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Dec 07 2018

December 7, 2018

VIA ELECTRONIC FILING

Ms. M. Lynn Jarvis, Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27603

Re: *Application of Dominion Energy North Carolina for Approval of Cost
Recovery for Renewable Energy and Energy Efficiency Portfolio Standard
Compliance and Related Costs*
Docket No. E-22, Sub 557

Dear Ms. Jarvis:

Enclosed on behalf of Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina and the Public Staff-North Carolina Utilities Commission, is the Joint Proposed Order of Dominion Energy North Carolina and the Public Staff for filing in the above-referenced docket.

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

Very truly yours,

/s/Andrea R. Kells

ARK:mth

Enclosures

cc: Robert B. Josey

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-22, SUB 557

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application of Virginia Electric and Power)	
Company, d/b/a Dominion Energy North)	JOINT PROPOSED ORDER
Carolina, for Approval of Renewable Energy)	OF DOMINION ENERGY
and Energy Efficiency Portfolio Standard)	NORTH CAROLINA AND
Cost Rider Pursuant to G.S. 62-133.8 and)	THE PUBLIC STAFF
Commission Rule R8-67)	

BEFORE: Commissioner Daniel G. Clodfelter, Presiding, Chairman Edward S. Finley, Jr., Commissioners ToNola D. Brown-Bland, Jerry C. Dockham, James G. Patterson, Lyons Gray, and Charlotte A. Mitchell.

HEARD: Thursday, November 8, 2018, in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina

APPEARANCES:

For Dominion Energy North Carolina:

Andrea R. Kells and Brett Breitschwerdt, McGuireWoods LLP, 434 Fayetteville Street, Suite 2600, Raleigh, North Carolina 27601

For the Using and Consuming Public:

Lucy Edmondson, Staff Attorney, Public Staff – North Carolina Utilities Commission, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300

BY THE COMMISSION: On August 30, 2018, Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina Power (DENC or the Company), filed its annual Renewable Energy and Energy Efficiency Portfolio Standard (REPS) compliance report and application seeking an adjustment to its North Carolina retail (NC Retail) rates and charges pursuant to G.S. § 62-133.8(h) and Commission Rule R8-67. The Commission is required to conduct an annual

proceeding for the purpose of determining whether a rider should be established to permit the recovery of the incremental costs incurred to comply with the requirements of G.S. § 62-133.8(b), (d), (e), and (f), and to true-up any under-recovery or over-recovery of compliance costs. Thus, DENC's annual REPS Rider has two components: (1) a forward-looking component to recover DENC's projected REPS compliance costs for the rate period of February 1, 2019 through January 31, 2020 (proposed by DENC as Rider RP); and (2) a REPS Experience Modification Factor (EMF) to true-up any over- or under-recovery of the REPS compliance costs under the previous REPS Rider from July 1, 2017 to June 30, 2018 (proposed by DENC as Rider RPE). DENC's application was accompanied by the testimony and exhibits of George E. Hitch, Senior Market Originator; Alan J. Moore, Regulatory Analyst III; and Robert C. Rice, Manager of Customer Rates for DENC. In its application and pre-filed testimony, DENC sought approval of the proposed REPS rider and REPS EMF rider, which incorporated DENC's proposed adjustments in its NC Retail rates. In addition, DENC requested Commission approval of its 2018 REPS Compliance Report for calendar year 2017 REPS compliance, filed as Company Exhibit GEH-1 attached to the prefiled direct testimony of Company witness Hitch. DENC's Application requested an annual revenue requirement of \$826,817 for the rate period (billing period) of February 1, 2019 through January 31, 2020, to be recovered through updated Rider RP, as well as a REPS EMF revenue requirement of \$212,889 to be recovered through Rider RPE.

On September 7, 2018, the Commission issued an *Order Scheduling Hearing, Requiring Filing of Testimony, Establishing Discovery Guidelines, and Requiring Public Notice*. Pursuant to that Order, the Commission established deadlines for the filing of petitions to intervene, intervenor testimony and exhibits, Company rebuttal testimony and exhibits, and scheduled the hearing to be held in this proceeding on November 5, 2018.

