

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1219

In the Matter of)	
Application by Duke Energy Progress, LLC for)	POST-HEARING BRIEF
Adjustment of Rates and Charges Applicable)	OF HORNWOOD, INC.
to Electric Service in North Carolina)	
)	

NOW COMES Hornwood Inc. (Hornwood), by and through the undersigned attorney, respectfully submits this post-hearing brief in the above referenced docket.

RELIEF REQUESTED

Hornwood requests that the Commission order DEP to make two (2) modifications to the applicability section of Duke Energy Progress, LLC's (DEP or the Company) Large General Service Real Time Pricing (RTP) tariff. First, Hornwood requests that the Commission order DEP to eliminate the participant cap of eighty-five (85) Customers on RTP. Additionally, Hornwood requests that the Commission order DEP to reduce the demand requirement for RTP from 1,000 kW to 75 kW. Hornwood is not requesting for any changes to the design, use or application of RTP. Hornwood is requesting changes to the applicability section of the RTP tariff only. At minimum, Hornwood would request the Commission consider requiring DEP to eliminate the participant cap of 85 Customers if the Commission determines further study is required to reduce the demand requirement.

BACKGROUND AND PROCEDURAL HISTORY

Hornwood is a retail electric customer of DEP having several electric accounts within DEP's service territory. Hornwood is a manufacturer operating in North Carolina

(NC) since 1946. Hornwood's Lilesville NC plant has 300,000 square feet of production and office space. Hornwood employees approximately three hundred and fifty (350) NC employees. (Tr. vol. 14, 549-50.)

RTP was introduced by DEP, formally Carolina Power & Light (CP&L), in 1996. CP&L's December 16, 1996 filing describes how customers on RTP pay for the real-time cost for their electricity usage. The 1996 filing describes the revenue neutrality of the RTP rate structure and the Company's intent and purpose for introducing RTP. *CP&L's Request Approval of Real Time Pricing, Curtailable Load, Incremental Power Service*, Docket No. E-2, Sub 704 (1997). Several excerpts from the December 16, 1996 filing introducing RTP are below:

"During the past several years, Carolina Power & Light Company ("CP&L") has reviewed the "Real Time Pricing" rate design concept to determine the potential benefits it may offer that are not available under any of the Company's other standard tariffs." (Id. at 1.)

"Schedule LGS-RTP-1 will be available to no more than twenty-five (25) customers with contract demand requirements of 1,000 kW or greater." (Id. at 1.)

"LGS-RTP-1 offers hourly marginal cost-based prices for electricity consumption in excess of a Customer Baseline (CBL)...." (Id. at 1.)

"The CBL is the basis for achieving revenue neutrality with the appropriate standard tariffs..." (Id. at 1.)

"LGS-RTP-1 will provide CP&L an opportunity to improve utilization of its existing generation resources and will provide customers cost-based prices to influence their electric usage. When CP&L has generation resources available, hourly rates will be low to encourage increased consumption. Conversely, when generation resources are constrained, customers will be provided hourly rates that encourage a reduction in consumption. Customers may benefit under this rate design by either (1) shifting consumption away from high cost periods or (2) increasing consumption during low cost periods." (Id. at 1-2.)

On December 14, 1998, CP&L requested approval to make changes to RTP to “simplify and clarify the tariff.” The Commission subsequently entered an Order Approving LGS-RTP-3, Docket No. E-2, Sub 704 (December 22, 1998). The Commission approved CP&L’s proposed changes which included an increase in the participation cap on RTP from 25 to 85 Customers. (*Id.* at 1.) CP&L, now DEP, has proposed no other changes in the design, use or applicability of RTP since 1998.

Utility Management Services, Inc. (UMS) is a NC corporation operating since 1998. UMS’ President and Expert Witness, Brian Coughlan, is a NC licensed professional engineer. Mr. Coughlan was formally employed by CP&L in a management position overseeing a workforce of two-hundred and forty (240) employees and 240 contractors. UMS performs utility bill analyses for commercial and industrial Customers of all sizes. (Tr. vol 14, 548.)

Hornwood hired UMS to perform utility rate auditing services on its electric accounts serviced by DEP in January 2019. UMS performed extensive analyses on behalf of Hornwood and identified RTP as the appropriate rate for one of Hornwood’s electric accounts with a peak demand over 1,000 kW. On February 4, 2019, UMS sent a request to DEP to place Hornood on RTP. DEP responded on February 21, 2019 by telephone to inform UMS that the 85 spots for RTP were fully subscribed. (*Id.* at 553.)

