

1 PLACE: Buncombe County Courthouse  
2 Asheville, North Carolina  
3 DATE: Tuesday, April 9, 2024  
4 TIME: 7:00 p.m. - 8:55 p.m.  
5 DOCKET: E-100, Sub 190  
6 BEFORE: Commissioner Karen M. Kemerait  
7 Commissioner Floyd B. McKissick, Jr.  
8 Commissioner William M. Brawley  
9 Commissioner Tommy Tucker  
10  
11

12 IN THE MATTER OF:

13 Biennial Consolidated Carbon Plan and  
14 Integrated Resource Plans of Duke Energy  
15 Carolinas, LLC, and Duke Energy Progress, LLC,  
16 Pursuant to N.C.G.S. § 62-110.9 and § 62-110(c)  
17

18 VOLUME 1  
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3 DUKE ENERGY PROGRESS, LLC:

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NORTH CAROLINA UTILITIES COMMISSION

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

COMMISSIONER KEMERAIT: Good evening. Let's come to order and go on the record, please. I'm Karen Kemeraït, a Commissioner on the North Carolina Utilities Commission, and I will be presiding over this hearing this evening. And with me this evening are Commissioners Floyd McKissick, William Brawley, and Tommy Tucker.

I now call for hearing Docket Number E-100, Sub 190, which is the Biennial Consolidated Carbon Plan and Integrated Resource Plans of Duke Energy Carolinas, LLC, and Duke Energy Progress, LLC, Pursuant to North Carolina General Statute § 62-110.9 and 62-110.1(c).

Pursuant to the State Ethics Act, I remind all members of the Commission of their duty to avoid conflicts of interest and inquire if any Commissioner has any known conflict of interest with regards to the matter coming before the Commission?

(No response)

Let the record reflect that no such conflict has been identified.

North Carolina General Statute § 62-110.9, that I will refer to going forward as the Carbon Plan

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1 Statute, directs the Commission to take all reasonable  
2 steps to achieve a 70 percent reduction in carbon  
3 dioxide emitted in the State by electric generating  
4 facilities owned or operated by Duke Energy Carolinas,  
5 LLC, that I will refer to going forward as DEC, and  
6 Duke Energy Progress, LLC, that I will refer to as  
7 DEP, and together I will refer to them as Duke, from  
8 2005 levels by the year 2030 and carbon neutrality by  
9 the year 2050, subject to certain discretionary  
10 limitations.

11 In accordance with the Carbon Plan Statute,  
12 the Commission issued an Order adopting Initial Carbon  
13 Plan and providing direction for future planning on  
14 December 30, 2022, in Docket Number E-100, Sub 179,  
15 that I will describe going forward as the Initial  
16 Carbon Plan. The Carbon Plan Statute directs the  
17 Commission to review the plan every two years after  
18 the adoption of the Initial Carbon Plan. The Initial  
19 Carbon Plan provided for the consolidation of the  
20 Carbon Plan and the Integrated Resource Plan, referred  
21 to as the IRP, those two processes, as consolidated,  
22 are referred to as the CPIRP, and required Duke to  
23 file its first proposed biennial CPIRP by no later  
24 than September 1, 2023.



1           On March 15, 2023, the Commission opened  
2 this docket for the purpose of hearing the 2023 CPIRP  
3 proceeding.

4           On August 17, 2023, Duke filed a Verified  
5 Petition seeking the Commission's approval of its  
6 proposed 2023 CPIRP.

7           On September 1, 2023, Duke prefiled direct  
8 testimony and exhibits of witnesses in support of its  
9 Verified Petition and proposed 2023 CPIRP.

10           On September 21, 2023, the Commission issued  
11 an Order Scheduling Technical Conference and Setting  
12 Procedures for Technical Conference that scheduled a  
13 technical conference for the purpose of receiving an  
14 oral presentation with an opportunity for  
15 Commissioners to ask questions on Duke's proposed 2023  
16 CPIRP on October 12, 2023. Pursuant to that Order,  
17 the technical conference was held on October 12, 2023.

18           On November 30, 2023, Duke made a filing  
19 that notified the Commission that since the  
20 preparation of Duke's proposed 2023 CPIRP, substantial  
21 and material changes arose in Duke's underlying load  
22 forecast.

23           On December 18, 2023, by filing, Duke  
24 recommended that it was necessary to perform limited

1 supplemental modeling and to submit additional  
2 portfolio analysis and supporting testimony in this  
3 proceeding based on the updated 2023 fall load  
4 forecast.

5           Following the receipt and consideration of  
6 comments from interested parties regarding Duke's  
7 request to file supplemental materials, on January 17,  
8 2024, the Commission issued an Order Scheduling Public  
9 Hearings, Establishing Interventions and Testimony Due  
10 Dates and Discovery Guidelines, Requiring Public  
11 Notice, and Providing Direction Regarding Duke's  
12 Supplemental Modeling, that will be referred to going  
13 forward as the January 17, 2024 Procedural Order.

14           The January 17th, 2024 Procedural Order  
15 committed Duke to file supplemental testimony,  
16 additional portfolio analysis, and supplemental  
17 testimony. It set forth discovery guidelines,  
18 scheduled five public hearings across the State that  
19 includes a remote option, scheduled a technical  
20 conference on intervenor testimony, required public  
21 notice by Duke, and extended the intervention  
22 deadline, the testimony prefiling deadlines, and the  
23 expert witness hearing date.

