

VERIFICATION

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The undersigned, Bruce Sailors, Director Jurisdictional Rate Administration, being duly sworn, deposes and says that he has personal knowledge of the matters set forth in the foregoing data requests and that the answers contained therein are true and correct to the best of his knowledge, information and belief.

Bruce L. Sailors
Bruce Sailors Affiant

Subscribed and sworn to before me by Bruce Sailors on this 30TH day of JANUARY, 2024.



Adele M. Frisch
NOTARY PUBLIC

My Commission Expires: 1/5/2029

VERIFICATION

STATE OF NORTH CAROLINA)
)
) SS:
COUNTY OF MECKLENBURG)

The undersigned, Jacob Colley, Director Customer Services Strategy, being duly sworn, deposes and says that he has personal knowledge of the matters set forth in the foregoing data requests, and that the answers contained therein are true and correct to the best of his knowledge, information and belief.


_____)
Jacob Colley Affiant

Subscribed and sworn to before me by Jacob Colley on this 14th day of February, 2024.




_____)
NOTARY PUBLIC

My Commission Expires:
February 14, 2024

KyPSC Case No. 2023-0413
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Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-001

REQUEST:

Reference: Application, Numbered Paragraphs 8 and 9 (page 4).

- a. Numbered Paragraph 8 includes a truncated sentence from KRS 278.466(6) through which a portion of the Legislature's instruction is omitted. Specifically, the Paragraph states, at pertinent part: "the net metering tariff provisions in place when the eligible customer-generator began taking net metering service . . . shall remain in effect at those premises for a twenty-five (25) year period." Confirm that this sentence in KRS 278.466(6) includes the following additional text "the net metering tariff provisions in place when the eligible customer generator began taking net metering service . . . shall remain in effect at those premises for a twenty-five (25) year period, **regardless of whether the premises are sold or conveyed during that twenty-five (25) year period (emphasis added in bold for the omitted portion of the statute).**"
- b. State whether it is the intent of Duke to allow the net metering tariff provisions in place when the eligible customer-generator began taking net metering service (through the proposed Rider NM I) to remain in effect for a twenty-five (25) year "grandfathering" period only if the premises are not sold or conveyed during that period.
- c. Numbered Paragraph 9 states, in pertinent part: "[T]he AVAILABILITY section is proposed to be revised to close the rider to new participants." State whether it is the

intent of Duke to not allow a successive customer who takes service at a premises upon which an eligible customer-generator that began taking net metering service under the “grandfathered” net metering framework is located upon a sale or conveyance of that premises to the successive customer.

- d. State whether Duke agrees or disagrees with the following approach concerning availability of the continuation of net metering under the “grandfathered” net metering framework (through the proposed Rider NM I) at a premises with an eligible customer-generator: The AVAILABILITY section should be revised to close the “grandfathered” net metering framework to any new eligible customer-generators. If Duke disagrees with this approach, state all reasons for disagreement.
- e. Numbered Paragraph 9. State whether Duke will, upon the closing of an account for a premises with a “grandfathered” eligible customer-generator, will advise or otherwise provide notice to a successive customer who opens an account at that premises during the “grandfathering” period of the option to continue receiving net metering service under the “grandfathered” net metering framework (through the proposed Rider NM I). If yes, explain how. If no, explain why not.
- f. Identify, by Exhibit Number and page number, the section(s) and language of Duke’s proposed revisions to its existing net metering tariff through which Duke addresses how a successive customer (a new customer taking service following a sale or conveyance of premises containing an eligible customer-generator subject to the “grandfathered” net metering framework) applies for, activates, accepts, or otherwise invokes the right to continue to receive service under the “grandfathered” net metering framework (through the proposed Rider NM I) for the term of the

“grandfathering” period. If there is no language in the proposed tariff, explain why not.

- g. Will Duke provide each customer receiving “grandfathered” net metering service with a certificate or other written confirmation or proof of eligibility to continue participation through the proposed Rider NM I including a description of the rights and responsibilities regarding the preservation of the status? If yes, provide a narrative that explains the certification process. If no, explain why not.

RESPONSE:

- a. Confirmed.
- b. It is not the Company’s intent to transition a customer site from NM I to NM II during the 25-year “grandfathering” period if the customer site is sold or conveyed. The customer site will remain on NM I during the 25-year “grandfathering” period when sold or conveyed assuming there is no other reason for removal or transition. If the new customer does not activate an interconnection agreement or the new customer implements material changes to the solar facility requiring a new interconnection agreement, the net metering service could be altered.
- c. Such a new customer will be eligible to take service under NM I for the remainder of the 25-year “grandfathering” period. See the response to (b) above for additional information.
- d. A new customer moving into a building (i.e., customer site) that is grandfathered in Rider NM I will be eligible to receive service for the grandfathered period at the grandfathered site. Customer sites/accounts receiving service under NM I will be grandfathered under NM I for 25-years starting on the effective date of NM II assuming there is no other reason to remove or transition the customer site.

