



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

May 20, 2022

A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4000

Re: Docket No. E-100, Sub 180, In the Matter of Investigation of
Proposed Net Metering Policy Changes

Dear Ms. Dunston:

The Public Staff – North Carolina Utilities Commission (Public Staff) respectfully submits this letter in lieu of reply comments in response to the North Carolina Utilities Commission's (Commission) Order Requesting Comments in Docket No. E-100, Sub 180 (Order Requesting Comments). On November 29, 2021, Duke Energy Progress, LLC (DEP) and Duke Energy Carolinas, LLC (DEC) (collectively, Duke or the Company) filed a Joint Petition for Approval of Revised Net Energy Metering Tariffs (Application). On January 10, 2022, the Commission issued its Order Requesting Comments. Parties filed initial comments on March 29, 2022. On May 12, 2022, Duke along with Sundance Power Systems, Inc., Southern Energy Management, Inc., and Yes Solar Solutions (collectively, the North Carolina Rooftop Solar Installers or NCRSI) filed a Joint Motion for Additional Extension of Time to File Reply Comments, explaining that Duke and NCRSI had been discussing certain recommendations in the initial comments and the parties would need additional time to develop a final stipulation and prepare reply comments. The Commission granted the motion, allowing parties to file reply comments on May 20, 2022, and any further responsive comments on May 27, 2022. On May 19, 2022, Duke filed the Stipulation between Duke and NCRSI.

Duke contacted the Public Staff to discuss the broad terms of the Stipulation and to explain the function and purpose of the "bridge rate" that will be offered as a limited alternative to the time-of-use critical peak pricing (TOU-CPP) tariffs the Company proposed in the Application. After the initial conversation with Duke, the Public Staff asked several follow-up questions and met with Duke a second time to clarify any issues. After conducting this inquiry and an initial review of the Stipulation, the Public Staff generally supports the Stipulation and Duke's intent to

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offer the “bridge rate” as an alternative to the TOU-CPP tariff set out in the Application as modified by the Public Staff’s Initial Comments. The Public Staff will conduct a more in-depth review of the filed Stipulation and the reply comments by Duke, and other parties, and provide further responsive comments by the May 27, 2022 deadline, if necessary.

The Public Staff has also reviewed the initial comments of the other parties and does not agree with the interpretation of N.C. Gen. Stat. § 62-126.4(b) provided by NC WARN, North Carolina Climate Solutions Coalition, and Sunrise Movement Durham Hub in their Joint Initial Comments (NC WARN’s Comments). Duke has shared its response to NC WARN’s Comments with the Public Staff, and the Public Staff agrees with Duke that the statute’s intent is to ensure that net metering customers pay at least their full fixed cost of service and not that there should be a net metering option under all rate designs.

Therefore, the Public Staff requests that the Commission reject the interpretation of N.C.G.S. § 62-126.4(b) set out in NC WARN's Comments and find that Duke has met its statutory requirement.

By copy of this letter, I am forwarding a copy of the above to all parties of record.

Sincerely yours,

/s/ Robert B. Josey
Staff Attorney
robert.josey@psncuc.nc.gov

cc: Parties of Record

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May 20 2022