24           The January 17, 2024 Procedural Order

1 scheduled hearings to receive public comment on the  
2 proposed Carbon Plan, including this hearing in  
3 Asheville tonight, and future hearings in Charlotte,  
4 Wilmington, and Durham, and also one remote hearing  
5 via Webex.

6 The January 17, 2024 Procedural Order also  
7 scheduled a technical conference for the purpose of  
8 receiving an oral presentation, with an opportunity  
9 for Commissioners to ask questions, on the testimony  
10 of intervenors. And that technical conference is  
11 scheduled to begin at 1:00 p.m. on Monday, June 17th,  
12 2024.

13 The January 17, 2024 Procedural Order  
14 further scheduled a hearing for the purpose of  
15 receiving expert witness testimony on Duke's proposed  
16 2023 CPIRP to begin at 2:00 p.m. on Monday, July  
17 22, 2024 in Raleigh, and continuing as necessary until  
18 conclusion.

19 The parties have petitioned to and have been  
20 allowed to intervene in this proceeding: Appalachian  
21 Voices; Avangrid Renewables, LLC; Carolina Clean  
22 Energy Business Association; Carolina Energy Buyers  
23 Association; Carolina Industrial Group for Fair  
24 Utility Rates I and II (sic); Carolina Utility

1 Customers Association, Inc.; Electricities;  
2 Environmental Defense Fund; Fayetteville Public Works  
3 Commission; Google; NC WARN; North Carolina Electric  
4 Membership Corporation; North Carolina Sustainable  
5 Energy Association; Southern Alliance for Clean  
6 Energy, Sierra Club, and Natural Resources Defense  
7 Council, and they petitioned to join late and are  
8 described as SACE, et al.; and also Total Energies,  
9 and Walmart.

10 So, this brings us to the public hearing  
11 tonight. I now call upon the parties to announce  
12 their appearances, beginning with the Applicant.

13 MR. JIRAK: Good evening, presiding  
14 Commissioner Kemeraut, Commissioners. Jack Jirak here  
15 on behalf of Duke Energy Progress and Duke Energy  
16 Carolinas.

17 COMMISSIONER KEMERAUT: Good evening,  
18 Mr. Jirak.

19 MS. KEYWORTH: Good evening, Commissioners.  
20 My name is Anne Keyworth. With me tonight is Zeke  
21 Creech, and we are here with the Public Staff on  
22 behalf of the Using and Consuming Public.

23 COMMISSIONER KEMERAUT: Good evening,  
24 Ms. Keyworth and Mr. Creech.

1 MS. KEYWORTH: And I do have an opening  
2 statement that I would like to make for the Public  
3 Staff at the appropriate time.

4 COMMISSIONER KEMERAIT: We will get to that  
5 in just a minute.

6 MS. KEYWORTH: Thank you.

7 COMMISSIONER KEMERAIT: Before we get to the  
8 opening statements, are there any preliminary matters  
9 that need to be addressed?

10 Seeing none, we are now going to proceed  
11 with opening statements. It's my understanding that  
12 both Duke and the Public Staff wish to make opening  
13 statements.

14 MR. JIRAK: Yes, and I will be very brief.  
15 Again, Duke Energy always appreciate the opportunity  
16 to be here with the Commission and an opportunity to  
17 hear from our customers on this vitally important  
18 topic for the State of North Carolina. And while this  
19 proceeding is focused on CPIRP, to the extent that  
20 there are any customer service or customer related  
21 issues that we can address today, I want to let the  
22 Commission and the customers know that we do have  
23 customer service representatives here who are able and  
24 prepared to assist in those issues if they arise. I

1 also want to acknowledge our District Manager Jennifer  
2 Bennett is here as well so she's another resource as  
3 well for those that may have questions. So, again,  
4 thank you for the opportunity to be here and we  
5 appreciate the customers that have taken the time to  
6 be here with us tonight.

7 COMMISSIONER KEMERAIT: Thank you,  
8 Mr. Jirak. Ms. Keyworth.

9 MS. KEYWORTH: Thank you, Commissioner  
10 Kemerait. Good evening. I'm Anne Keyworth. I'm an  
11 attorney with the Public Staff. The Public Staff is  
12 an independent state agency that represents the Using  
13 and Consuming Public in matters before the North  
14 Carolina Utilities Commission.

15 The Public Staff has been reviewing the  
16 Carbon Plan and the Integrated Resource Plan, or  
17 CPIRP, filed by Duke Energy Carolinas and Duke Energy  
18 Progress in this proceeding. We have a team of  
19 engineers, two of them are with us tonight at the  
20 back; accountants, engineers, and attorneys analyzing  
21 Duke's modeling, resource portfolios, and requests to  
22 move forward with near-term actions. We're scheduled  
23 to file our testimony and exhibits setting out our  
24 position regarding CPIRP on May 28th. Our testimony

1 will be available for your review on the Commission's  
2 website, along with other documents related to the  
3 case.

4           The purpose of the hearing this evening is  
5 to hear from customers like you regarding the CPIRP.  
6 There are sign-up sheets with our engineers at the  
7 back of the room, and we will call each of you who  
8 have indicated on the sign-up sheet that you wish to  
9 be make a statement. When your name is called, please  
10 come to the witness stand where you'll be sworn or  
11 affirmed. Next, you'll be asked for your name and  
12 address and whether you are a Duke Energy Carolinas or  
13 Duke Energy Progress customer. We ask that you speak  
14 clearly so that the court reporter may make an  
15 accurate record of your statement.

