

**BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COLUMBIA, SOUTH CAROLINA**

CM #18-27

August 22, 2018

2:03 ~ 2:18 P.M.

COMMISSION MEMBERS PRESENT: Comer H. ‘Randy’ RANDALL, *Chairman*; and COMMISSIONERS Elliott F. ELAM, Jr., Swain E. WHITFIELD, Thomas J. ‘Tom’ ERVIN, Justin T. WILLIAMS, and G. O’Neal HAMILTON

COMMISSION MEMBERS ABSENT: Commissioner John E. ‘Butch’ HOWARD

ADVISOR TO COMMISSION: Joseph Melchers, Esq.
GENERAL COUNSEL

PRESENTING AGENDA: James Spearman, Ph.D.
EXECUTIVE ASSISTANT TO COMMISSIONERS

STAFF PRESENT: Jocelyn G. Boyd, Chief Clerk/Administrator; F. David Butler, Esq., Senior Counsel; B. Randall Dong, Esq., Josh Minges, Esq., and David W. Stark, III, Esq., Legal Advisory Staff; Douglas K. Pratt, Thomas Ellison, and John Powers, Technical Advisory Staff; Janice Schmieding, Clerk’s Staff; Randy Erskine, Information Technology Staff; and Jo Elizabeth M. Wheat, CVR-CM/M-GNSC, Court Reporter.

**TRANSCRIPT / MINUTES
OF
COMMISSION BUSINESS MEETING**

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

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In accordance with S.C. Code § 30-4-80(E), the Public Service Commission hereby certifies that it has notified all persons, organizations, local news media, and all other news media requesting notification of the time, date, place, and agenda of this public meeting, by posting a copy of the Notice in its principal office, by e-mailing such Notice to all who request same, and by posting the Notice on the Commission's official Internet website.

P R O C E E D I N G S

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2 **CHAIRMAN RANDALL:** Please be seated,
3 everybody. Good afternoon, everyone, and welcome
4 to this afternoon's meeting. I'd first like to ask
5 everyone to please bow for a moment of silence.

6 [Brief pause]

7 Amen.

8 Okay. Dr. Spearman.

9 **DR. SPEARMAN:** Mr. Chairman and Commissioners,
10 our first order of business would be to set the
11 next Commission Meeting. If we stay on our regular
12 schedule, it will be on Wednesday, August 29th, at
13 2 in the afternoon.

14 **CHAIRMAN RANDALL:** Okay. That good with
15 everybody?

16 **COMMISSIONER HAMILTON:** Yes, sir.

17 **CHAIRMAN RANDALL:** Let's do it.

18 **DR. SPEARMAN:** Mr. Chairman and Commissioners,
19 on our Utility Agenda, Item 1 consists of three
20 dockets: Docket No. 2000-306-C, 2004-54-C, and
21 2018-148-C. We have a request for reinstatement of
22 Certificate filed on behalf of ComTech 21.

23 **COMMISSIONER HAMILTON:** Mr. Chairman.

24 **CHAIRMAN RANDALL:** Commissioner Hamilton.

25 **COMMISSIONER HAMILTON:** Mr. Chairman, I would
26 move that we reinstate the Certificate of ComTech
27 21, LLC, subject to the company's compliance with
28 all regulatory requirements. So moved, Mr. Chair.

29 **CHAIRMAN RANDALL:** Thank you.

30 You've heard Commissioner Hamilton's motion.
31 Are there questions or comments?

32 [No response]

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If not, all in favor, please say “aye”?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, “no”?

[No response]

The motion carries. Thank you.

DR. SPEARMAN: Item 2, two dockets – Docket No. 2006-305-C and 2018-272-C – for appointment of a hearing examiner. This is Crown Castle’s request for a telecommunications certificate.

COMMISSIONER WILLIAMS: Mr. Chairman?

CHAIRMAN RANDALL: Commissioner Williams.

COMMISSIONER WILLIAMS: I move that we appoint Josh Minges, Esquire, as Hearing Examiner in Docket No. 2018-272-C.