The intervention and participation of the Public Staff in this docket are recognized pursuant to G.S. § 62-15(d) and Commission Rule R1-19(e). No other party petitioned to intervene.

On September 28, 2018, the Public Staff filed a Motion to Amend Procedural Schedule.

On October 2, 2018, the Commission issued an *Order Changing Dates for Intervention, Direct and Rebuttal Pre-Filed Testimony, and Expert Witness Hearings*. That Order rescheduled the expert witness hearing for November 8, 2018.

On October 15, 2018, DENC filed Supplemental Testimony and Exhibits of Company witnesses Hitch, Moore, and Rice.

On October 17, 2018, the Company filed Corrected Page 3 to the Supplemental Testimony of George E. Hitch.

On October 19, 2018, the Public Staff filed the affidavits of Jenny X. Li and Evan D. Lawrence.

On October 24, 2018, DENC filed an affidavit of publication indicating that it had provided notice of hearing in newspapers of general circulation as required by the Commission's September 7, 2018 Order.

On October 30, 2018, DENC filed Second Supplemental Testimony and Exhibits of George E. Hitch.

Also on October 30, 2018, the Public Staff filed the Revised Affidavit of Evan D. Lawrence.

On November 2, 2018, DENC filed a letter in lieu rebuttal indicating there were no issues in dispute between the Company and the Public Staff based upon the Public Staff's affidavits.

On November 5, 2018, DENC and the Public Staff jointly filed a motion in which they notified the Commission that they were not in disagreement on any issue and had agreed to waive cross-examination of each other's witnesses. They requested that all witnesses be excused from attending the hearing. The Commission granted this motion in its Order dated November 6, 2018. Also on November 5, 2018, the matter came for public hearing as scheduled. No public witnesses appeared at the hearing.

This matter came on for hearing as scheduled on November 8, 2018. No public witnesses appeared at the hearing. DENC presented the testimony and exhibits of witnesses Hitch, Moore, and Rice, and the Public Staff presented the affidavits of witnesses Li and Lawrence. The testimony, exhibits, and affidavits were accepted into evidence.

Based upon the foregoing, including the testimony, exhibits, and affidavits received into evidence at the hearing, the records in the North Carolina Renewable Energy Tracking System (NC-RETS), and the entire record in this proceeding, the Commission makes the following:

FINDINGS OF FACT

1. DENC is duly organized as a public utility company under the laws of the State of North Carolina and is subject to the jurisdiction of the Commission. DENC is engaged in the business of generating, transmitting, distributing, and selling electric power and energy to the public for compensation in North Carolina. DENC is also an electric power supplier as defined in G.S. § 62-133.8(a)(3). DENC is lawfully before this Commission based upon its Application filed pursuant to G.S. 62-133.8 and Commission Rule R8-67.

2. Under the State's REPS, G.S. § 62-133.8, in 2017 electric power suppliers were required to meet six percent (6%) of their previous year's NC Retail electric sales by a combination of renewable energy and energy reductions due to the implementation of energy efficiency (EE) measures. In addition, electric power suppliers were required to acquire solar energy, or renewable energy certificates (RECs) for solar energy, by the end of 2017 in an amount equal to at least 0.14% of the previous year's NC Retail sales. The 0.14% solar energy requirement is part of the 6% total REPS requirement. The solar energy sources can be a combination of new solar electric facilities and new metered solar thermal energy facilities. The electric power suppliers of North Carolina were initially required by G.S. § 62-133.8 to procure a certain portion of their renewable energy requirements beginning in 2012 from electricity generated by poultry and swine