16           We appreciate each of you coming out tonight  
17 for this public hearing. If you have questions about  
18 the CPIRP, members of the Public Staff, myself, my  
19 colleagues Mr. Creech, Jeff Thomas and Jay Lucas at  
20 the back of the room will be glad to speak with you  
21 after tonight's hearing.

22           Thank you again for being here and we look  
23 forward to hearing from you. Thank you.

24           COMMISSIONER KEMERAIT: And before we begin

1 with the public witness hearing I would like to take  
2 just a couple of minutes to provide information about  
3 the process that we're going to be following this  
4 evening. And to begin, I want to state on behalf of  
5 the Commission that we appreciate you coming here this  
6 evening to voice your views on this important matter.  
7 We welcome your testimony and we want to hear from  
8 you.

9 In conducting the hearing, the Commission  
10 functions in a judicial capacity as we are required by  
11 North Carolina law. We largely follow the North  
12 Carolina Rules of Civil Procedure and Rules of  
13 Evidence because the Commission functions as a court  
14 and, therefore, we cannot respond to your questions;  
15 instead, we are here to receive evidence from you in  
16 the form of your testimony and to listen to you. So  
17 again, I want to emphasize that we cannot answer any  
18 questions for any of the witnesses this evening.

19 The Public Staff, as Ms. Keyworth has  
20 already mentioned, which represents the Using and  
21 Consuming Public is made a party to this proceeding  
22 pursuant to North Carolina General Statute § 62-15(d)  
23 in this proceeding. The Public Staff represents you,  
24 the Using and Consuming Public, and will assist you in



1 providing your testimony this evening.

2 In order to facilitate a full and fair  
3 opportunity for all speakers to participate, we will  
4 use the following procedures:

5 Number one, witnesses who wish to testify  
6 must sign up with the Public Staff. The Public Staff  
7 will call each witness in the order listed on the  
8 roster. When you are called to come provide your  
9 testimony, the witness stand is to my left, and the  
10 seat is a little bit low so you have the option of  
11 either standing or sitting, whichever you prefer.

12 Second, in order to allow each person an  
13 equal amount of time, there will be a limit of three  
14 minutes for each witness to speak; therefore,  
15 witnesses should endeavor to avoid cumulative,  
16 repetitive, and redundant testimony.

17 Third, to comply with the Rules of Civil  
18 Procedure and Evidence, each witness must swear or  
19 affirm the truth of his or her testimony prior to  
20 providing that testimony. And if you wish to affirm  
21 your testimony, please let me know when you come to  
22 the witness stand and I'll make sure that I provide  
23 the affirmation rather than swearing you in. And when  
24 you hear your name called, please proceed to the

1 witness stand and I will deliver the oath. At that  
2 point, you will be asked to please first state your  
3 name and address for purposes of the evidentiary  
4 record and then you may begin your testimony.

5 And fourth, please refrain from offering  
6 opinions on matters not related to the CPIRP, which is  
7 before the Commission in this docket. Please address  
8 your testimony to the Commission and not to members of  
9 the audience. In lieu of oral testimony, you may  
10 submit written testimony so long as you swear to its  
11 accuracy. Written statements must be submitted by a  
12 person under oath during this hearing.

13 Number five, counsel for any party may ask  
14 questions of the witnesses tonight. In addition, the  
15 Commission will have the opportunity to ask questions.  
16 This means that if you provide testimony, you may be  
17 asked questions by the attorneys or by the  
18 Commissioners.

19 Number six, testimony is being recorded by a  
20 court reporter; therefore, to ensure the accuracy of  
21 the record, we ask that you speak slowly and clearly  
22 and not engage in unconventional modes of testimony,  
23 such as singing. Additionally, please remain quiet  
24 when you're not testifying so that the court reporter

1 is able to hear the testifying witness. Please do not  
2 disturb the hearing by clapping, booing, hissing, or  
3 other such behavior. We will instruct security to  
4 remove any member of the audience who is attempting to  
5 participate out of order, or in any verbal or visual  
6 manner, or is otherwise disruptive to the hearing or  
7 the court reporter.

8 As a final reminder, the Commission and the  
9 attorneys for the parties are not allowed to respond  
10 to your questions during this hearing. However, both  
11 the Public Staff and Duke have representatives here  
12 who will be available after the hearing to answer  
13 questions.

14 And one additional matter, we have the  
15 timing clock that's located to my right that will be  
16 set for three minutes. As I mentioned, there is a  
17 three-minute time limit for your testimony. So  
18 please, as you're providing your testimony keep an eye  
19 on the clock. And when your three minutes is up, I  
20 will ask that you conclude your remarks and your  
21 testimony at that point will be over except for any  
22 questions.

23 So, with that, let's begin the public  
24 hearing. And will the Public Staff please call the

1 first witness?

2 MS. KEYWORTH: Commissioner Kemerait, before  
3 we do that, I just wanted to clarify for folks and the  
4 Commission, I believe that this morning the Commission  
5 issued an Order moving the June 17th technical  
6 conference up from 2:00 p.m. to 10:00 a.m.