- e. When the customer contacts the Company to open the account, the customer care representative notifies the new customer that the site was previously on net metering. However, it is the customer's responsibility to complete a new application for net metering service/interconnection.
- f. The administrative process to establish net metering service is not documented in the net metering tariff sheet.
- g. No. The Company will track grandfathering status internally. Customers receive a copy of their net metering/interconnection application and an approval letter. These documents represent the interconnection agreement. Each customer who participates in net metering will have these documents.

PERSON RESPONSIBLE: Bruce L. Sailors

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-002

REQUEST:

Reference: Application, Numbered Paragraph 10 (page 4).

- a. Explain what is meant by the phrase “material increase” in terms of how a customer may know in advance of a replacement of equipment as to what is acceptable and unacceptable for continuation of service through the “grandfathered” net metering framework.
- b. Compare the phrase “material increase” per the Application with the Direct Testimony of Bruce L Sailers (“Sailers Direct”) at page 14 at which Mr. Sailers states, in pertinent part: “During the 25-year period, customer-generators are permitted to replace equipment such as, but not limited to, non-functioning solar panels with like replacement if the capacity of the system is not increased by more than the original inverter capacity of the system.” Identify and explain the scenario(s) in which there is an increase through the replacement of equipment but the capacity of the system is not increased by more than the original inverter capacity of the system.
- c. In determining whether a change results in a material increase, state whether Duke plans to use any of the following methods to identify a material change.
 - i. Duke will use a “per se” rule such that an increase of greater than, say, five percent (5%) of the system nameplate capacity is a material increase (and an increase below five percent (5%) is not considered a material increase).

- If this is the approach, state the proposed percentage. If this is not the approach, explain why not.
- ii. If Duke plans to use the type of approach described in part 2(c)(i), state why the rule is not set forth in the proposed Rider NM I tariff.
 - iii. Duke will use a “per se” rule such that any change in the system nameplate capacity is a material increase. If this is the approach, explain why. If this is not the approach, explain why not.
 - iv. If Duke plans to use the type of approach described in part 2(c)(iii), state why the rule is not set forth in the proposed Rider NM I tariff.
 - v. Duke will review each increase in the capacity of a system on a case-by-case basis to determine if the increase is a material increase. If this is the approach, explain why. If this is not the approach, explain why not.
 - vi. If Duke plans to use the type of approach described in part 2(c)(v), state why the approach is not set forth in the proposed Rider NM I tariff.
 - vii. If Duke plans to use an approach other than one of the approaches described in part 2(c)(i), (iii), or (v), fully describe the approach for determining whether there has been a material increase.
- d. Fully describe the process or methodology and corresponding review that Duke proposes to apply to any replacement of equipment. For example, will a customer receiving net metering service through a “grandfathered” eligible customer-generator be required or, alternatively, allowed to submit, for preapproval an application for replacement of equipment, etc.
- e. State the purpose of the “material increase” provision.

- f. Identify the statutory provision(s) in KRS Chapter 278 establishing the “material increase” test for replacement of equipment.

RESPONSE:

- a. Please see response to STAFF-DR-01-002. A material increase is an increase above the approved capacity of the system in the interconnection agreement. This is equivalent to the capacity rating of the solar facilities inverter.
- b. The Company does not suggest what the typical customer scenario will be. A customer would work with their installer when replacing panels to determine if the inverter is capable to receive the increased kW from the new panels. Whether or not the inverter will require replacement is unknown.
- c. Please see responses below:
 - i. This is not the approach. See response to (a) above.
 - ii. Not applicable.
 - iii. This is not the approach. See response to (a) above.
 - iv. Not applicable.
 - v. This is not the approach. See response to (a) above.
 - vi. Not applicable.
 - vii. Please see response to STAFF-DR-01-002. To summarize, an increase in capacity requiring a new interconnection study is considered a material increase.
- d. No application for pre-approval is required. However, a customer is required to submit an application for a new interconnection agreement if the capacity of the facility is increased. The Company will review NM I status at such time as applicable.

- e. When the capacity of a facility is increased above the interconnection agreement, a new interconnection study is required.
- f. Objection. This request seeks a legal opinion. Without waiving said objection, and to the extent discoverable, see KRS 278.466 Sections (6) through (9). New capacity added after the effective date of Rider NM II would be reviewed under Rider NM II.