waste. However, by Orders issued November 29, 2012, and March 26, 2014, in Docket No. E-100, Sub 113 (collectively, together with the Orders of November 13, 2014, December 1, 2015, October 17, 2016, October 16, 2017, and October 18, 2018, the “Delay Orders”), the Commission delayed the initial swine and poultry waste resource requirements until 2014; in an Order issued November 13, 2014, in the same docket, the Commission granted an additional delay of the initial swine waste requirement until 2015 and established an initial aggregate poultry waste resource requirement of 170,000 megawatt-hours (MWh) for 2014; in an Order issued December 1, 2015, the Commission again granted a further delay of the initial swine waste requirement until 2016 and maintained the aggregate poultry waste resource requirement at 170,000 MWh for 2015; in an Order issued October 17, 2016, the Commission further delayed the initial swine waste requirement for one additional year and maintained the 2016 aggregate poultry waste requirement at 170,000 MWh for 2016; in an Order issued October 16, 2017, the Commission delayed the initial swine waste requirement for one additional year and maintained the aggregate poultry waste requirement at 170,000 MWh for 2017; and in an Order issued October 8, 2018, the Commission delayed the initial swine waste requirement for one additional year for electric membership corporations and municipal electric systems but required the electric public utilities (including DENC) to meet 0.02% of their sales using swine waste resources and decreased the aggregate poultry waste requirement to 300,000 MWh.

3. G.S. § 62-133.8(h)(4) provides that an electric power supplier shall be allowed to recover through an annual rider the incremental costs incurred to comply with the REPS.

4. Pursuant to G.S. § 62-133.8(b)(2)(e), DENC may use 100% out-of-state RECs to achieve REPS compliance. Under Commission Rule R8-67(e)(2), the total costs reasonably and prudently incurred during the test period to purchase unbundled RECs constitute incremental costs. The projected costs to purchase such RECs during the billing period constitute forecasted incremental costs.

5. DENC has agreed to provide REPS compliance services, including the procurement of RECs, to Town of Windsor pursuant to G.S. § 62-133.8(c)(2)(e). Town of Windsor's 2018 REPS compliance status is included in DENC's 2018 compliance report for compliance year 2017.

6. Taking into account the Commission's Delay Orders that relieved DENC and other electric power suppliers of the swine waste requirements for 2017, DENC, on its own behalf and on behalf of Town of Windsor, has complied with its 2017 REPS obligations. DENC's 2018 REPS compliance report for compliance year 2017 should be approved.

7. For purposes of DENC's annual rider pursuant to G.S. 62-133.8(h), the rate period is the 12-month period from February 1, 2019, through January 31, 2020. The test period is the 12-month period July 1, 2017, through June 30, 2018.

8. It is appropriate to maintain the Rider RP charges set by the Commission in Docket No. E-22, Sub 544 and to reduce the Rider RPE charges to \$0.00 for the entire month of January, 2019.

9. DENC's micro-grid research project costs are renewable energy research costs recoverable pursuant to G.S. § 62-133.8(h)(1)(b). DENC's research costs are reasonable and within the statute's \$1,000,000 annual limit.

10. DENC's approach of managing its retail REPS costs separately from the REPS costs for its wholesale customer, Town of Windsor, is reasonable.

11. For purposes of establishing the REPS EMF charge (Rider RPE) in this proceeding, DENC's actually incurred incremental costs of REPS compliance, during the REPS test period, were \$768,667. DENC's Rider RP revenues were \$555,778. DENC's under-recovery of test-period compliance costs was \$212,889.

12. For purposes of establishing the forecasted REPS charge (Rider RP) in this proceeding, DENC's incremental costs of REPS compliance and NC Microgrid costs projected to be incurred during the rate period are \$826,817.

13. DENC's total adjusted number of customer accounts is 120,704, including 103,079 in the residential class, 17,565 in the commercial class, and 60 in the industrial class.

14. The appropriate monthly amount of the REPS EMF charge (Rider RPE) to be collected during the billing period, per customer account, including the regulatory fee, is \$0.09 for residential accounts, \$0.47 for commercial accounts, and \$3.26 for industrial accounts.

15. The appropriate monthly amount of the forecasted REPS charge to be collected during the billing period (Rider RP), per customer account, including the regulatory fee, is \$0.34 for residential accounts, \$1.88 for commercial accounts, and \$12.63 for industrial accounts. The combined monthly REPS (Rider

RP) and REPS EMF (Rider RPE) charges to be collected during the billing period, per customer account, including the regulatory fee, are \$0.43 for residential accounts, \$2.35 for commercial accounts, and \$15.89 for industrial accounts.

