

1 PLACE: Via Videoconference  
2 DATE: Wednesday, May 12, 2021  
3 DOCKET NO.: E-100, Sub 165  
4 TIME: 6:00 P.M. TO 8:38 P.M.  
5 BEFORE: Commissioner Kimberly W. Duffley, Presiding  
6 Chair Charlotte A. Mitchell  
7 Commissioner ToNola D. Brown-Bland  
8 Commissioner Lyons Gray  
9 Commissioner Jeffrey A. Hughes  
10 Commissioner Floyd B. McKissick, Jr.  
11  
12

13 IN THE MATTER OF:  
14 Generic Electric - 2020 Biennial  
15 Integrated Resource Plan Reports and  
16 Related 2020 REPS Compliance Plans  
17  
18

19 Volume 4  
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22  
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1     A P P E A R A N C E S:  
2     FOR DUKE ENERGY PROGRESS, LLC, and  
3     DUKE ENERGY CAROLINAS, LLC:  
4     Robert W. Kaylor, Esq.  
5     Law Office of Robert W. Kaylor, P.A.  
6     353 E. Six Forks Road, Suite 260  
7     Raleigh, North Carolina 27609  
8  
9     FOR VIRGINIA ELECTRIC AND POWER COMPANY d/b/a  
10    DOMINION ENERGY NORTH CAROLINA:  
11    Nicholas Dantonio, Esq.  
12    McGuireWoods LLP  
13    434 Fayetteville Street, Suite 2600  
14    Raleigh, North Carolina 27601  
15  
16    FOR THE USING AND CONSUMING PUBLIC, THE STATE  
17    AND ITS CITIZENS:  
18    Teresa Townsend, Esq.  
19    Office of the North Carolina Attorney General  
20    114 West Edenton Street  
21    Raleigh, North Carolina 27603  
22  
23  
24

1     A P P E A R A N C E S   (Cont'd.):  
2     FOR THE USING AND CONSUMING PUBLIC:  
3     Lucy E. Edmondson, Esq.  
4     Robert Josey, Jr., Esq.  
5     Public Staff - North Carolina Utilities  
6     4326 Mail Service Center  
7     Raleigh, North Carolina 27699-4300

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1 P R O C E E D I N G S

2 COMMISSIONER DUFFLEY: Good evening. Let's  
3 come to order and go on the record. I am Commissioner  
4 Kim Duffley, and I'll be presiding at this hearing  
5 tonight. With me are Commission Chair Charlotte A.  
6 Mitchell and Commissioners Lyons Gray, Jeff Hughes, and  
7 Floyd B. McKissick, Jr.

8 The Commission now calls for hearing Docket  
9 Number E-100, Sub 165, In the Matter of the 2020 Biennial  
10 Integrated Resource Plan Reports and Related 2020  
11 Renewable Energy Portfolio Standard Compliance Plans for  
12 Duke Energy Carolinas, Duke Energy Progress, and Virginia  
13 Electric & Power Company, doing business as Dominion  
14 Energy North Carolina.

15 And I see that Commissioner ToNola D. Brown-  
16 Bland has joined as well.

17 Before proceeding and as required by the State  
18 Government Ethics Act, I remind all members of the  
19 Commission of our duty to avoid conflicts of interest,  
20 and inquire at this time as to whether any Commissioner  
21 has any known conflict of interest with respect to these  
22 proceedings?

23 (No response.)

24 Let the record reflect that no such conflicts

1 have been identified.

2 North Carolina General Statute Section 62-  
3 110.1(c) requires the Commission to develop, publicize,  
4 and keep current an analysis of the long-range needs for  
5 electricity in this state. To meet this requirement, the  
6 Commission conducts an annual investigation into the  
7 Integrated Resource Plans prepared by each of the  
8 principal electric utilities under the Commission's  
9 jurisdiction.

10 In addition to this review, Commission Rule R8-  
11 67(b) requires electric public utilities to file a  
12 Renewable Energy Portfolio Standard Plan, or REPS  
13 Compliance Plan, as part of their IRP reports.

14 Integrated Resource Planning, or IRP, is  
15 intended to identify those electric resource options that  
16 can be obtained at the lowest cost to ratepayers  
17 consistent with safe, adequate, and reliable electric  
18 service. The Utilities' Integrated Resource Plans must  
19 consider conservation, efficiency, and load management,  
20 as well as supply-side alternatives in the selection of  
21 resource options.

22 The Commission does not approve or disapprove  
23 the Utilities' Integrated Resource Plans. It takes them  
24 into consideration in its own long-range plan for



1 electricity service in North Carolina and also in its  
2 determination of Applications for Certificates of Public  
3 Convenience and Necessity to construct new electric  
4 generating facilities and in other proceedings where  
5 approval of utility programs or investments is required.

6 On May 1st, 2020, Virginia Electric & Power  
7 Company, doing business as Dominion Energy North  
8 Carolina, or Dominion, filed its 2020 IRP and 2020 REPS  
9 Compliance Plan.

10 On September 1st, 2020, Duke Energy Progress,  
11 or DEP or D-E-P, and Duke Energy Carolinas, referred to  
12 as DEC or D-E-C, filed their 2020 IRPs and 2020 REPS  
13 Compliance Plans.

14 On February 2nd, 2021, the Commission issued an  
15 Order scheduling a public hearing to be conducted via  
16 Webex on March 16, 2021 for the purpose of taking  
17 nonexpert public witness testimony with respect to the  
18 IRPs and REPS Compliance Plans.

19 The Public Staff received more than 200  
20 requests to testify at the scheduled hearing. We are  
21 pleased to have this level of interest and determined the  
22 best way to hear you all was to set the hearing for  
23 numerous dates, which brings us to tonight. We  
24 appreciate all of you calling in tonight to express your

1 views on this important matter, and we are glad you are  
2 with us.

3 In the interest of being able to hear from  
4 everyone scheduled to testify this evening, I'd like to  
5 go over the procedures we will follow.

6 First, the Public Staff has scheduled each  
7 witness based on the order in which they registered with  
8 the Public Staff. These are the only witnesses the  
9 Commission will be receiving testimony from this evening.  
10 Public witnesses, as they call in, will be on the  
11 telephone line, but not on the video screen available on  
12 YouTube. However, anyone participating in or observing  
13 tonight's hearing can watch the Commission and the  
14 representatives of the parties via YouTube. The link to  
15 this YouTube video is available on the home page of the  
16 Commission's website, which is [www.ncuc.net](http://www.ncuc.net).

17 I will call upon the witnesses in the sequence  
18 that was provided to me by the Public Staff. When I call  
19 your name, at that point our meeting technician, John  
20 McCoy, will unmute your phone line. When you hear two  
21 beeps on your telephone line, that means your line is  
22 live and that we can hear you. I'll ask you to take the  
23 oath of affirmation. We will not be asking witnesses to  
24 swear on the Bible because we cannot make one available

1 to you, and for consistency purposes we will affirm all  
2 of the witnesses tonight.

3 After you take the oath, we can save time if  
4 you'll please do three things before you start your  
5 statement. It's first state your name, your address, and  
6 your electric provider, and then you can immediately go  
7 into your statement. If you forget, either the Public  
8 Staff or I will ask you these questions.

9 After providing your name, address, and  
10 electric provider, you may proceed to make your  
11 statement. You will have five minutes to present your  
12 testimony. Due to the number of witnesses we have, you  
13 should not go beyond your allowed time. Commissioner  
14 Brown-Bland will be keeping time tonight. Is that  
15 correct, Commissioner?

16 COMMISSIONER BROWN-BLAND: (Nods  
17 affirmatively.)

18 COMMISSIONER DUFFLEY: Wonderful. And you'll  
19 hear a loud ringing on her phone which means your time  
20 has expired. So if you have something that you want to  
21 say that you believe has already been said by an earlier  
22 speaker, you may simply refer to that testimony and say  
23 you support the earlier speaker. That will cut down on  
24 repetitive testimony.

1           You'll be speaking to the Commissioners whom  
2           you'll be able to see via this YouTube link, and after  
3           your statements, the Commissioners and attorneys for the  
4           parties will be given an opportunity to ask you  
5           questions, so please do not hang up your line until I  
6           have let you know whether the Commissioners or any party  
7           has a question for you.

8           When you've completed your statement and  
9           responded to any questions, your phone line will be muted  
10          again and you're free to disconnect if you wish to do so,  
11          and I encourage you to follow along on the YouTube  
12          channel. If you're watching the hearing on YouTube and  
13          you're also connected via your telephone, please remember  
14          to turn down your computer audio or put it on mute to  
15          avoid feedback on the telephone line.

16          I now call upon counsel for the parties to  
17          announce their appearances for the record, beginning with  
18          the Utilities.

19                 MR. KAYLOR: Thank you, members of the  
20                 Commission. Robert Kaylor appearing on behalf of Duke  
21                 Energy Carolinas and Duke Energy Progress.

22                 COMMISSIONER DUFFLEY: Thank you, Mr. Kaylor.  
23                 Appearances from the Public Staff?

24                 MR. JOSEY: Good evening, Commissioners.

1 Robert Josey for the Public Staff on behalf of the Using  
2 and Consuming Public. I'm also here with Lucy Edmondson.

3 COMMISSIONER DUFFLEY: And appearances from the  
4 Attorney General.

5 MS. TOWNSEND: Yes. Teresa Townsend from the  
6 Attorney General's Office, representing the Using and  
7 Consuming Public, and also the State and its Citizens in  
8 this matter of important public interest.

9 COMMISSIONER DUFFLEY: Thank you. And are  
10 there any Intervenors appearing tonight?

11 MR. DANTONIO: Commissioner Duffley, this is  
12 Nick Dantonio with McGuireWoods here on behalf of  
13 Dominion Energy North Carolina as well.

14 COMMISSIONER DUFFLEY: Thank you. So are there  
15 any preliminary matters before we begin?

16 MR. KAYLOR: None for Duke.

17 COMMISSIONER DUFFLEY: Okay. Let's go ahead  
18 and get started. Mr. Josey, if you could please call  
19 your first witness.

20 MR. JOSEY: Yes. The first witness tonight is  
21 Mia Cushman.

22 COMMISSIONER DUFFLEY: Ms. Cushman --

23 MS. CUSHMAN: Hi. Can you hear me?

24 COMMISSIONER DUFFLEY: I can. Thank you.

1 MIA CUSHMAN; Having first been duly affirmed,  
2 Testified as follows:

3 COMMISSIONER DUFFLEY: Thank you. And if you  
4 could begin your statement with your name, address, and  
5 electric provider.

6 THE WITNESS: Okay. My name is Mia Cushman.  
7 My address is 10 Glenway Drive, Asheville, North  
8 Carolina, 28804, and my electricity provider is Duke  
9 Energy Progress.

10 STATEMENT BY MS. CUSHMAN:

11 Hi. As I said, my name is Mia Cushman, and I'm  
12 a student at Asheville High School. I first want to  
13 thank the North Carolina Utilities Commission for holding  
14 this hearing and letting the public give comments.

15 I was born in Asheville, North Carolina, and  
16 I've lived here ever since. My family has had Duke  
17 Energy Progress as our electricity provider for all of my  
18 life as well. This is important to me because Duke  
19 Energy's new proposed IRP plan isn't addressing the  
20 action we need to take to reverse climate change. I'm  
21 worried that Duke's IRP plan could contribute to  
22 devastating effects on our environment and our quality of  
23 life in the future.

24 I'm so lucky to have grown up in a place where

1 I'm able to experience the beauty of nature every day.  
2 My favorite things to do are activities in nature. I  
3 love to hike and bike, and I always notice that I feel  
4 the most happy and calm when I'm doing these things. I  
5 hope that future generations are able to experience the  
6 same beauty that we do, and that they won't have to worry  
7 about the risks to their health when they're outside.

8 Four out of six of Duke's proposed scenarios  
9 don't even meet the North Carolina state's climate goals  
10 and none of them meet the nation's goals. I'm asking for  
11 Duke Energy to reenvision their plan to include more  
12 clean and more renewable energy. We need to start  
13 thinking about the long-term solutions now. We need to  
14 decrease the use of fracked gas power plants and coal  
15 plants, not increase them. If we start using more  
16 renewable energies such as solar energies, it would not  
17 only be healthier for the environment, but it would be  
18 more affordable for the people, which is so important  
19 right now because of the rising cost for basic  
20 necessities.

21 I believe that Duke can be a leading force in  
22 the actions we need to take to reverse climate change if  
23 they change their plan to fit the steps we need to take  
24 to keep our earth safe and beautiful for many years to

1       come. Thank you for your time.