CHAIRMAN RANDALL: Okay. You’ve heard Commissioner Williams’ motion. Questions or comments?

[No response]

If not, all in favor, please say “aye”?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, “no”?

[No response]

The motion carries. Thank you.

DR. SPEARMAN: And Item 3, Docket No. 2018-212-W, Fire Chief Colleen Walz is requesting to withdraw her Complaint. She’s hopeful that this issue can be resolved through negotiations.

COMMISSIONER WHITFIELD: Mr. Chairman.

CHAIRMAN RANDALL: Commissioner Whitfield.

COMMISSIONER WHITFIELD: Mr. Chairman, I move that we grant the request of Chief Walz to withdraw Complaint without prejudice. The parties believe a

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resolution can be negotiated. I so move.

CHAIRMAN RANDALL: Thank you.

You've heard Commissioner Whitfield's motion.
Questions or comments?

[No response]

If not, all in favor, please say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, "no"?

[No response]

The motion carries. Thank you.

DR. SPEARMAN: Item 4, Docket No. 2018-202-E, Duke Energy Carolinas and Duke Energy Progress' Petition for a CPRE queue number proposal. We have a request for additional time for review.

COMMISSIONER WILLIAMS: Mr. Chairman.

CHAIRMAN RANDALL: Commissioner Williams.

COMMISSIONER WILLIAMS: Mr. Chairman, by way of background, on June 19, 2018, Duke Energy Carolinas, LLC, and Duke Energy Progress, LLC, filed their CPRE queue number proposal, along with a Petition for limited waiver of generator interconnection procedures, and a request for expedited review.

Then on August 10, 2018, the Office of Regulatory Staff filed a letter stating that it is in the process of reviewing the companies' responses to its discovery requests. In that letter, the Office of Regulatory Staff further states that, due to the complexity of the CPRE Program, it seeks more time for review of the companies' proposal, as well as additional discovery.

1 As such, I move that we grant the Office of
2 Regulatory Staff's request for additional time to
3 review the CPRE Program and to review additional
4 discovery. Updates for this matter should be due
5 in an additional 30 days from the date of our
6 Order.

7 **CHAIRMAN RANDALL:** Okay. You've heard
8 Commissioner Williams' motion. Are there
9 questions, comments?

10 [No response]

11 If not, all in favor, please say "aye"?

12 **COMMISSIONERS:** Aye.

13 **CHAIRMAN RANDALL:** All opposed, "no"?

14 [No response]

15 The motion carries.

16 **DR. SPEARMAN:** Item 5, Docket No. 2013-298-E,
17 Duke Energy Carolinas is requesting to close its
18 PowerShare CallOption Nonresidential Load
19 Curtailment tariff.

20 **COMMISSIONER ERVIN:** Mr. Chairman?

21 **CHAIRMAN RANDALL:** Commissioner Ervin.

22 **COMMISSIONER ERVIN:** I move that we grant the
23 Duke Energy Carolinas, LLC, request to close the
24 PowerShare CallOption Nonresidential Load
25 Curtailment tariff, Rider PSC, effective August 31,
26 2018. Since its authorization by the Commission in
27 December of 2013, only two customers have utilized
28 the PowerShare CallOption Program, and no other
29 customers are currently enrolled. ORS has reviewed
30 and supports this request. I move that we grant
31 it.

32 **CHAIRMAN RANDALL:** Okay. You've heard

1 Commissioner Ervin's motion. Are there questions
2 or comments?

3 [No response]

4 If not, all in favor, please say "aye"?

5 **COMMISSIONERS:** Aye.

6 **CHAIRMAN RANDALL:** All opposed, "no"?

7 [No response]

8 And the motion carries.

9 **DR. SPEARMAN:** Item 6, Docket No. 2008-173-W,
10 JACAAB Utilities is requesting approval to pass
11 through an increase in rates from Seneca Water.

12 **COMMISSIONER ELAM:** Mr. Chairman?

13 **CHAIRMAN RANDALL:** Commissioner Elam.