On October 30, 2019, DEP filed its General Rate Case Application, *Application of Duke Energy Progress, LLC for Adjustment of Rates and Charges Applicable to Electric Service in North Carolina*, Docket No. E-2, Sub 1219 (2019).

UMS filed a petition to intervene in Docket No. E-2, Sub 1219, on behalf of Hornwood on December 11, 2019. The Commission issued an Order Granting the Petition to Intervene filed on behalf of Hornwood on January 6, 2020.

On April 13, 2020, Hornwood filed the Direct Testimony of Witness Coughlan consisting of thirty-four (34) pages in support of expanding RTP.

On May 4, 2020, DEP filed rebuttal testimony of Witness Michael J. Pirro. DEP's rebuttal testimony in response to Hornwood's request for relief consisted of twelve (12) lines on information. (Tr. vol 11, 1141.)

Hearings for Docket No. E-2, Sub 1219 commenced on September 29, 2020 and concluded on October 6, 2020.

In early October, DEP discovered there was one available spot on RTP and that spot was offered to Hornwood. Hornwood, DEP and the Public Staff entered a Joint Stipulation of Facts on October 5, 2020.

ARGUMENT

A. THE 85 CUSTOMERS CURRENTLY SERVED ON RTP ENJOY A COMPETITIVE ADVANTAGE OVER THOUSANDS OF CUSTOMERS NOT ALLOWED TO RECEIVE SERVICE ON RTP CAUSING A NEGATIVE IMPACT TO THE ECONOMIC HEALTH OF NC INDUSTRY.

1. THE SMALL GROUP OF 85 CUSTOMERS ON RTP RECEIVE A COMPETITIVE ADVANTAGE AND UNDUE PREFERENCE IN ELECTRIC PRICING OVER ALL OTHER CUSTOMERS.

The participation cap of 85 customers creates a distinct undue preference and competitive advantage for the very small and selective customer sample allowed to take service on RTP as compared to thousands of customers that cannot take service on RTP. The competitive advantage enjoyed by only 85 customers on RTP does not agree with NC's policy for rate making as set forth in N.C. Gen. Stat. § 62-2.(a)(4):

“To provide just and reasonable rates and charges for public utility services without unjust discrimination, undue preferences or advantages, or unfair or destructive competitive practices and consistent with long-term management and conservation of energy resources by avoiding wasteful, uneconomic and inefficient uses of energy;”

As described in DEP’s 1996 filing for Approval of RTP, the customers served on RTP that can shift their load in response to strong price signals will reduce their electric bills. (Tr. vol. 14, 556-57.) The incredible financial incentive for shifting load during high-priced electricity times gives the select group of 85 customers on RTP a competitive advantage over all other customers. The customers that are willing to shift their loads in response to price signals, but cannot take service on RTP because of the cap, are at a severe economic and competitive disadvantage as compared to the 85 customers on RTP. Customers can greatly reduce their electricity costs by shifting or reducing usage during high-priced times or peak load times on the DEP system. All Customers should have an equal opportunity to take service on RTP and respond to price signals to lower their electricity costs. As DEP Witness Michael Pirro confirms, customers that are not able to respond to price signals will be deterred from participating on RTP ensuring that DEP will not be overwhelmed with RTP requests. (Tr. vol. 11, 1332.)

DEP should not be overwhelmed with RTP requests if the cap of 85 participants is removed and the current cap on the non-experimental rate at 85 customers has a discriminatory effect because of the preferential electricity pricing being enjoyed by the 85 RTP customers. Capping RTP at 85 participants for the past 23 years is analogous to closing DEP’s Church and School rates, “CSE” and “CSG” as discussed by Public Staff Witness Jack Floyd. Referring to the closed rates “CSE” and “CSG,” Public Staff Witness

Floyd testified "...I believe maybe be a discriminatory rate schedule by keeping that closed." (Tr. vol. 15,1130.)

Capping RTP at 85 customers has the same discriminatory effect as closing rates CSE and CSG for new customers; a selective group of Customers continue to receive preferential pricing over similarly situated Customers. The Customers taking service on CSE and CSG have a pricing advantage over all other DEP Customers who would otherwise qualify to take service on these rates. The same concept applies to RTP. A facility located directly next to Hornwood could be one of the 85 Customers taking service on RTP and receiving preferential electric pricing. Hornwood and the theoretical facility located next to Hornwood could operate exactly the same way and use the exact same electricity usage but Hornwood would pay much higher costs for their electric usage than the theoretical neighbor.

