

CCIF

CRITICAL CONSUMER
ISSUES FORUM

Navigating the Challenges & Opportunities of Today's Regulatory Landscape



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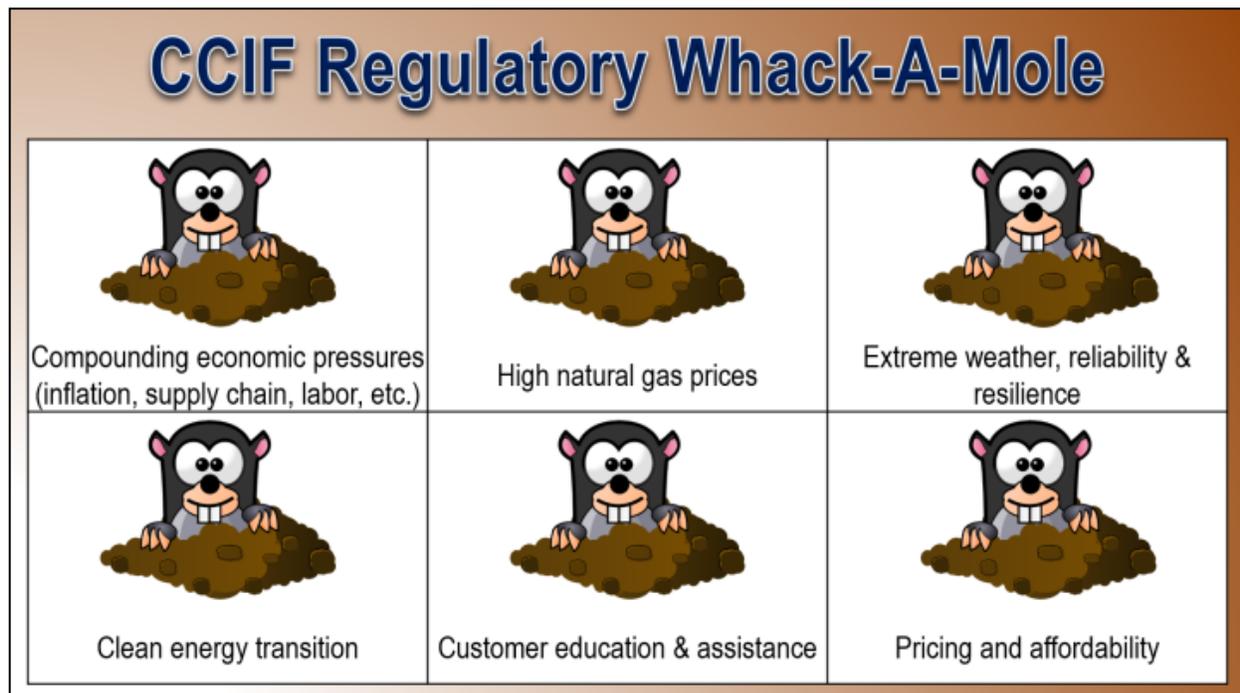
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Introduction

State utility commissions today must make decisions that significantly impact customers, regulated companies, investors, and other stakeholders amidst daunting economic pressures, a myriad of electric sector challenges, and new federal and state climate initiatives. Regulation seems more challenging than ever, especially with resource constraints across the three core groups (state commissions, consumer advocates, and electric company representatives). However, these concurrent challenges provide an opportunity for collaboration and leadership. Recognizing that state commission, consumer advocate, and electric company collaboration on these issues offers exceptional value and is also incredibly timely, Critical Consumer Issues Forum (CCIF) leadership proposed exploration of the topic, *Navigating the Challenges & Opportunities of Today's Regulatory Landscape*, using its proven collaborative model. Thus, the CCIF 2022 Kickoff Forum and following 2023 Summit Series engaged participants from the three core groups in a series of dialogues aimed at identifying a number of pressures, challenges, and risks associated with today's regulatory landscape and working together toward positive outcomes.

CCIF set the stage for each dialogue by engaging participants in discussion that recognized today's compounding economic pressures (pandemic; inflation; labor and supply shortages; international conflicts; etc.) and many other electric sector challenges (high natural gas prices; extreme weather; physical and cyber security threats; clean energy transition; reliability and resilience; pricing and affordability; new legislation; etc.). Collectively, these persistent pressures, challenges, and risks were labeled the "Regulatory Whack-A-Mole"¹ issues. CCIF's reference to these issues throughout the series was represented by the following slide:



Credit for mole clipart: <https://flyclipart.com/mole-clip-art-chemistry-mole-clipart-57067>.