2                   COMMISSIONER DUFFLEY: Thank you, Ms. Cushman.

3       Are there any questions?

4                   MR. KAYLOR: No.

5                   MR. DANTONIO: No.

6                   COMMISSIONER DUFFLEY: Okay. I do not see any  
7       questions. Thank you so much for being with us this  
8       evening.

9                   THE WITNESS: Thank you.

10                                   (Witness excused.)

11                   COMMISSIONER DUFFLEY: Our next witness,  
12       please?

13                   MR. JOSEY: Nancy LaPlaca.

14                   MS. LaPLACA: Yes. Hi. Can you hear me?

15                   COMMISSIONER DUFFLEY: I can, Mrs. LaPlaca.

16                   MS. LaPLACA: Hello?

17                   COMMISSIONER DUFFLEY: Yes, Mrs. LaPlaca.

18                   MS. LaPLACA: Okay. Great.

19                   COMMISSIONER DUFFLEY: Can you hear me? Great.

20                   MS. LaPLACA: Yes. It's Miss. It's Miss.

21       Thank you.

22                   COMMISSIONER DUFFLEY: Miss. Sorry. Thank  
23       you.

24                   NANCY LaPLACA: That's okay.



1 NANCY LaPLACA; Having first been duly affirmed,  
2 Testified as follows:

3 COMMISSIONER DUFFLEY: Okay. Thank you. And  
4 if you could please start your statement with your name,  
5 address, and electric provider.

6 THE WITNESS: Yeah. Hi. My name is Nancy  
7 LaPlaca, and my address is 239 Wildwood Lane in Boone,  
8 and my electric provider is New River Light & Power,  
9 which purchases electricity right now from Blue Ridge  
10 Energy, which then resells Duke Energy's electricity to  
11 New River Light & Power, so, you know, in a circuitous  
12 way my power is from Duke Energy, but it's resold twice.

13 STATEMENT BY MS. LAPLACA:

14 Hello. My name is Nancy LaPlaca, and I'm a  
15 regulatory policy analyst, and I know many Commissioners  
16 and I appreciate your service. I appreciate this hearing  
17 tonight.

18 I worked on the cutting edge of clean energy  
19 issues for 16 years. I have a law degree. I worked for  
20 two members of Congress, lobbied the Legislature in three  
21 states, and served as a policy advisor to an elected  
22 public utilities commissioner in Arizona from 2009 until  
23 2013. I've been in the solar war a pretty long time.

24 I want to thank you again for the opportunity

1 to comment and tell you a short story. The first time I  
2 attended a hearing at the NCUC in 2014, I ran into a  
3 high-level NCUC staffer who I knew from my years as  
4 policy advisor. I asked him why hearings were not  
5 online, he told me no one cares. I was stunned, but I  
6 didn't say anything because I didn't want to alienate  
7 him. And I certainly hope that after COVID, the NCUC  
8 will do everything it can to make it easier, not more  
9 difficult, for citizens to participate. And I also hope  
10 the IRPs will have evidentiary hearings.

11 I have worked as a public interest intervenor  
12 in three states, Arizona, Colorado, and North Carolina,  
13 and participated in hundreds of dockets, including  
14 dockets at FERC. I spent three years debunking clean  
15 coal and carbon sequestration. And what I want to talk  
16 about tonight is how Duke Energy has worked over and over  
17 again to not just pollute our air and water, but our  
18 democracy, and that this cannot stand, and that as I look  
19 around and see young people -- I'm 65 years old this year  
20 -- I see that they will not take bologna anymore. They  
21 want a habitable planet. They deserve a habitable  
22 planet.

23 Duke Energy's behavior has been abominable, and  
24 there is literally no one to hold them accountable except

1 the members of the NCUC. And I know this as a former  
2 policy advisor at a public utilities commission.

3 So I want to tell you a few things that I hope  
4 you don't already know about Duke Energy in my time here.  
5 Duke is the largest CO2 emitter in the US at 83.6 million  
6 megatons. It has the most fossil assets in the US at  
7 \$23.6 billion. Again, that's \$23.6 billion. How much of  
8 that \$23.6 billion in fossil assets do you think will be  
9 stranded? It's going to probably be a lot. Look at the  
10 coal industry and see how long it took them to go from  
11 hundreds of billions of dollars of value to zero.

12 Duke Energy has added more natural gas power  
13 plants in the Southeastern US than any other utility.  
14 They're one of the top contributors to congressional  
15 campaigns, one of the top spenders on lobbying. They  
16 built a clean coal plant in Indiana called Edwardsport  
17 that cost its customers 10 times more than it would have  
18 cost to purchase power on the open market. And one of  
19 the more interesting things about that whole debacle was  
20 that Duke Energy was forced to fire one of its higher-  
21 level executives because while they were writing the  
22 order on cost recovery for the clean coal plant, Duke  
23 Energy was negotiating with the administrative law judge  
24 for a job at Duke Energy, so this is the level of

1 disingenuousness and -- unfortunately, that we're dealing  
2 with.

3 Duke has added 8,000 MW of natural gas to its  
4 systems in North Carolina and South Carolina completely  
5 under the radar by converting dirty old coal plants to  
6 gas. Unfortunately, when they convert those coal plants,  
7 it reduces the efficiency by 3 to 5 percent, which means  
8 that it's kind of unbelievable for those of us who  
9 understand this business. But those converted natural  
10 gas power plants are less efficient than the original  
11 coal plant. In fact, that's why independent power  
12 producers like NTE are kicking Duke's behind on cost  
13 because they're building new natural gas plants that are  
14 far more efficient.

15 Duke's tax rate over the last three years was  
16 minus 15.5 percent, minus 15.5 percent. In other words,  
17 they got money back from the federal government.

18 Duke Energy spends \$80 million a year on public  
19 relations. They've spent heavily, millions of dollars,  
20 denying climate change, killing solar, killing wind, and  
21 denying coal ash and the toxicity. They don't care.

22 The former chair of the NCUC, Ed Finley, was a  
23 utility attorney for decades. Current chief of staff  
24 Chris Ayers also worked for the utilities. What chance

1 do normal people have here?

2           Finally, I want to say that the next 10 years,  
3 and especially the next few years, are do or die for a  
4 habitable planet. Climate scientist Zeke Hausfather, in  
5 a recent -- recently wrote in a blog post that he thinks  
6 that we could hit 1.5 degree C -- a 1.5 degree C rise in  
7 temperature by 2026 and 2 degrees by 2034. That is  
8 sobering.

9           COMMISSIONER DUFFLEY: Ms. LaPlaca? Ms.  
10 LaPlaca, thank you. If you could wrap it up. If you  
11 want to make a final sentence, wrap-up sentence.

12           THE WITNESS: Yes. I think the problem is, is  
13 that we have a system here that was designed for the  
14 utilities. In fact, it literally was designed for the  
15 utilities. And if you go look up -- if you go look up  
16 Samuel Insull, he put the current system in place,  
17 because the utilities knew that they could manipulate it.  
18 And unfortunately, that is what I have seen, and I hope  
19 that the Utilities Commission will stand up to Duke  
20 Energy and at least give us transparency. The fact that  
21 we have no evidentiary hearings is, frankly, shocking to  
22 me, and I certainly hope that COVID has taught us that we  
23 need transparency and participation. Thank you.

24           COMMISSIONER DUFFLEY: Thank you. Are there

1 any questions for Ms. LaPlaca?

2 (No response.)

3 Okay. I do not see any questions, and I thank  
4 you so much for being with us tonight.

5 THE WITNESS: Thank you.

6 COMMISSIONER DUFFLEY: Thank you.

7 (Witness excused.)

8 COMMISSIONER DUFFLEY: Mr. Josey?

9 MR. JOSEY: Yes. I believe our next caller,  
10 we're having a little -- a few technical difficulties  
11 getting her on the line and staying, so we're going to  
12 jump to number three on the list, River Harlan.

13 COMMISSIONER DUFFLEY: Okay. And River, is  
14 that a Mr. or Ms.?

15 MR. HARLAN: Hello. It's a mister.

16 COMMISSIONER DUFFLEY: Mr. Thank you.

17 RIVER HARLAN; Having first been duly affirmed,  
18 Testified as follows:

19 COMMISSIONER DUFFLEY: Okay. If you could  
20 begin your statement with your name, address, and  
21 electric provider.

22 THE WITNESS: My name is River Harlan. I live  
23 at Walker Creek Road, 54 Walker Creek Road,  
24 Barnardsville, North Carolina. And it is Duke -- Duke --

1 what is it? It's Duke Progress. That's what it is.

2 COMMISSIONER DUFFLEY: Okay. And Mr. Harlan,  
3 if you could speak up a little bit when you start your  
4 statement, please.

5 STATEMENT BY MR. HARLAN:

6 Okay. I'm 13 years old, and I was born and  
7 raised in North Carolina, and I'm deeply concerned about  
8 Duke's 15-year energy plan which will especially affect  
9 me and my generation. Here are some important facts to  
10 consider.

11 Duke operates the largest coal fleet in the  
12 country. Duke Energy is our country's largest utility  
13 polluter. If Duke Energy were a country, it would rank  
14 44th in the world for carbon emissions ahead of Belgium,  
15 Austria, and Greece.

16 Duke operates six coal-burning power plants in  
17 North Carolina that are poisoning communities across the  
18 state. They are dirty, dangerous, and expensive. They  
19 are operating at a net loss every day. Their Company  
20 costs us 600 million every year and 3 billion over the  
21 past five years. Duke plans to continue burning coal  
22 until 2049, and Duke has the most fracked gas planned of  
23 any utility in the country.

24 Duke is proposing 13 new gas plants in North

1 Carolina by 2035, and Duke has the least percentage of  
2 renewables by any -- of any utility in our country. This  
3 is the worst utility in our country, and you,  
4 Commissioners, have the opportunity to change that.

5 COMMISSIONER DUFFLEY: Mr. Harlan? Mr. Harlan,  
6 I hate to interrupt, but could you please speak up little  
7 bit louder? We're having trouble hearing you.

8 THE WITNESS: Yes, ma'am.

9 COMMISSIONER DUFFLEY: Thank you.

10 THE WITNESS: Duke's IRP should be sent back to  
11 the drawing board. Duke needs to close all of its coal  
12 plants by 2030 or sooner, replace it with clean energy,  
13 and not build any new gas plants. Commissioners, you are  
14 important public servants who can play a pivotal role for  
15 my generation and everyone in North Carolina. How do you  
16 want to be remembered? You can just be another  
17 Commission that allows Duke to continue polluting and  
18 expanding its fossil fuel buildout, costing money and  
19 lives, or you can finally be a bold, brave Commission  
20 that steps up for the people it is entrusted to protect.  
21 We haven't had a Commission like that in my lifetime. I  
22 dare you to be the courageous Commissioners that our  
23 state and our world needs right now.

24 COMMISSIONER DUFFLEY: Okay. Are there



1 questions for Mr. Harlan?

2 (No response.)

3 I do not see any questions, so Mr. Harlan,  
4 thank you so much for being with us this evening. We  
5 appreciate it.

6 (Witness excused.)

7 MR. JOSEY: Okay. Our next caller is Natalie  
8 Neery.

9 NATALIE NEERY; Having first been duly affirmed,  
10 Testified as follows:

11 COMMISSIONER DUFFLEY: Okay. You may begin  
12 with your statement, with your name, address, and  
13 electric provider.

14 THE WITNESS: Okay. My name is Natalie Neery.  
15 My address is 6 Marlboro Road, Asheville, North Carolina,  
16 28804, and my energy provider is Duke Energy Carolinas.

17 STATEMENT BY MS. NEERY:

18 As you know, my name is Natalie Neery, and I am  
19 a freshman at Asheville High School, as well as a  
20 lifetime resident of Asheville, North Carolina. This is  
21 a beautiful city full of so many natural wonders, and I  
22 enjoy spending my time playing sports in the beautiful  
23 environment that we have.

24 However, it has come to my attention that Duke

1 Energy has plans to continue burning natural gas as its  
2 main source of energy, as well as to continue to spread  
3 myths about the pricing and benefits of burning these  
4 nonrenewable resources.

5 Fracked gas has never been, and will never be,  
6 the most sensible option for North Carolinians if you  
7 want to slow the devastating effects of climate change  
8 and keep our area clean and safe for everyone. Instead,  
9 Duke Energy must halt these unnecessary investments and  
10 high-cost fossil fuel technology and keep cost low for  
11 customers and for the environment.