7 COMMISSIONER KEMERAIT: That is correct.

8 MS. KEYWORTH: Okay. Just for folks who are  
9 interested in watching that.

10 Apologies in advance if I mispronounce  
11 anybody's name. The first I believe --

12 AUDIENCE MEMBER: I don't know if your  
13 microphone is on.

14 MS. KEYWORTH: Is this any better? Okay.  
15 It was not on. Thank you. I'm good at that.

16 I believe we have somewhere around 21  
17 witnesses Commissioner Kemerait.

18 The first witness is Ed Mayami (spelled  
19 phonetically).

20 COMMISSIONER KEMERAIT: Mr. Mayami.

21 MR. MAGGART: Maggart actually.

22 COMMISSIONER KEMERAIT: Okay, Maggart.

23 Place your left hand on the Bible and raise your right  
24 hand.

1 ED MAGGART;  
2 having been duly sworn,  
3 testified as follows:

4 COMMISSIONER KEMERAIT: And can you begin by  
5 stating your name and address, please?

6 THE WITNESS: My name is Ed Maggart. I live  
7 at 27 Cranes Way Drive, Asheville, North Carolina.

8 COMMISSIONER KEMERAIT: Would you like to  
9 ask the witness to provide his statement or would you  
10 prefer that I do so?

11 MS. KEYWORTH: I'm sorry. Yes. Would you  
12 like to provide your statement?

13 THE WITNESS: I'd love to.

14 DIRECT STATEMENT BY THE WITNESS:

15 Thanks for taking time to listen to me in  
16 public on this important issue. Hearing what citizens  
17 have to say is critical in creating the Commission's  
18 Carbon Plan. I've been a resident of Asheville since  
19 1980. Before that, I began my career in the '70's at  
20 Oak Ridge National Laboratory as an environmental  
21 chemist studying the side effects of various energy  
22 sector initiatives. I'm well versed in the effects  
23 that production and the use of petroleum products  
24 causes to our planet.

1           After moving to Asheville, I've also  
2       witnessed changes in our environment. In the '80's, I  
3       used to go cross-country skiing on the Parkway every  
4       year after it closed due to snow. I haven't been able  
5       to do that in many years.

6           Western North Carolina also has an  
7       incredibly diverse biosystem. We've got more species  
8       of salamanders than anywhere else in the world. We  
9       have plant species in high elevations that don't exist  
10      anywhere else in the southeast. The last five years  
11      having been some of the hottest on record in the U.S.,  
12      it's not a coincidence that many of the species I  
13      speak of are threatened and climate change takes  
14      center stage.

15          While it's challenging to project what the  
16      cost to stay in local businesses, ecology, crop  
17      production, human health, and so many other things  
18      are, it's clear the cost is surmounting.

19          I believe we should invest in supporting  
20      HB951 which established this Carbon Plan process and  
21      set out a defined set of goals for the electric  
22      sector. I hear now that Duke is proposing to delay  
23      those goals. And first and foremost, I would ask you  
24      to stop and carefully consider the cost of not acting

1 prudently due to concern over the expensive action.

2 My two and five-year-old granddaughters  
3 deserve to inherit a world that we haven't spoiled for  
4 them because it was too expensive to try. Indeed, I  
5 believe it's up to all of us to do our part. I'm  
6 sourcing solar installation for my house and I've made  
7 decisions about what I buy, eat, use, throw away, and  
8 reuse, and many more things with carbon emissions in  
9 mind.

10 Buncombe County committed to 100 percent  
11 clean energy by 2042, before the State committed to it  
12 for 2050. Our city, county, and state have made a  
13 commitment to the future of its land and its citizens,  
14 and I implore you to act prudently to help us all keep  
15 those promises. We have to have leadership by Duke  
16 Energy to make this happen. Having power that's clean  
17 as possible coming from Duke is critical for us to  
18 meet our local goals here in Buncombe County.

19 Please do what you can to lead Duke Energy  
20 to achieve that 2030 goal of 70 percent reduction in  
21 carbon emissions. Thank you for listening.

22 COMMISSIONER KEMERAIT: Any questions from  
23 Duke?

24 MR. JIRAK: (Shakes head no).

1 COMMISSIONER KEMERAIT: Any questions from  
2 Public Staff?

3 MS. KEYWORTH: (Shakes head no).

4 COMMISSIONER KEMERAIT: Before you step  
5 down, are there any questions from the Commissioners?

6 (No audible response)

7 COMMISSIONER KEMERAIT: Thank you for your  
8 testimony. You may be excused.

9 MS. KEYWORTH: Thank you. The next witness  
10 is Rosemary Robinson.

11 COMMISSIONER KEMERAIT: Ms. Robinson, if  
12 you'll place your left hand on the Bible and raise  
13 your right hand.

14 ROSEMARY ROBINSON;  
15 having been duly sworn,  
16 testified as follows:

17 MS. KEYWORTH: Ms. Robinson, if you'll  
18 provide your testimony.

19 THE WITNESS: I'm Rosemary Robinson, 14  
20 Shooting Star Lane in Candler.

21 MS. KEYWORTH: Thank you.

22 DIRECT STATEMENT BY THE WITNESS:

23 Good evening. My name is Rosemary Robinson  
24 and I'm a retired public school teacher. I'm here



1 because I'm deeply concerned about the wellbeing of  
2 our children and the viability of their future. We  
3 need to act boldly to mitigate the damage climate  
4 change will wreak on their world. We want an  
5 alternative carbon reduction plan. One that meets the  
6 moment. One that puts clean renewable energy at the  
7 forefront, including rooftop solar. Rooftop solar is  
8 inexpensive and can be deployed quickly.

9           The global crisis we face requires us to  
10 pivot and move away from energy systems that need  
11 expensive infrastructure and use unstable fuel sources  
12 that continue to pollute our air. Rooftop solar  
13 doesn't make Duke the money they need. That's why  
14 it's not in their plan. In fact, this Commission has  
15 aided Duke's efforts to monopolize energy in our state  
16 by giving them permission to take away financial  
17 incentives that make rooftop solar affordable for  
18 homeowners. This Commission should be doing the  
19 opposite, increasing incentives and promoting  
20 subsidies to put solar on as many rooftops as  
21 possible, as quickly as possible, while simultaneously  
22 doing the same for energy conservation.

