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November 9, 2015

VIA ELECTRONIC FILING

Ms. Gail L. Mount, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

**RE: Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's
Objection to NC WARN's Motion to Seek Leave to File Comments
Docket No. E-100, Sub 141**

Dear Ms. Mount:

I enclose Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC's ("DEP") Objection to NC WARN's Motion to Seek Leave to File Comments for filing in connection with the referenced matter.

Thank you for your attention to this matter. If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lawrence B. Somers', written over the word 'Sincerely,'.

Lawrence B. Somers

Enclosure

cc: Parties of Record

OFFICIAL COPY

Nov 09 2015

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-100, SUB 141

In the Matter of)	DUKE ENERGY CAROLINAS,
)	LLC AND DUKE ENERGY
2015 Integrated Resource Plan Update)	PROGRESS, LLC'S OBJECTION
Reports and Related 2015 REPS)	TO NC WARN'S MOTION TO
Compliance Plans)	SEEK LEAVE TO FILE
)	COMMENTS

NOW COME Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP") (collectively the "Companies") pursuant to North Carolina Utilities Commission ("Commission") Rule R8-60 and R1-7 and respond to the North Carolina Waste Awareness and Reduction Network's ("NC WARN") November 2, 2015 Motion to Seek Leave to File Comments as follows:

Commission Rule R8-60 requires the Companies to furnish the Commission a biennial Integrated Resource Plan ("IRP") report in even-numbered years that contains the specific information set out in Commission Rule R8-60. In odd-numbered years, the Companies must file an annual report updating the Companies' most recently filed biennial reports. Consistent with Commission Rule R8-60(j), DEC and DEP filed their 2015 IRP Update Reports on September 1, 2015.

Unlike the process for comment on the biennial reports, Commission Rule R8-60(l) only allows intervenors to file comments on the IRP update reports if leave is granted from the Commission. Furthermore, such intervenor update report comments shall be allowed "only if the Commission deems it necessary" and, if so, limited to such scope of issues identified by the Commission. In its Motion to Seek Leave to File Comments ("NC WARN Motion"), NC WARN asserts that it is an intervenor in this

docket, has filed comments in previous Integrated Resource Plan (“IRP”) dockets, and claims that the comments it seeks to file “will assist the Commission in its analysis of the IRPs by pointing out several areas requiring closer scrutiny.” (Motion at ¶1). Instead of waiting for the Commission to rule upon its Motion, however, NC WARN filed substantive comments on the Companies’ 2015 IRP Update Reports within its Motion and attached an updated version of the same report¹ it has filed in the past several IRP dockets.

The Companies assert that NC WARN has shown no compelling reason why they should be allowed to file these comments because the NC WARN Motion and Comments simply restate the very same meritless opinions and allegations that they have filed in this docket and in previous IRP dockets, and which have consistently been rejected by the Commission. For example, in Docket No. E-100, Sub 137 (“2013 IRP”), the Commission in its June 30, 2014 *Order Approving Integrated Resource Plan Annual Update Reports and REPS Compliance Plans* approved the Companies’ IRPs and did not adopt any recommendations put forth by NC WARN in its comments in the docket.

Likewise, in response to the Companies’ biennial 2014 IRPs, NC WARN filed initial comments on February 20, 2015 and requested an evidentiary hearing. In its 2014 IRP comments and report, NC WARN challenged the Companies’ load forecasts, asserted that there is excess capacity in the Companies’ generation systems and in the region, and that NC WARN’s allegedly superior alternate energy future could be achieved by eliminating all existing coal plants and all new generation. The Companies filed reply comments responding to NC WARN stating that NC WARN was essentially restating the same arguments made in the 2013 IRP proceeding and that these arguments

¹ NC WARN’s “A Responsible Energy Future for North Carolina.”

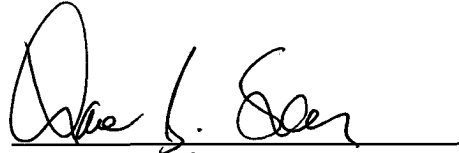
had been rejected by the Commission. In rejecting NC WARN's 2014 IRP comments, the Commission, in its June 26, 2015 *Order Approving Integrated Resource Plans and REPS Compliance Plans* ("2015 IRP Order") stated that while an intervenor had the right to file an IRP of its own, the IRP of the intervenor should conform to the information and analytic requirements of Commission Rule R8-60(c)(i). The Commission then concluded that, "To the extent NC WARN intended for its comments to be construed as an alternative IRP for Duke, the Commission finds and concludes that NC WARN's proposal was inadequate with respect to data, modeling and analysis." 2015 IRP Order at p. 13.

Commission Rule R8-60(l) allows intervenors to file "an update report of its own as to any utility." The Companies contend that the report attached to NC WARN's Motion contains the same rejected arguments set forth by NC WARN in this and previous IRP dockets, does not even attempt to conform to the requirements of Commission Rule R8-60(c)(i), and will in no way assist the Commission in this proceeding. Furthermore, on page 2 of its report, NC WARN asserts that it filed a complaint with the Federal Energy Regulatory Commission ("FERC") in December 2014 making the same claim about the Companies' allegedly excessive capacity. NC WARN fails to reveal, however, that the FERC categorically rejected NC WARN's arguments and dismissed NC WARN's complaint in its April 30, 2015 order.² Therefore, there is no reason these comments by NC WARN should be accepted into the record in this proceeding.

² *N.C. Waste Awareness and Reduction Network v. Duke Energy Carolinas, LLC et al.*, 115 FERC ¶ 61,079 (2015). NC WARN's request for rehearing of this FERC order is pending.

WHEREFORE, for the reasons set forth above, the Companies respectfully request that the Commission deny NC WARN's Motion to Seek Leave to File Comments and not accept the attachment contained therein into the record in this docket.

This the 9th day of November, 2015.



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CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's Objection to NC WARN's Motion to Seek Leave to File Comments in Docket No. E-100, Sub 141, has been served by electronic mail, hand delivery or by depositing a copy in the United States mail, postage prepaid to the following parties of record:

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This is the 9th day of November, 2015.

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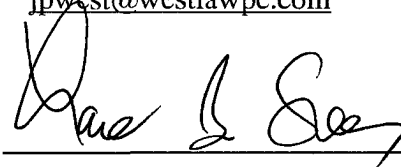
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