14 **COMMISSIONER ELAM:** Mr. Chairman, I move that
15 we approve the pass-through of a 32 cents per 1,000
16 gallon increase and a \$2.00 per month increase for
17 the six-inch meter, to reflect increased water
18 charges from Seneca Light & Water. The increased
19 rates become effective in JACABB's September
20 billing cycle, with 30 days' notice to its
21 customers. ORS has reviewed the filing and does
22 not object to the request. So moved.

23 **CHAIRMAN RANDALL:** Thank you.

24 You've heard Commissioner Elam's motion. Are
25 there questions or comments?

26 [No response]

27 If not, all in favor, please say "aye"?

28 **COMMISSIONERS:** Aye.

29 **CHAIRMAN RANDALL:** All opposed, "no"?

30 [No response]

31 And the motion carries.

32 **DR. SPEARMAN:** Item 7, Docket No. 2016-290-E,

1 we have a request for acceptance for filing of the
2 Consent and Third Amendment to the Credit Rate
3 Agreement and for confidential treatment of that
4 agreement – amendment.

5 **COMMISSIONER WILLIAMS:** Mr. Chairman.

6 **CHAIRMAN RANDALL:** Commissioner Williams.

7 **COMMISSIONER WILLIAMS:** Mr. Chairman, I move
8 that we accept for filing the Consent and Third
9 Amendment to the Credit Rate Agreement between and
10 among South Carolina Electric & Gas Company, Clean
11 Energy Collective, LLC, Cypress Creek South
12 Carolina Community Solar, LLC, Nimitz Solar, LLC,
13 Curie Solar, LLC, and Springfield Solar, LLC.
14 Also, grant the confidential treatment of the
15 Consent and Third Amendment, based on SCE&G's
16 assertion that certain provisions of the Consent
17 and Third Amendment contain commercially sensitive
18 and proprietary information that is entitled to
19 protection under the South Carolina Freedom of
20 Information Act.

21 The Office of Regulatory Staff has filed a
22 letter with the Commission stating that it does not
23 oppose the company's request; further, that the
24 Consent and Third Amendment is consistent with
25 Commission's Order No. 2015-512, which approved the
26 Community Solar Distributed Energy Resource
27 Program, and that the terms are consistent with the
28 public interest.

29 So moved, Mr. Chairman.

30 **CHAIRMAN RANDALL:** Thank you.

31 You've heard Commissioner Williams' motion.
32 Are there questions or comments?

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[No response]

If not, all in favor, please say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, "no"?

[No response]

The motion carries. Thank you.

DR. SPEARMAN: Item 8, Docket No. 2018-178-G, this is the Office of Regulatory Staff found some possible violations at the W.S. Lee pipeline facility and they have submitted a report.

COMMISSIONER ERVIN: Mr. Chairman?

CHAIRMAN RANDALL: Commissioner Ervin.

COMMISSIONER ERVIN: ORS did submit a final report regarding Non-Compliance Notice in this above-referenced docket number, and for those who may not know, the report says that it was a satisfactory conclusion reached and there are no further violations. Therefore, I move that we close the docket.

CHAIRMAN RANDALL: You've heard Commissioner Ervin's motion. Are there questions or comments?

[No response]

If not, all in favor, please say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, "no"?

[No response]

And the motion carries. Thank you.

DR. SPEARMAN: Mr. Chairman and Commissioners, that completes the Utility Agenda.

On the Transportation Agenda, the first three items are Applications. Item 1 is the Application of Darryl J. Morris for a Class C Charter; Item 2

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is the Application of Greater Faith Transport Services for a Class C Charter; and Item 3 is the Application of Errands For You for a Class C (Non-Emergency) Certificate.

COMMISSIONER ERVIN: Mr. Chairman?

CHAIRMAN RANDALL: Commissioner Ervin.