¹ Often spelled differently, Whac-A-Mole© is a classic arcade game, amusement park game, board game, or internet/mobile game in which the player attempts to strike randomly appearing moles with some type of a mallet in some limited period.

While presented in an oversimplistic and lighthearted way, the graphic aims to illustrate the conundrum we encounter as these recurring pressures, challenges, and risks seemingly rear their heads repeatedly or in unison amidst our attempts to mitigate their impacts on today’s regulatory landscape. The analogy worked well. However, not only are the real-world challenges represented not as cute, but participants also identified other “moles” during the dialogue and remarked about how attempts to address many of these issues seemed to lead to bigger challenges, particularly around affordability.

Recognizing that solving all of the highlighted challenges likely is not achievable through collaboration alone, CCIF participants engaged in robust dialogue that focused on tools and approaches for addressing or mitigating these issues. At the three consecutive in-person summits held in March and April 2023, CCIF participants thoughtfully and candidly examined several issues pertaining to the topic and developed seven consensus principles in the following six areas:

1. Short- and Long-Term Impacts of Policy & Regulatory Decisions on Customers & Others;
2. Mitigating Upward Pressure on Customer Bills;
3. Enhancing the Regulatory Model with Added Flexibility & Modernization;
4. Capitalizing on Federal Opportunities & Customer Assistance;
5. Creating More Robust Customer Education & Assistance Strategies; and
6. Ensuring Resources, Staff & Training for State Commissions, Consumer Advocates & Key State/Community Partners Engaged in Customer Assistance.

* * *

The principles that follow were achieved by collaboration among the three core groups represented throughout the summit series, and many of the principles identify the need for continued collaboration as a meaningful tool for mitigating certain pressures, challenges, and risks going forward. Thus, to the extent possible, CCIF encourages continued exploration of these important issues in a collaborative manner. We trust that the following consensus principles will serve as a solid foundation upon which state commissions, consumer advocates, and electric companies can work more closely together and with other relevant stakeholders in their states and communities—and with federal counterparts as necessary—to best position states for their continued leadership in addressing challenges today and in the future for electric customers.



At the 13th Annual CCIF Kickoff Forum, NASUCA President and North Carolina consumer advocate Chris Ayers delivers closing remarks following a panel featuring EEI’s Shelby Linton-Keddie, Illinois Commerce Commissioner Ann McCabe, Xcel Energy Colorado President Robert Kenney, and Delaware consumer advocate Drew Slater.

Consensus Principles

- 1: CCIF participants reiterate the continued value of the regulatory compact, particularly state commission delegated authority and discretion to balance the electric company's obligation to provide safe, adequate, and reliable service, and the electric company's opportunity to recover its prudently incurred costs and earn a reasonable return, in a manner that is both in the public interest and results in just and reasonable rates, terms, and conditions for customers.
- 2: To help mitigate upward pressure on customer bills and to maximize the value of grid assets, CCIF participants recommend that state commissions, consumer advocates, and electric companies focus comprehensively on cost-based rate design structures that incentivize customers to use energy more efficiently and affordably. Efficient rate design and customer pricing options should complement, and encourage customers to leverage, cost-effective demand response, distributed energy resources, and energy efficiency programs that maximize the benefit to the grid.
- 3: CCIF participants acknowledge there is no universal solution to best address both longstanding and newer regulatory priorities, challenges, and risks. State commissions, consumer advocates, and electric companies must continually review regulatory processes to modernize and enhance operations in a way that increases flexibility and efficiency while still delivering customer benefits and balancing electric company and customer risks.
- 4: To support electric company infrastructure improvements and spur innovation in a way that provides demonstrable customer benefits, CCIF participants strongly encourage removal of potential barriers to electric companies and states leveraging available state and federal funding to offset the cost of otherwise necessary or planned investments.



At CCIF Summit 1, North Carolina Utilities Commissioner ToNola Brown-Bland holds up the CCIF Regulatory Whack-A-Mole handout as she moderates the opening panel featuring NARUC President and Connecticut Commissioner Michael Caron.



New Jersey Commissioner Mary-Anna Holden offers remarks during CCIF Summit 3 as American Electric Power's Matt Satterwhite and Oklahoma consumer advocate Chase Snodgrass listen closely.