23           Duke spent \$80 million last year lobbying  
24 our state government and public officials as well as

1 running a deceptive public energy campaign, claiming  
2 to be pro rooftop solar. Duke made \$2.9 billion in  
3 net profit in 2023 and seeks to continue this trend on  
4 the backs of our children's future. Their plan is  
5 shortsighted and motivated by profit. It is not  
6 what's best for the people of our state or our planet.  
7 Their current plan relies too heavily on fossil fuel  
8 development and will cost millions of dollars to  
9 develop outdated fossil fuel infrastructure. It does  
10 not meet the criteria set out by Bill 951 to reduce  
11 70 percent of our carbon emissions by 2030 and it is  
12 not the least cost path to zero emissions by 2050.

13 We need y'all to get real and do your job.  
14 We need you to act with unyielding vigor and integrity  
15 for the people of this state and protect our  
16 children's future by adopting a Carbon Plan that is  
17 smart, visionary, innovative, economically  
18 sustainable, and puts clean, renewable energy first.  
19 Thank you.

20 COMMISSIONER KEMERAIT: Any questions from  
21 Duke?

22 MR. JIRAK: (Shakes head no).

23 COMMISSIONER KEMERAIT: Or the Public Staff?

24 MS. KEYWORTH: (Shakes head no).

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1 COMMISSIONER KEMERAIT: Any questions from  
2 Commissioners?

3 (No audible response)

4 COMMISSIONER KEMERAIT: Ms. Robinson, thank  
5 you for your testimony and you may be excused.

6 MS. KEYWORTH: Thank you, Ms. Robinson.

7 The next witness is James Tolbert.

8 COMMISSIONER KEMERAIT: Please place your  
9 left hand on the Bible and raise your right hand.

10 JAMES TOLBERT;

11 having been duly sworn,

12 testified as follows:

13 COMMISSIONER KEMERAIT: Please you state  
14 your name and address for the record.

15 THE WITNESS: James Tolbert, 1329 Heath  
16 Brook Circle, Asheville, North Carolina.

17 COMMISSIONER KEMERAIT: Thank you.

18 MS. KEYWORTH: And Mr. Tolbert, you can  
19 provide your testimony.

20 DIRECT STATEMENT BY THE WITNESS:

21 Thank you for taking the time to hear our  
22 concerns, the public, regarding the proposed Carbon  
23 Plan and Integrated Resource Plan submitted by Duke  
24 Energy.

1 I'm Jim Tolbert, a resident of Asheville  
2 since 2015. I'm trained as a geochemist and I lead  
3 groundwater, soil, and sediment cleanups for a fortune  
4 100 engineering company for 28 years. Mostly, I  
5 addressed historic releases at industrial sites. Our  
6 laws changed back in the '80's and required that  
7 corporations address their past bills. Now, we no  
8 longer dispose of industrial hazardous chemicals on  
9 the ground or into our rivers because our legislature  
10 passed laws, mostly in the '70's and '80's, and  
11 because we have regulating agencies that hold  
12 corporations to the requirements of those laws.  
13 Agencies like the U.S. EPA and State Departments of  
14 Environmental Quality across the country.

15 While working as a consultant, I came to  
16 realize that we did not have a legal structure capable  
17 of addressing our greenhouse gas emissions and that we  
18 were failing to meaningfully reduce our emissions. I  
19 left my consulting career 11 years ago to focus my  
20 attention on fostering change through Duke's  
21 greenhouse gas emissions.

22 The science is clear. We need to reduce our  
23 emissions to avoid the worst consequences. What we  
24 need is a legal framework and regulators who uphold

1 the laws that are passed. I'm thankful that here in  
2 North Carolina our legislature passed House Bill 951  
3 in 2021, directing the North Carolina Utilities  
4 Commission to take all reasonable steps to reduce our  
5 emissions from electric public utilities.

6 As you are aware, in House Bill 951, per  
7 legislature defines specific goals of 70 percent  
8 emission reduction by 2030 and carbon neutrality by  
9 2050. Now, the responsibility falls to the North  
10 Carolina Utilities Commission to uphold those laws. I  
11 am concerned that the North Carolina Utilities  
12 Commission is reviewing a Carbon Plan that, if  
13 approved, we intentionally delay emission reduction  
14 goals.

15 The path forward should have a high  
16 probability of achieving for concrete and measurable  
17 emission reduction goals for 2030 and 2050 set out by  
18 our state legislature. There are reasonable steps to  
19 be taken even with today's technologies to achieve  
20 these goals defined by the North Carolina legislature.  
21 I believe these steps include adding proven low  
22 emissions, electric generation to the grid now, along  
23 with battery storage, and reducing the buildout of new  
24 natural gas combined cycle and combustion turbines

1 that will emit carbon dioxide for decades.

2 My request is that you exercise the  
3 responsibility vested in the North Carolina Utilities  
4 Commission to regulate and oversee the monopoly market  
5 we've branded to a utility to provide our electricity  
6 to us in North Carolina. Do not approve a Carbon Plan  
7 which contemplates a delay in the requirements of  
8 House Bill 951. The Integrated Resource Plan needs to  
9 meet these goals at the lowest possible cost, but at  
10 the most fundamental level the Integrated Resource  
11 Plan you approve needs to meet the emission reduction  
12 targets on schedule. Thank you.