16. DENC's combined REPS riders to be charged to each customer account for the billing period are within the annual cost caps established in G.S. § 62-133.8(h)(4).

EVIDENCE AND CONCLUSIONS FOR FINDINGS OF FACT NOS. 1-5

These findings of fact are essentially informational, jurisdictional, and procedural in nature and are not contested.

G.S. §§ 62-133.8(b)(1) and (c)(1) establish a REPS requirement for all electric power suppliers in the State. These provisions require each electric power supplier to provide a certain percentage of its North Carolina sales from various renewable energy or EE resources. Authorized methods of compliance with the REPS requirement for electric public utilities are listed in G.S. § 62-133.8(b)(2) as follows: (a) generate electric power at a new renewable energy facility; (b) use a renewable energy resource to generate electric power at a generating facility other than the generation of electric power from waste heat derived from the combustion of fossil fuel; (c) reduce energy consumption through the implementation of an EE measure; (d) purchase electric power from a new renewable energy facility; (e) purchase RECs derived from in-State or out-of-state new renewable energy facilities; (f) use electric power that is supplied by a new renewable energy facility or energy saved due to the implementation of an EE measure that exceeds the requirements of this section for any calendar year as a credit towards the requirements of this section in the following calendar year; or (g) electricity demand

reduction. In 2017, the electric public utilities were required to meet six percent (6%) of their previous year's North Carolina retail electric sales by a combination of the measures authorized by G.S. § 62-133.8(b). Each of these compliance methods is subject to certain additional limitations and conditions.

G.S. § 62-133.8(c) has similar requirements for electric membership corporations (EMCs) and municipal electric systems.

G.S. § 62-133.8(d) requires a certain percentage of the total electric power sold to retail electric customers in the State, or an equivalent amount of energy, to be supplied by a combination of new solar electric facilities and new metered solar thermal energy facilities. The percentage requirement for solar resources is 0.14% for the years 2015 through 2017, increasing thereafter.

G.S. § 62-133.8(e) requires a certain percentage of the total electric power sold to retail electric customers in the State to be supplied by swine waste resources. The General Assembly established an initial aggregate 0.07% swine waste resources requirement in 2012, increasing thereafter. G.S. § 62-133.8(f) requires a specific amount of electric power sold to retail electric customers in the State, or an equivalent amount of energy, to be supplied, or contracted for supply in each year, by poultry waste resources. The General Assembly established an initial aggregate poultry waste resources requirement of 170,000 megawatt-hours (MWh) in 2012, increasing thereafter. Pursuant to the Commission's *Order on Pro-Rata Allocation of Aggregate Swine and Poultry Waste Set-Aside Requirements and Motion for Clarification* issued on March 31, 2010, in Docket No. E-100, Sub 113, DENC's share of the aggregate State set-aside requirements for energy from

poultry waste resources is based on the ratio of its North Carolina retail kilowatt-hour (kWh) sales from the previous year divided by the previous year's total North Carolina retail kWh sales for all electric power suppliers. Pursuant to the Commission's *Order Establishing Method of Allocating the Aggregate Poultry Waste Resources Set-Aside Requirement* issued April 18, 2016, in Docket No. E-100, Sub 113, starting with compliance year 2016, the aggregate poultry waste set-aside obligation shall be allocated among the electric power suppliers by averaging three years of historical retail sales, with the resulting allocation being held constant for three years.

At the joint request of the State's electric power suppliers, including DENC, the Commission issued the Delay Orders in Docket No. E-100, Sub 113, pursuant to specific authority provided to the Commission by the General Assembly to modify the REPS requirements under G.S. § 62-133.8(i)(2).

