

**NORTH CAROLINA  
PUBLIC STAFF  
UTILITIES COMMISSION**

May 9, 2023

Ms. A. Shonta Dunston, Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4300

**Re: Docket No. E-7, Sub 1283 – Application of Duke Energy Carolinas, LLC for Approval of Renewable Energy and Energy Efficiency Portfolio Standard (REPS) Compliance Report and Cost Recovery Rider Pursuant to N.C.G.S. § 62-133.8 and Commission Rule R8-67**

Dear Ms. Dunston:

Attached for filing on behalf of the Public Staff in the above-referenced docket are the following: (1) Notice of Affidavit; and (2) Affidavit of Scott J. Saillor, Engineer, Energy Division.

By copy of this letter, we are forwarding a copy of each to all parties of record by electronic delivery.

Sincerely,

Electronically submitted  
/s/ Nadia L. Luhr  
Staff Attorney  
[nadia.luhr@psncuc.nc.gov](mailto:nadia.luhr@psncuc.nc.gov)

/s/ Thomas J. Felling  
Staff Attorney  
[thomas.felling@psncuc.nc.gov](mailto:thomas.felling@psncuc.nc.gov)

**Attachments**

Executive Director  
(919) 733-2435

Accounting  
(919) 733-4279

Consumer Services  
(919) 733-9277

Economic Research  
(919) 733-2267

Energy  
(919) 733-2267

Legal  
(919) 733-6110

Transportation  
(919) 733-7766

Water/Telephone  
(919) 733-5610



STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. E-7, SUB 1283

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of Duke Energy Carolinas, LLC, for )  
Approval of Renewable Energy and Energy )  
Efficiency Portfolio Standard Cost Recovery ) **NOTICE OF AFFIDAVIT**  
Rider Pursuant to G.S. 62-133.8 and )  
Commission Rule R8-67 )

NOW COMES THE PUBLIC STAFF of the North Carolina Utilities  
Commission, by and through its Executive Director, Christopher J. Ayers, as  
constituted by N.C. Gen. Stat. § 62-15, and gives notice that the Affidavit of:

Scott J. Saillor, Public Utility Engineer, Energy Division  
Public Staff of the North Carolina Utilities Commission  
430 North Salisbury Street – Dobbs Building  
4326 Mail Service Center  
Raleigh, North Carolina 27699-4300

will be used in evidence at the hearing in this docket, scheduled for May 30, 2023,  
pursuant to N.C.G.S. § 62-68. The affiant will not be called to testify orally and will  
not be subject to cross-examination unless an opposing party or the Commission  
demands the right of cross-examination by notice mailed or delivered to the  
proponent at least five days prior to the hearing, pursuant to N.C.G.S. § 62-68.

THEREFORE, the Public Staff moves that the Affidavit of Scott J. Saillor be  
admitted into evidence in the absence of notice pursuant to N.C.G.S. § 62-68.

Respectfully submitted this the 9th day of May, 2023.

PUBLIC STAFF

Christopher J. Ayers  
Executive Director

Lucy E. Edmondson  
Chief Counsel

Electronically submitted  
/s/ Nadia L. Luhr  
Staff Attorney  
[nadia.luhr@psncuc.nc.gov](mailto:nadia.luhr@psncuc.nc.gov)

/s/ Thomas J. Felling  
Staff Attorney  
[thomas.felling@psncuc.nc.gov](mailto:thomas.felling@psncuc.nc.gov)

Telephone: (919) 733-6110  
430 North Salisbury Street – Dobbs Building  
4326 Mail Service Center  
Raleigh, North Carolina 27699-4300

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Notice of Affidavit has been served on all parties of record or their attorneys, or both, in accordance with Commission Rule R1-39, by United States Mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 9th day May, 2023.

Electronically submitted  
/s/ Nadia L. Luhr  
Staff Attorney



STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. E-7, SUB 1283

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Duke Energy Carolinas, LLC,	)	
for Approval of Renewable Energy and	)	
Energy Efficiency Portfolio Standard (REPS)	)	<b>AFFIDAVIT OF</b>
Compliance Report and Cost Recovery Rider	)	<b>SCOTT J. SAILLOR</b>
Pursuant to N.C.G.S. § 62-133.8 and	)	
Commission Rule R8-67		

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, Scott J. Saillor, first being duly sworn, do depose and say:

I am a Utilities Engineer in the Energy Division of the Public Staff - North Carolina Utilities Commission. A summary of my education and experience is attached to this affidavit as Appendix A.

The purpose of my affidavit is to make recommendations to the Commission on the proposed Renewable Energy and Energy Efficiency Portfolio Standard (REPS) Cost Recovery Rider and the 2022 REPS Compliance Report filed by Duke Energy Carolinas, LLC (DEC or Company) on February 28, 2023. These recommendations are based on a review of DEC's application, DEC's filed testimony and exhibits, DEC's 2022 REPS Compliance Report, DEC's newly signed renewable energy contracts, DEC's responses to Public Staff data requests, reports generated from the North Carolina Renewable Energy Tracking System,

and the affidavit of Public Staff affiant R. Tyler Allison.

