

May 23, 2024

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

RE: North Carolina Utilities Commission Docket No. E-100, Sub 161

Dear Chair Mitchell and Commission Members,

On behalf of the Southeast Sustainability Directors Network (SSDN) and its 30 local government members across North Carolina, I appreciate the opportunity to provide these additional comments to the North Carolina Utilities Commission (the Commission) related to customer data access (Docket No. E-100, Sub 161) and Duke Energy's recent motion to hold the docket in abeyance for one hundred and twenty (120) days to "allow further discussions amongst the parties regarding Green Button Connect functionality and other outstanding issues".

As stated in previous filings, SSDN and its local government members are deeply interested in seeing a timely resolution to the data access challenges that we have experienced directly for more than a decade as these issues continue to impact federal funding opportunities, local government energy programming, facilities decisions, rate selection, and the ability to assess participation in Duke's customer-facing programs. We remind parties that data access was brought before the Commission in early 2013 (Docket No. E-100, Sub 137), which included letters submitted to the Commission by Asheville, Carrboro, Cary, Chapel Hill, Charlotte, Durham County, and Raleigh.¹ Furthermore, the Commission has received multiple rounds of comments and alternative proposed rules since 2019, including input from SSDN and several local governments.

SSDN respectfully requests to be included in the "further discussions" among parties -- during the time period determined by the Commission -- due to local governments' longstanding and repeated comments to the NCUC on these issues, as well as unique customer data access needs, ongoing experiences with the current platform, direct communications with Duke Energy in attempts to address problems, and the time sensitivity of accessing federal funding opportunities (e.g. Inflation Reduction Act). SSDN and its local government members and constituencies are directly impacted, thus we want to help ensure that successful functionality of Green Button Connect is developed and implemented while maintaining customer data privacy.

About SSDN

SSDN is a network of local government sustainability professionals representing 121 city, county, and tribal governments in 10 states across the Southeast, including 30 local

¹ NCSEA supplemental filing, March 25, 2013, Docket No. E-100, Sub 137:
<https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=abc6ecab-c600-43eb-9afe-211f380e5a5d>

governments in North Carolina.² Through peer-to-peer learning and collaboration, SSDN and its members work together to accelerate, scale, and implement programs to build more sustainable and resilient communities. As part of this work, SSDN regularly engages in direct conversations with utilities and key stakeholders to help ensure that clean energy programs are developed and implemented as effectively as possible for customers.

Local governments in North Carolina and throughout the Southeast are establishing long-term sustainability goals to reduce greenhouse gas (GHG) emissions, invest in clean energy and electric transportation, implement energy efficiency measures, create local jobs, and deliver immediate environmental and public health benefits. SSDN members are regional leaders in localized clean energy and climate action: in North Carolina, over 70 percent of SSDN's members track, measure, and report GHG emissions for government operations and 40 percent have taken the next step of adopting community-wide GHG reduction targets. Over a quarter of SSDN's North Carolina members have adopted climate action plans for their communities.

To this end, it is critical that local governments have access to utility billing data for their own operations, aggregated data for their communities, and data for local program participants to ensure that they accurately measure their GHG emissions and the effectiveness of sustainability programs in their communities.

Data Access is Vital for Local Governments

Access to energy usage data is vital for submitting competitive applications for the historic federal funding opportunities enabled by the Infrastructure Investment and Jobs Act (IIJA), which was signed into law on November 15, 2021, and the Inflation Reduction Act (IRA), which was signed into law on August 16, 2022. Local governments and other grant applicants have encountered barriers to accessing necessary energy use data for funding opportunities like the Climate Pollution Reduction Grant (CPRG) and Solar for All, which could bring upwards of \$700 million to North Carolina.

Many of the federal funding opportunities also require access to utility data in the implementation and reporting phases. Accessing necessary data for the reporting requirements associated with large federal grants involving discrete program participants could also be greatly simplified through the use of Green Button Connect. To ensure the competitiveness of federal funding applications from North Carolina, it is critical that local governments have comprehensive access to their own energy usage data (including interval data at hourly or smaller increments) and that of their communities at a level of granularity (small enough groupings and geographies) to allow projects to focus on Justice 40 communities.

² SSDN's North Carolina members include: Apex, Asheville, Boone, Buncombe County, Carrboro, Cary, Chapel Hill, Charlotte, Chatham County, Concord, Davidson, Durham, Durham County, Forsyth County, Greensboro, Henderson County, Hendersonville, Hillsborough, Holly Springs, Mecklenburg County, Morrisville, Orange County, Raleigh, Rocky Mount, Salisbury, Wake County, Wake Forest, Wilmington, and Winston-Salem. For more information see: : <https://www.southeastsdn.org/members/ssdn-members/>

Conclusion

Local governments recognize the amount of effort Duke Energy has put into improving customers' access to their energy usage data with new billing systems in recent years and hope that, as Duke and the Commission work to improve customer access to utility data, the issue of inconsistent access to utility data for local governments is resolved to allow them to track energy use and emissions successfully. Local governments have a productive history of partnering with Duke Energy on data access issues and are committed to working with Duke, the Public Staff, other parties, and the Commission to facilitate the solutions outlined in SSDN's April 19, 2024 letter³ in a timely manner, which will enable local programs to benefit residents, businesses, and local government operations.

SSDN greatly appreciates the Commission's consideration of this letter and our request to be involved in these vitally important discussions; we hope to continue active collaboration and partnership on the issue of customer data access. Please do not hesitate to contact me if any questions or concerns arise in connection with the docket.

Respectfully,



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³ SSDN comments: <https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=98c7c9ce-58c1-43cc-9b96-c54e1457d203>