Specifically, the Commission's November 29, 2012 *Order Modifying the Poultry and Swine Waste Set-Aside Requirements and Granting Other Relief* directed that the swine waste resource set-aside requirement for 2012 be eliminated and that the poultry waste resource requirements for 2012 and subsequent years be delayed for a year. On March 26, 2014, the Commission issued a *Final Order Modifying the Poultry and Swine Waste Set-Aside Requirements and Providing Other Relief*, approving another one-year delay for both the swine waste resource and poultry waste resource requirements and requiring certain additional reporting by all electric power suppliers, including DENC. On November 13, 2014, the Commission issued an *Order Delaying Swine*

Set-Aside and Providing Other Relief, delaying DENC's and other electric power suppliers' swine waste resource requirement for one year and establishing an initial aggregate poultry waste resource requirement of 170,000 MWh for 2014, to be divided amongst the electric power suppliers. On December 1, 2015, the Commission issued an *Order Delaying Swine Set-Aside and Providing Other Relief*, granting a further delay of the initial swine waste requirement until 2016, modifying the 2015 poultry waste set-aside requirement to remain at the same level as the 2014 aggregate requirement of 170,000 MWh, and delaying by one year the scheduled increases in the requirement (the requirement was scheduled to increase to 700,000 MWh in the aggregate for all electric power suppliers). On October 16, 2016, the Commission issued an *Order Modifying the Swine Waste Set-Aside Requirement and Providing Other Relief*, which delayed for one additional year the commencement of the swine waste set-aside requirement. The Commission also modified the 2016 poultry waste set-aside requirement to remain at the same level as the 2014 and 2015 aggregate requirement of 170,000 MWh, and delayed by one additional year the scheduled increases in the requirement (increasing to 700,000 MWh for 2017, and 900,000 MWh for 2018 and each year thereafter). On October 16, 2017, the Commission issued an *Order Modifying the swine Waste Set-Aside Requirement and Providing Other Relief*, which delayed for one additional year the initial compliance requirement under the swine waste set-aside. The Commission also modified the 2017 poultry waste set-aside requirement to remain at the same level as the 2014 and 2015 aggregate requirement of 170,000 MWh, and delayed by one additional year the scheduled

increases in the requirement (increasing to 700,000 MWh for 2018, and 900,000 MWh for 2019 and each year thereafter). Through its Delay Orders, the Commission established that the aggregate statewide poultry waste resource requirement for the State's electric power suppliers, including DENC, is 170,000 MWh for 2016 and 2017, and delayed the initial swine waste requirement until 2018. In its October 18, 2018 Order, the Commission required the electric public utilities, including DENC, to meet 0.02% of their sales using swine waste resources and decreased the aggregate poultry waste requirement to 300,000 MWh.

G.S. § 62-133.8(b)(2)(e) provides that an electric power supplier shall achieve no more than 25% of its annual REPS compliance obligations using RECs from out-of-state new renewable energy facilities. However, paragraph (b)(2)(e) specifically exempts any electric public utility with less than 150,000 North Carolina retail jurisdictional customers as of December 31, 2006. The Commission held in its *Order on Dominion's Motion for Further Clarification*, issued September 22, 2009, in Docket No. E-100, Sub 113, that this exemption applies to DENC for purposes of both its general REPS obligation and individual set-aside requirements pursuant to G.S. § 62-133.8(d)-(f). DENC may, therefore, achieve 100% of its REPS compliance using RECs generated by out-of-state new renewable energy facilities.

G.S. § 62-133.8(b)(2)(c) provides that an electric power supplier may use energy efficiency certificates (EECs) to meet no more than 25% of its total requirement. This limitation on the use of EECs to meet the total requirement does not apply to municipal suppliers such as Town of Windsor.

G.S. § 62-133.8(h)(4) requires the Commission to allow an electric power supplier to recover all of its incremental costs incurred to comply with G.S. § 62-133.8 through an annual rider. G.S. § 62-133.8(h)(1) provides that “incremental costs” means all reasonable and prudent costs incurred by an electric power supplier to comply with the REPS requirements that are in excess of the electric power supplier’s avoided costs, other than those costs recovered pursuant to G.S. § 62-133.9. The term “avoided costs” includes both avoided energy costs and avoided capacity costs. Commission Rule R8-67(e)(2) provides that the reasonable and prudently-incurred costs of unbundled RECs are incremental costs and have no avoided cost component.

Commission Rule R8-67(e)(5) provides that “[t]he REPS EMF will reflect the difference between reasonable and prudently incurred incremental costs and the revenues that were actually realized during the test period under the REPS rider then in effect.”