12 In addition to this, Duke should retire all of  
13 its coal plants in the near future, close at least half  
14 of the coal fleet by 2025, completely halt its use of  
15 coal for energy in 2030, and make plans for the  
16 transition to renewable sources of energy, such as solar  
17 energy. I would also like to add that biomass technology  
18 would be a good transition technology to use.

19 Some of the many benefits of using solar energy  
20 are as follows. First of all, solar energy is the most  
21 cost-effective renewable energy option. If North  
22 Carolina were to increase its dependence on this source,  
23 cost to ratepayers would drop tremendous amounts.  
24 Secondly, doing so would slow the effects of the climate

1 crisis in North Carolina, create more jobs in the  
2 renewable energy sector, and avoid steep rising prices  
3 that would cost Duke Energy many valuable customers.

4 Duke Energy must take steps to make renewable,  
5 clean energy an option for North Carolina. The world is  
6 changing, and the values of Duke's customers are  
7 changing, too. Duke must change along with it or be left  
8 behind. All of the overwhelming evidence supporting  
9 renewable energy is there, and making the change will  
10 benefit Duke as well as its customers. The only thing  
11 left to do is make it.

12 I promise, switching towards renewable energy  
13 is an investment Duke Energy won't regret. Duke Energy  
14 has the power to make a change that will positively  
15 affect the climate, the citizens of North Carolina, and  
16 the future of all generations, both now and in the  
17 future. I passionately care about the future of my  
18 generation and future generations, and I need Duke  
19 Energy's help to make our dreams a reality.

20 Please help me secure our futures and help us  
21 work to a better, cleaner, and safer world for everyone.  
22 Thank you for your time.

23 COMMISSIONER DUFFLEY: Thank you. Are there  
24 any questions for Ms. Neery?

1 (No response.)

2 Okay. Seeing none, thank you so much for  
3 testifying tonight.

4 (Witness excused.)

5 MR. JOSEY: Okay. Our next caller is Reverend  
6 Dennis E. Testerman.

7 DENNIS E. TESTERMAN; Having first been duly affirmed,  
8 Testified as follows:

9 COMMISSIONER DUFFLEY: Okay. Wonderful. You  
10 may begin with your name, address, and electric provider.

11 THE WITNESS: I am Reverend Dennis Testerman.  
12 I live at 2490 Penninger Road in Concord, North Carolina,  
13 which means that I am a customer of the City of Concord  
14 when it comes to my electricity.

15 STATEMENT BY MR. TESTERMAN:

16 Good evening, and thank you again for this  
17 opportunity. I serve as the Stewardship of Creation  
18 Enabler for the Presbytery of Charlotte, and I'm here  
19 this evening as an Ambassador with both Audubon and  
20 ecoAmerica's Blessed Tomorrow Initiative, as well as the  
21 moderator of Presbyterians for Earth Care.

22 Yes, I'm on the Presbyterian branch of the  
23 reformed side of the Christianity tree, and for those of  
24 you who are students of early American history,

1 Presbyterians were on the frontlines of the American  
2 Revolution. I'm in the ranks of modern-day Presbyterians  
3 and other people of faith and people -- and so-called  
4 nuns who are calling for independence from fossil fuels.  
5 All social, economic, and environmental problems  
6 associated with extracting, processing, transporta---  
7 transporting, and disposing are related to our dependence  
8 on gas, coal, and oil.

9 I'm the first generation that's born off of a  
10 farm that's been in my family since 1789. At that time  
11 it was still part of the state of North Carolina, so my  
12 roots go back long in the history of North Carolina. My  
13 brother and I not only inherited the portion of this  
14 farm, but we also inherited the land ethic that has  
15 guided generations of my family's stewardship of this  
16 part of God's green earth. And before my ancestors,  
17 there were the Native Americans who held this land  
18 sacred, particularly the Cherokee.

19 While researching to get our farm listed on the  
20 National Register of Historic Places, I came to  
21 appreciate the role of the Rural Electrification  
22 Administration in bringing electricity to our farm nearly  
23 a century ago. I can also appreciate the hard work that  
24 went into generating enough income on this mostly

1 subsistence Cove Mountain farm in Southern Appalachia to  
2 meet financial obligations, primarily taxes, but then  
3 after electricity reached the farm, to pay the utility  
4 bill.

5           For most of my adult life I've worked in the  
6 role -- dual roles as a minister and a public servant in  
7 the conservation arena. My mom, who left the farm to  
8 become a public health nurse, was a guiding influence in  
9 my life, making -- influencing my life's work which has  
10 been to make sure everyone that I've been able to work  
11 with is free from hunger and lives in a healthy  
12 environment. I've done that and served in the church as  
13 an agriculturalist in Nigeria and Pakistan, among other  
14 places, and while serving in those two countries  
15 frequently experienced power outages, which taught me not  
16 to take the blessing of electricity for granted.

17           But as a person of faith, I also recognize that  
18 there is too often a curse associated with the  
19 utilization of natural resources to generate electricity.  
20 When I was a seminary student preparing for my ministry  
21 here in North Carolina, PCBs were in the news back in the  
22 '80s. This was in part due to unscrupulous companies who  
23 were illegally dumping them in the dark of night along  
24 roadsides of poor black communities in rural Warren

1 County. Former Congresswoman and prominent Presbyterian  
2 leader Eva Clayton rose to prominence, in part, for her  
3 environmental justice leadership in her native Warren  
4 County.

5 In the interest of full disclosure, I am a Duke  
6 stockholder. I inherited the stock that my mother owned  
7 when she passed away. But I consider tonight one of my  
8 rare opportunities when I feel like I have a voice, since  
9 Duke shareholder meetings -- stockholder meetings are now  
10 all done by video conference.

11 I have largely tonight repeated remarks that I  
12 made in January of 2000 at the public hearing in  
13 Charlotte on a rate increase, and I did that  
14 intentionally because those comments I think are still  
15 relevant, and for that reason I have not gotten into the  
16 details of the IRP this evening.

17 I want to close with words from the book of  
18 Genesis scripture sacred to my tradition, the second  
19 chapter and the 15th verse, which admonishes us to  
20 recognize that we're put on this earth to serve and  
21 preserve God's creation. And in this case I am making  
22 the case that we need clean and renewable energy for now  
23 and for the future so that all can benefit from the  
24 blessings of that utility. Thank you very much.

1 COMMISSIONER DUFFLEY: Thank you. Are there  
2 any questions for Reverend Testerman?

3 (No response.)

4 Seeing none, thank you so much for sharing your  
5 views with us tonight.

6 (Witness excused.)

7 MR. JOSEY: Our next witness is Rachel  
8 Robinson.

9 MS. ROBINSON: Hello?

10 COMMISSIONER DUFFLEY: Yes.

11 RACHEL ROBINSON; Having first been duly affirmed,  
12 Testified as follows:

13 COMMISSIONER DUFFLEY: Thank you. You may  
14 begin with your name, address, and electric provider,  
15 please.

16 THE WITNESS: All right. Hello. My name is  
17 Rachel Robinson. My address is 255 Barnard Avenue,  
18 Asheville, North Carolina, 28804, and Duke Energy  
19 Progress is my electricity provider.

20 STATEMENT BY MS. ROBINSON:

21 I'm a student at the University of North  
22 Carolina at Asheville, and I want to thank the North  
23 Carolina Utilities Commission for holding this hearing so  
24 our voices can be heard.



1 I first want to say how impressed I am by all  
2 the young people on this call and other calls that I've  
3 been tuning into. I echo their love for the natural  
4 world in North Carolina and their fears for its future.

5 I'm worried about the impacts that this plan  
6 could have on myself and the communities I hold dear to  
7 my heart. I encourage the North Carolina Utilities  
8 Commission to tell Duke Energy that we deserve a better  
9 plan for our communities. This plan should include more  
10 renewable energy so that our air is cleaner, there are  
11 more sustainable jobs, and energy is affordable to all.  
12 This plan should not include any additional fracked gas  
13 plants. Any additional infrastructure being built should  
14 be done so with resilience and long-term benefits in  
15 mind.

16 I also think this plan should be more people  
17 centered, ending utility shutoffs for ratepayers,  
18 especially during this COVID crisis. Duke should be  
19 prioritizing equitable and affordable access to energy  
20 for all, and the way to do this is through renewable  
21 energy.

22 There is a reason so many people have signed up  
23 to speak about this plan. Since we're the ones paying  
24 for energy and subject to its health and environmental

1 consequences, we're the ones who should decide where that  
2 energy comes from.

3 I ask that the North Carolina Utilities  
4 Commission tell Duke to create a new plan that outlines a  
5 strict renewable energy in order to prioritize the health  
6 of North Carolina communities, add good long-term jobs,  
7 mitigate our negative effects to our environment, and  
8 ensure equitable and affordable energy for all.

9 I'm optimistic about the good things that this  
10 plan could allow Duke to do for the state of North  
11 Carolina, be a leader in resiliency, sustainability, and  
12 putting our people first. Thank you for your time.

13 COMMISSIONER DUFFLEY: Thank you. Are there  
14 any questions for Ms. Robinson?

15 (No response.)

16 Seeing none, thank you for coming out and  
17 testifying tonight.

18 THE WITNESS: All right. Thank you.

19 (Witness excused.)

20 MR. JOSEY: Our next caller is Pat Moore.

21 MS. MOORE: Yes. Hello. This is Patricia  
22 Moore. Oh, I need to swear first. I do.

23 COMMISSIONER DUFFLEY: Yes. Thank you, Ms.  
24 Moore.

1 PAT MOORE; Having first been duly affirmed,  
2 Testified as follows:

3 COMMISSIONER DUFFLEY: You may begin.

4 THE WITNESS: I have lived in Charlotte for 82  
5 years, always been a Duke customer.

6 COMMISSIONER DUFFLEY: Ms. Moore, I'm sorry.  
7 Ms. Moore, can you hear me?

8 THE WITNESS: Yes. Yes.

9 COMMISSIONER DUFFLEY: Could you please begin  
10 with your name, address, and electric provider.

11 THE WITNESS: Patricia Moore, 200 Providence  
12 Road, Charlotte, Duke Energy.

13 COMMISSIONER DUFFLEY: Thank you.

14 STATEMENT BY MS. MOORE:

15 I have lived in Charlotte for 82 years and  
16 always been a Duke customer, but Duke has grown during  
17 this time into a corporation careless of ratepayers and  
18 determined to increase profit regardless of the welfare  
19 of its customers or even the health of the planet. This  
20 is serious.

21 How can Duke actually attempt to push ahead  
22 with its plans for gas-powered plants when solar is  
23 available, least cost, and vastly cleaner, knowing that  
24 the ratepayers must, according to law, be responsible for

1 Duke's poor decisions? Is Duke unable to make needed  
2 decisions or unwilling? It will be up to regulatory  
3 bodies such as yourselves to ensure this necessary  
4 transition. We must rely on you to deny this IRP which  
5 is not formulated in the interest of our community.

6 The systemic impacts of climate change have  
7 increased climate-related risk. The North Carolina  
8 Utility Commission understands that climate change has  
9 increased the risk for Duke as well. The 100 million  
10 tons of CO2 which Duke emits annually hangs in the  
11 atmosphere, heating the planet. In parts of the country  
12 where Duke does not have a monopoly, they have moved  
13 toward renewables, but the financial rewards of polluting  
14 in our communities are too great.

15 Some areas are making progress. California and  
16 our neighbor Virginia both have banned new gas plants.  
17 Rooftop solar is now in the equation there, but not here.  
18 Renewables are competitive with gas and undermine the  
19 case for gas plants. Why build to-be-stranded plants, as  
20 proposed in Duke's IRP presented to the Commission? Is  
21 it because ratepayers will cover both the cost of the  
22 plant, the remediation of damages, and the cost of  
23 renewables when and if they are finally built?  
24 Ratepayers will pay. They always pay or lose their

1 electricity.

2 Prudent management requires a risk-informed  
3 approach which is not in the equation of Duke's proposal  
4 in the IRP. Climate costs are material risks, both of  
5 stranded assets, cost of replacement, and should have  
6 been included in the IRP, but the books have been cooked.  
7 Duke now has the highest total greenhouse emissions among  
8 energy producers in this nation, and we are seeing  
9 consequences in rising sea level, more frequent intense  
10 storms, and wildfires.

11 Duke is, itself, among the most at-risk  
12 utilities. All its systems are vulnerable. BlackRock, a  
13 major investor in Duke Energy, has voted against their  
14 proposals 55 times.