PERSON RESPONSIBLE:

Legal as to Objection

Bruce L. Sailors as to response

**Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024**

KYSEIA-DR-01-003

REQUEST:

Reference: Application, Numbered Paragraph 11 (page 5).

- a. Identify and explain the “future developments.

RESPONSE:

For this reference, “future developments” refers to PJM’s future implementation of FERC Order 2222.

PERSON RESPONSIBLE: Bruce L. Sailors

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-004

REQUEST:

Reference: Application, Exhibit 3, page 1 of 6.

- a. Concerning AVAILABILITY, the proposed Rider NM II contains, at pertinent part, the statement: "If the cumulative generating capacity of net metering systems reached one percent (1%) of the Company's single hour peak load during the previous year the Company's obligation to offer net metering to a new customer-generator may be limited." State and explain (i) what the Company means by the term "limited" and (ii) all factors that will be considered in an exercise of discretion to limit offering net metering to a new customer-generator.
- b. For the proposed tariff provision identified in part a (immediately above), state whether Duke will seek prior Commission approval before any exercise of discretion to limit offering net metering to a new customer-generator upon reaching the one percent (1%) of the Company's single hour peak load metric. If yes, explain how. If no, explain why not.
- c. Concerning a standard rate schedule with a two-part rate structure, provide a hypothetical example through which each of the two-parts and their operation are demonstrated.

RESPONSE:

- a. "Limited," as qualified by the words "may be" refers to the Company's different statutory obligation regarding net metering once the cumulative generating capacity

of NEM systems reaches 1% of the Company's single hour peak load. Factors to consider regarding such limiting have not been determined.

- b. Objection. Calls for speculation. Without waiving said objection, and to the extent discoverable, KRS 278.466 provides in relevant part, "if the cumulative generating capacity of net metering systems reaches one percent (1%) of a supplier's single hour peak load during a calendar year, the supplier *shall have no further obligation to offer net metering* to any new customer-generator at any subsequent time." (*Emphasis added*). Therefore, by statute, upon reaching the 1% threshold, the obligation to offer net metering terminates by law without any action by the Commission. The Company has not made a determination as to future changes or alternate programs beyond the present application.
- c. Rate RS can be considered a two-part tariff sheet. See AG-DR-01-001 and AG-DR-01-002.

PERSON RESPONSIBLE: As to objections, Legal
As to response, Bruce L. Sailors

REQUEST:

References: Sailers Direct and Application, Exhibit 3, page 2 of 6.

- a. At page 6 of Sailers Direct (also see page 16), “monthly kWh netting” is identified as a “main theme” from the forums with external stakeholders. With respect to “monthly kWh netting” for customers receiving service through the proposed Rider NM II, confirm or deny (in parts a i and ii immediately below) the following statements (without regard to the treatment of any excess dollar amount credit created during a monthly billing period or any dollar value credit applied during a monthly billing period) concerning the monthly netting process.
 - i. Duke will determine the dollar amount energy charge for the kWh delivered to the customer during the monthly billing period. Duke will also determine a dollar amount credit for the kWh fed into the grid by the customer. Duke will, for the billing period, net the dollar amount energy charge for the kWh delivered against the dollar amount credit for energy fed into the grid.
 - ii. Duke will determine the amount of kWh delivered to the customer during the billing period. Duke will determine the amount of kWh fed into the grid by the customer during the billing period. Duke will net the kWh delivered against the kWh fed into the system and thereafter determine the dollar amount energy charge for the net amount of kWh delivered (if kWh delivered is greater than kWh fed into the grid) or, alternatively, the dollar

amount credit for energy fed into the grid (if kWh fed into the grid is greater than kWh delivered).

- iii. The proposed NM II tariff states (Exhibit 3, Page 2 of 6), at pertinent part, that a metering requires “use of one of the following methods, as determined solely by the Company,” and thereafter identifies and defines methodology “(1)” and methodology “(2)” as the methods. State and explain the scenarios in which the second alternative described in methodology “(2)” (“a single standard kilowatt hour meter capable of measuring the flow of electricity in two (2) directions and registering the net amount in one register, as determined by the Company”) will be required and/or permitted.
 - iv. If Duke is unable to confirm either scenario in parts a i and ii described above, state how Duke will determine the net monthly bills for customers receiving service under the proposed Rider NM II and provide examples of the determination of a monthly bill under Rider NM II when (a) the amount of kWh delivered to the customer during the billing period is greater than the amount fed into the grid and also (b) when the amount of kWh delivered to the customer during the billing period is less than the amount of kWh fed into the grid.
- b. Confirm that methodology “(2)” under METERING includes authorization for metering through a single standard kilowatt hour metering which registers the net amount in one register. If this cannot be confirmed, explain why not.
 - c. Refer to the METERING methodology identified in part b immediately above and state whether billing based upon net kilowatt usage during a billing period is

permissible through the proposed NM II. If yes, explain why. If no, explain why not.

