



State of North Carolina

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ATTORNEY GENERAL

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Clerk's Office  
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**OFFICIAL COPY**

December 2, 2008

Ms. Renne Vance, Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4325

*Full Dist.*

RE: Duke Energy Carolinas' Solar Photovoltaic Program  
NCUC Docket No. E-7, Sub 856

Dear Ms. Vance:

Please accept this letter as a clarification of the November 21, 2008 statement of position filed by the Attorney General's Office (AGO) in the above-referenced docket regarding Duke Energy Carolinas' Solar Photovoltaic Program. In the November 21 statement, the AGO said "With the modifications recommended by the Public Staff, which the AGO understands are acceptable to Duke, the AGO supports Duke's proposal." However, the AGO was not aware of a modification recommended by the Public Staff that would limit the amount of program costs that Duke can recover through the REPS rider. *See Public Staff's Proposed Order, Findings of Fact Nos. 13-17.* The AGO's support of the proposed program is not premised on Duke's acceptance of that modification. The AGO takes no position on whether the Commission should accept or reject the modification.

Thank you for your assistance.

Yours truly,

Leonard G. Green  
Assistant Attorney General

cc: All parties