13 COMMISSIONER KEMERAIT: Are there any  
14 questions from Duke?

15 MR. JIRAK: (Shakes head no).

16 COMMISSIONER KEMERAIT: Any questions from  
17 the Public Staff?

18 MS. KEYWORTH: (Shakes head no).

19 COMMISSIONER KEMERAIT: Any questions from  
20 the Commissioners?

21 (No audible response)

22 COMMISSIONER KEMERAIT: Mr. Tolbert, thank  
23 you for your testimony. You may be excused.

24 MS. KEYWORTH: Thank you, Mr. Tolbert.

1 The next witness is Gray Jernigan.

2 COMMISSIONER KEMERAIT: Please place your  
3 left hand on the Bible and raise your right hand.

4 GRAY JERNIGAN;

5 having been duly sworn,

6 testified as follows:

7 COMMISSIONER KEMERAIT: Thank you. And can  
8 you begin by stating your name and address, please?

9 THE WITNESS: My name is Gray Jernigan. I  
10 live at 52 Waynesville Avenue, Asheville, North  
11 Carolina.

12 COMMISSIONER KEMERAIT: Thank you.

13 MS. KEYWORTH: Thank you, Mr. Jernigan. You  
14 can provide your statement.

15 DIRECT STATEMENT BY THE WITNESS:

16 Thank you. My name is Gray Jernigan. I  
17 live here in Asheville, North Carolina. I'm a Duke  
18 customer. I also serve as Deputy Director and General  
19 Counsel for MountainTrue. MountainTrue is a Western  
20 North Carolina based nonprofit organization of  
21 champions for resilient forests, clean waters and  
22 healthy communities in the Southern Blue Ridge. We  
23 serve 24 counties and represent members all across  
24 Western North Carolina. Advocating for a just,

1 equitable, and science-based carbon plan is central to  
2 MountainTrue's mission. Everyone has the right to  
3 clean and affordable energy with the assurance of  
4 equitable energy production, transmission, and  
5 distribution, and consumption that won't harm our  
6 health, communities and natural systems. As such, we  
7 offer these comments for the North Carolina Utilities  
8 Commission to consider in developing its final Carbon  
9 Plan.

10 In the first update to the North Carolina  
11 Carbon Plan, Duke Energy proposes to triple the amount  
12 of expensive and dirty gas used to fuel its power  
13 plants. If approved, the Companies' latest Carbon  
14 Plan proposal would put ratepayers on the hook to pay  
15 for expensive, unnecessary gas plants that threaten  
16 our health and climate.

17 The plan to expand dirty gas puts profit  
18 over people. Duke has admitted the volatile gas  
19 prices are a significant reason for increasing energy  
20 rates, but now the Company is proposing to triple,  
21 from three gigawatts to nine gigawatts, the amount of  
22 gas-fired generation that will be used in North  
23 Carolina.

24 The customers are already feeling the pain



1 of higher bills after recent rate increases. On the  
2 contrary, wind and solar facilities have no fuel costs  
3 and the expansion of renewable energy generation will  
4 reduce costs to consumers.

5 The North Carolina Utilities Commission  
6 should tell Duke to triple down on renewables instead  
7 of gas for the benefit of consumers. Additionally,  
8 expanding gas-powered generation is unsafe.

9 Inundating North Carolina with methane from gas plants  
10 puts the environment and human health in harms way.

11 Methane is a more potent greenhouse gas than CO<sub>2</sub>,  
12 speeding up climate change. A major gas leak is  
13 reported on average once every 40 hours in the United  
14 States and, additionally, gas can explode. But  
15 cleaner, safer alternatives are available. While  
16 Duke's plan does have more offshore wind generation  
17 capacity, it does not make enough room for  
18 utility-scale solar with energy storage or lean into  
19 energy efficiency measures.

20 Duke's latest filing seeks to delay the  
21 compliance with the carbon reduction deadline of 2030  
22 set out in House Bill 951 to 2035. The deadline the  
23 North Carolina General Assembly set is achievable if  
24 the Utilities Commission requires Duke to expand

1 solar, storage, and energy efficiency measures. The  
2 Utilities Commission should direct Duke to meet that  
3 2030 deadline.

4 The Utilities Commission should reject  
5 Duke's gas expansion plans and, instead, direct the  
6 Company to follow a Carbon Plan centered on more  
7 affordable, safe, and reliable clean energy. Rather  
8 than increasing the reliance of fossil fuels, this  
9 Carbon Plan should set higher goals for achieving  
10 greater energy efficiency, storage, and solar-powered  
11 generation.

12 The Utilities Commission has the ultimate  
13 authority to adopt the best Carbon Plan for the State  
14 of North Carolina. And MountainTrue encourages the  
15 Utilities Commission to exercise its authority to the  
16 fullest extent to achieve the goals of House Bill 951  
17 and to protect the people and environment of North  
18 Carolina. How's that for a written statement?

19 COMMISSIONER KEMERAIT: Are there questions  
20 from Duke?

21 MS. KEYWORTH: (Shakes head no).

22 COMMISSIONER KEMERAIT: Any questions for  
23 this witness from the Public Staff?

24 MR. CREECH: Sir, do you have a written

1 statement that you would like to place in the record?

2 THE WITNESS: I do.

3 MR. CREECH: I would like to mark that, if  
4 we may.

5 COMMISSIONER KEMERAIT: It can be marked and  
6 introduced into the record.

7 (WHEREUPON, Jernigan  
8 Exhibit 1 is identified and  
9 received into evidence.)