RESPONSE:

- a. Please see responses below:
 - i. Confirmed; the Company proposes netting dollar values of energy.
 - ii. No, the Company's proposed approach is more appropriately described in (i) above.
 - iii. Scenario (2) is an old, alternative method that could be employed if for some reason scenario (1) cannot be used. The Company would not utilize this method unless necessary.
 - iv. Not applicable.
- b. The Company has not identified a situation when scenario (2) would be used. Scenario (2) involves the use of two meters and would only be applicable if scenario (1) cannot be used.
- c. No. See response to a.1 above.

PERSON RESPONSIBLE: Bruce L. Sailors

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-006

REQUEST:

Reference: Sailers Direct at page 5.

- a. Regarding the Avoided Cost Excess Generation Credit (ACEGC), how identify the factors that Duke will take into consideration and the process through which Duke will revise its Avoided Cost Excess Generation Credit. For examples, does Duke anticipate revising its ACEGC through and as part of a proceeding for the general adjustment of base rates, or through “stand-alone” tariff filings (such as the application in the instant proceeding)?
- b. For a scenario in which the one percent (1%) threshold identified in KRS 278.466(1) is reached and Duke no longer offers net metering service through Rider NM II to any new customer-generators, does Duke anticipate that the closing of Rider NM II will impact the factors and considerations identified in response to part a, above. If yes, explain how. If no, explain why not.
- c. Refer to Sailers Direct at page 14. Is it Duke’s position that the ACEGC amount in place at the time that a specific customer-generator begins to take service through Rider NM II (“upon starting participation”) will remain the applicable ACEGC amount for that specific customer-generator for twenty-five (25) years or whether it is Duke’s position that the ACEGC amount for that customer-generator will be subject to change before the end of a twenty-five (25) year period.

- d. If the ACEGC amount identified in part c (above) is subject to change after a specific customer-generator starts participation through Rider NM II, explain the way(s) the ACEGC amount for that specific customer-generator can be changed.
- e. Refer to Sailers Direct starting at page 16. If there is a change in the ACEGC amount, for example and for this data request assume that all other things equal and there is an increase in the amount of avoided costs through the Environmental Cost component of the ACEGC, will the ACEGC amount in place at the time that a specific customer-generator begins to take service through Rider NM II remain the same for twenty-five (25) years or will the ACEGC amount be revised to reflect the increase? For this scenario, include in the discussion an explanation concerning what happens to the ACEGC amount if there is, all other things equal, a decrease in the amount of avoided costs through the Environmental Cost component of the ACEGC amount that is in place at the time that a specific customer-generator begins to take service through Rider NM II.

RESPONSE:

- a. Objection. This request is overly broad and unduly burdensome, given that it seeks information that is unlimited as to time and that is neither relevant to this proceeding nor likely to lead to the discovery of admissible evidence in this proceeding. Additionally, this request is improper to the extent it may seek information that, on the basis of attorney-client privilege is not subject to disclosure. Notwithstanding these objections, and in the spirit of discovery, the Company has not made a decision how it will amend its tariff in the future and could seek to do so in either a base rate or stand-alone tariff proceeding.

- b. Objection. Calls for speculation. Without waiving said objection and to the extent discoverable, see response to (a).
- c. The ACEGC will be subject to change as approved by the Commission. See response to (a).
- d. See response to (a) above.
- e. See response to (a).

PERSON RESPONSIBLE:

Legal- As to Objection

Bruce L. Sailors- As to response

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-007

REQUEST:

Reference: Sailers Direct at pages 7 and 8.

- a. Provide a schedule that contains a breakdown of the 776 customer-generators identified on line 11 by customer classification as either residential customers or non-residential customers.
- b. Confirm that all 776 customer-generators identified on line 11 are receiving service through Duke's existing net metering tariff (going-forward through the proposed Rider NM I).
- c. Of the 776 customer-generators identified on line 11, confirm that none of these customer-generators have systems larger than forty-five (45) kilowatts. If there are any customer-generators with systems larger than forty-five (45) kilowatts, state (i) the number of systems, (ii) the total MW-AC associated with these systems, and (iii) the reason(s) these systems are allowed to receive service through Duke's net metering service tariff (going-forward through the proposed Rider NM I).
- d. Confirm that the 5.9 MW-AC amount in Table 1 is solely attributable to, comprises only, customers receiving service through Duke's existing net metering tariff (going-forward through the proposed Rider NM I). If this cannot be confirmed, state (i) the amount of MW-AC not attributable not service through Duke's existing net metering tariff and (ii) the reason(s) why the amount is included in the 5.9 MW-AC amount in Table 1.