- 5: Acknowledging that successful customer education and assistance strategies “meet customers where they are,” CCIF participants encourage state commissions, consumer advocates, and electric companies to collaborate with each other and community partners to explore new tools, approaches, and strategies for customer outreach and to actively seek the necessary resources to do so. As illustrative but not exhaustive, such new tools, approaches, and strategies may include:
- Programs designed to teach basics about energy and its regulation, especially to students;
 - Advanced tools and data to better target eligible customers for energy savings programs, including bill pay assistance and energy efficiency (e.g., use of publicly available data or purchased third party data; streamlined and simplified applications); and
 - Leveraging popular social media, websites, etc. to reach and better inform citizens about energy-related resources and assistance from reliable public and private sources.
- 6: Recognizing unprecedented workforce challenges that are layered on top of persistent energy sector pressures, challenges, and risks, CCIF participants urge policymakers to secure resources for state commissions, consumer advocates, and key state/community partners to ensure proper staffing, adequate training, competitive pay, and career enhancement to enable:
- Diverse technical capacity;
 - Informed, robust, and proactive engagement on dynamic energy topics;
 - Creative problem solving;
 - Improved case management and responsiveness to customers and stakeholders; and
 - Effective customer assistance, protection, and education.
- 7: CCIF participants urge state commissions, consumer advocates, and electric companies to collaborate where appropriate to attract and retain energy industry talent.



At CCIF Summit 2 in Austin, Kansas consumer advocate David Nickel, D.C. Commission Chairman Emile Thompson, and Washington State consumer advocate Shay Bauman jot down notes as NASUCA’s David Springe counts off several points.



North Carolina Utilities Commissioner Floyd McKissick weighs into the discussion about customer education. (CCIF thanks Commissioner McKissick for contributing several photographs from Summit 1 in Raleigh.)

Conclusion

Objectives Met

State commissioners, consumer advocates, and electric company representatives (and their respective teams) participated in a series of important and timely dialogues and worked together on the consensus principles featured in this report. Recognizing that the report does not address all issues with respect to the topic, CCIF trusts that this report will serve as a useful foundation for additional dialogue and collaboration among the three core communities as well as policymakers and other stakeholders.

Special Recognition

The CCIF Executive and Advisory Committees would like to thank the following individuals and organizations whose valuable contributions resulted in this report:

- The National Association of Regulatory Utility Commissioners (NARUC), the National Association of State Utility Consumer Advocates (NASUCA), and the Edison Electric Institute (EEI), particularly the guidance of their respective leaders and the valuable time, input, and hard work of their respective teams.
- Participating commissioners, commission staff, consumer advocates, and electric company representatives.
- Speakers at the 2022 Kickoff Forum; the 2023 Summits 1, 2, and 3; and the 2023 Breakfast & Report Release.

Disclaimer

The principles developed within the 2023 summit process—or other featured information within this report—are not intended to override any individual or collective policies or positions developed by state commissioners, commission staff, consumer advocates, electric companies, or by NARUC, NASUCA, EEI, or other organizations represented by certain participants. Instead, CCIF work products are meant to complement such policies or positions and to provide a framework for additional discussion and policy development.



American Electric Power's Eric Wittine discusses his company's focus on customers as North Carolina Utilities Commissioner Karen Kemerait and NASUCA's David Springe look on at CCIF Summit 1 in Raleigh.

Appendix

Acknowledgment of 2023 Summit Participants

Due to the nature of the collaborative process and the extensive degree of participation, specific principles developed within the 2023 summit process or other featured information within this report should not be attributed to specific individuals or to the organizations that he or she represents. With that understanding, CCIF acknowledges the following individuals* who participated in CCIF events focused on the topic, *Navigating the Challenges & Opportunities of Today's Regulatory Landscape*:

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Hon. Tammy Cordova
Public Utilities Commission
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Hon. David W. Danner
Washington Utilities and
Transportation Commission

Tim Duff
Duke Energy

Hon. Kimberly W. Duffley
North Carolina Utilities
Commission

Cyndee Fang
NorthWestern Energy

Justin Felt
Exelon Corporation



Duke Energy's Conitsha Barnes listens as Maine Commission Chairman Phil Bartlett weighs into the discussion at Summit 1 in Raleigh.



