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February 10, 2020

VIA ELECTRONIC FILING

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

**RE: Initial Comments of Duke Energy Carolinas, LLC and Duke Energy
Progress, LLC
Docket No. E-100, Sub 161**

Dear Ms. Campbell:

Pursuant to the Commission's *Order Requiring Information, Requesting Comments, and Initiating Rulemaking* issued February 4, 2019 and the subsequent extensions of time granted by the Commission in the above-referenced docket, enclosed for filing are the Initial Comments of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink that reads "Kendrick C. Fentress". The signature is written in a cursive, flowing style.

Kendrick C. Fentress

Enclosure

cc: Parties of Record

OFFICIAL COPY

Feb 10 2020

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-100, SUB 161

In the Matter of)	
Commission Rules Related to Customer)	INITIAL JOINT COMMENTS OF
Billing Data)	DUKE ENERGY CAROLINAS, LLC
)	AND DUKE ENERGY PROGRESS,
)	LLC

NOW COME Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP” and together with DEC, “the Companies”), who, pursuant to the North Carolina Utilities Commission’s (“Commission” or “NCUC”) February 4, 2019 *Order Requiring Information, Requesting Comments, and Initiating Rulemaking* in the above-captioned docket, submit their initial comments on the proposed Commission Rules R8-7, R8-8 and R8-51 filed by the Public Staff of the North Carolina Utilities Commission (“Public Staff”). For the reasons set forth below, the Companies generally support the Public Staff’s proposed Rules; however, the Companies do not support the Public Staff’s proposal to impose additional requirements that go into effect January 1, 2022, on the Companies.

A. Commission Rule R8-7 – Information for Customers and Rule R8-8 – Meter Readings, Bill Forms and Meter Data

The Companies generally agree with the Public Staff’s proposed revisions to Commission Rule R8-7 and R8-8. For the most part, these proposed revisions and proposed revisions to Rule R8-51 refer to energy “usage” data. Therefore, with respect to the Public Staff’s proposed Rule R8-7(b)(2), the Companies suggest that the word “consumption” be struck and replaced with the word “usage” to maintain consistency with the other provisions of this Rule, Rule R8-8 and R8-51.

The Companies additionally note that, as proposed, Commission Rule R8-7(b) states that the utility annually shall provide its customers certain information, either by mail or electronically, including instructions on how to access their billing records pursuant to Rule R8-8(f). Specifically, Rule R8-7(c) provides that once metering and billing technology required for such analysis is in place, each electric utility shall annually inform its customers that they may request from the utility a rate analysis of applicable rate schedules for the customer upon establishing a sufficient usage history at a premise or provide the customer a mechanism from which to obtain this information. Moreover, the Public Staff's proposed Commission Rule R8-8(b) directs the utilities to minimize the frequency of estimated bills. Rule R8-8(b)(3) provides that:

In the event the utility is unable to provide a bill based on metered service for more than three consecutive billing cycles, the utility shall inform the customer that it is unable to provide a bill for metered service and that the customer may request the reason for estimating the bill and how the utility plans to resolve the problem causing the bill to be estimated.

The Companies do not object to these proposed revisions, but note in these Joint Comments that to comply with them, the Companies must complete implementation of their Customer Connect Program. They project that Customer Connect will be implemented for DEC in April 2021 and for DEP in April 2022. Once Customer Connect is deployed, the Companies will need to accumulate 13 months of interval data per customer/per account in the new system before they can offer the Annual Rate Review and the Rate comparison capabilities as described in the Rules. If these Rules are made effective prior to full deployment of Customer Connect, the Companies may seek of waiver of their application during the interim.

Proposed Commission Rule R8-8(d) states that:

The utility shall strive to maintain consistency between the data observed at the meter face and that maintained in the billing and customer data systems, such that the customer can reasonably understand any discrepancy between the data that is observable at the meter face with the data that is available through an electronic platform provided by the utility to communicate said data with the customer.

This provision is inconsistent with DEC's service regulations that are currently approved and on file at the NCUC. These regulations provide that:

Meters will be read and bills rendered monthly. Meter readings may be obtained manually on the customer's premises, or remotely using radio frequency or other automated meter reading technology. Billing statements will show the readings of the meter at the beginning and end of the billing period, except; however, when interval load data is used to determine the bill under certain rate schedules or riders, only the billing units may be shown.

This service regulation reflects that, for accounts billed with detailed information by rating period, such as Time of Use rates, the Companies do not have the ability to show all components on the face of the meter. Therefore, the Companies recommend that this provision be clarified to ensure that the Companies remain compliant with the NCUC's Rules.

