

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

**DOCKET NO. E-2, Sub 1314** )  
**DOCKET NO. E-7, Sub 1289** )

In the Matter of: )  
 Petition of Duke Energy )  
 Progress, LLC, and Duke Energy )  
 Carolinas, LLC, Requesting )  
 Approval of Green Source )  
 Advantage Choice Program and )  
 Rider GSAC )

**JOINT NOTICE OF  
 SUPPLEMENTAL AUTHORITY**

**DOCKET NO. E-2, Sub 1315** )  
**DOCKET NO. E-7, Sub 1288** )

In the Matter of: )  
 Petition of Duke Energy )  
 Progress, LLC, and Duke Energy )  
 Carolinas, LLC, Requesting )  
 Approval of Clean Energy Impact )  
 Program )

The Southern Alliance for Clean Energy (SACE) and the North Carolina Sustainable Energy Association (NCSEA) hereby file this Joint Notice to inform the North Carolina Utilities Commission (NCUC or Commission) of supplemental authority relevant to the Joint Motion for a Technical Conference filed by SACE and NCSEA in the above-captioned dockets, Docket Nos. E-2, Sub 1314 and E-7, Sub 1289 (GSAC Dockets), and Docket Nos. E-2, Sub 1315 and E-7, Sub 1288 (CEI Dockets) (collectively, GSAC and CEI Dockets).

On January 5, 2024, the Public Utility Commission of Oregon (Oregon PUC) issued an order resolving a number of questions concerning the implementation of Oregon's House Bill 2021 (HB 2021). The order is attached to this Joint Notice as Attachment 1. Oregon's HB 2021 established emissions reductions requirements

for the state's retail electricity providers similar to those in North Carolina's House Bill 951 (H951). *Compare* Att. 1 at 1-2 *with* N.C. Gen. Stat. § 62-110.9. The two statutes of course differ and the Oregon PUC's decision concerning HB 2021 is not necessarily instructive concerning the substance of H951 interpretation or implementation.

However, the Oregon PUC's decision can be instructive as to the process for implementing a law like H951. At the request of Oregon Commission Staff, the Oregon PUC initiated a docket to investigate issues related to HB 2021 implementation. The process started with scoping, including two rounds of scoping comments and a scoping workshop with stakeholder participation, followed by a scoping order identifying questions to be answered. The Oregon PUC then received briefing and public comments on the questions, held a public workshop on renewable energy credits (RECs), heard oral argument, and ultimately received final written comments. Att. 1 at 3-4.

The extensive process that the Oregon PUC undertook to decide various questions concerning the implementation of HB 2021, including the proper treatment of RECs, is relevant to the Commission's consideration of SACE and NCSEA's Joint Motion for a Technical Conference on the question of regulatory surplus in the GSAC and CEI Dockets and any other voluntary customer programs that Duke proposes under H951.

Thank you for considering this Joint Notice.

Respectfully submitted this 16th day of February, 2024.

/s/ Nicholas Jimenez

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing filing has been served on all parties of record by electronic mail or by deposit in the U.S. Mail, first-class, postage prepaid.

This 16th day of February, 2024.

/s/ Nick Jimenez