Michigan Department of Attorney General's Michael Moody and Maryland Commission Chairman Jason Stanek consider input at CCIF Summit 3 in Las Vegas.



During CCIF Summit 2, Missouri Commissioner Maida Coleman poses a question to the opening session panelists, NASUCA President and North Carolina consumer advocate Chris Ayers, NARUC Second Vice President and Georgia Commission Chairman Tricia Pridemore, and Exelon Corporation's Justin Felt.

Sarah Fitzpatrick
National Association of
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Commissioners

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Wendy Gerlitz
Puget Sound Energy

Hon. Mary-Anna Holden
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Public Utilities

Hon. Jeff Hughes
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Hon. Karen Kemerait
North Carolina Utilities
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Tom Wiehl
Connecticut Office of
Consumer Counsel

Eric Wittine
American Electric Power

**List represents individuals and their organizations at the time of participation in the summits.*



During CCIF Summit 3 in Las Vegas, EEI's Phil Moeller shares thoughts as California consumer advocate Matt Baker, Illinois consumer advocate Sarah Moskowitz, and Nevada Commissioner Tammy Cordova look on.



North Carolina Utilities Commissioner Kim Duffley and Wyoming consumer advocate Anthony Ornelas are engaged in the dialogue at Summit 1 in Raleigh.



New Jersey Commissioner Zenon Christodoulou, NextEra Energy Resources' Aundrea Williams, and Colorado Commissioner Tom Plant intently listen to other participants at Summit 2 in Austin.

CCIF Events on Topic of Navigating the Challenges & Opportunities of Today's Regulatory Landscape

CCIF appreciates all those who were involved in making the following series of events a success:

Kickoff Forum in New Orleans, Louisiana

November 12, 2022

Summit 1 in Raleigh, North Carolina

March 1-2, 2023

Summit 2 in Austin, Texas

April 3-4, 2023

Summit 3 in Las Vegas, Nevada

April 27-28, 2023

Breakfast & Report Release in Austin, Texas

July 19, 2023



NARUC President Judy Jagdmann of Virginia welcomes 2022 Kickoff participants.



NARUC's Hyleah O'Quinn is engaged in the dialogue at Summit 3 in Las Vegas.



Connecticut Commission Chairman Marissa Gillett poses a question to the panel at the 2022 Kickoff in New Orleans.



Duke Energy's Marcus Preston smiles at Summit 1 in Raleigh.



Wyoming Commission Chairman Mary Throne weighs in at Summit 3.



North Carolina Utilities Commission Chair Charlotte Mitchell and NorthWestern Energy's Cyndee Fang admire NASUCA President and North Carolina consumer advocate Chris Ayers' use of mole mitigation props at Summit 1.



NARUC President Emeritus Paul Kjellander of Idaho delivers keynote remarks titled "A Rearview Perspective for those Navigating the Complex Regulatory Landscape" at the 2022 Kickoff.



Ameren Missouri's Gaye Suggett shares her perspective as Washington Commission Chairman Dave Danner, Texas consumer advocate Chris Ekoh, and Puget Sound Energy's Wendy Gerlitz prepare to weigh in during Summit 2.

CCIF Overview

CCIF Formation, Leadership, and Process

Formed in 2010, the Critical Consumer Issues Forum (CCIF) brings together state commissions, consumer advocates, and electric companies to tackle consumer-focused energy issues through interactive discourse and debate, to find consensus when possible, and, at a minimum, to achieve a clearer understanding of—and appreciation for—each other’s perspectives and positions.

CCIF Executive and Advisory Committees, each with balanced representation from the three core communities, provide leadership and guide CCIF initiatives at each of the following steps in the process:

1. Kickoff forum, typically collocated with the NARUC & NASUCA Annual Meetings, to introduce a topic and to initiate discussion among CCIF’s three core communities and other stakeholders.
2. Series of invitation-only summits in which the three groups engage in facilitated dialogue.
3. Issuance of a report to share key takeaways with the broader stakeholder community and to serve as a foundation for additional dialogue on numerous fronts.

