

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION  
DOCKET NOS. E-2, SUB 1167; E-7, SUB 1166

**In the Matter of:**

**Application of Duke Energy  
Progress, LLC, and Duke Energy  
Carolinas, LLC, Requesting  
Approval of Solar Rebate Program  
Pursuant to G.S. 62-155(f)**

**INITIAL COMMENTS OF  
SOUTHERN ALLIANCE FOR  
CLEAN ENERGY ADDRESSING  
DUKE ENERGY'S FIRST 2021  
BIANNUAL REPORT**

Pursuant to the North Carolina Utilities Commission's ("Commission") March 23, 2021 *Order Modifying Solar Rebate Program and Allowing Comments* in the above-referenced dockets, the Southern Alliance for Clean Energy ("SACE") respectfully submits the following initial comments on the first 2021 biannual report.

SACE shares the Commission's desire to both award unused capacity to waitlisted customers and free up unused capacity in time for the following enrollment lottery, while at the same time still providing customers who receive rebates with sufficient time to install their systems. *See Order Modifying Solar Rebate Program and Allowing Comments* 21-22. SACE appreciates that a 180-day window to install will not allow either of the first two goals to be met.

At the same time, SACE shares the concern raised by Duke Energy Progress, LLC ("DEP") and Duke Energy Carolinas, LLC ("DEC") (collectively "Duke Energy"), which SACE believes is shared by NCSEA, that 90 days does not give customers enough time to install. *See Duke Energy Progress, LLC's and Duke Energy Carolinas, LLC's Joint Annual Solar Rebate Program Report and Request to Amend Program Application Periods* 7. This is essential to the functioning of the program.

SACE suggests a slight modification to Duke Energy's preferred option involving end-of-year and mid-year deadlines. *See id.* SACE proposes that the deadline be set at the fifteenth of the months of December and June. This should provide enough time to tabulate the installations and incentives claimed in the period that is closing and free up unused capacity in time for the following enrollment lottery. *See id.* at 6 (stating that capacity could be reallocated within approximately a week). In addition, this would put some distance between the installation deadline and the major holidays New Year's Day and the Fourth of July, which Duke Energy's proposed deadlines would adjoin. *See id.* at 7 (proposing June 30 and December 31); *see also id.* at 6 (rejecting 120 days and 150 days for falling near Thanksgiving and Christmas, respectively).

This proposal would not allow time to take unused capacity from one period and reallocate it to customers on the waitlist for that period. A proposal that would do so would result in installing more capacity sooner, with benefits for customers, the North Carolina economy, and the climate, and would be appealing to SACE for that reason. However, the only concrete proposal that would allow sufficient time—90 days—is unworkable. In addition, if waitlist recipients receive the same amount of time to install as initial recipients then, as Duke Energy points out, even at 90 days the waitlist deadline will run into the next enrollment window and capacity could not be reallocated for the start of the window. If there were a viable window somewhere between 90 days and 180 days, perhaps combined with a shorter timeline for waitlist recipients so that the entire enrollment window finished in time to reallocate capacity for the next window, SACE would certainly entertain such a proposal. However, SACE understands that solar

installers support—and might require—a minimum window of 150 to 160 days to complete initial installations.

In the alternative, SACE does not oppose Duke Energy's preferred option.

SACE also would like to call the Commission's attention to a number of more minor concerns. First, there appears to be a discrepancy between the number of rebates that Duke Energy states in the body of its report that it paid, 2,422, and the number shown in the appendix, totaling 1,924. *See id.* at 1, App'x A. The discrepancy might be resolved by the footnote in the appendix, but the footnote appears to indicate an additional 365 rebates, which still would total only 2,289. Second, the number of rejections and canceled projects both appear quite high in proportion to the total number of recipients. Finally, SACE is concerned about the new customers whose accounts might be sent to collections agencies as a result of failing to pay the early termination fee, which those customers might not have been aware of when they took up residence. *See id.* at 4-5. SACE recommends that the Commission monitor the number of customers that this happens for closely and consider improved notice procedures or other remedies.

Respectfully submitted this the 6th day of May, 2021.

s/Nick Jimenez  
Nicholas Jimenez  
N.C. Bar No. 53708  
Southern Environmental Law Center  
601 West Rosemary Street, Suite 220  
Chapel Hill, NC 27516  
Telephone: (919) 967-1450  
Fax: (919) 929-9421  
njimenez@selcnc.org  
*Attorney for Southern Alliance for Clean Energy*

CERTIFICATE OF SERVICE

I certify that all parties of record on the service list have been served with the foregoing comments either by electronic mail or by deposit in the U.S. Mail, postage prepaid.

This, the 6th day of May, 2021.

s/Nicholas Jimenez