- e. Duke's current Rider NM, in discussing AVAILABILITY, includes, among other things, the following statement: "At its sole discretion, the Company may provide Net Metering to other customer-generators not meeting all [six (6) of] the conditions listed above on a case-by-case basis." State whether Duke has ever provided net metering service to any customer-generator who did not meet all six (6) of the conditions listed in the tariff. If yes, for each such exercise in favor of providing service to such a customer-generator, state the requirement(s) or condition(s) that was (were) not met and the reason(s) for the exercise of discretion in favor of providing service.

RESPONSE:

- a. Of the 776 customers, there are 760 residential customer-generators and sixteen non-residential customer-generators.
- b. Confirmed.
- c. There are two customer-generators with system sizes exceeding 45 kW. The total kW associated with these two customer-generators is 432 kW-AC. These two non-profits, governmental/educational customer generators received net metering service early in the Company's net metering program history when there was exceptionally low net metering activity.
- d. Confirmed.
- e. See response to (c) above.

PERSON RESPONSIBLE: Bruce L. Sailors

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-008

REQUEST:

Reference: Sailers Direct at page 23.

- a. Identify each statutory provision in the Kentucky Revised Statutes serving as the foundation for the statement: “Under current Kentucky statutes and with the tariffs proposed in this proceeding, the Company believes that customer-generators are fully compensated through net metering program participation.”
- b. State whether any (and if applicable identify each) statute in KRS Chapter 278 prohibits a customer-generator from participation in wholesale markets through a distributed energy resource aggregator.
- c. Fully explain what is meant by the phrase on line 17 – “double counting.”

RESPONSE:

- a. Objection. Calls for legal opinion. Without waiving said objection, see KRS 278.466(3), which establishes that the Commission will set the rate of compensation for energy that flows to the retail electric supplier. The Commission held an investigation into how this rate is determined and has established a list of avoided costs to be considered. The Company has addressed each item on the Commission's avoided cost list and proposes that net metering participants are fully compensated through the rates set in this proceeding.
- b. Objection. Calls for legal opinion. Without waiving said objection, the Company submits that if dual participation results in compensation greater than the amount

established by the Commission, then customer-generators will be over compensated. Given the customer's participation in net metering with the Company, the Company reserves the option to manage double counting issues and perform the role of distributed energy resource aggregator as required or found beneficial for customers.

- c. Double Counting is a topic in FERC Order 2222 and refers to the situation where the same energy injection is compensated for the same service more than once. The FERC Order 2222 reference above is to the FERC Order, Section C.3 starting on page 116. PJM has made compliance filings addressing double counting as required by the FERC Order. Of note, in PJM's second compliance filing on September 1, 2023 at page 12, "A Component DER shall not be registered with multiple DER Aggregation Resources, or participate as part of another Market Participant outside of the DER Aggregator Participation Model." Therefore, a Component DER, relevant here the rooftop solar facility, cannot participate in more than one aggregation or with more than one aggregator. Given the customer's participation in the Company's net metering program, the Company retains the ability to be the distributed energy resource aggregator (DERA) for the rooftop solar facility; thereby, excluding participation through any other DERA.

PERSON RESPONSIBLE: As to objections, Legal
As to responses, Bruce L. Sailors

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-009

REQUEST:

Reference: Sailers Direct at page 8, Table 1.

- a. For the period of time corresponding to and supporting the development of Table 1 (with the date of the first application that resulted in an account participant as the start date), state, year-by-year, the total interconnection applications received.
- b. For all applications received that resulted in an account participant, state the average amount of time from the date of application to date of interconnection (the start of service under the net metering tariff).
- c. For all applications received that did not result in an account participant or do not fall within the category of "Queued" per Table 1, state the average amount of time from the date of the application to the date that the interconnection request was withdrawn, abandoned, or otherwise terminated from further consideration.
- d. State whether Duke accepts electronic applications for interconnection. If electronic applications are not accepted, explain why they are not accepted.

RESPONSE:

- a. Objection. This Interrogatory is overly broad, unduly burdensome, and designed to elicit information that is both irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, this interrogatory is unreasonable as to time period. Furthermore, this interrogatory requests data in a form not kept

by the Company. Notwithstanding these objections and in the spirit of discovery, the total number of applications in 2023 was 151.