15 Members of the Commission, thank you for your  
16 time in listening to these vital concerns. As Duke has  
17 repeatedly put profit above the concerns of the  
18 communities, we must rely on you as our last best hope  
19 for climate justice. We are strongly requesting an  
20 evidentiary hearing which will assure that Duke has to  
21 answer for its statements made in the IRP. The need for  
22 clarity by Duke is great.

23 We are confident that you will see the fears  
24 and abuses in our communities and act now. Require an

1 evidentiary hearing, assuring that Duke will provide the  
2 essential factual information you will need to make this  
3 most important decision. Thank you.

4 COMMISSIONER DUFFLEY: Thank you. Are there  
5 any questions for Ms. Moore?

6 (No response.)

7 Seeing none, thank you for sharing your views  
8 with us tonight.

9 THE WITNESS: Thank you.

10 (Witness excused.)

11 MR. JOSEY: Our next witness is Reverend Mac  
12 Legerton.

13 MR. LEGERTON: Yes. I'm here

14 MAC LEGERTON; Having first been duly affirmed,  
15 Testified as follows:

16 COMMISSIONER DUFFLEY: Please begin your  
17 statement with your name, address, and electric provider.

18 THE WITNESS: I'm Reverend Mac Legerton. I  
19 live at 481 Tracy Sampson Road in Pembroke, North  
20 Carolina. My energy provider is Lumbee River EMC that  
21 purchases electricity from Duke Energy.

22 STATEMENT BY MR. LEGERTON:

23 Methane is a greenhouse gas that is 86 times  
24 more powerful than carbon dioxide in collecting heat in

1 the earth's atmosphere over 20 years. Methane is not  
2 even mentioned in the Duke Energy IRPs and only mentioned  
3 in passing in the Dominion Energy document.

4           What Duke Energy neglects to mention is that  
5 methane is a hydrocarbon. It is CH<sub>4</sub>. Methane  
6 constitutes above 85 percent of fossil gas. What was  
7 formerly called natural gas is now called fossil gas by  
8 leading scientists. This name change has been made  
9 because there's nothing natural about fossil gas once it  
10 is removed from the ground. Not only are massive amounts  
11 of polluting chemicals used in the process of hydraulic  
12 fracturing, a chemical is also added to fossil gas so it  
13 can be smelled because it is naturally odorless.  
14 Consequently, there is nothing natural about  
15 hydraulically fracked fossil gas.

16           Duke and Dominion Energy provide no evidence of  
17 recognizing or admitting that fossil gas, so-called  
18 natural gas in the IRPs, is a fossil fuel that over the  
19 next 20 years is more harmful to our climate and  
20 negatively impacts our weather more than the burning of  
21 coal during the same period of time. While it may burn  
22 cleaner than coal, it is not cleaner at all than coal  
23 when the impact on our climate and weather over the next  
24 20 years is taken into account.

1           As stated in the Duke Energy IRPs, the Company  
2 plans to not only convert coal operations to fossil gas,  
3 but also build new fossil gas-fired facilities. When the  
4 heat-capturing power of fossil gas is combined with the  
5 present methane leakage rates in the production,  
6 transportation, and burning of the gas, fossil gas is now  
7 scientifically proven to be a worse climate pollutant  
8 than coal over the critical period of the next 20 to 30  
9 years.

10           By expanding the use of fossil gas, the Duke  
11 Energy IRPs demonstrate that the Company is actually  
12 expanding the impact of carbon-based emissions, not  
13 reducing them. In reality, Duke Energy is moving our  
14 state further away from renewable clean energy, not  
15 toward it at all. Therefore, I make the following  
16 recommendations to the members of the North Carolina  
17 Utility Commission.

18           One, that no rate hikes be considered or  
19 provided to Duke and Dominion Energy for new fossil fuel  
20 development, infrastructure, and expansion, including the  
21 replacement of coal with fossil gas in existing  
22 facilities and the use of fossil gas in new facilities.  
23 Such a decision will not stop Duke and Dominion Energy  
24 from expanding the use of fossil gas, but it will ensure



1 that we as customers and consumers are not bearing the  
2 cost and burden of what is actually a bad business  
3 practice with no consideration of its short-term impact  
4 on our climate and weather and its long-term economic  
5 impact of billions of dollars of stranded assets and  
6 infrastructure as the use of all fossil fuels decline.  
7 If we, as a state and nation, are truly committed to  
8 carbon reduction, that means a commitment to rapidly  
9 reduce the use of CO2 and CH4 and not replace CO2 with  
10 CH4, a much more potent and harmful carbon. We need to  
11 halt all incentives to utility companies to continue  
12 their dependency on the use of fossil fuels. The easiest  
13 way to do that is to provide no rate hikes for the  
14 continued use of fossil fuels. Then if they want to  
15 continue to do so, they can bear the entire expense and  
16 not burden the public with the cost of a very bad  
17 business model.

18 Secondly, the Utilities Commission reject Duke  
19 Energy IRPs and require Duke Energy to submit a pathway  
20 number seven that includes expansion and -- expansion of  
21 the use -- includes not expanding the use of fossil gas  
22 in former coal-fired facilities and in new energy  
23 facilities as it closes coal-fired facilities, move more  
24 rapidly toward the use of solar, and particularly

1 offshore wind which it mostly neglects in its plans.

2 Lastly, change the definition of carbon  
3 reduction to be only direct carbon reduction at their  
4 source of production and emission, and not include carbon  
5 offsets and other forms and methods that are not proven  
6 to be equal to direct carbon emissions. Thank you.

7 COMMISSIONER DUFFLEY: Thank you. Are there  
8 any questions?

9 (No response.)

10 I do not see any questions. Reverend, thank  
11 you for providing your testimony tonight.

12 (Witness excused.)

13 MR. JOSEY: Our next witness is Patsy Beyer.

14 COMMISSIONER DUFFLEY: Ms. Beyer?

15 MS. BEYER: Yes.

16 PATSY BEYER; Having first been duly affirmed,  
17 Testified as follows:

18 THE WITNESS: Hi.

19 COMMISSIONER DUFFLEY: Thank you.

20 THE WITNESS: My name is Patsy Beyer. Thank  
21 you. My name is Patsy Beyer. I live in Asheville, 28  
22 Wilderness Road, and my electric provider is Duke Energy  
23 Progress.

24 STATEMENT BY MS. BEYER:

1 I thank you for this opportunity, and I hope  
2 that you continue in the future. We all need to have a  
3 say, as it affects all of our lives.

4 I support all the previous comments, the well-  
5 thought-out and well-researched comments. And I've got  
6 to say, given the obvious science, I am actually shocked  
7 that Duke would even consider committing us to this much  
8 more fossil fuel. It's hard to believe we're even  
9 talking about this. It makes no sense at all. It is  
10 going to pollute our only planet.

11 I don't need to go into other comments because  
12 other people have already made them, but solar needs to  
13 be employed. It's not only the cleanest, but also the  
14 most cost-effective energy supply source. A recent study  
15 from Energy Innovation showed that North Carolina could  
16 boost renewable energy to 66 percent by 2035, while  
17 decreasing cost to ratepayers. What a good idea.

18 Duke's plan would accelerate retirement of all  
19 the coal plants -- should accelerate retirement of all  
20 coal plants and close half of its coal fleet by 2025.  
21 They should achieve coal-free energy by 2030, and they  
22 should support transition plans for coal-free plant  
23 communities. They need to do it sooner or later. It's  
24 going to be cheaper now than it's going to be later. If

1 they want to be a good industry leader and a good  
2 corporate citizen, they need to do this. I thank you  
3 very much for your time.

4 COMMISSIONER DUFFLEY: Thank you. And do we  
5 have any questions?

6 (No response.)

7 Seeing none, Ms. Beyer, thank you for coming to  
8 talk with us tonight and give us your testimony.

9 (Witness excused.)

10 MR. JOSEY: Our next witness is Robert Zieber.

11 COMMISSIONER DUFFLEY: Mr. Zieber --

12 MR. ZIEBER: Yes. Hello.

13 COMMISSIONER DUFFLEY: Hello. Good evening.

14 ROBERT ZIEBER; Having first been duly affirmed,

15 Testified as follows:

16 COMMISSIONER DUFFLEY: Wonderful. If you --

17 THE WITNESS: Robert Zieber --

18 COMMISSIONER DUFFLEY: Okay.

19 THE WITNESS: Robert Zieber on Haywood Road in  
20 Asheville. Duke Energy Progress is my energy supplier.

21 COMMISSIONER DUFFLEY: You may proceed.

22 STATEMENT BY MR. ZIEBER:

23 I, again, thank the Utilities Commission for  
24 this opportunity to speak. I hope that we will have in-

1 person hearings further on when things are -- when we're  
2 able to do that.

3 First thing, I would echo many of the previous  
4 comments. I agree with most of them, so we'll skip over  
5 that part.

6 Point out that I'm a registered electrician in  
7 North Carolina, so I'm happy to see electricity still  
8 being available for us to use. It's reliable and  
9 relatively inexpensive, but that doesn't mean we should  
10 be paying more than we should for it, and I think that's  
11 part of your job, is to make sure we are paying a fair  
12 and reasonable rate for the electricity.

13 I wanted to start out with referencing a Duke  
14 Energy whitepaper that came out that was entitled "Winter  
15 Peak Analysis and Solution Set," and it came out in  
16 December of 2020. And one of the topics in there was DSM  
17 programs, the demand-side management programs that are  
18 available. And I would point out that as an electrician,  
19 when I go out to a job and want to install a new service  
20 or do an upgrade on a service, I try and sell that  
21 program to the customers that I'm working with, but I  
22 don't think Duke is really doing that on their end. It  
23 would be really helpful for the Commission to think about  
24 making those load management options an opt-out program

1 so that Duke is able to put in those devices on new  
2 installations or old installations, at their choice, to  
3 work on shifting load when it's necessary that provides  
4 better system reliability and stability if they can shed  
5 load and it reduces the peaks. We've heard a lot about  
6 flattening the peak over the last year. That same  
7 concept applies to electricity in its production and  
8 dispatch throughout the day. It would be great to have  
9 more demand-side programs out there.

10 With the rollout of smart meters everywhere,  
11 it's fairly easy to figure out where those instruments  
12 could be installed, where the demand-side management  
13 equipment could be placed, what the best place to do that  
14 would be, given the load that these different customers  
15 have.

16 I would -- following on from that topic, in my  
17 opinion, I don't think Duke or the Commission are aware  
18 of what's going to happen when electrification of  
19 transportation really rolls out. There's going to be a  
20 huge shift both in demand and when that demand happens  
21 throughout the day, and I think that a lot more work  
22 needs to go into making sure that the Utility is able to  
23 handle that load in a reasonable manner.

24 I'm in Western North Carolina. Today I can

1 tell you I was out at a gas station today helping direct  
2 some traffic. There's a lot of people out there that  
3 wish they had electric cars today because there was no  
4 gas available.

5 I would also encourage the Utility Commission  
6 to hold more public information sessions that might not  
7 be actual hearing sessions or public hearings, as it is,  
8 but just some more public sessions to get the word out  
9 about what's out there. Here in North Carolina we have  
10 the Land of Sky Regional Council. They've had lots of  
11 meetings on electrification, things we could do,  
12 workshops, things to do to get electric vehicles more  
13 available to people and particularly with charging  
14 stations. And I know Duke has a few programs, test  
15 programs, in other states right now. I think they should  
16 be encouraged to do more of that because every time they  
17 do one of the projects, they're gathering more data.

18 And finally, I think they should be encouraged  
19 to do more projects with battery storage and other types  
20 of energy storage, coming back again to the idea of  
21 flattening out those peaks and having those systems  
22 integrated with solar and other renewable resources so  
23 that in the middle of the night they can draw on those  
24 power resources. And I thank you for your time.

1                   COMMISSIONER DUFFLEY: Thank you. Are there  
2 any questions? Chair Mitchell?

3                   CHAIR MITCHELL: Thank you, Commissioner  
4 Duffley. A quick question for the witness. He mentioned  
5 public -- public information sessions. Can you help me  
6 understand, what kind of information do you think would  
7 be helpful to hear from us? What kind of information do  
8 you want to hear and need to hear from us?

9                   THE WITNESS: Well, I think a session that  
10 dealt with a little bit of a history, to start out with,  
11 of where Duke Power is coming from and the idea of how --  
12 what Duke is actually doing to integrate its solar  
13 programs into its demand mix. I think part of the  
14 problem is that the solar and the other things I  
15 mentioned, like the demand-side management programs, Duke  
16 has those programs, but I don't think they're really  
17 advertising them as best they could. I don't think  
18 there's as much penetration of the market as you could  
19 get. And, again, I think if people were required to opt  
20 out of those programs, that would be an opportunity to  
21 install more of those devices.