10 COMMISSIONER KEMERAIT: And are there any  
11 questions from Commissioners?

12 (No audible response)

13 COMMISSIONER KEMERAIT: Mr. Jernigan, thank  
14 you for your testimony. You may be excused.

15 THE WITNESS: Thank you.

16 MS. KEYWORTH: Thank you. The next witness  
17 is Dennis Stamping.

18 COMMISSIONER KEMERAIT: Mr. Stamping, did I  
19 pronounce your name correctly?

20 MR. STAMPER: Dennis Stamper.

21 COMMISSIONER KEMERAIT: Stamper. Okay. You  
22 have your left hand on the Bible and you've raised  
23 your right.

24 DENNIS STAMPER;

1                   having been duly sworn,

2                   testified as follows:

3                   COMMISSIONER KEMERAIT: And can you begin by  
4                   stating your name and address for the record?

5                   THE WITNESS: My name is Dennis Stamper,  
6                   3350 Conley Road, Morganton, North Carolina.

7                   MS. KEYWORTH: And Mr. Stamper, apologies  
8                   for mispronouncing your name. If you can, provide  
9                   your statement.

10                  THE WITNESS: Thank you.

11                  DIRECT STATEMENT BY THE WITNESS:

12                   I speak to you this evening as an ordinary  
13                   citizen of this great state, country, and world. I'm  
14                   a retired hospital chaplain. I've given a large part  
15                   of my life to caring for folks in difficult times of  
16                   their life. I'm a husband. I'm a father to six now  
17                   grown-up children and two grandchildren thus far. I'm  
18                   deeper concerned about the future of our planet and  
19                   what that means for them six children of mine and my  
20                   grandchildren, and some day I hope my great  
21                   grandchildren, and for yours as well because they are  
22                   all our children.

23                   We all know the problems of greenhouse gas  
24                   emissions and global warming and that they are real

1 and urgent. I believe with everything in me that we  
2 need, that we must act bravely, aggressively,  
3 decisively now to protect the only world we and those  
4 who will come behind will ever have a chance to live  
5 in before it is too late. We know what to do and we  
6 know how to do it. We must commit to shifting the  
7 generation of electricity to wind and solar and other  
8 clean sources. We must move with all due speed away  
9 from the burning of fossil fuels.

10 We have a carbon reduction plan that,  
11 although far from perfect, it's certainly worth  
12 committing to. It seems Duke Energy will tell us that  
13 the goals of wind and solar are too aggressive and too  
14 expensive and that they're impossible to meet in the  
15 timeframes established. But if there's one thing I've  
16 learned in my 73 trips around the sun is that most  
17 often than not the things that we say are impossible  
18 to do are really simply things we don't want to do.

19 I have limited influence in this matter.  
20 I'm only one person without power of law or oversight.  
21 All I have to offer is my presence and my voice and so  
22 I've shown up that I can speak my concern truthfully  
23 and passionately as I know how to do. That is all I  
24 can do and so that is all I will do. For you see,

1 some day those children of mine and those  
2 grandchildren and those hoped for great grandchildren  
3 just might ask me what I did to prevent the  
4 environmental crisis that they may find themselves  
5 facing, and I want to be able to tell them that I did  
6 everything that I knew how to do. But you do have  
7 meaningful influence and significant power in this  
8 matter. You can make a real difference. You can  
9 possibly even help save the world. And it is my hope  
10 that if someday your children and your grandchildren  
11 and maybe even your great grandchildren ask you what  
12 you did to protect them, I hope that you can proudly  
13 say that you did everything within your power, too.  
14 Everything within your power for your kids and for  
15 mine.

16 And so I ask you, please, be the ones. The  
17 ones who stand brave and strong and do what has to be  
18 done to hold people and planet more important than  
19 profits. Be the ones who finally put the health and  
20 wellbeing of our children first. All our children.  
21 Thank you for your time and I hope for your  
22 consideration.

23 COMMISSIONER KEMERAIT: Are there any  
24 questions from Duke?

1 MR. JIRAK: (Shakes head no).

2 COMMISSIONER KEMERAIT: Any questions from  
3 the Public Staff?

4 MS. KEYWORTH: (Shakes head no).

5 COMMISSIONER KEMERAIT: Any questions from  
6 the Commission?

7 (No audible response)

8 COMMISSIONER KEMERAIT: Mr. Stamper, thank  
9 you for your testimony.

10 THE WITNESS: Thank you.

11 MS. KEYWORTH: Thank you, Mr. Stamper.

12 The next witness is Brad Rouse.

13 COMMISSIONER KEMERAIT: Please place your  
14 left hand on the Bible and raise your right hand.

15 BRAD ROUSE;

16 having been duly sworn,

17 testified as follows:

18 COMMISSIONER KEMERAIT: Begin by stating  
19 your name and address.

20 THE WITNESS: Brad Rouse, 3 Stegall Lane,  
21 Asheville, North Carolina.

22 COMMISSIONER KEMERAIT: Thank you.

23 MS. KEYWORTH: Mr. Rouse, if you can,  
24 provide your statement.

1 THE WITNESS: Okay.

2 DIRECT STATEMENT BY THE WITNESS:

3 Yeah, thank you for being here tonight and  
4 for listening to the public on this critical issue.

5 I spent over 20 years working with utility  
6 companies and regulators in integrated resource  
7 planning. I spent over a decade leading the  
8 development of the precursor to the EnCompass finance  
9 system central to this plan so I've got some  
10 experience. And I was involved, of course, as you  
11 know, in the 2022 hearings.

