I always keep these principles at the forefront of my mind, I have had no issues in my professional or personal life.

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. Issuing orders in a timely manner is very important and has been discussed in another section of this document. While the timeliness of issuing orders has improved greatly over the last few years, it is equally important to ensure the quality of the orders. Drafting orders by staff and reviewing orders by commissioners and staff takes a considerable amount of time. Staffing levels will continue to be monitored to ensure both the quality and timeliness of orders.
2. During a significant part of the review period the Commission was short one commissioner. This caused us to have six (6) commissioners and therefore we had some tie votes on matters before us. We are now back to seven (7) commissioners so this should be less of a problem.
3. Significant legislation was enacted during the review period including the South Carolina Energy Security Act (Act 41). Many significant changes impacting the Commission and the entities regulated by the Commission are included in Act 41. Act 41 impacts siting, integrated resource planning, competitive procurement, and

ratemaking as well as other changes. The Commission is continuing to review Act 41 and implement the required changes as well as plan for the changes that will be occurring in upcoming filings and proceedings. Staff and commissioners work diligently to ensure that the law and the intended purposes of Act 41 of 2025 are followed.

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 the review period.

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 Headen B. Thomas 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: _____

Headen B. Thomas
8/26/25