22                   I know we have had meetings in North Carolina  
23 where folks come, we've had Duke Power representatives  
24 there, and they've been really helpful to folks in



1 understanding what Duke is doing. And I think that Duke  
2 could initiate some of those meetings and see how it  
3 goes. I mean, they've got to get out in the public and  
4 sell themselves a little better than they have been and,  
5 I think, gives them an opportunity to talk to the public  
6 and to present their side of the story.

7 CHAIR MITCHELL: Okay. Thank you for that  
8 response. I have nothing further, Commissioner Duffley.

9 COMMISSIONER DUFFLEY: Thank you. Any other  
10 questions?

11 (No response.)

12 Thank you. Seeing none, Mr. Zieber, we  
13 appreciate an electrician's perspective, so thank you for  
14 testifying tonight.

15 THE WITNESS: Thank you.

16 (Witness excused.)

17 MR. JOSEY: The next witness is Rich Wasch.

18 COMMISSIONER DUFFLEY: Mr. Wasch. Hello. Good  
19 evening.

20 MR. WASCH: Thank you.

21 COMMISSIONER DUFFLEY: Mr. Wasch, can you hear  
22 me?

23 MR. WASCH: Yes, I can. Can you hear me?

24 COMMISSIONER DUFFLEY: I can hear you. Thank

1 you.

2 RICHARD WASCH; Having first been duly affirmed,  
3 Testified as follows:

4 COMMISSIONER DUFFLEY: If you could begin your  
5 statement with your name, address, and electric provider,  
6 please.

7 THE WITNESS: Thank you. My name is Richard  
8 Wasch. I live at 7 Patton Avenue in Asheville, North  
9 Carolina, 28801. My utility provider is Duke Energy  
10 Progress. And I thank the Utility Commission for  
11 allowing our statements.

12 STATEMENT BY MR. WASCH:

13 Coal plants simply have to be retired earlier.  
14 We don't need more fossil fuel plants. Many others have  
15 spoken and will speak about the cost folly of keeping  
16 coal plants going and the imperative investing in clean  
17 energy.

18 Something happened today kind of similar to  
19 what Robert Zieber just talked about. It was unplanned,  
20 and I thought I would add it to my testimony at the  
21 beginning. I just returned from some errands and  
22 shopping in my Tesla. Along the way every gas station  
23 was out of gas. The cyber attack on the pipeline has  
24 exposed a shocking choke point in our energy

1 infrastructure. I got home, and I plugged my Tesla in to  
2 bring myself back up to a range of 250 to 300 miles. And  
3 as I thought about the supply of electricity, I concluded  
4 that we surely need more solar, wind, water, hydrogen,  
5 and other renewables. I also thought about the vast  
6 battery storage that is going to be available as people  
7 move rapidly to electric vehicles and that using that  
8 battery storage can have a vast change in the demand  
9 patterns, and I don't know if that has been adequately  
10 thought about.

11 I want to be respectful to every member of the  
12 Utility Commission, and I know you have all personally  
13 considered what I'm about to say, and I know you all want  
14 to do the right thing for our children and our  
15 grandchildren and great grandchildren. You know, when I  
16 passed the playground and saw a two-year-old child on a  
17 swing, I thought, boy, that child is most likely going to  
18 make it to 2,200. Think of that, 2,200. So 30 years  
19 from now when a grandchild says grandpa, grandma, when  
20 you were on the Utility Commission, why did you knowingly  
21 accelerate climate change, thus displacing billions of  
22 people and forcing me to make the painful choice of not  
23 having children of my own because the world we once knew  
24 is not going to be livable? Surely, it's not about

1 saving a few dollars, while knowingly damaging my  
2 generation. And I think that issue of doing the right  
3 thing is important and the ethical thing.

4 By the way, my North Carolina license plate is  
5 E-T-H-I-C-S, ETHICS. I was surprised it was available.  
6 But I care deeply about ethical action.

7 Planning involves where technology and usage  
8 will be in the years ahead. Too conservative and we  
9 accelerate climate change. Too optimistic and we face  
10 usage constraints.

11 I want to close with a lesson I learned from my  
12 30-year professional career designing and installing  
13 computer systems in the '70s, the '80s, and the '90s.  
14 Every computer system we designed and installed would not  
15 have worked on the technology that was available at the  
16 time the project started, but we knew the technology  
17 would get faster with more storage. We planned for the  
18 advancement and we built systems accordingly to take  
19 advantage of the capability we expected and knew would be  
20 available.

21 Your risk as the Utility Commission isn't  
22 assuming too much technological advancement. It is  
23 planning based on the assumptions which are not bold  
24 enough. Thank you very much.

1                   COMMISSIONER DUFFLEY: Thank you. Are there  
2 any questions?

3   (No response.)

4                   I do not see any questions. I thank you so  
5 much for your testimony, Mr. Wasch.

6                   THE WITNESS: Thank you.

7   (Witness excused.)

8                   MR. JOSEY: Our next witness is Reverend Dr.  
9 James Kubal-Komoto.

10                   MR. KUBAL-KOMOTO: Good evening.

11 JAMES KUBAL-KOMOTO;           Having first been duly affirmed,  
12   Testified as follows:

13                   COMMISSIONER DUFFLEY: You may begin your  
14 statement with your name, address, and electric provider,  
15 please.

16                   THE WITNESS: I'm the Reverend Dr. James Kubal-  
17 Komoto. My address is 211 Swansboro Drive, Cary, North  
18 Carolina, and my electric provider is Dominion Energy.

19 STATEMENT BY MR. KUBAL-KOMOTO:

20                   As I said, I'm a resident of Cary, North  
21 Carolina, the lead minister of the Unitarian Universalist  
22 congregation of Raleigh, a congregation of more than 500  
23 adults, youth, and children serving all of Wake County.

24                   As a person of faith, there is no issue more

1 important to me than global warming and climate change.  
2 Before recently moving to North Carolina, I lived in the  
3 Pacific Northwest for 20 years. In recent years there  
4 were several days each summer when my family and I could  
5 not go outside, and this was because of the smoke  
6 situation that has likely been exasperated by climate  
7 change. All over the country people are suffering the  
8 adverse effects of weather. The immigration and refugee  
9 crisis in -- that this world is facing is also  
10 exasperated by climate change. The congregation I serve  
11 takes this issue so seriously, so we installed solar  
12 panels on its roof to reduce its carbon footprint.

13 All over I see people doing their part. I urge  
14 the members of this Commission to do your part. I urge  
15 the members of this Commission to take this issue  
16 seriously, to make carbon reduction a higher priority,  
17 and to require more ambitious goals for carbon reduction  
18 for all of our state's utilities. I don't want to have  
19 to stay inside again because it is unsafe to breathe  
20 outside.

21 I thank you for your service, and I thank you  
22 for your time.

23 COMMISSIONER DUFFLEY: Thank you. Are there  
24 any questions?

1 (No response.)

2 Reverend, we thank you for being with us  
3 tonight.

4 THE WITNESS: Good night.

5 (Witness excused.)

6 MR. JOSEY: Our next witness is Rishi Simba.

7 MR. SIMBA: Hi. This is Rishi. Can you hear  
8 me?

9 COMMISSIONER DUFFLEY: I can. Thank you.

10 RISHI SIMBA; Having first been duly affirmed,  
11 Testified as follows:

12 COMMISSIONER DUFFLEY: You may begin with you  
13 name, address, and electric provider.

14 THE WITNESS: Awesome. My name is Rishi Simba.  
15 I live at 227 Mabley Place, Cary, North Carolina, and my  
16 electric provider is Duke Energy Progress, I believe.

17 STATEMENT BY MR. SIMBA:

18 I do want to underscore all the things that  
19 have been said so far, and I want to thank you for the  
20 opportunity to speak.

21 Growing up I remember fidgeting while sitting  
22 cross-legged during Sunday School. I'd recite prayers  
23 thousands of years old, like the Guru Stotram which  
24 instilled a profound respect for teachers as core to my

1 being. Yet as I continued to grow up, I couldn't help  
2 but notice this value, respect for teachers, missing in  
3 the world around me.

4           Every science teacher I've ever had, from Mr.  
5 Basham in ninth grade Earth Science at Green Hope High  
6 School, to Dr. Gary Bernstein, renowned astronomer and  
7 tenured physics professor at the University of  
8 Pennsylvania, has made it abundantly clear that climate  
9 change is happening and that it's caused by humans.  
10 What's more, for over a decade we've also known that the  
11 technology to address climate change already exists.  
12 Nevertheless, through our actions we continue to  
13 disrespect Mr. Basham and Dr. Bernstein and countless  
14 others, the very people we are supposed to revere.

15           And this willful ignorance of our teachers  
16 isn't just about carbon curves or parts per million  
17 projections. It's about real human impacts right here in  
18 North Carolina and across the globe.

19           Take sea level rise. Creation Justice  
20 Ministries, an ecumenical community building  
21 organization, has a map on its website that shows the  
22 thousands of Christian congregations on the East Coast  
23 that will be under water with zero to six feet of sea  
24 level rise, a real possibility in the coming decades,



1 given our current climate trajectory. And that tool  
2 doesn't even count the Jewish or Muslim or other places  
3 of worship, let alone the local grocery stores and  
4 schools and parks that could be submerged.

5           There's also wildfire smoke which the person  
6 just spoke about. And I personally experienced this  
7 during a stint in the Bay area. One morning I'm trudging  
8 my way up the stairs to brush my teeth, and I start  
9 coughing uncontrollably because my home is filled with  
10 smoke. The air near my ceiling lights was hazy, and the  
11 couch, it smelled like a campsite. And the effects  
12 didn't disappear just because the smoke dissipated.  
13 Since then I've lunged out of bed clutching my throat and  
14 gasping for breath a half dozen times due to nightmares  
15 about natural gas leaks and wildfire smoke in my home.

16           So as you can see, our fossil fuel  
17 infrastructure is truly weighing us down, and scientists  
18 estimate that transitioning to clean energy will add  
19 three years to American life expectancy. To put that  
20 number in context, let's consider the opioid crisis.  
21 That epidemic that ravaged our communities led to a  
22 three-month decline in US life expectancy. So  
23 transitioning away from fossil fuels, again, three years  
24 is an order of magnitude higher than addressing one of

1 the largest public health emergencies of our lifetime.

2 Beyond risks, transitioning to renewables  
3 presents opportunities for increased human flourishing,  
4 too, if we can only take a moment to imagine them.

5 Instead of eighth graders waking up with nightmares about  
6 the climate apocalypse, clutching their inhalers from  
7 their fossil-fuel induced asthma, they could be sprinting  
8 down the sideline of a soccer pitch, waiting for the  
9 perfect cross and rejoicing with their teammates as the  
10 ball finds the back of the net. And I know we can make  
11 that vision a reality.

12 It's a Wednesday night, and we could be  
13 spending time with our families or watching Netflix, but  
14 we all showed up here tonight, especially the  
15 Commissioners, because we care. And despite the three  
16 decades of scientific consensus that we've cast aside,  
17 our teachers remind us that it's still not too late to  
18 act, so the choice is truly straightforward. Do we want  
19 to respect our teachers or do we want to ridicule them,  
20 because right now, this IRP put forward by Duke and even  
21 the Dominion one, too, is a slap in the face to every  
22 single science teacher I've ever had.

23 So to Commissioners Mitchell, Brown-Bland,  
24 Gray, Clodfelter, Duffley, Hughes, and McKissick, I

1 encourage you to go home and ask your children or your  
2 neighbor's children what they know about climate change,  
3 or maybe even track down one of your favorite science  
4 teachers of days past and see what they think. And  
5 remind yourself that while eighth graders here in Cary  
6 are worrying about how many Amazon boxes their parents  
7 are buying and whether or not to eat meat, unlike them,  
8 you literally have the power to do something about the  
9 climate crisis.

10 Denounce Duke's IRP, even if you can't stop it  
11 yourself. Write plans that shut down every coal facility  
12 in North Carolina within the next five years, and don't  
13 support any plans that add a single new fossil fuel  
14 plant. A healthier, more prosperous, and more respectful  
15 society is within reach, and it's really as simple as  
16 asking Duke and Dominion to come back to the table with a  
17 fossil fuel free plan that's cheaper for ratepayers.