- b. Objection. This Interrogatory is overly broad, unduly burdensome, and designed to elicit information that is both irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, this interrogatory is unreasonable as to time period. Furthermore, this interrogatory requests data in a form not kept by the Company. Notwithstanding these objections and in the spirit of discovery, for all applications that were received in 2023 then subsequently connected, the average days from application to interconnection was 56 days.
- c. Objection. This Interrogatory is overly broad, unduly burdensome, and designed to elicit information that is both irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, this interrogatory is unreasonable as to time period. Furthermore, this interrogatory requests data in a form not kept by the Company. Notwithstanding these objections and in the spirit of discovery, of the new installation applications received in 2023, 21 were cancelled or withdrawn. The duration between application and cancellation or withdraw is not a data point tracked within the interconnection database.
- d. Customers may submit applications electronically via e-mail to customerownedgeneration@duke-energy.com.

PERSON RESPONSIBLE: Jacob Colley

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-010

REQUEST:

Reference: Application, Exhibit 4. For each part of request 10 (below) identify, if applicable, any differences between the application and approval process for Level 1 and Level 2 applications for interconnection in responding to the request.

- a. Describe how Duke processes an application from the receipt of the application through final action upon the application. Include with the description any flow chart that depicts the process, any written operating procedures documenting the process, and/or any internal forms or checklists used during the processing of an application for interconnection.
- b. State whether Duke accepts electronic applications for interconnection. If electronic applications are accepted, fully describe the application process. If electronic applications are not accepted, state why not.
- c. State whether, and if applicable fully describe how, a person who submits an application for interconnection can determine the status of the application.
- d. If Duke rejects an application for interconnection for violation of any code, standard, or regulation related to reliability and safety, does Duke provide a written notice that expressly states (i) each reason for rejection and (ii) the facts and/or rationale supporting the reason(s) for rejection. If written notice expressly stating the reasons for rejection is not provided, explain why not.

- e. State whether Duke has ever rejected an application for something other than a violation of any code, standard, or regulation related to reliability and safety. If yes, identify and describe all other reasons why Duke has rejected an application.
- f. Refer to part d immediately above and provide a schedule or table that lists the reasons for each type of rejection and the number of applications that have been rejected for that reason.
- g. State, for all applications that have been rejected, the average amount of time between the filing of an application for interconnection and the rejection of the application.
- h. State the amount of time in which Duke seeks to either accept or reject an application. If Duke does not have a metric or a goal for this aspect of the application process, explain why not.
- i. Does Duke provide written notice of its acceptance of an application for interconnection as complete for processing? If yes, explain how written notice is provided. If no, explain why not.
- j. If Duke determines that a Level 1 application lacks complete information, how does the Company notify the customer concerning the additional information that is required? Fully explain.
- k. For scenarios in which additional information has been required, identify the average amount of time between the submission of a Level 1 application and the customer notification of the need for additional information.
- l. What is the amount of time identified by Duke as the reasonable amount of time for the Company to determine if a Level 1 application requires additional information? If there is no such metric or goal, explain why not.

- m. How does Duke provide notice that a Level 1 application has been approved.
- n. If a Level 1 application is denied, explain how the Company provides notice of the denial. If the denial is not through a written document that contains all reasons for denial, explain why not.
- o. For a Level 2 application for interconnection, explain the basis for the use of a 30 business day target to respond to a complete application.
- p. Refer to the Application, Exhibit 4, Numbered Paragraph 13, page 7 of 14. State and define what the Company means by the terms “non-rejection” and “any other way.”
- q. Refer to Application, Exhibit 4, Numbered Paragraph 14, page 7 of 14. Explain the process through which Duke will require, review, and approve or deny the transfer of a customer-generator through the sale or conveyance of a premises that does not involve the relocation of the customer-generator. For example, if a customer is receiving net metering service at premises with an approved customer-generator, and the customer passes away such that responsibility for paying the bills associated with service to the premises transfers consequent to the death to an estate, state all actions that will be required and taken through this portion of the tariff.
- r. Does Duke offer pre-application consulting for applications for interconnection? If yes, explain how. If no, explain why not.

RESPONSE:

- a. Objection. This request is overly broad and unduly burdensome, insofar as it requires the response to verbally describe a single process when each application is processed individually and actions taken can depend on various factors, including applicant participation in the process. Furthermore, the request is designed to elicit

information that is both irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding this objection and in the spirit of discovery, the application intake process begins when the Company receives the application typically via email, however facsimile (delivered to email), and mail are available. Over 10 business days, the application is reviewed, the customer is notified of receipt, and next steps in the process are communicated (e.g., application is sent for an engineering/technical review and approval of the physical installation or request for additional documentation from customer). Once all documentation is provided and approved, the final approval notice is sent to the customer via email and the customer can proceed with construction/installation.