COMMISSIONER ERVIN: Since we're taking these three items together, these three new Applications, I move that we approve the Applications of Darryl J. Morris, doing business as EZ Shuttle, for a Class C Certificate; also, approve the Application of Greater Faith Transport Services, LLC, for a Class C (Charter) Certificate; and also, the Application of Errands For You, LLC, for a Class C (Non-Emergency) Certificate. So moved.

CHAIRMAN RANDALL: You've heard Commissioner Ervin's motion. Questions or comments?

[No response]

If not, all in favor, please say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, "no"?

[No response]

The motion carries. Thank you.

DR. SPEARMAN: In Item 4, Docket No. 2016-417-T, Royal Agency, LLC, is requesting reinstatement of Non-Emergency Certificate.

COMMISSIONER ELAM: Mr. Chairman?

CHAIRMAN RANDALL: Commissioner Elam.

COMMISSIONER ELAM: Mr. Chairman, I move we grant the request of Royal Agency, LLC, for reinstatement of Class C (Non-Emergency) Certificate No. 9230, subject to compliance with

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all applicable Commission Rules and Regulations.
So moved.

CHAIRMAN RANDALL: You've heard Commissioner Elam's motion. Any questions or comments?

[No response]

If not, all in favor, please say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, "no"?

[No response]

The motion carries. Thank you.

DR. SPEARMAN: Item 5, Docket No. 2018-150-T, TP Platinum Transport requesting an extension of time.

COMMISSIONER WHITFIELD: Mr. Chairman.

CHAIRMAN RANDALL: Commissioner Whitfield.

COMMISSIONER WHITFIELD: Mr. Chairman, I move that we grant the request of TP Platinum Transport, LLC, for an extension of time until February 15, 2019, to comply with Commission Rules and Regulations.

CHAIRMAN RANDALL: Thank you.

You've heard Commissioner Whitfield's motion. Are there questions or comments?

[No response]

If not, all in favor, please say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, "no"?

[No response]

The motion carries. Thank you.

DR. SPEARMAN: Item 6, two dockets – Docket No. 2008-439-T and 2018-264-T – Most Wanted Transportation is requesting suspension of its

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Class C (Charter) Certificate.

COMMISSIONER ELAM: Mr. Chairman?

CHAIRMAN RANDALL: Commissioner Elam.

COMMISSIONER ELAM: Mr. Chairman, I move we grant the request of Most Wanted Transportation, LLC, to suspend Class C (Charter) Certificate No. 8058-A until August 15, 2019. So moved.

CHAIRMAN RANDALL: Thank you.

You've heard Commissioner Elam's motion. Are there questions or comments?

[No response]

If not, all in favor, please say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, "no"?

[No response]

The motion carries. Thank you.

DR. SPEARMAN: Item 7, two dockets – Docket No. 2017-330-T and 2018-264-T – Sonja Denise German is requesting cancellation of Certificate.

COMMISSIONER WHITFIELD: Mr. Chairman.

CHAIRMAN RANDALL: Commissioner Whitfield.

COMMISSIONER WHITFIELD: Mr. Chairman, I move that we grant the request of Sonja Denise German, doing business as S&A Cab Company, to Cancel Class C (Taxi) Certificate No. 9301. So moved.

CHAIRMAN RANDALL: Thank you.

You've heard Commissioner Whitfield's motion. Are there questions or comments?

[No response]

If not, all in favor, please say "aye"?

COMMISSIONERS: Aye.

CHAIRMAN RANDALL: All opposed, "no"?

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[No response]

The motion carries. Thank you.

DR. SPEARMAN: Mr. Chairman and Commissioners,
that completes the business meeting agenda for
today. I will call your attention to the fact that
we do have a hearing following this meeting.

CHAIRMAN RANDALL: Thank you, Dr. Spearman.

We will adjourn this meeting; we will take a
brief break, and then we'll reconvene for the
hearing, the transportation hearing. Thank you.
We are adjourned.

[WHEREUPON, at 2:20 p.m., the proceedings
in the above-entitled matter were
adjourned.]



Date: 9/4/18

Jo Elizabeth M. Wheat, CVR-CM/M-GNSC
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