18 Respect or ridicule? Are we going to respect  
19 our teachers? The choice is yours. Which side are you  
20 on?

21 COMMISSIONER DUFFLEY: Thank you. Are there  
22 any questions?

23 (No response.)

24 Mr. Simba, thank you so much. We truly

1 appreciate you being with us tonight.

2 THE WITNESS: Yeah, of course. Am I allowed to  
3 ask questions or is that only for the Commissioners?

4 COMMISSIONER DUFFLEY: No. I apologize. It's  
5 not a forum where you can ask questions.

6 THE WITNESS: Okay. No problem. Well, I'm  
7 happy to answer any questions. I know there's only been  
8 one so far tonight, so -- and I have experience working  
9 in solar and electric vehicle charging and home batteries  
10 as well.

11 COMMISSIONER DUFFLEY: Well, thank you, and  
12 thank you for sharing your views with us tonight.

13 THE WITNESS: All right.

14 (Witness excused.)

15 MR. JOSEY: Our next witness is Nancy Donley.

16 COMMISSIONER DUFFLEY: Ms. Donley?

17 MS. DONLEY: I'm here. Yes.

18 NANCY DONLEY; Having first been duly affirmed,

19 Testified as follows:

20 COMMISSIONER DUFFLEY: Okay. You may begin  
21 your statement with your name, address, and electric  
22 provider, please.

23 THE WITNESS: Uh-huh. My name is Nancy Donley.  
24 I live at 81 Pine Ridge Drive in Whispering Pines, North

1 Carolina, and Progress Energy, Duke Progress Energy is my  
2 source of power, yes.

3 COMMISSIONER DUFFLEY: You may proceed.

4 THE WITNESS: Okay.

5 STATEMENT BY MS. DONLEY:

6 Thanks again for giving me this opportunity to  
7 speak. I've enjoyed hearing all the previous speakers  
8 and have been learning quite a bit. I'm 84 years old, a  
9 resident of Moore County in North Carolina, and a  
10 customer of Progress Energy.

11 These Integrated Resource Plans really give us  
12 an opportunity to invest in North Carolina and to meet  
13 the challenges that have been outlaid before you in  
14 previous speakers of changing the way we go about facing  
15 climate change and growing our economy, but I'm looking  
16 at these IRPs and I don't see that they do -- that they  
17 do that. They seem to just represent a status quo  
18 approach that's really failing all of us as citizens here  
19 in North Carolina and as Duke customers.

20 I'm asking the Commission just to reject the  
21 IRPs that are submitted by Duke until they can be  
22 revised, consistent with these needs of North Carolina  
23 that people have been referring to.

24 I love our state. I grew up in Florida and

1 moved here 20 years ago, and I'm concerned for our future  
2 here in North Carolina. We're already getting these  
3 effects of climate change, as been mentioned before.  
4 According to the Environmental Protection Agency our  
5 temperature has increased a half to a degree over the  
6 whole last century, but we're experiencing because of  
7 that hotter weather, more severe storms, and our coastal  
8 areas are threatened by sea rise.

9           Mainly, though, I think we are experiencing  
10 unprecedented growth, and this is what I'd like to focus  
11 on here. The new census status shows that our population  
12 here in North Carolina grew by 9.5 percent and we have  
13 the fifteenth fastest growing economy in the nation.  
14 This all sounds very good. Among other companies, Google  
15 and Apple and Amazon, they've all had plans to expand  
16 their operation in our state, but I think we ought to  
17 note that Google and Apple themselves have set goals to  
18 be carbon neutral by 2030 and Amazon by 2040. I think if  
19 we expect to meet all these challenges that have been  
20 referred to and continue to attract and support new  
21 businesses and protect all our citizens, we have to  
22 demand better from Duke Energy.

23           I ask the Commission to send Duke back to the  
24 drawing board here and commit to some of these following

1 things that I'll mention. Redo the coal retirement study  
2 to reflect the true cost of operating existing coal  
3 fleet. We don't need any more coal in North Carolina,  
4 and the existing fleet should be retired at the earliest  
5 possible moment.

6 We definitely need, and this has been echoing  
7 what has been said before, to eliminate the reliance on  
8 all these new natural gas plants, fossil fuel plants, as  
9 someone referred to earlier, and we need to correct the  
10 faulty model assumptions that they're based on building.

11 We need to increase investment in renewable  
12 energy resources like community solar. They're doing a  
13 lot of that in Florida. And we need to incorporate and  
14 correct the investment tax credit information based on  
15 new legislation and the information that's coming out  
16 from the National Renewable Energy Laboratory.

17 And not to forget, we have to ensure all these  
18 underserved and low-income communities -- low-income  
19 communities and be sure they have access to affordable  
20 renewable energy.

21 I ask the Commissioners to remember that we're  
22 really at a critical juncture here in North Carolina. I  
23 think we've learned now that we can't accept a business-  
24 as-usual approach; we must expect more if we want North

1 Carolina to have the resources it needs to support all  
2 its citizens.

3 Duke has an opportunity to invest in North  
4 Carolina. We really need them to do that. And I urge  
5 you to reject these IRPs. Tell Duke to do better. And  
6 thank you, Commissioners, for listening.

7 COMMISSIONER DUFFLEY: Thank you. Do we have  
8 any questions?

9 (No response.)

10 I do not see any questions. Thank you, Ms.  
11 Donley, for your testimony this evening.

12 THE WITNESS: Thank you for listening.

13 (Witness excused.)

14 MR. JOSEY: Our next witness is Phil Gerken.

15 MS. GERKEN: Hi. Is it time for me -- for Phil  
16 Gerken to say something?

17 COMMISSIONER DUFFLEY: Yes.

18 MS. GERKEN: Good evening. My name is Mary  
19 Gerken.

20 COMMISSIONER DUFFLEY: Hold on. Let me get you  
21 sworn. Let me get you sworn.

22 MARY GERKEN; Having first been duly affirmed,  
23 Testified as follows:

24 COMMISSIONER DUFFLEY: Okay. And if you could



1 please begin your statement with your name, address, and  
2 electric provider, please.

3 THE WITNESS: Okay. My name is Mary Gerken.  
4 I'm the daughter of Phillip Gerken and Frances Gerken.  
5 Both of them are here right now. My dad will say his  
6 name.

7 MR. GERKEN: Phillip Gerken.

8 MS. FRANCES GERKEN: And I'm Frances Gerken.

9 THE WITNESS: I will have to look up what the  
10 other number is they're talking about.

11 STATEMENT BY MS. GERKEN:

12 So anyway, I moved here to North Carolina to  
13 help out my 95- and 91-year-old parents who have lived  
14 here for 11 years, again, my parents Phillip and Frances  
15 Gerken, and they asked me to speak on their behalf for  
16 themselves, for my sister who lives here, and their  
17 grandkids who live in Raleigh and Durham or -- yeah.  
18 Okay.

19 If Duke's plan includes burning coal, adding  
20 more fracking plants, we strongly oppose these plans. We  
21 should begin to retire Duke's aged coal fleet, offer  
22 customers incentives to improve energy efficiency, and  
23 reduce reliance on other forms of fossil fuel.

24 Coal is an expensive, dirty, unhealthy form of

1 energy, as we've seen with the coal ash water that wasn't  
2 properly contained or disposed of. Duke, as our energy  
3 provider, should immediately move to renewable, clean  
4 energy, including solar. We oppose Duke's 15-year plan.  
5 If their plan is to increase fracking, the fracked gas,  
6 and if it also includes to continue using coal, we oppose  
7 it.

8 Duke isn't aligned with the Biden  
9 administration's stated goal to move the electric sector  
10 carbon free by 2035. It's not even on track with its  
11 2050. So Duke needs to build back better, which means be  
12 carbon free and not go to coal and fracking.

13 So that is the statement. Did you need any  
14 other information than what I've just provided?

15 COMMISSIONER DUFFLEY: If you could hang on and  
16 see if we have any questions for you and your father.

17 THE WITNESS: Okay.

18 (No response.)

19 And I do not see any questions, and I thank you  
20 so much for reading your father's statement into the  
21 record, and I hope the Gerken family has a good evening.

22 THE WITNESS: Thank you very much.

23 COMMISSIONER DUFFLEY: Thank you.

24 (Witness excused.)

1 MR. JOSEY: Our next witness is Patricia  
2 Carstensen.

3 MS. CARSTENSEN: Hi. This is Pat.

4 PATRICIA CARSTENSEN; Having first been duly affirmed,  
5 Testified as follows:

6 COMMISSIONER DUFFLEY: If you could please  
7 begin your statement with your name, address, and  
8 electric provider, and you may state your statement  
9 immediately following.

10 THE WITNESS: So my name is Patricia  
11 Carstensen. I live at 58 Newton Drive in Durham, North  
12 Carolina, and my provider is Duke, I think, Carolina, but  
13 I'm not sure which.

14 STATEMENT BY MS. CARSTENSEN:

15 And I am in my semi-retirement. I've been  
16 doing substitute teaching for the last 10 years or more.  
17 And what really strikes me is how distressing it is for  
18 kids when adults don't make the right choices. And I  
19 really don't need to add anything to what the young  
20 people said about what -- how Duke could be making better  
21 choices for our future and our environment and our  
22 wallets. So thank you for your time.

23 COMMISSIONER DUFFLEY: Thank you. Are there  
24 any questions?

1 (No response.)

2 Hearing none, Ms. Carstensen, thank you for  
3 your time tonight. We appreciate you coming out.

4 THE WITNESS: Thank you.

5 (Witness excused.)

6 MR. JOSEY: Our next witness is Pauline Endo.

7 COMMISSIONER DUFFLEY: Ms. Endo?

8 MS. ENDO: This is Pauline, yes.

9 PAULINE ENDO; Having first been duly affirmed,  
10 Testified as follows:

11 COMMISSIONER DUFFLEY: Okay. If you could  
12 please begin your statement with your name, address, and  
13 electric provider.

14 THE WITNESS: My name is Pauline Endo. I live  
15 at 7414 Lucky Fish Lane, Wilmington, North Carolina. My  
16 provider is Duke Energy Progress.

17 COMMISSIONER DUFFLEY: Okay. You may proceed.

18 STATEMENT BY MS. ENDO:

19 As I said, I live in Wilmington, where our  
20 waterways and aquatic life are contaminated with mercury  
21 emitted for years from the Sutton Power Plant where coal  
22 was burned until 2013.

23 In October 2018, the United Nations, in a  
24 governmental panel on climate change, issued a report

1 warning that global carbon dioxide and other greenhouse  
2 gas emissions must be cut in half by 2030 to keep global  
3 warming to 1.5 degrees and avoid the most dangerous  
4 effects of climate change.

5 I testify tonight to express my concerns that  
6 Duke Energy's IRP is not doing nearly enough to address  
7 greenhouse gas emissions, even though it is entirely  
8 within Duke's expertise and financial power to do so.  
9 The IRP is supposed to direct Duke Energy to provide  
10 clean, reliable, affordable energy over the next 15  
11 years. However, Duke Energy pollutes more than any other  
12 energy company in the US, operating with more coal and  
13 more fracked gas.

14 The IRP under current consideration is more of  
15 the same. Thirteen more fracked gas plants in the 2020s  
16 and '30s, and six coal plants, two of the dirtiest in the  
17 country, will stay online until 2039.

18 Furthermore, Duke is behind the rest of the  
19 country on solar and wind energy, seven percent, compared  
20 to almost 20 percent for the rest of the US, and is  
21 proposing only an 8 percent increase in renewables.

22 I want clean, cheaper energy, and we can have  
23 it with an effective IRP which should integrate more with  
24 neighboring energy producers and utilize the potential

1 for solar. North Carolina has 213 days of sunshine a  
2 year and has more potential for wind energy than any  
3 state on the East Coast. Currently, electricity  
4 generated by wind off the coast of North Carolina is  
5 being sent to Virginia.

6 The IRP should phase out coal and fracked gas,  
7 and remove any plans that include nuclear energy, too  
8 dangerous and expensive in carbon capture, prohibitively  
9 expensive, and still not scaled for capturing the huge  
10 CO2 emissions that we have today.

11 To sum up, the IRP should reflect plans that  
12 upgrade transmission and the grid, promote more energy  
13 efficiency programs, quickly phase in solar and wind,  
14 stop building fracked gas plants, and stop relying on  
15 coal plants as a money maker for the Company. Also,  
16 Commissioners, will you verify the cost of batteries and  
17 fracked gas plants in the IRP? The experts tell us that  
18 Duke has overestimated both.