- b. Duke accepts electronic applications via email. The application process is described above.
- c. The customer may receive status updates of their interconnection application by emailing or calling the Renewable Service Center, M-F, 8-5pm. Email response occurs within 24-48 hours.
- d. Yes.
- e. Objection. The request is overly broad and unduly burdensome in that it is unlimited as to time and would require the Company to prepare a report or compilation of data in a form in which it does not keep such information. Furthermore, the request is designed to elicit information that is both irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding these objections and in the spirit of discovery, Duke also rejects applications for an incomplete application, such as missing information or documentation. Applications may be rejected initially and then remedied by the

customer with updated information. The Company does not maintain a list of specific rejection types.

- f. Objection. The request is overly broad and unduly burdensome in that it is unlimited as to time and would require the Company to prepare a report or compilation of data in a form in which it does not keep such information and/or to provide unavailable information. Furthermore, the request is designed to elicit information that is both irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding these objections and in the spirit of discovery, the Company does not maintain a list of specific rejection types. The rejection notice to a customer may vary from application to application, however the rejections are often based upon missing documentation or information to satisfy requirements of interconnection. Customers can learn about the requirements of interconnection on the Company's website (<https://www.duke-energy.com/home/products/renewable-energy/generate-your-own>) or by calling or emailing the Renewable Service Center.
- g. Objection. The request is overly broad and unduly burdensome in that it is unlimited as to time and would require the Company to prepare a report or compilation of data in a form in which it does not keep such information and/or to provide unavailable information. Furthermore, the request is designed to elicit information that is both irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding these objections and in the spirit of discovery, applications may be rejected initially and then remedied by the customer with updated information. For example, the customer may omit required information resulting in the application being rejected. The customer is provided

the opportunity to remedy. The average amount of time is not able to be calculated as rejection notices are not time stamped by the interconnection database.

- h. As described in part (a), once the application is submitted, Duke's initial response occurs within 10 business days, however the application can be rejected during technical reviews as well. This timeframe varies based on complexity of the request. Applications may be rejected initially and then remedied by the customer with updated information. The Company seeks to comply with all statutory and regulatory requirements as to timing.
- i. Yes. This is typically sent via email.
- j. This is typically sent via email. The Company describes the reason for rejection and includes the information required to remedy.
- k. Objection. The request is overly broad and unduly burdensome in that it is unlimited as to time and would require the Company to prepare a report or compilation of data in a form in which it does not keep such information and/or to provide information which does not exist. Furthermore, the request is designed to elicit information that is both irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding these objections and in the spirit of discovery, this is not a metric that can specifically tracked within the interconnection database as there may be many multiple exchanges between Duke and the customer related to the need for updated information.
- l. As stated in part (a), Duke responds initially within 10 business days.
- m. The notice is typically sent via email; however, it can be mailed at a customer's request.

- n. The notice is typically sent via email; however, it can be mailed at a customer's request. The Company describes the reason for rejection and includes the information required to remedy.
- o. See *In the Matter of Development of Guidelines for Interconnection and Net Metering For Certain Generators With Capacity Up to Thirty Kilowatts*, Case No. 2008-0016, Order, Appendix A, p. 5 (January 8, 2009) (“The Utility will process the Level 2 Application within 30 business days of receipt of a complete Application.”)
- p. The language in the tariff speaks for itself. “Non-rejection” refers to when the Company does not reject an application for interconnection. “In any other way” should be understood in its plain English meaning.
- q. Using the example above, when the executor of the estate contacts the Company to establish an account in the name of the estate, the Company would inform the individual that this premises is net metered and would require a new interconnection application for a transfer of the interconnection agreement to new ownership.
- r. Yes. Customers may call or email the Renewable Service Center with their questions. As stated above, the RSC is available M-F, 8-5.

PERSON RESPONSIBLE:

As to objections,	Legal
As to responses,	Jacob Colley

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-011

REQUEST:

Reference: Application, proposed tariff provisions.

- a. For each separate operating company, division, department, sub-group, or any other arrangement (“Duke Business Unit”) through which individuals reviewing an application for interconnection do not share or report to the same direct supervisor or manager, identify and describe the role and function of each Duke Business Unit through which an application for interconnection is considered and reviewed.
- b. For each Duke Business Unit identified in part a (immediately above), state the expected amount of time for that Business Unit to process an application for interconnection and complete the role or function assigned to that Business Unit.
- c. Does Duke have a system through which it tracks the progress and can readily identify the status of an application for interconnection as it moves through the review process from Business Unit to Business Unit? If yes, fully describe. If no, explain why not.
- d. Does Duke engage in a continuous improvement process through which it actively studies the efficiency of its review of applications for interconnection? If yes, describe the process and identify and explain the ways in which the review of applications for interconnection has been improved. If no, explain why not.
- e. Does Duke routinely engage in discussions (whether formal or informal) with stakeholders (including solar installers) regarding possible improvements in the

process for applying for interconnection? If yes, describe the frequency of the discussions and the results of the discussions. If no, explain why not.