Hornwood, and similarly situated Customers over 1,000 kW that want to take service on RTP are at a severe competitive disadvantaged as compared to the small group of 85 NC customers on RTP. This competitive disadvantage does not comport with the rate making policy in NC and eliminating the cap will correct the burdens and disadvantages associated with capping this non-experimental rate.

2. THE INDUSTRY AND JOB LOSS NC HAS SUFFERED FOR MANY YEARS CAN BE REDUCED BY OFFERING RTP ON A WIDER SCALE.

Eliminating the cap of 85 customers on RTP will help alleviate the loss of industry NC has suffered for many years. The testimony regarding economic harm and loss of industry in NC goes back many years. See *Application of Progress Energy Carolinas Inc. for Adjustment of Rates and Charges Applicable to Electric Service in North Carolina*, Docket No. E-2, Sub 1023, 33. (2012); See also *Petition of Duke Energy Carolinas, LLC*

for an Order Approving a Job Retention Rider, Docket No. E-7, Sub 1152 (2017). Customers on RTP have much greater control over their overall electricity costs and can manage their electricity costs by shifting load in response to pricing signals. Offering real-time, flexible rate structures helps industrial customers in NC remain in business. The participating Customers on RTP have strong incentive to shift load and save money for themselves. Lowering electricity costs by shifting load during peak times has the effect of offering a discount to participating Customers which incents job retention. DEP has requested special consideration for manufacturing customers in recent years to prevent further loss of industry, industrial production and industrial jobs in NC.

In 2012, DEP proposed an Industrial Economic Recovery Rider (IER) in the Company's general Application for a rate increase for the purpose of "some relief to our largest customers, who also happen to be some of the State's largest private employers." *Application of Progress Energy Carolinas, Inc. for Adjustment of Rates and Charges Applicable to Electric Service in North Carolina, Docket E-2, Sub 1023, 33. (2012).*

In 2017, DEP filed a Petition for An Order Approving A Job Retention Rider (JRR). The JRR had a similar purpose to that of the IER, "to stem further loss of industry, industrial production and industrial jobs in its service territory...". *Petition of Duke Energy Carolinas, LLC for An Order Approving A Job Retention Rider, Docket E-7, Sub 1152, 2 (2017).*

The participation cap of 85 customers on RTP places a large number of industrial customers at a severe competitive disadvantage as compared to a small select group of customers receiving preferential pricing on electricity when responding to strong price

signals. Eliminating the participation cap of 85 customers on RTP will remove the competitive disadvantage and promote economic stability for NC's industrial customers.

B. REMOVING THE CAP OF 85 PARTICIPANTS ON RTP WILL PREVENT DEP FROM REPORTING INACCURACIES IN THE NUMBER OF AVAILABLE RTP SPOTS BECAUSE OF THE MANUAL BURDEN OF TRACKING THE PARTICIPANTS ON RTP.

UMS has a long history of being told by DEP that RTP is fully subscribed. For nearly two decades, UMS has repeatedly asked to place Customers on RTP and DEP has repeatedly denied UMS' requests. Hornwood has been no exception. (Tr. vol. 14, 553.) DEP denied Hornwood's RTP request in February 2019 but the testimony and evidence from this rate case shows that there were several RTP spots available when DEP denied Hornwood's request. (Tr. vol. 15, 1132.) The manual process of maintaining an internal list of RTP customers, and closely monitoring the list as customers are added and removed from RTP, is cumbersome for DEP and has proven to result in inaccuracies in reporting the true number of available RTP spots at any given time. There was at *least* one spot available for Hornwood in October. Joint Stipulation of Facts, 2. October 5, 2020. It is unclear how long this spot on RTP was available.

Public Staff Witness Jack Floyd testified that he believed that RTP was not fully subscribed with 85 customers and that there were RTP spots available. (Tr. vol. 15, 1131.) Serious concerns have been raised as to how many RTP spots were open on RTP based on Witness Floyd's testimony. Further concerns have been raised given that DEP randomly found one available spot on RTP for Hornwood in October 2020 after Witness Floyd testified about there being open spots available on RTP.

