

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. E-2, SUB 1167
DOCKET NO. E-7, SUB 1166**

In the Matter of:)
Application of Duke Energy Progress, LLC)
and Duke Energy Carolinas, LLC) **JOINT MOTION TO AMEND**
Requesting Approval of Solar Rebate)
Program Pursuant to N.C. Gen. Stat. §)
62155(f))

JOINT MOTION TO AMEND

Pursuant to N.C. Gen. Stat. § 62-80 and Commission Rule R1-7, the North Carolina Sustainable Energy Association (“NCSEA”), Duke Energy Progress, LLC (“DEP”), Duke Energy Carolinas, LLC (“DEC”) (DEP and DEC collectively “Duke”), Public Staff – North Carolina Utilities Commission (“Public Staff”) and the Southern Alliance for Clean Energy (“SACE”) (NCSEA, Duke, Public Staff, and SACE collectively “Movants”), hereby jointly move the North Carolina Utilities Commission (the “Commission”) to amend its *Order Modifying First Year of Solar Rebate Program* issued in this docket on September 20, 2018 (the “Modification Order”) and its *Order Modifying and Approving Riders Implementing Solar Rebate Program* issued in this docket on April 3, 2018 (“Implementation Order”) which accepted and modified Duke’s January 22, 2018 *Application Requesting Approval of Solar Rebate Program* (“Application”).

N.C. Gen. Stat. § 62-155(f), which codified House Bill 589, Session Law 2017-192 (“H.B. 589”), provides for the details of the solar rebate program (the “Rebate Program”) that is the subject for the instant proceeding. N.C. Gen. Stat. § 62-155(f) states that the Rebate Program will begin on January 1, 2018 and shall continue until December 31, 2022.

However, for a variety of reasons, the application window for the 2018 Rebate Program Year did not open until July 9, 2018. The resulting truncated window for the year 2018 solar rebate program, compounded by the high demand for solar rebates, led the Commission to order a specific starting date for the program in subsequent years. Specifically, on page 5 of the Modification Order, the Commissioner states that “the application window will open on January 1 of each year” of the remaining years of the rebate program.

The Movants believe that opening the application window on January 1, a federal holiday, will cause unnecessary confusion and cost to Duke, solar installers, and, most importantly, potential customers. The Movants respectfully and jointly request that the Commission amend the Rebate Program so that the application window will open on the first business day of the calendar year, rather than January 1. Furthermore, to provide a clear ending date for each year of the Rebate Program, the Movants also request the Commission amend the Rebate Program to require that residential customers who obtained a rebate reservation prior to installing their eligible solar installation complete the installation no later than December 31st of the calendar year in which the rebate reservation was obtained. In support of this Motion, the Movants state as follows:

I. THE APPLICATION WINDOW SHOULD OPEN ON THE FIRST BUSINESS DAY OF THE YEAR.

The Movants suggest this amendment is possible and should be made for several reasons. First, N.C. Gen. Stat. § 62-155(f) does not require that the application window open on the January 1. Delaying the opening of the application window to the first business day of the year is a limited delay in time and will not prejudice potential customers. In fact, potential customers will be less prejudiced by opening the application window on the first

business day of the year because January 1 is a federal holiday and, for many potential customers, a day where they may be with family, traveling, or otherwise away from a computer. Therefore, if the application window opens at 9:00 a.m. on January 1, 2019, then there is a chance that some potential customers will miss the chance to reserve a 2019 rebate.

Opening the application window on January 1 will also be needlessly costly for solar installers and Duke. Duke must prepare for a sizeable rush of web traffic related to the opening and to answer any questions related to the application, including troubleshooting questions. Similarly, solar installer companies who assist their customers with rebate applications will be forced to incur additional expenses to provide staffing on a federal holiday. Opening the application window on the first business day of the year will limit these extra expenses for both Duke and solar installers. For all these reasons, the Movants request that the Commission amend DEC and DEP's respective Solar Rebate Riders as set forth in **Attachment A, Attachment B, Attachment C, Attachment D, Attachment E, Attachment F, Attachment G, and Attachment H** to have the application window open on the first business day of the year. For the year 2019, this amendment will cause the Rebate Program application window to launch on January 2, 2019.

II. THE COMMISSION SHOULD AMEND THE PROGRAM TO CLOSE YEARLY INSTALLATIONS ON THE LAST DAY OF EACH CALENDAR YEAR.

The Movants propose that the Commission further amend the Rebate Program to require that residential customers who received a rebate reservation prior to installation of their eligible generating system complete the installation no later than December 31 of that year. The current tariffs require residential customers who obtain a rebate reservation

install their eligible generating system no later than 365 days from the date of the rebate reservation.

The current tariff language, while not required by rule or statute, was not objected to by any of the intervenors in this proceeding and was accepted by the Commission in its Implementation Order. While the Movants understand that the 365-day deadline allows residential customers ample time to complete the installation of their generating system after receiving a rebate reservation, the moving target has the potential to make the Rebate Program unwieldy and unpredictable. Amending the yearly deadline to install the generating system to December 31 of the year in which a customer received their rebate reservation, as set forth in **Attachment A, Attachment B, Attachment C** and **Attachment D**, will make yearly program implementation cleaner and more predictable.

III. CONCLUSION.

The Movants believe the above-described amendments to the Rebate Program will provide the bright-line that all relevant parties desire regarding the rollover of annual rebate capacity allocations. Furthermore, these amendments will not prejudice any customers as any customer who successfully applied for a rebate in 2019 will still be eligible to apply again in 2020 if he or she did not install timely.

The Movants request that the Commission amend the Rebate Program tariffs to change the opening window for applications for rebates and rebate reservations from January 1 to the first business day of the year. Furthermore, the Movants request the Commission amend the Rebate Program tariffs to require customers who received a rebate reservation to install their generating system no later than December 31 of the year in which the rebate reservation was obtained.

Respectfully submitted, this the 7th day of November, 2018.

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CERTIFICATE OF SERVICE

I hereby certify that all persons on the docket service list have been served true and accurate copies of the foregoing document by hand delivery, first class mail deposited in the U.S. mail, postage pre-paid, or by email transmission with the party's consent.

This the 7th day of November, 2018.

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