### **2022 REPS Compliance Report**

The Company is legally obligated to acquire renewable energy certificates (RECs) in accordance with N.C. Gen. Stat. § 62-133.8, and contractually required to provide REPS compliance services, including reporting services, for the following wholesale customers: Blue Ridge Electric Membership Corporation; Rutherford Electric Membership Corporation; Town of Dallas; Town of Forest City; and Town of Highlands (collectively, the Wholesale Customers). The filings by DEC in this docket include the REPS requirements of these Wholesale Customers.

For 2022 compliance, DEC obtained a sufficient number of general RECs,<sup>1</sup> energy efficiency certificates (EECs), and RECs derived from other eligible sources so that the total equaled 12.5% of 2021 North Carolina retail sales for itself and 10% of 2021 North Carolina retail sales for the Wholesale Customers. As part of the total requirement, DEC needed to pursue retirement of sufficient solar RECs to match 0.20% of retail sales in 2021 for both the Company and the Wholesale Customers, sufficient poultry waste RECs to match their pro-rata share of 700,000 MWh, and sufficient swine waste RECs to match 0.05% of retail sales in 2021 for itself. The swine waste REC requirements for the Wholesale Customers have been delayed until the 2023 compliance year. The current swine and poultry waste set-

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<sup>1</sup> General RECs include all RECs other than those used to meet the solar, swine waste, and poultry waste set-asides. Unlike RECs used for the set-asides, general RECs and EECs are interchangeable for REPS compliance purposes, with the exception that EECs are limited to 40 percent of the total compliance requirement for electric public utilities.



aside requirements were determined by the Commission in its March 4, 2022 Order Modifying the Swine and Poultry Waste Set-Aside Requirements and Providing Other Relief, its November 8, 2022 Order Consolidating Joint Motion for Clarification and Request for Declaratory Ruling with 2022 Motions to Modify and Delay REPS Requirements, and its December 20, 2022 Order Ruling on Motion for Clarification and Request for Declaratory Ruling Regarding Cost Cap, Modifying Swine and Poultry Waste Set-Aside Requirements, and Providing Other Relief, issued in Docket No. E-100, Sub 113.

Based on its review, the Public Staff has determined that DEC's REPS Compliance Report meets the requirements of N.C.G.S. § 62-133.8 and Commission Rule R8-67(c) for both the Company and the Wholesale Customers. Accordingly, the Public Staff recommends that the Commission approve DEC's 2022 REPS Compliance Report.

#### **Proposed REPS Rider Charges**

The proposed REPS rider is based on the projected costs and projected number of accounts subject to a REPS charge in the billing period (September 1, 2023, through August 31, 2024). The Experience Modification Factor (EMF) is based on the incremental costs in calendar year 2022 and the projected number of accounts subject to a REPS charge in the billing period. The EMF is also discussed in the affidavit of Public Staff affiant Allison. To collect the utility regulatory fee established by N.C.G.S. § 62-302, the total REPS charge (including the prospective charge and the EMF) must be multiplied by the regulatory fee


factor of 1.001402.

DEC requested the following monthly charges for the REPS and EMF billing components of its REPS rider for the billing period:


Customer Class	REPS Rider	EMF	Total	Total Including Regulatory Fee
Residential	\$ 0.85	\$(0.04)	\$ 0.81	\$ 0.81
General	\$ 4.27	\$(0.27)	\$ 4.00	\$ 4.01
Industrial	\$ 20.58	\$ 2.09	\$22.67	\$ 22.70

Based on my review of the application and my review of the affidavit of Public Staff affiant Allison, I recommend approval of DEC's proposed rates.

This completes my affidavit.

  
\_\_\_\_\_  
Scott J. Sailor

Sworn to and subscribed before me  
on this the 8<sup>th</sup> day of May, 2023.

  
\_\_\_\_\_  
(Signature of Notary Public)

Joanne M. Bérubé  
(Name of Notary Public)

My Commission Expires: 12/17/2027





**APPENDIX A****QUALIFICATIONS AND EXPERIENCE****SCOTT J. SAILLOR**

I graduated from North Carolina State University with a Bachelor of Science degree in Electrical Engineering. I was employed by the Communications Division of the Public Staff beginning in 1998, where I worked on issues associated with the quality of service offered by telephone and payphone service providers, arbitration proceedings, compliance reporting, and certification filings. Since joining the Energy Division in 2011, my responsibilities have focused on the areas of demand side management and energy efficiency measures, renewable portfolio standards compliance, applications for resale of electric service and non-utility generating facilities, and revenue and customer growth analysis.