DEP claimed RTP was full in February 2019 however, Witness Floyd's testimony stated his interpretation of DEP's Form E-1 – Item 42(A) & (B) indicated there were

approximately 65-70 customers on RTP as of the filing date, December 31, 2018. (Tr. vol 15, 1131.) Witness Floyd was asked if he believes if “there are spots available in the RTP rate currently?” to which he responded, “As I interpret the Item 42 billing data, yes.” (Tr. vol. 15, 1132.) Witness Floyd’s testimony raised serious concerns as to whether there were available spots on RTP at the time Hornwood requested service on RTP in February 2019. It is very unlikely that DEP filled all available RTP spots from December 31, 2018 to February 4, 2019 when Hornwood requested RTP.

Witness Floyd’s testimony prompted an immediate inquiry into how many RTP spots DEP had available. DEP reviewed the number of customers on RTP and did in fact determine “there was one available customer slot within the 85-customer cap and that Hornwood was next in the queue.” Joint Stipulation of Facts, No. 2. October 5, 2020. Hornwood is taking service on RTP as of their November 2020 billing cycle however, Hornwood should have been taking service on RTP in February 2019 when there were seemingly several RTP spots available.

DEP’s record keeping as to how many RTP spots were available in February 2019 remains unclear. It is unclear whether DEP has ever maintained any waiting list or system to notify customers when a RTP spot becomes available. DEP Witness Pirro could not describe how DEP notifies customers when a RTP spot becomes available. When pressed several times, Witness Pirro stated “Again, I don’t specifically have a list but I know in speaking to the large account management team that they’re aware of customers that have expressed interest.” (Tr. vol 11, 1327-28.)

DEP’s Witness Pirro has been involved with RTP since 1997 however, Witness Pirro could not clearly describe how DEP notifies customers when a RTP spot becomes

available. (Id. at 1327-28.) It appears DEP relies on its large account managers to maintain internal lists of the customers who have expressed an interest in RTP. (Id. at 1327-28.) Hornwood had no large account manager in February 2019 when DEP notified UMS by telephone that RTP was fully subscribed. (Tr. vol. 14, 553). Not only did Hornwood not have a large account manager, but according to DEP's own witness, DEP maintained no waiting list to notify Hornwood when a RTP spot became available. (Tr. vol 11, 1327-28.)

The evidence from this rate case indicates there were several spots available on RTP in February 2019 when Hornwood requested RTP. DEP manually tracks the number of customers taking service on RTP and the Company maintains no waiting list, queue or system to notify customers when a RTP spot becomes available. Eliminating the cap of 85 customers on RTP will prevent any future customer from being denied service on RTP by DEP when there are RTP spots available.

C. ANY COSTS INCURRED BY DEP TO ADMINISTER RTP ARE COVERED BY THE MONTHLY RTP ADMINISTRATIVE CHARGE PAID BY ALL RTP CUSTOMERS AND NO METERING OR BILLING UPGRADES ARE REQUIRED TO ADMINISTER RTP ON A WIDER SCALE.

1. EVERY RTP CUSTOMER PAYS DEP A LARGE ADMINISTRATIVE CHARGE IN ADDITION TO A MONTHLY BASIC CUSTOMER CHARGE TO COVER DEP'S INCREMENTAL COSTS TO ADMINISTER RTP.

All customers taking service on RTP pay DEP a RTP Administrative Charge to compensate DEP for the costs to administer RTP. The RTP Administrative charge is separate and in addition to the Basic Customer Charge (BCC) paid by the customer every month. DEP receives \$1,980 annually from each RTP Customer to cover its costs to administer RTP. Many of the costs incurred by DEP to administer RTP only occur one-time when a Customer initially elects to take service on RTP. DEP Witness Pirro refers

to these costs as “up-front” costs. (Tr. vol 11, 1329.) The costs to administer RTP dramatically reduce once the customer’s service on RTP has been established. Despite decreasing administrative costs after a customer’s RTP service has been established, DEP continues to collect the monthly RTP Administrative Charge from each RTP customer every month.

DEP Witness Pirro testified that the administrative burden of RTP prevented the rate from being offered to more than 85 Customers however, the costs Witness Pirro discusses are not re-occurring costs but rather costs associated with initially establishing service for a customer on RTP. Witness Pirro refers to the administrative costs as “front end-work”. (Id. at 1329.) Specific to the costs to administer RTP, Witness Pirro states:

“But if you’re just asking to expand the cap, I would say that if the Commission ordered us to expand the cap then obviously we would agree to that. But at the current state, I’m going to go back to what I mentioned earlier, there is a lot of *front-end work that goes with administering our program.*” Emphasis added. (Id. at 1329.)

