

May 9, 2024

Via Electronic Filing

Ms. A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27603

Re: *Motion for Leave to File Response to Mission:data's Coalition's Sur-Reply
Comments of Dominion Energy North Carolina
Docket No. E-100, Sub 161*

Dear Ms. Dunston:

Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina ("DENC" or the "Company"), respectfully submits this *Motion for Leave to File Response to Mission:data's Coalition's Sur-Reply Comment.*

Please do not hesitate to contact me if you have any questions. Thank you for your assistance in this matter.

Sincerely,

/s/ Nick A. Dantonio

NAD/als

Enclosure

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 161

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application of Dominion Energy North Carolina for Adjustment of Rates and Charges Applicable to Electric Service in North Carolina)))))	DOMINION ENERGY NORTH CAROLINA’S MOTION FOR LEAVE TO FILE RESPONSE TO MISSION:DATA COALITION’S SUR-REPLY COMMENTS
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NOW COMES Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina (“DENC” or the “Company”), by and through counsel and pursuant to North Carolina Utilities Commission (“Commission”) Rules R1-5 and R1-7 and respectfully seeks leave to the file a response to Mission:data Coalition’s (“Mission:data”) April 19, 2024, Sur-Reply Comments. In support thereof, the Company shows the Commission the following:

1. On February 4, 2019, the Commission opened the above-captioned docket for the purpose of initiating a rulemaking proceeding regarding Electric Customer Billing Data and directed the parties to file initial comments and/or proposed rules by April 15, 2019.¹

2. Thereafter, the parties filed their respective initial and reply comments.

3. On February 5, 2024, Duke Energy Progress, LLC and Duke Energy Carolinas, LLC (together, “Duke”) filed a Motion for Leave to File Sur-Reply Comments. The Commission approved the Motion for Leave on February 19, 2024. On April 19, 2024,

¹ Order Requiring Information, Requesting Comments, and Initiating Rulemaking, Docket Nos. E-100, Sub 153, E-100, Sub 157, and E-100, Sub 161 (Feb. 4, 2019) (Ordering Paragraph Nos. 3, 4).

parties, including Mission:data, timely filed their sur-reply comments and the Company filed its Letter in Lieu of Sur-Reply Comments (“Letter”), stating that it may request an opportunity to respond to the extent other parties propose additional revisions in their sur-reply comments.²

4. In its Sur-Reply Comments, Mission:data alleges that the Company has received certain federal funding and then requests that the Commission direct the Company to answer five questions related to said funding.³ Prior to the parties filing their sur-reply comments, the Company answered questions from Mission:data’s counsel regarding federal funding and clarified that no award has been “received” and there are no set terms in order to potentially receive such award. After sur-reply comments were filed, counsel for the Company contacted counsel for Mission:data in an effort to provide clarity and resolution regarding the Mission:data’s Sur-Reply Comments given the prior conversations on the matter. However, Mission:data represented that it preferred the Company to file a formal response with the Commission instead.

5. Accordingly, the Company respectfully requests the Commission to grant it leave to file a response to Mission:data’s Sur-Reply Comments and accept the Company’s Response To Mission:Data Coalition’s Sur-Reply Comments attached hereto as Attachment A.

WHEREFORE, the Company respectfully requests that the Commission grant the Company leave to file its Response to Mission:Data Coalition’s Sur-Reply Comments in the above-captioned docket.

² Letter at 1.

³ Mission:data Sur-Reply Comments in Response to Order Requiring Filing of Supplemental Comments at 3-4, Docket No. E-100, Sub 161 (Apr. 19, 2024).

Respectfully submitted, this the 9th day of May, 2024.

/s/ Nick A. Dantonio

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 161

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

)	
In the Matter of Application of)	DOMINION ENERGY NORTH
Dominion Energy North Carolina for)	CAROLINA'S RESPONSE TO
Adjustment of Rates and Charges)	MISSION:DATA COALITION'S
Applicable to Electric Service in North)	SUR-REPLY COMMENTS
Carolina)	

NOW COMES Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina ("DENC" or the "Company"), by and through counsel and pursuant to its Motion for Leave to File Response to Mission:data Coalition's Sur-Reply Comments, and hereby respectfully submits its Response to Mission:Data Coalition's Sur-Reply Comments for the North Carolina Utilities Commission's ("Commission") consideration.

I. Introduction and Background

The Company incorporates by reference its procedural history in the Company's December 9, 2022, Supplemental Reply Comments describing the filings in this docket related to the parties' proposed revisions to Commission Rules R8-7, R8-8, and R8-51 addressing electric utility customer billing information, as well as procedures for customers to access their usage and other customer data collected by the Company in its provision of electric service. Thereafter, on February 5, 2024, Duke Energy Progress, LLC and Duke Energy Carolinas, LLC (together, "Duke") filed a Motion for Leave to File Sur-Reply Comments. The Commission approved the Motion for Leave on February 19, 2024.¹ On

¹ Duke subsequently filed a Motion for Extension of Time to File Sur-Reply Comments, which was granted by the Commission on April 5, 2024.