19 Let's not repeat the mistakes of the past.  
20 Duke was warned for decades about the dangers of coal  
21 ash, but only after catastrophic Dan River spill was an  
22 effort made to restore -- to store coal ash correctly.  
23 And still, as residents of Wilmington can tell you, coal  
24 ash spilled into the Cape Fear River from the Sutton

1 plant during flooding from Hurricane Florence.

2 Prior Commissions did not exercise their  
3 regulatory power over Duke Energy, which could have  
4 protected citizens from the coal ash debacle. I ask the  
5 Commission, are you going to approve an IRP that includes  
6 burning coal until 2039? The Commission must demand a  
7 better accounting from Duke Energy for the Integrated  
8 Resource Plan now under consideration.

9 The onus is yours. The citizens of our state  
10 are depending on you to guide Duke Energy to supplying  
11 green energy in North Carolina's future. Thank you.

12 COMMISSIONER DUFFLEY: Thank you. Do we have  
13 any questions?

14 (No response.)

15 I do not see any questions, Ms. Endo. Thank  
16 you so much for your testimony this evening.

17 THE WITNESS: Thank you.

18 (Witness excused.)

19 MR. JOSEY: Our next witness is Moe Davis.

20 MR. DAVIS: Yes. I'm here.

21 MOE DAVIS; Having first been duly affirmed,  
22 Testified as follows:

23 THE WITNESS: Yeah. My name is Moe Davis. I  
24 live at 125 Wandering Oaks Way in Asheville. My energy

1 provider is Duke Energy Progress.

2 STATEMENT BY MR. DAVIS:

3 I'd like to address this issue from three  
4 different perspectives. First, until recently I was an  
5 administrative law judge at US Department of Labor in  
6 Washington, and I spent the bulk of my time doing black  
7 lung hearings for coal miners in Southwest Virginia,  
8 Kentucky, and West Virginia. Most of those miners came  
9 into the hearings pulling oxygen tanks in order to  
10 breathe to get there.

11 I retired to Asheville, and when I got here,  
12 one of the big issues was the coal ash, so I've seen what  
13 coal does on the -- from the extraction point to the end  
14 point, and there is no clean coal. I appreciate Duke's  
15 efforts to eliminate their coal-powered plants. If they  
16 can do it faster, it would be in the interest of the  
17 country and our public health.

18 The second perspective is that as a customer of  
19 Duke Energy Progress, our -- we put in solar when we  
20 moved here. The Duke Energy rebate really helped offset  
21 the cost. That, with the federal tax credit, made it  
22 economical. I'm really proud that in the month -- last  
23 month in April we generated 1.38 MW of power here at our  
24 house. We put three times as much power into the Duke



1 grid than we took out. Duke is reducing the amount of  
2 the rebate. When we got ours back in 2020, it was \$600  
3 per kW, and now it's been reduced by a third. Energy  
4 green-collar jobs are the future, and it's our path  
5 forward here North Carolina, and Duke retreating on this  
6 issue is inconsistent with our future.

7 And the third perspective, I'm a retired  
8 colonel. I spent 25 years -- I was born and raised here  
9 in North Carolina and left to serve in the military, what  
10 I did for 25 years, and retired as a colonel. I find it  
11 offensive that Duke Energy's political action committee  
12 has supported and is supporting members of Congress who  
13 supported the insurrection. I was the Democratic nominee  
14 for the congressional seat here in Western North  
15 Carolina. I was proud to be supported by the Sierra Club  
16 and not by Duke Energy. Duke Energy supported my  
17 opponent who was one of the speakers on January the 6th  
18 at the rally that led to the insurrection to try to  
19 overthrow the Constitution. I understand Duke's argument  
20 that it's their shareholders and their employees that  
21 contribute to the political action committee, but it's  
22 Duke's imprimatur that goes on that.

23 Duke is a monopoly. I have no choice but to  
24 buy my power from Duke, and the money I pay them helps to

1 pay their shareholders and their employees. That money  
2 goes into the PAC and helped support the insurrection to  
3 try to overthrow the country. I find that offensive.

4 It's unlike other companies. Charles Schwab,  
5 for instance, supported the insurrection, and I was able  
6 to move my money from Charles Schwab, but I can't quit  
7 Duke Energy because it's a monopoly. So as a public  
8 utility I find it offensive that as a ratepayer, part of  
9 the money I pay goes to help overthrow the government of  
10 this country.

11 So I really appreciate hearing the comments of  
12 the other speakers tonight. It's encouraging. And I  
13 hope that the absence of questions from the Commission  
14 tonight isn't an indication that this is just a dog and  
15 pony show to appease the public.

16 One of my final jobs in the military was as  
17 chief prosecutor for the military trials for the  
18 terrorists at Guantanamo Bay, and I resigned over the  
19 issue of torture, and I've paid the price for it ever  
20 since. Today Liz Cheney paid the price for telling the  
21 truth. But if you're in public service, you shouldn't be  
22 in it if you're not willing to lose your job in order to  
23 serve the public. So I hope the Commission will take  
24 their duty seriously and serve the public and put that

1 ahead of the profit of Duke Energy. Thank you.

2 COMMISSIONER DUFFLEY: Thank you, Mr. Davis.

3 Are there any questions?

4 (No response.)

5 Okay. I do not see any questions, Mr. Davis.  
6 Thank you for your testimony and sharing your views with  
7 us, and thank you for your service to our country.

8 THE WITNESS: Thank you.

9 (Witness excused.)

10 MR. JOSEY: Our next witness is Nancy Neely.

11 NANCY NEELY; Having first been duly affirmed,

12 Testified as follows:

13 THE WITNESS: My name is Nancy Neely, and I  
14 live at 11130 Johnson Davis Road in Huntersville, North  
15 Carolina. Our provider is Energy United.

16 STATEMENT BY MS. NEELY:

17 The decisions and direction of Duke Energy  
18 impact all of us in this community and way beyond, so I  
19 appreciate the opportunity to speak this evening, and I  
20 extend heartfelt thanks to the Utilities Commission for  
21 allowing all of the citizens who requested time to speak  
22 to do so, as I imagine that this is a significant time  
23 commitment for you and time is precious, so my comments  
24 will be brief.

1           I have not listened to all the testimony, but  
2 I'm sure that my thoughts echo many who have spoken. I  
3 do not feel that Duke's IRP is aggressive enough in  
4 combating climate change by shutting down coal plants  
5 fast enough, and I'm opposed to replacing them with  
6 natural gas.

7           I want to see movement towards renewable energy  
8 sources in the near term. We need a nimble, innovative  
9 approach. I have a dream, and don't worry, it's not as  
10 long as MLK's -- I have a dream that Duke Energy will  
11 step up to show our nation and the rest of the world how  
12 to pivot, how to innovate, and how to modernize our power  
13 grid and convert to clean energy technologies. Imagine a  
14 power company that chooses to step up to our climate  
15 emergency with true leadership and bravery, and imagine  
16 if that was Duke Energy. Imagine the pride and sense of  
17 accomplishment of the talented and devoted Duke Energy  
18 associates, and imagine a cleaner, safer world we can  
19 hand off to our children and grandchildren if the right  
20 decisions are made now.

21           I urge you to use your power to encourage Duke  
22 Energy to create a plan that will address our concerns  
23 and make us all proud. Thank you.

24           COMMISSIONER DUFFLEY: Thank you. Are there

1 any questions?

2 (No response.)

3 Thank you, Ms. Neely, for coming and sharing  
4 your thoughts with us tonight.

5 (Witness excused.)

6 MR. JOSEY: Our next witness is Pat Butler.

7 COMMISSIONER DUFFLEY: Hello. Pat Butler? Are  
8 you on the line?

9 MS. BUTLER: Who?

10 COMMISSIONER DUFFLEY: Okay.

11 MS. BUTLER: Who? Who has been called?

12 COMMISSIONER DUFFLEY: Pat Butler.

13 MS. BUTLER: Yes.

14 PAT BUTLER; Having first been duly affirmed,  
15 Testified as follows:

16 COMMISSIONER DUFFLEY: And if you can begin  
17 your statement with your name, address, and your service  
18 provider, please.

19 THE WITNESS: Pat Butler, 200 Quail Drive,  
20 Raleigh, North Carolina. Duke Energy is my provider.

21 STATEMENT BY MS. BUTLER:

22 I thought that government bureaucracy held the  
23 moniker of being slow to move, but when a gentleman from  
24 Duke Energy called a couple months ago to ask me to

1 enroll in the Renewable Advantage, since I support  
2 renewable energy, I was interested and listened. He  
3 explained that Duke Energy would be donating \$3.50 of my  
4 monthly purchase to North Carolina GreenPower Solar in  
5 School program, but that it would take 40 years before we  
6 would be fossil free. Forty years, I gasped. When I  
7 asked what he would think if he talked with the school  
8 administration and they said they knew how to teach his  
9 child how to read and do math, but that it would take  
10 them 40 years to do that, he was at a loss for words.

11 I, too, am at a loss for words that it would  
12 take Duke Energy, that knows very well how to convert to  
13 green energy, 40 years to do so. Why?

14 COMMISSIONER DUFFLEY: Ms. Butler, is that the  
15 end of your statement?

16 THE WITNESS: That's it.

17 COMMISSIONER DUFFLEY: Thank you. Do we have  
18 any questions?

19 (No response.)

20 Ms. Butler, thank you for you testimony  
21 tonight. We appreciate you coming and spending time with  
22 us tonight and providing your comments.

23 (Witness excused.)

24 At this time, Linda, do you need a break?

1 COURT REPORTER: (Shakes head negatively.)

2 COMMISSIONER DUFFLEY: Okay. We'll keep going.

3 MR. JOSEY: Okay. Our next witness is Nancy  
4 West-Brake.

5 MS. WEST-BRAKE: Yes. I'm here.

6 NANCY WEST-BRAKE; Having first been duly affirmed,  
7 Testified as follows:

8 COMMISSIONER DUFFLEY: Thank you. Please begin  
9 your statement with your name, address, and service  
10 provider.

11 THE WITNESS: My name is Nancy West-Brake.  
12 That's W-E-S-T, hyphen, B-R-A-K-E, 5214 Blackthorn Road,  
13 Rocky Mount. My energy provider is the City of Rocky  
14 Mount, which is a member of the North Carolina Municipal  
15 Power Agency which purchases electricity generated by  
16 Duke Energy Progress power plants.

17 STATEMENT BY MS. WEST-BRAKE:

18 Thank you very much to the Utility  
19 Commissioners for holding this hearing, and I apologize  
20 if you hear my dogs fighting in the background.

21 I own 11 stock shares in Duke Energy, and I do  
22 not want any company that I invest in to plan to use so  
23 few clean energy sources. My greatest concerns with  
24 Duke's IRP have to do with its scenario to continue to

1 burn coal until 2049 and with the planned construction of  
2 fracked gas plants to take coal's place.

3 I am beyond horrified at how much of a mess  
4 Duke has made with coal ash contaminants, and I'm deeply  
5 concerned about the impoundments that hold the CCPs, some  
6 of which are still unlined. Cleanup is not finished or  
7 paid for. And once the toxic stuff is put into lined  
8 pits, how can we be sure of containment?

9 I moved with my family to Tarboro around 1996.  
10 Not knowing any better, I took my small son to swim and  
11 wade in the Tar River when confronted with the unfamiliar  
12 summer heat. The cool water was a relief until we  
13 started to see sores on our legs appear in a matter of  
14 months. Once we stopped going in the river, the sores  
15 disappeared. It doesn't take a science background to see  
16 that there was a connection.

17 During the aftermath of Hurricane Floyd, when  
18 floodwaters inundated parts of Tarboro, again, we didn't  
19 know any better and rode bikes in knee-high waters. My  
20 10-year-old son scraped his toe while he was riding, and  
21 days later his leg was infected to the point that red  
22 streaks were traveling upwards, so we had to go to the  
23 emergency room. Fortunately, he was able to be treated.

24 My point here is that nobody, no people, no



1 animals, no plants should have to endure any ill effects  
2 from water contamination. We don't need arsenic or lead  
3 or mercury or cobalt or selenium like what was emitted  
4 from Duke's Allen Steam plant in our ground, in the  
5 rivers, or the oceans. Coal produces more toxic mercury  
6 emissions than any other energy source, and just because  
7 you don't see contamination doesn't mean it's not there  
8 or that you shouldn't worry about it.