B. Commission Rule R8-51

As with Commission Rules R8-7 and R8-8, the Companies are generally supportive of the Public Staff's proposed Rule R8-51, and they appreciate the Public Staff's willingness to work toward striking a balance between protecting the customers' data and implementing an efficient and workable administrative process for the utilities to provide access that does not impose additional, unnecessary costs on ratepayers. The proposed Rule is consistent with procedures that the Companies have already had in place because of the requirements of their Code of Conduct. The Companies do not support, however,

the portions of the Public Staff's revisions to R8-51 that they propose to go into effect in two years for several reasons. Specifically, the Public Staff has proposed the following:

Effective January 1, 2022, subsection (d) of Commission Rule R8-51 is amended to read:

- (d) A utility shall maintain at least 24 months of customer data in sufficient detail to assist customers in understanding their energy usage. The frequency interval of the data must be commensurate with the meter or network technology used to serve the customer. Customer data shall be maintained and provided—made available to customers and customer-authorized third parties in electronic machine-readable format that conforms to the latest version of the North American Energy Standard Board's (NAESB) Reg 21, the Energy Services Provider Interface (ESPI), or a Commission approved electronic machine readable format that conforms to nationally recognized standards and best practices ~~commensurate with the meter or network technology use to serve the customer.~~

Effective January 1, 2022, subsections (g) and (h) of R8-51 are amended to read:

- (g) A utility shall not disclose customer data to a third party unless the customer provides consent by either submits submitting a paper or electronically signed consent form or through the utility's electronic consent process. The utility shall conspicuously post the form on the utility's website in either electronic or printable format. The utility must authenticate the customer identity and consent to release customer data before acting upon the consent form.
- (h) A utility ~~may~~ shall make available an electronic customer consent process for disclosure of customer data to a third party, provided that the utility authenticates the customer's identity and consent to release customer data. The contents of the electronic consent process must generally follow the format of the Commission-prescribed consent form, and include the elements to be provided pursuant to this rule.

As an initial matter, and, as noted throughout these Joint Comments, the Companies are in the process of implementing their Customer Connect Program. Implementation of these proposed Rule amendments in January 2022 will add risk to the deployment of the

Customer Connect Program for DEC (April 2021) and DEP (April 2022). To allow for successful testing, training, conversion and implementation of the core solution, the Companies must freeze changes to many IT systems and business applications starting in 2020. Therefore, from a practical and technical standpoint, the Companies believe these proposed amendments would jeopardize their deployment of the benefits of Customer Connect to their customers.

Additionally, as the Companies notified the Commission on October 15, 2019, in Docket No. E-100, Sub 157, the Companies are currently implementing customer data access functionality like the access provided by “Green Button: Download My Data” functionality. The Companies’ web platforms are being migrated to the cloud and upgraded for stability and scalability to support multiple efforts across the Duke Energy Corporation enterprise with projected conclusion to the implementation scheduled for first quarter 2020. Additionally, DEC and DEP customers with smart meters are already able to view and download their electric usage data from the Companies’ websites in a standardized format. These customers can view and download their hourly and daily electric usage information from the online customer portal and through mid-cycle notifications with the Usage Alerts program.

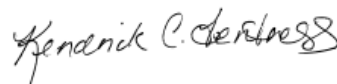
The Companies have previously reviewed the Green Button Connect functionality contemplated by these amendments. First, the Companies’ survey of their customers did not reveal a customer demand that outweighed the projected costs to implement. Second, as discussed, the Companies already have a process to field third-party data requests for customer usage data and billing information. The potential risks of third-party involvement in that process should be fully vetted before a Commission Rule requires it, even if the

requirement begins in 23 months. Third-party access could require a stringent approval process with significant security requirements, leading to potential resource challenges as requests line up in a queue for data. Therefore, the proposed amendments do not serve the Companies' customers' best interests as they introduce security and other risks, as well as additional administrative costs and burdens into this process. The Companies respectfully request that they be struck from the Rule.

Conclusion

The Companies understand that the Public Staff intends to request that the Commission allow the parties to file reply comments on these proposed Rules. The Companies agree and join in this request because of the importance of these Rules to their customers and to the Companies' own compliance efforts.

Respectfully submitted, this the 10th day of February, 2020.



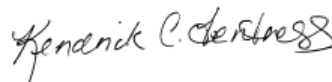
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*ATTORNEY FOR DUKE ENERGY
CAROLINAS, LLC AND DUKE ENERGY
PROGRESS, LLC*

CERTIFICATE OF SERVICE

I certify that a copy of the Initial Comments of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC, in Docket No. E-100, Sub 161, has been served by electronic mail, hand delivery, or by depositing a copy in the United States Mail, 1st Class Postage Prepaid, properly addressed to parties of record.

This the 10th day of February, 2020.



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