April 19, 2024, Mission:data filed its Sur-Reply Comments, and the Company filed its Letter in Lieu of Sur-Reply Comments (“Letter”), stating that it may request an opportunity to respond to the extent other parties propose additional revisions in their sur-reply comments.²

Mission:data’s Sur-Reply Comments contain an inaccuracy regarding the receipt of federal funding and create the impression that the Company is required to implement the Green Button Connect my Data functionality (“Green Button Connect”) as a requirement to receive certain federal funding. The Company is filing this response for the limited purpose of correcting certain assertions raised by Mission:data in its Sur-Reply Comments.

II. Response to Mission:data’s Sur-Reply Comments

In its Sur-Reply Comments, Mission:data states that the Company was awarded a federal grant of \$33.65 million from the U.S. Department of Energy (“DOE”) pursuant to its Smart Grid Grants Program³ and that since “DENC and Dominion Energy Virginia share many back-office information technology systems, . . . it is reasonable for the Commission to ask DENC”⁴ the following questions: (1) when Dominion Energy Virginia anticipates Green Button Connect being available; (2) the types of data that will be available; (3) Green Button Connect’s ability to provide actual versus estimated status of meter readings; (4) cost-sharing methodology and timeframe by which Green Button Connect would be available to the Company’s customers; and (5) how Dominion Energy

² Letter at 1.

³ Mission:data Sur-Reply Comments at 2, n. 1.

⁴ The Company notes that Mission:data refers to DENC and Dominion Energy Virginia as separate companies, which is incorrect. Virginia Electric and Power Company does business in Virginia as Dominion Energy Virginia and in North Carolina as DENC.

Virginia plans to “meet the needs of Virginia’s state energy office with regard to administration of IRA funds” and lessons learned and applicable to North Carolina.⁵

The Company has not received a DOE award of \$33.65 million. The linked source provided by Mission:data in its Sur-Reply Comments⁶ leads to the DOE’s Grid Resilience and Innovation Partnerships Program (“GRIP”) Projects webpage. There is then an additional link appearing beside Dominion Energy Virginia in the chart on this webpage that leads to a “Fact Sheet.” Notably, both the GRIP Projects webpage and the Fact Sheet are informational and do not represent that the Company will definitively receive any federal grant from the DOE. The GRIP Projects webpage contains a preliminary announcement highlighting that the DOE allocated a certain dollar amount for the GRIP Projects.⁷ The “Fact Sheet” is also preliminary, given that it explicitly states that “[f]act sheet information is based on project applications at the time of publication and should not be considered final.” Mission:data’s statement that the Company received a grant from the DOE is incorrect and the Company anticipates DOE’s final award to be issued by August 1, 2024 at the earliest. Given the Company has not received any funding from DOE under the GRIP and no award terms and conditions are finalized, the Company cannot answer the questions that Mission:data requests that the Commission order the Company to answer.

Moreover, the terms of the Smart Grid Grants program that Mission:data cites to do not require the implementation of Green Button Connect. Mission:data speculates that

⁵ *Id.* at 2-3.

⁶ *Id.* at n. 1.

⁷ Grid Resilience and Innovation Partnerships (GRIP) Program Projects, *available at* <https://www.energy.gov/gdo/grid-resilience-and-innovation-partnerships-grip-program-projects> (“On October 18, 2023, the U.S. Department of Energy announced up to \$3.5 billion in Grid Resilience and Innovation Partnerships (GRIP) Program investments for 58 projects across 44 states to strengthen electric grid resilience and reliability across America.”).

the “DOE will require that projects support data standards (e.g., Green Button Connect)”⁸ but no such requirement appears in the working draft of the Smart Grid Grants program. Mission:data misinterprets DOE’s guidelines and use of “e.g.” as a definitive award requirement that the Company implement Green Button Connect.⁹ This is incorrect and negotiations between the Company and the DOE regarding a potential award have not yet included any such requirement.

Conclusion

WHEREFORE, DENC respectfully requests that the Commission accept the foregoing Response to Mission:data Coalition’s Sur-Reply Comments and deny Mission:data’s request to require DENC to answer Mission:data’s questions posed in its Sur-Reply Comments.

Respectfully submitted, this the 9th day of May, 2024.

/s/ Nick A. Dantonio

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⁸ Mission:data Sur-Reply Comments at 2 at 3.

⁹ See Grid Resilience and Innovation Partnerships (GRIP) Program, available at <https://www.energy.gov/gdo/grid-resilience-and-innovation-partnerships-grip-program#resources>.

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OFFICIAL COPY

May 09 2024

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Motion for Leave to File Response to Mission:data's Coalition's Sur-Reply Comment, as filed in Docket No. E-100, Sub 161 were served electronically or via U.S. mail, first-class, postage prepaid, upon all parties of record.

This, the 9th day of May, 2024.

/s/ Nick A. Dantonio

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