The RTP Administrative Charge paid by every customer on RTP covers the “front-end work” Witness Pirro describes. Witness Pirro states that the front-end work is not meter related but rather the “creation of the Customer Baseline (CBL)” which requires “calendar mapping to reflect the customers operation.” (Id. at 1323.) The CBL creation and calendar mapping described by Witness Pirro is completed by DEP at the time a customer elects to take service on RTP. In other words, DEP only incurs a cost to establish the customer’s CBL one-time.

Public Staff Witness Floyd discusses the administrative burdens of “doing these bills manually” however, Floyd states the need for manually calculating bills would be reduced with the implementation of “customer connect.” (Tr. vol. 15, 1131, 1132.) DEP’s

Customer Connect is scheduled for implementation in early 2021. *Duke Energy Progress, LLC and Duke Energy Carolinas, LLC Additional Reply Comments*, Docket Nos. E-2, Sub 1169 and E-7, Sub 1168, Page 3. (July 16, 2018). Not only are the administrative burdens discussed by DEP Witness Pirro covered by the monthly RTP Administrative Charge paid by every RTP customer, but any burden in administering RTP is almost non-existent with the implementation of Customer Connect by DEP in early 2021.

Ordering DEP to eliminate the cap of 85 participants on RTP will not result in a burden to DEP because each RTP participant will continue to pay DEP a monthly RTP Administrative Charge to cover the costs associated with administering RTP. Further, DEP will not be overwhelmed with customer requests to be placed on RTP. The very strong price signals on RTP will deter customers from taking service on RTP. As testified by DEP Witness Pirro, most customers are not interested in taking service on RTP. Referring to RTP, Witness Pirro testified that only “one or two customers maybe are in the pipeline to receive that.” (Tr. vol 15, 1325.)

2. OFFERING RTP ON A MUCH WIDER SCALE REQUIRES NO ADVANCED METERING TECHNOLOGY OR BILLING SYSTEMS.

Eliminating the cap of 85 customers on RTP does not require any upgrades in metering or billing technology. The technology that has been in place for the past 23 years has been successfully reading and billing customer usage on RTP and requires no changes. Hornwood supports DEP’s plan to perform a comprehensive rate study as supported by Public Staff Witness Floyd. (Tr. vol 11, 1141, 1155-1157.) However, DEP has promised to study more sophisticated rates for over a decade but the Company has never offered any new dynamic or RTP rates. RTP has been studied for 23 years and it

is proven successful. RTP is administered with the current billing and metering technology and can be administered on a much wider scale. Promising to further study a rate that has proven successful for 23 years postpones the introduction of this rate on a wider scale, or any new rates, by at least four (4) or more years.

DEP offered no evidence to support an argument that eliminating the cap of 85 customers on RTP would be unreasonable or unduly burdensome. DEP filed rebuttal testimony consisting of only 12 lines in response to Hornwood's request to eliminate the cap of 85 customers and to reduce the kW requirement. DEP Witness Pirro's rebuttal states:

“A change in the rate design of the LGS-RTP tariff as suggested by Witness Coughlan would require significant analysis and stakeholder engagement” and “the Company will be performing a comprehensive rate design study...” (Id. at 1141.)

Hornwood requested absolutely no change in the rate design of RTP. Additionally, DEP has a long history of promising to complete studies to offer more “sophisticated” rates. In its current *Application*, DEP states it is not proposing any new peak time pricing rate designs but is “actively monitoring DE Carolina’s recently implemented dynamic pricing pilots to evaluate the effectiveness...” (Tr. vol. 11, 1090.)

In 2010, PEC Witness Becky Harrison stated “advanced metering would allow us to do things like prepay. *They’d allow us to do more sophisticated rates, even dynamic critical peak pricing rates.*” (emphasis added) *In the Matter of: Generic Proceeding – Electric Smart Grid Presentations*, Docket No. E-100, Sub 126, 15. (2010). RTP is a dynamic pricing rate that DEP has been administering for a very limited number of customers for over 23 years. RTP sends price signals to customers in real-time to incent customers to shift their load. The dynamic pricing aspects of RTP give users more control

over their own electricity use. More than 10 years after “PEC” stated it would offer more sophisticated rates, the Company has not proposed any new dynamic or real-time rates.