9 I've also done some research on the  
10 radioactivity of fly ash emitted by the stacks of coal  
11 burning plants, and it's worse than what comes out of  
12 nuclear plants. Yes, there are plans in place to close  
13 those plants that burn the coal, but they're not going to  
14 close them soon enough in this IRP.

15 Duke should be forced to adhere to  
16 environmental guidelines proposed by Governor Cooper and  
17 President Biden. All coal should be retired by 2030.  
18 It's dangerous, it's unhealthy, and from what I've read  
19 it's not even a good economic alternative. It's said to  
20 be the most expensive way to produce energy. Duke should  
21 close down half of its coal fleet and retire all of its  
22 coal plants safely by 2025.

23 Duke's plan only calls for 14 percent of its  
24 energy to come from renewables by 2035. We need a much

1 larger percentage than that. We need to invest in clean,  
2 renewable energy sources to create both jobs and a  
3 healthier world, like utilizing solar and offshore wind  
4 power. Anybody who has ever been to the Outer Banks and  
5 flown a kite at Kitty Hawk knows that there is never a  
6 shortage there of wind power.

7 The last thing we need are fracked gas plants  
8 which carry risks of still more soil and groundwater  
9 contamination. They'll just end up being obsolete after  
10 locking us into more fossil fuel energy.

11 Commissioners, please, please, require Duke to  
12 come up with safer and wiser plans for the next 15 years.  
13 Thank you.

14 COMMISSIONER DUFFLEY: Thank you. Are there  
15 any questions?

16 (No response.)

17 I see no questions. Ms. West-Brake, thank you  
18 for your testimony this evening.

19 THE WITNESS: You're very welcome. Thank you  
20 for letting us.

21 (Witness excused.)

22 MR. JOSEY: Our next witness is Renata  
23 Kamakura.

24 MS. KAMAKURA: Hello. Can you hear me?

1 COMMISSIONER DUFFLEY: I can. Thank you.

2 RENATA KAMAKURA; Having first been duly affirmed,  
3 Testified as follows:

4 COMMISSIONER DUFFLEY: You may begin your  
5 statement --

6 THE WITNESS: Yes. Renata Kamakura. I live in  
7 1727 Morehead Avenue, which is in Durham, North Carolina,  
8 and my energy provider Duke Energy.

9 STATEMENT BY MS. KAMAKURA:

10 So first I want to thank all of you on the  
11 Utilities Commission for giving us the space to speak  
12 here today and listening to us all for several hours. I  
13 know it takes time and energy, and I appreciate you all  
14 giving us this space. I also want to thank all of the  
15 other folks who have testified. I think there's been a  
16 lot of really good points made that I will try not rehash  
17 in too much depth.

18 One thing I want to kind of share with you all  
19 is I grew up in various cities across the globe because  
20 of my mother's job, and in one place where I lived we had  
21 such bad air quality that I found myself kind of relying  
22 on my inhaler to be able to play any of the sports that I  
23 used to play. And many times, even with my inhaler,  
24 there were several times where I found myself on the

1 sidelines gasping for air, looking at this smoggy air  
2 around me and wishing that I go back home.

3           What felt like home for me was visiting family  
4 in California where I was used to nice, clean air, and  
5 jumping around and playing with friends. Then I would  
6 come back, and what I'd find was air that was full of  
7 wildfire smoke because that is what we have done to our  
8 planet, is creating a place where it is much more likely  
9 -- even places that we love, places that we consider home  
10 and safe and supposed to feel healthy for us, instead are  
11 slowly poisoning us.

12           And I remember sitting down in 2009, when  
13 legislators from the Maldives signed paperwork under  
14 water to try to point to the world the fact that they  
15 didn't have a say in what was going to happen to their  
16 country because it might end up fully submerged, but yet  
17 they produce such a small amount of the carbon emissions  
18 that there's nothing they can do to stop the future for  
19 themselves. And I was sitting in a classroom full of  
20 students that came from all countries around the world,  
21 and they looked at me as the American and said to me you  
22 are some of the few people who have a chance to do  
23 something about this. People from our country, we don't  
24 have that choice. You? You do.

1           But at the same time they knew that it wasn't  
2 just me, right? I'm a tiny person alone in this random  
3 country, right? It's not an individual problem. And you  
4 see Duke Energy talking about their Renewable Advantage  
5 Program, which seems exciting and so great and this nice  
6 brainwashing attempt that individualizes the problem on  
7 individual ratepayers, when you have a utility that is  
8 showing a plan in front of you today that would have them  
9 at least continuing coal plants, if not building new gas  
10 burning plants for years, is the future despite being in  
11 a state where there is a goal of reducing our carbon  
12 emissions by 70 percent by 2030 and with a President who  
13 says that we were going to cut at least by half our  
14 emissions by 2030, and somehow that all just goes flying  
15 out the window. And they say, oh, don't worry, we'll get  
16 it some other way with perhaps individual ratepayers  
17 choosing to make these decisions by themselves.

18           When even you have the National Renewable  
19 Energy Lab telling them that they could have a higher  
20 percentage of their renewable energy mix coming from  
21 renewable energy, and still you have this plan that only  
22 gets you up to, what, 16 percent renewables in the next  
23 20 years? It's something that's completely ridiculous.  
24 And what you see is your options like using zero-emitting

1 load following resources, or ZELFRs, that are somehow  
2 magically going to get us to this place where we won't be  
3 relying as much on fossil fuels, which is technology that  
4 doesn't even exist yet.

5 And we have in front of us solar power, we have  
6 wind energy, all of these other things that people have  
7 already shared that could move us in a direction that  
8 would help our communities in North Carolina, our  
9 communities across the globe, and somehow we are not  
10 moving in a direction that is already in front of us.

11 And so today I know there's limitations on what  
12 this committee can really do, but there's an opportunity  
13 to make a very public and big statement to push this  
14 Utility to do more, because they know they can. They  
15 know they can. And to push to make sure that they don't  
16 get all this public money to build more plants that are  
17 suffocating our communities, putting coal ash in places  
18 and causing asthma, if not more, to our communities in  
19 North Carolina.

20 So I'm asking you all to take a stand tonight  
21 and in the future for our communities in North Carolina  
22 and beyond. Thank you very much.

23 COMMISSIONER DUFFLEY: Thank you. Any  
24 questions?

1 (No response.)

2 I do not see any questions. Ms. Kamakura,  
3 thank you so much for your testimony this evening.

4 THE WITNESS: Thank you.

5 (Witness excused.)

6 MR. JOSEY: Okay. That is all of the listed  
7 witnesses we have. We do have one mystery number that  
8 we'd like to unmute and have them identify themselves to  
9 see if they were on the list.

10 COMMISSIONER DUFFLEY: Okay. Hello? Can you  
11 please identify yourself? Is the speaker unmuted?

12 MR. McCOY: It is.

13 COMMISSIONER DUFFLEY: Okay. I'm hearing no  
14 response, so have we concluded with all of our speakers  
15 for the night?

16 MR. HELM: No, you haven't.

17 COMMISSIONER DUFFLEY: Okay. Who is speaking?

18 MR. HELM: Hello?

19 COMMISSIONER DUFFLEY: Yes. Can you hear me?

20 MR. HELM: This is Roger Helm.

21 COMMISSIONER DUFFLEY: Roger Helms?

22 MR. HELM: I can hear you. Roger Helm, yes. I  
23 was one of the witnesses --

24 COMMISSIONER DUFFLEY: Roger Helm. Okay. I'm

1 going to give you the oath and then let you provide your  
2 testimony.

3 MR. HELM: Thank you so much.

4 ROGER HELM; Having first been duly affirmed,  
5 Testified as follows:

6 COMMISSIONER DUFFLEY: Okay. When you begin  
7 your statement, if you could state your name, address,  
8 and electric provider before you begin your statement.

9 THE WITNESS: Yes, ma'am.

10 COMMISSIONER DUFFLEY: Thank you.

11 THE WITNESS: My name Dr. Roger Helm. I live  
12 at 93 Sevier Street in Asheville, North Carolina. My  
13 energy provider is Duke Progress. You may proceed.

14 STATEMENT BY MR. HELM:

15 I want to echo -- may proceed. Thank you. I  
16 will try to be as brief as possible. I want to echo so  
17 much of the wonderful testimony you've already heard and  
18 just say, boy, people did their homework and they did a  
19 wonderful job, apparently unlike Duke in doing their  
20 homework. So well done, students, well done, senior  
21 citizens, well done, citizens, well done, representatives  
22 that ran for office here in our area. Fantastic job.

23 I'd also like to thank the Commission for  
24 opening up this hearing to all the testimony, which I'm



1 sure you all know in great detail because I'm sure you've  
2 been hearing it from the other evening sessions that you  
3 have been willing to listen to, so thank you for that.

4 I guess I have two primary comments. One is if  
5 Duke Energy, which has been doing a lot of good things in  
6 many ways, not -- I'm sorry. I'll stop to give you some  
7 background on myself.

8 I am a Ph.D. biological ecologist. I worked  
9 for the US Fish and Wildlife Service for 25 years,  
10 working on the effects of the release of oil and  
11 chemicals on natural resources, so the bookends of my  
12 career are the Exxon Valdese oil spill in 1989 and the BP  
13 Gulf spill in 2010. So I've been doing a lot with  
14 energy, and I understand the industry fairly well, and I  
15 understand that things happen. It's a very difficult  
16 industry. And us as citizens, we use a lot of energy,  
17 and these companies have to produce energy for us. So  
18 we're all culpable in where are now in this climate  
19 crisis that we face.

20 That said, if Duke Energy is unable to come up  
21 with a better plan for 2030, 2040, 2050, when they full  
22 well understand the predicament the entire planet is in  
23 due to climate change, then they need some help. They  
24 need to reach out to others that can help them develop a

1 much, much better plan than they have put on the table.

2 So I hope that when the Commission rejects  
3 their plan, which is what I hope, that they reach out to  
4 people that can give them much better advice, to come up  
5 with a much, much better plan that looks at renewable  
6 energy and gets way -- away from coal and natural gas --  
7 no, natural -- way before the deadlines that they have  
8 established which are -- doom our planet.

9 The second thing I want to say, and it's to the  
10 Commissioners yourselves, what a difficult, difficult job  
11 you have. What a difficult time in history you have  
12 taken to be in this position, where you are a regulatory  
13 body in charge of an energy producing company that is not  
14 recognizing the clear threat that their plans, which are  
15 just archaic, put on the table. And you guys know the  
16 right answer here. You've been hearing it in spades.  
17 You probably knew it before the first person testified.  
18 You know how difficult this is right now that the world  
19 is facing. There's no way we can go forward with coal  
20 and natural gas. No way. We have to turn to alternative  
21 sources of energy.

22 And so you know that, and I just hope you have  
23 the power and the gumption and the soul to make the right  
24 decision, because I think making the wrong decision would

1 be -- would haunt you forever, and I just think it would  
2 be a terrible place to be in, in that position.

3 So I really wish you the best in making the  
4 best decision for North Carolina and for the planet,  
5 because we need the best out of you to get much, much  
6 better out of Duke. Thank you so much.

7 COMMISSIONER DUFFLEY: Thank you, Dr. Helm.  
8 Are there any questions for Dr. Helm?

9 (No response.)

10 We appreciate you coming out and testifying  
11 tonight.

12 (Witness excused.)

13 Mr. Josey, are there any more callers?

14 MR. JOSEY: That is all.

15 COMMISSIONER DUFFLEY: Okay. All right. Thank  
16 you all for your testimony that you've given tonight.  
17 We've listened very carefully to everything that you have  
18 stated. And the next session of the public witness  
19 testimony will be Monday night, May 17th, beginning at  
20 6:00 p.m. And if there's nothing further, the hearing is  
21 adjourned.

22 (The hearing was adjourned.)

23

24

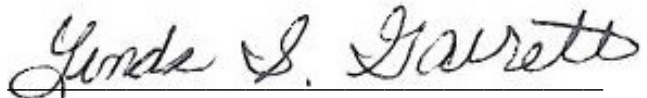
STATE OF NORTH CAROLINA  
COUNTY OF WAKE

C E R T I F I C A T E

I, Linda S. Garrett, Notary Public/Court Reporter, do hereby certify that the foregoing hearing before the North Carolina Utilities Commission in Docket No. E-100, Sub 165 was taken and transcribed under my supervision; and that the foregoing pages constitute a true and accurate transcript of said Hearing.

I do further certify that I am not of counsel for, or in the employment of either of the parties to this action, nor am I interested in the results of this action.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 25th day of May, 2021.



Linda S. Garrett, CCR  
Notary Public No. 19971700150