DENC’s 2018 REPS compliance report for compliance year 2017 stated that pursuant to G.S. § 62-133.8(c)(2)(e) the Company provided renewable energy resources and compliance reporting services for Town of Windsor.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 6

The evidence supporting this finding of fact appears in DENC’s 2018 REPS compliance report for compliance year 2017 and in the testimony and exhibits of DENC witness Hitch and the affidavit of Public Staff witness Lawrence. In addition, the Commission takes judicial notice of information contained in NC-RETS.

DENC’s 2018 REPS compliance report was admitted into evidence as Company Exhibit GEH-1. This report provided the information required by

Commission Rule R8-67(c) for DENC and Town of Windsor. Public Staff witness Lawrence stated in his affidavit that he reviewed DENC's 2018 REPS compliance report and recommended that it be approved.

DENC's 2018 REPS compliance report stated that DENC's 2016 retail electric sales were 4,294,053MWh and Town of Windsor's were 48,968 MWh. DENC's 6% 2017 total REPS obligation amounted to 257,644 RECs, including general obligation RECs, 6,012 solar RECs (0.14% of 4,294,053), 5,628 poultry waste RECs, and 17,943 EECs from its portfolio of in-state EE programs approved pursuant to G.S. 62-133.9. Town of Windsor's 6% 2017 total REPS obligation amounted to 2,939 RECs, including 2,805 general RECs, 69 solar RECs (0.14% of 48,968) and 65 poultry waste RECs. Town of Windsor did not use any EECs for compliance. Public Staff witness Lawrence stated in his affidavit that these numbers of RECs met the REPS requirements that 6% of 2016 retail sales must be matched with an equivalent number of RECs in 2017, including 0.14% of 2016 retail sales that must be matched with an equivalent number of RECs derived from solar energy. Witness Lawrence confirmed that DENC had placed these numbers of RECs in its own and Town of Windsor's NC-RETS compliance sub-accounts. Witness Hitch testified that out-of-state RECs may be used for 100% of DENC's REPS compliance, but may not be used to meet more than 25% of Town of Windsor's REPS requirements. DENC complied with these limitations. NC-RETS further indicates that DENC complied with the provisions of G.S. § 62-133.8(b)(2)(e) and (c)(2)(d).

Public Staff witness Lawrence testified that DENC indicated in response to Public Staff data requests in previous years, that it determines the service life of an energy efficiency measure for REPS compliance purposes based on the measure lives the Company uses when filing for approval of a DSM program. As an example, the Company noted its most recent Application for Approval of the Small Business Improvement Program, as filed on July 29, 2016, in Docket No. E-22, Sub 538, which presents measure lives of 14 years.

No party disputed that DENC and Town of Windsor complied with their 2017 REPS requirements, and witnesses Hitch and Lawrence both stated that DENC and Town of Windsor met the 2017 REPS requirements.

Based on the foregoing and all the evidence of record, the Commission finds that DENC and its wholesale customer, Town of Windsor, for which DENC is providing REPS compliance services, have fully complied with the requirements of the REPS for 2017, and that DENC's 2018 REPS compliance report for compliance year 2017 should be approved.

EVIDENCE AND CONCLUSIONS FOR FINDINGS OF FACT NOS. 7-8

The evidence supporting this finding of fact appears in DENC's Application, the testimony of DENC witnesses Hitch, Moore, and Rice, and the affidavits of Public Staff witnesses Li and Lawrence.

Commission Rule R8-67(e)(3) provides that the test period for REPS rider proceedings shall be the same as that used by the utility in its annual fuel charge adjustment proceedings, which is specified in Rule R8-55(c) for DENC to be the 12-month period ending each June 30. Therefore, the test period to be used for purposes of this proceeding is the period July 1, 2017, through June 30, 2018.

Regarding the rate period, Rule R8-67(e)(4) provides that the REPS and REPS EMF riders shall be in effect for a fixed period that “shall coincide, to the extent practical, with the recovery period for the cost of fuel and fuel-related cost rider established pursuant to Rule R8-55.” For DENC, in previous years, this has been the calendar year. In its current fuel proceeding, Docket No. E-22, Sub 558, and in this proceeding, DENC has proposed that its rate adjustments take effect on February 1, 2019, and remain in effect for a 12-month period. In its application, the Company stated that the proposed adjustment to the annual rate period would extend the time for the Commission to issue orders in the Company’s three annual rider proceedings filed pursuant to NCUC Rules R8-55, R8-67, and R8-69, respectively, and to then allow the Company additional time to finalize rates and customer notices prior to the updated annual riders’ effective date.