DEP receives significant short-term benefits when customers respond to price signals. Customers respond to strong price signals by reducing their loads during times of critical peak loading on the DEP system. Customers responding to the price signals sent by DEP help reduce the system peak demands on the DEP system, which helps DEP reduce the need to build additional peaking plants and transmissions system infrastructure. (Tr. vol. 14, 556-57.) As DEP Witness Pirro describes “If Customers are responding to price signals then that is a benefit to the system.” (Tr. vol. 11, 1322.)

RTP gives participating customers strong financial incentive to reduce their peak loads during times of extreme loading on the system which provides a societal financial benefit. The reduction in individual customer peak load helps to reduce the overall system peak and the need for peak generating units and transmission infrastructure which ultimately results in lower base rates. (Tr. vol. 14, 560.)

Every customer taking service on RTP pays DEP \$1,980 annually for the Company to administer RTP. If the cap on RTP is eliminated, any incremental costs DEP incurs when adding additional customers will be covered by each customer’s RTP Administrative Charge. DEP has received \$200,000,000 in Federal stimulus money through smart grid investment grants to deploy advanced metering technology across NC. (Tr. vol. 14, 573.). RTP can be administered to more than 85 customers with the technology that has been in place for over 23 years however, using the more advanced metering technology that has been deployed will further enhance DEP’s ability to offer RTP on a much wider scale.

CP&L/PEC/DEP has promised to offer more dynamic and sophisticated rates for over 10 years. RTP is a sophisticated rate that has been in use for 23 years and can be offered to many more customers without advanced metering or billing technology. The technological advancements in metering will act to further decrease DEP's incremental costs to administer RTP which are already covered by the monthly RTP Administrative Charge paid by every RTP customer.

D. THE STRONG PRICE SIGNALS AND RTP ADMINISTRATIVE CHARGE WILL DETER CUSTOMERS THAT ARE NOT LIKELY TO RESPOND TO PRICE SIGNALS FROM TAKING SERVICE ON RTP.

DEP is not proposing any new peak time pricing rate designs at this time but is "actively monitoring DE Carolina's recently implemented dynamic pricing pilots to evaluate the effectiveness..." (Tr. vol. 11, 1090.) DEC's recently implemented dynamic pricing rates are not offered to any customer with a peak demand over 75 kW. DEP has no rates, and is not studying any rates, for customers with a peak demand over 75 kW. (Id. at 1326.)

If the demand requirement for RTP is dropped from 1,000 kW to 75 kW, DEP will not be overwhelmed by requests from customers to take service on RTP because the strong price signals and monthly RTP Administrative Charges will deter customers that are not willing or able to respond to price signals. (Tr. vol. 11, 1331-32.)

Understanding RTP has never been administered to Customers lower than 1,000 kW, Hornwood would support further study on lowering the demand requirement from 1,000 kW to 75 kW however, DEP should remove the participation cap of 85 for customers over 1,000 kW immediately.

CONCLUSION

RTP is a real-time pricing rate that has been successfully administered by DEP for 23 years to a very limited number of customers. These customers enjoy a competitive advantage over thousands of other customers. Removing the cap of 85 customers on RTP for customers with a peak demand over 1,000 kW will promote economic stability and eliminate any unfair competitive advantage that a small group of DEP customers are currently enjoying. DEP's costs to administer DEP are covered by the RTP Administrative Charge paid by every customer taking service on RTP and RTP was designed to be revenue neutral with the customers base rate to ensure DEP is receiving a fair rate of return. Eliminating the cap of 85 customers on RTP requires no changes, advancements, or upgrades in billing or metering technology. The recent advancements in metering technology will enhance DEP's ability to offer RTP on a much wider scale.

THEREFORE, Hornwood Inc., respectfully requests that the Commission grant the relief requested herein and Order DEP to (1) eliminate the participation cap of 85 Customers on RTP and (2) reduce the kW requirement from 1,000 to 75.

Respectfully submitted, this the 4th day of December, 2020.

UTILITY MANAGEMENT SERVICES, INC
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CERTIFICATION OF SERVICE

The undersigned attorney for Hornwood, Inc. hereby certifies that the a copy of foregoing *Post-Hearing Brief of Hornwood, Inc.* is to be served by electronic mail (e-mail), hand delivery, or by depositing a copy in the United States mail, postage prepaid, addressed to all persons on the docket service list.

This, the 4th day of December, 2020.

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