

**CEAC Meeting  
Asheville, NC  
February 8, 2008**

James McLawhorn  
Director, Electric Division  
Public Staff - NCUC

# What is the Public Staff?

- Independent State Agency created in 1977
- Represent Using and Consuming Public before the North Carolina Utilities Commission in all regulated utility matters
- Headed by Executive Director, Robert Gruber
- Nine Divisions, 5 of which are industry specific
- Total staff of approximately 80, including clerical and administrative

# Public Staff Electric Division

- Division Director
- Seven Engineers
- Administrative Assistant
- Review and Investigate all aspects of regulated electric utilities operating in NC
- Power Plants, Fuel, Transmission Lines, Energy Efficiency, Rates, Service Practices, Complaint Investigations

# Review of EE Programs

- G.S. 62-140 (c) requires that any offering of a utility that involves offers to “pay any compensation or consideration or furnish any equipment” that impacts or is intended to impact the consumption of said utility’s electric service must first be filed and approved by the Commission.
- Commission Rule R1-38 establishes the guidelines to apply G.S. 62-140 (c).

# Rule R1-38 - Incentive Programs

- Consideration – anything of economic value paid, given, or offered to any person by a Public Utility, regardless of source of the consideration.
- Prior to offering ANY program which offers consideration, Public Utility must file for and obtain NCUC approval.

# Filing Requirements

- Cover page with summary information
- Description of program
- Costs of program
- Conditions of program, including consideration to be paid
- Economic justification
- Communications materials
- Other relevant information

# Procedure Before NCUC

- Utility files program
- Public Staff and other intervenors have 30 days to seek intervention before NCUC
- Utility has 10 days to respond to these petitions or protests
- NCUC may set the matter for hearing
- 45 days allowed for discovery and filing of testimony
- Hearing held within 90 days of original filing date

# Impact of Senate Bill 3

- Effective August 20, 2007
- G.S. 62-133.8 provides for cost recovery for demand-side management and energy efficiency measures – annual rider allowed
- Proposed Rule R8-68 establishes guidelines to implement G.S. 62-133.8, and would replace Rule R1-38 for electric utilities
- Proposed Rule R8-68 is much more detailed and prescriptive than R1-38

# Proposed Rule R8-68

- Programs tied to Integrated Resource Plan
- Cost effectiveness
- Measurement and verification plans
- Costs avoided and net lost revenues
- Incentives to the utility

Questions?