Company witness Rice testified that in order to effectuate the transition to a February 1 – January 31 rate period, the Company is proposing to maintain Rider RP as approved by the Commission in the Company’s previous REPS cost recovery proceeding, and to reduce Rider RPE for all classes to zero during the January 1-31, 2019 period.

DENC’s test period and rate period were not challenged by any party.¹ Therefore, the Commission finds that the test period and rate period proposed by DENC are appropriate for use in this proceeding. For January 2019, the Company

¹ The Company’s proposal is consistent with the Petition filed by the Public Staff in Docket No. E-100, Sub 160 on September 6, 2018, which suggested that moving the effective date of DENC’s new cost recovery riders to February 1 would alleviate the burden on the Commission, the Public Staff, and the Company to file and issue proposed and final orders and implement revised rates by January 1 each year. On October 11, 2018, the Commission issued an order adopting the Public Staff’s recommendation.

shall continue to charge Rider RP as approved in the 2017 proceeding, and shall reduce the rate charged under Rider RPE to zero as proposed.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 9

The evidence supporting this finding of fact appears in the testimony and exhibits of DENC witnesses Hitch and Moore and the affidavits of Public Staff witnesses Lawrence and Li.

Pursuant to G.S. § 62-133.8(h)(1), “incremental costs” include, among other things, “all reasonable and prudent costs incurred by an electric power supplier to . . . (b) [f]und research that encourages the development of renewable energy, energy efficiency, or improved air quality, provided those costs do not exceed one million dollars (\$1,000,000) per year.” Whether specific test period or forecasted rate period expenditures to fund research are eligible for cost recovery through an annual rider pursuant to this provision is determined by the Commission on a case-by-case basis.

DENC witnesses Hitch and Moore described the status of the Company’s micro-grid project, which the Commission approved in the Company’s 2013 REPS rider proceeding, Docket No. E-22, Sub 503, as a research project qualifying for REPS rider cost recovery pursuant to G.S. § 62-133.8(h)(1). DENC’s micro-grid project was constructed at the Company’s Kitty Hawk district office beginning in February 2014, and was commissioned and placed in service for operation as a micro-grid on July 22, 2014.

The confidential exhibits of Company witness Moore set forth the ongoing operations and maintenance expenses the micro-grid project incurred during the test period.

Public Staff witness Lawrence stated in his affidavit that the Public Staff reviewed DENC's micro-grid research costs as part of its investigation into DENC's Application and did not take issue with the nature of the ongoing costs associated with the project.

The Commission concludes that the research activities proposed by DENC to be funded during the rate period are eligible research costs recoverable under G.S. § 62-133.8(h)(1)(b), and that such research costs are within the annual limit allowed by statute.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 10

The evidence supporting this finding of fact is found in the testimony and exhibits of DENC witness Hitch. DENC witness Hitch testified that the Company purchases RECs for use by Town of Windsor, its wholesale customer, to meet its REPS obligations. However, 75% of Town of Windsor's RECs must be obtained from in-state sources, whereas DENC, pursuant to G.S. § 62-133.8(b)(2)(e), is exempt from this requirement and may obtain all of its RECs from outside North Carolina. Because of this difference in requirements, DENC has directly assigned to Town of Windsor the costs of RECs used for its REPS compliance, and has excluded them from the REPS costs the Company is seeking to recover in this proceeding. Similarly, witness Hitch testified, other incremental REPS compliance costs reasonably attributable to Town of Windsor are excluded from the costs that DENC is seeking to recover. The Public Staff made no objection to the manner in which the Company separates its own REPS compliance costs from those incurred on behalf of Town of Windsor. Accordingly, the Commission finds that DENC's

approach of managing its retail REPS costs separately from the REPS costs for Town of Windsor is reasonable.