- f. Has Duke ever received complaints for the way in which it processes interconnection applications? If so, please provide all complaints received. If those complaints are received through telephonic communications, please provide all call logs, notes, and other documents that record such complaints. Please include all Duke responses to interconnection application processing complaints.
- g. Fully explain how interconnection process complaints are handled by Duke. Please include which business units are involved, what each business unit does, and how each Business Unit communicates with the complainant.

RESPONSE:

- a. All renewable service center specialists involved in interconnection application review report to the same Manager.
- b. The processing time for initial application review is 10 business days for the Renewable Service Center.
- c. Yes. The Company has a single interconnection database to track the status and progress of an interconnection application.
- d. The Company conducts ongoing and as needed training and coaching to ensure specialists are complying with turnaround timeframe and regulatory requirements.
- e. As informal feedback is shared and received, Duke works with the stakeholder to provide recommendations or solutions related to the inquiry or suggestion.
- f. The Company has no record of formal complaints related to the interconnection application process.

- g. If the company receives a formal complaint, it is received and researched by our consumer affairs business unit which then partners with the Renewables Service Center to discuss the case and provide a solution for the customer. Consumer Affairs will communicate with the complainant unless additional support is needed from the Renewables Service Center in which they would communicate with the complainant directly.

PERSON RESPONSIBLE: Jacob Colley

Duke Energy Kentucky
Case No. 2023-00413
KYSEIA's First Set Data Requests
Date Received: January 19, 2024

KYSEIA-DR-01-012

REQUEST:

For each jurisdiction outside of Kentucky in which there is an electric utility that is a subsidiary of Duke Energy Corporation, provide the following on a jurisdiction-by-jurisdiction basis.

- a. State whether the electric utility in the jurisdiction offers net metering;
- b. If the jurisdiction offers net metering, state whether the electric utility in that jurisdiction shares services and/or support concerning net metering directly or indirectly (such as through another entity that is a subsidiary or otherwise controlled by Duke Energy Corporation including but not limited to a partially or fully centralized call center) with Duke Energy Kentucky. Sharing of services and/or support includes but is not limited to engineering, administrative, customer service, and strategic planning;
- c. Does Duke Energy Corporation have a best practices manual or other resource or guidance document concerning customer service for net metering? If yes, state whether, and if applicable how, Duke Energy Kentucky relies upon the information; and
- d. Provide, jurisdiction-by-jurisdiction, the information in the Table 1 of Sailers Direct for each jurisdiction with the fourth column the percentage of the cumulative generating capacity of net metering systems by reference to that utility's single hour peak load during the prior calendar year.

RESPONSE:

- a. Objection. This request is overly broad and unduly burdensome, given that it seeks information that is neither relevant to this proceeding nor likely to lead to the discovery of admissible evidence in this proceeding. The offerings of electric utilities in other jurisdictions have no bearing on the outcome of this case. Additionally, this request improperly seeks to elicit information that is of public record and thus is equally accessible to the requestor, insofar as tariffs are typically publicly available. Notwithstanding these objections and in the spirit of discovery, all Duke Energy retail service jurisdictions currently offer net metering service.
- b. Objection. This request is overly broad and unduly burdensome, given that it seeks information that is neither relevant to this proceeding nor likely to lead to the discovery of admissible evidence in this proceeding. The services and support of electric utilities in other jurisdictions have no bearing on the outcome of this case. Notwithstanding these objections and in the spirit of discovery, the Renewable Service Center (RSC) is the primary customer support organization for the interconnection lifecycle across the Duke Energy enterprise, including Duke Energy Kentucky. The RSC receives support from various teams including Contact Center Operations, Consumer Affairs, Billing, Metering, Engineering, Regulatory, and Legal amongst others.
- c. Objection. This request is overly broad and unduly burdensome, given that it seeks information that is neither relevant to this proceeding nor likely to lead to the discovery of admissible evidence in this proceeding. The practices of electric utilities in other jurisdictions have no bearing on the outcome of this case. Notwithstanding these objections and in the spirit of discovery, the RSC uses the

same interconnection database and similar processes to support submissions of interconnection applications. Additionally, the webpage, <https://www.duke-energy.com/home/products/renewable-energy/generate-your-own> provides a common user experience across the Company, although the webpage displays state-specific information for one selected state at a time.

- d. Objection. This request is overly broad and unduly burdensome, given that it seeks information that is neither relevant to this proceeding nor likely to lead to the discovery of admissible evidence in this proceeding. Net metering participation in other jurisdictions has no bearing on the outcome of this case.

PERSON RESPONSIBLE: As to objections, Legal
As to responses, Jacob Colley