CCIF Value & Successful Track Record

By providing a non-adversarial, collaborative environment in which participants from the three core groups candidly can discuss and proactively can address a variety of energy issues with potentially broad impacts on electricity customers, CCIF consistently has produced credible reports that demonstrate support for key concepts to the broader stakeholder community; demonstrate leadership of the three core groups; initiate, inform, or focus regulatory and broader policy dialogue at the state level; focus on consumer aspects of energy topics; and facilitate proactive consumer education and protection. Specifically, the following CCIF reports have constructively contributed to the energy policy debate:

- [*Grid Modernization Issues with a Focus on Consumers*](#), July 2011
- [*The Challenges of a Changing Regulatory Environment: Focus on the Regulatory Process*](#), July 2012
- [*Policy Considerations Related to Distributed Energy Resources*](#), July 2013
- [*DG: A Balanced Path Forward: Providing Customer Choice While Ensuring Reliability*](#), July 2014
- [*The Evolving Distribution System: Helping Consumers Navigate Access to Data, Products & Services*](#), July 2015
- [*Consumer Solutions: Meeting Consumer Needs on All Levels*](#), July 2016
- [*Connecting Communities: Smart Cities, Enabling Technologies, and the Grid*](#), July 2017
- [*Security & Resilience at the Distribution Level: Integrating Technologies at the Grid Edge*](#), July 2018
- [*Driving a Customer-Focused Energy Future: Examining Policies for Delivering Smart Mobility and Other Customer Solutions*](#), July 2019
- [*Planning for the Electric System of the Future: The Path to a More Resilient Energy Grid*](#), July 2020
- [*Supporting Electricity Customers Through Times of Crisis: Being There When It Matters Most*](#), July 2021
- [*The Customer-Centered Clean Energy Transition: Balancing Technology, People & the Planet*](#), July 2022

All CCIF reports are available for download at www.CCIFForum.com.

CCIF Leadership

Executive Committee



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*Connecticut Public Utilities
Regulatory Authority
Commissioner &
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A former Florida Public Service Commissioner (2006–2009), Katrina McMurrin draws upon extensive regulatory experience to organize and facilitate relevant policy forums and to advise an array of entities on key regulatory and policy issues in the energy arena.

McMurrin currently serves as the Executive Director of the Critical Consumer Issues Forum (CCIF), a unique national forum in which state utility regulators, consumer advocates, and electric companies—via a series of facilitated, interactive dialogues—engage in productive debate and often develop consensus on key issues of importance to consumers and policymakers. CCIF has produced reports on a range of energy topics including clean energy transition, grid modernization, distributed generation, consumer solutions, smart communities, electric transportation, resilience, and supporting electricity customers through times of crisis, such as the COVID-19 global pandemic.

McMurrin also serves as the Executive Director of the Nuclear Waste Strategy Coalition, an ad hoc organization representing the collective interests of member state utility regulators, state consumer advocates, other state officials, tribal governments, local governments, electric companies with operating and shutdown nuclear reactors, and other experts on nuclear waste policy matters.

McMurrin serves on the Southwest Research Institute Board of Advisory Trustees and as a member of the American Nuclear Society, the Institute for Nuclear Materials Management, and U.S. Women in Nuclear.

A Northwest Florida native, McMurrin received a Bachelor’s degree in finance and an MBA from Florida State University. She and her husband currently reside near Nashville, Tennessee.

CCIF

CRITICAL CONSUMER
ISSUES FORUM

Save the Date for 14th Annual CCIF Kickoff Forum



**Saturday,
November 11, 2023
3:00–5:00 pm (PST)**

(Reception to follow)

**La Quinta Hotel & Resort
La Quinta, CA**

Description This session will feature state commissioners, consumer advocates, and electric company representatives; engage additional stakeholders; and provide a foundation for the collaborative process to follow on a new CCIF topic to be announced. Open to all interested stakeholders. Refreshments provided and a wine and cheese reception following.

Registration Please save the date on your calendar and check www.CCIForum.com for registration information as the date approaches. There is no charge to participate, but a separate registration with CCIF is required. During registration, participating state commissioners and consumer advocates may request a 1-night hotel stipend from EEI. More info will be provided thereafter to help determine eligibility in light of any applicable ethics policies, rules, or statutes. Participants are responsible for making their own hotel reservations, including any additional nights to attend the forum.

For More Info Information and updates about the forum will be posted at www.CCIForum.com. You may also contact Katrina McMurrian at katrina@CCIForum.com or **615-905-1375**.

This event is funded by the Edison Electric Institute. It is not sponsored by NARUC or NASUCA and is not a part of the agendas of the 2023 NARUC Annual Meeting & Education Conference or 2023 NASUCA Annual Meeting.



For more information about CCIF or this report:

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