EVIDENCE AND CONCLUSIONS FOR FINDINGS OF FACT NOS. 11-16

The evidence supporting these findings of fact appears in the testimony and exhibits of DENC witnesses Moore and Rice and the affidavits of Public Staff witnesses Lawrence and Li.

As shown in witness Moore's Supplemental Exhibit AJM-1, DENC's incremental REPS compliance costs for the test period amounted to \$768,667, while its test-period Rider RP revenues totaled \$555,778, resulting in an under-recovery of \$212,889, to be recovered through Rider RPE. The under-recovery for each customer class is set forth on witness Rice's Supplemental Exhibit RCR-1, Schedule 2, as follows: \$108,810 for the residential class, \$101,733 for the commercial class, and \$2,347 for the industrial class.² These under-recoveries are divided by the total adjusted number of accounts, which are 103,079, 17,565, and 60 for the residential, commercial, and industrial classes, respectively, and further divided by 12 months to determine the monthly per-account charge. The projected incremental costs for the billing period, which are recovered through Rider RP, amount to \$826,817. These costs are set forth on Supplemental Exhibit RCR-1, Schedule 4, and are broken down by customer class as follows: \$421,144 for the residential class, \$396,592 for the commercial class, and \$9,081 for the industrial class.³ These incremental costs are divided by the total adjusted number

² These figures can be found by combining lines 1 and 5, lines 2 and 6, and lines 3 and 7, in the next-to-last column of Company Exhibit No. RCR-1, Schedule 2.

³ These figures can be found by combining lines 1 and 5, lines 2 and 6, and lines 3 and 7, in the next-to-last column of Company Exhibit No. RCR-1, Schedule 4.

of accounts for each class, and further divided by 12 months to determine the monthly per-account charge.

In his testimony, witness Rice determined that the appropriate monthly rates for Riders RP and RPE, including the regulatory fee, are as follows:

Customer Class	Forecast Rate (Rider RP)	EMF Rate (Rider RPE)	Total REPS Rate
Residential	\$0.34	\$0.09	\$0.43
Commercial	\$1.88	\$0.47	\$2.35
Industrial	\$12.63	\$3.26	\$15.89

Public Staff witnesses Lawrence and Li described the Public Staff's audit of DENC's REPS costs and recommended approval of DENC's proposed Rider RP and RPE rates. The Commission therefore finds the Company's proposed rates to be reasonable.

IT IS, THEREFORE, ORDERED as follows:

1. That DENC shall establish a REPS Rider RP as described herein, in the amounts approved herein, and that this rider shall remain in effect for a 12-month period beginning February 1, 2019, and expiring January 31, 2020;
2. That DENC shall establish a REPS EMF Rider RPE as described herein, and that this rider shall remain in effect for a 12-month period beginning February 1, 2019, and expiring January 31, 2020;
3. That DENC shall continue to charge the REPS Rider RP approved in the previous REPS cost recovery proceeding from January 1-31, 2019, and shall establish a REPS EMF Rider RPE with a rate of zero to be in effect beginning January 1, 2019, and expiring January 31, 2019;

4. That DENC shall work with the Public Staff to prepare a joint notice to customers of the rate changes ordered by the Commission in this docket, as well as in Docket No. E-22, Subs 556 and 558, and the Company shall file such notice for Commission approval as soon as practicable, but not later than three (3) working days after the Commission issues orders in all of the above-referenced dockets;

5. That DENC shall file appropriate rate schedules and riders with the Commission to implement the provisions of this Order as soon as practicable;

6. That DENC's 2018 REPS compliance report is hereby approved, and the RECs and EECs in DENC's and Town of Windsor's 2017 compliance sub-accounts in NC-RETS shall be retired.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2018.

NORTH CAROLINA UTILITIES COMMISSION

M. Lynn Jarvis, Chief Clerk

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Joint Proposed Order of Dominion Energy North Carolina and the Public Staff, filed in Docket No. E-22, Sub 557, were served electronically or via U.S. mail, first-class postage prepaid, upon all parties of record.

This the 7th day of December, 2018.

/s/Andrea R. Kells

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