12 Duke's planning methodology is flawed, and I  
13 want to talk about it. I may be a little technical.

14 First, its rationale for deferring the delay  
15 in the carbon emissions towards meeting the 70 percent  
16 goal is flawed. And I have written comments which  
17 I'll submit -- which I have submitted that point out  
18 five flaws in Duke's reasoning for delay.

19 Secondly, it's biased in favor of gas and  
20 how it comes up with a plan for the P1, P2, and P3  
21 portfolio -- pathways.

22 My written comments point out four flaws and  
23 how it comes up with these resource plans. These nine  
24 (sic) flaws in my opinion render Duke's overall



1 scenarios - near-term action plans, fossil gas, CPCN  
2 filings, and a request for higher emissions, and for  
3 relief from the law in that. The Commission should  
4 not rely on Duke's portfolios that they've submitted.

5 The worst problem -- one of the worst  
6 problems that I want to focus on now is short-period  
7 optimization used in the system. The Commission  
8 recognized this in December of 2022 in Finding Number  
9 7 and Order Number 5, but Duke did not comply with the  
10 Order, offering up only a demonstration that  
11 short-period optimization reduces compute time by  
12 reducing the number of options the model can look at.  
13 That should be obvious. But Duke's solution was to  
14 ignore the full range of planning alternatives and to  
15 ignore available avenues to correct the problem.  
16 These are shortcuts which you should not accept, least  
17 functioning, least cost over the entire planning  
18 period. Short-period optimization only meets plans  
19 which are least cost in the short term. This is  
20 particularly a serious problem. And the model chooses  
21 gas units during a period when gas is relatively  
22 plentiful but it doesn't have a clue that gas use must  
23 decline in later periods to meet the emission  
24 requirements. It ignores the energy and it costs

1 power to replace gas use later. Short-period  
2 optimization also gives insufficient value to the Bad  
3 Creek expansion in 2034 which will provide an  
4 excellent compliment to intermittent resources but  
5 short-period optimization doesn't know about that.

6 EnCompass optimization is at the core of the  
7 plan. Duke's plan includes gas because EnCompass  
8 chooses gas in the short term without considering the  
9 longer term, the only economic justification for the  
10 gas in the CPCN is that EnCompass chose it.  
11 Everything else follows. But the choice of fossil gas  
12 units is like the fruit from the poisonous tree.

13 Please don't accept scenarios solely based  
14 on short-period optimization. Please give heavy  
15 weight to intervenor alternatives and, please, also  
16 consider the other issues that I discussed in my  
17 detailed comments. Thank you.

18 COMMISSIONER KEMERAIT: Are there any  
19 questions for Mr. Rouse from Duke?

20 MR. JIRAK: (Shakes head no).

21 COMMISSIONER KEMERAIT: Any from the Public  
22 Staff?

23 MS. KEYWORTH: I just want to confirm,  
24 Mr. Rouse, it sounds like you've already submitted

1 your statement. Is that in the consumer docket?

2 THE WITNESS: It is. I submitted it on  
3 Friday but I have copies.

4 MS. KEYWORTH: That's all right. Thank you.

5 COMMISSIONER KEMERAIT: And are there any  
6 questions for Mr. Rouse from the Commission?

7 (No audible response)

8 COMMISSIONER KEMERAIT: Mr. Rouse, thank you  
9 for your testimony. You may be excused.

10 MS. KEYWORTH: The next witness is Cathy  
11 Scott.

12 COMMISSIONER KEMERAIT: Good evening,  
13 Ms. Scott. If you will place your left hand on the  
14 Bible and raise your right hand.

15 MS. SCOTT: I would prefer to affirm.

16 CATHY SCOTT;  
17 having been affirmed,  
18 testified as follows:

19 COMMISSIONER KEMERAIT: And can you state  
20 your name and address for the record?

21 THE WITNESS: Sure. Cathy Scott, 163  
22 Stewart Gap Road, Asheville.

23 MS. KEYWORTH: Thank you, Ms. Scott. And if  
24 you can, provide your statement.

1 THE WITNESS: Thank you.

2 DIRECT STATEMENT BY THE WITNESS:

3 Welcome Commissioners. Commissioner  
4 McKissick, welcome back to Asheville.

5 I'm sure that you hear from many North  
6 Carolinians of their energy burden and that too high a  
7 percentage of their income goes to paying their energy  
8 costs. I'm very lucky I can absorb the increases in  
9 my energy bill. I have enough money to do that. But  
10 what my money does not help me do is to restore an  
11 unlivable planet. Nobody's money can do that. And  
12 that's why we can't let this plan stand. I know that  
13 the work of the Commissioners involves a lot of  
14 contradictions and complexities. It's not an easy  
15 job.

16 I think we should acknowledge here that Duke  
17 Energy is a corporation bound by a fiduciary  
18 responsibility. That means that their shareholders,  
19 the people who have lent them money, want a good  
20 return on that money, and Duke is legally obligated to  
21 make them the most money they can. Duke will always  
22 be biased towards the pathway that maximizes their  
23 bottom line and their shareholder value.

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1 is the primary arbiter between that position, we're  
2 obligated to make as much money as we can, and the  
3 position that there are other considerations that have  
4 just as much standing, including: Don't generate harm  
5 to peoples' health and planetary health while you do  
6 your business; don't spend more of your customers  
7 money than is necessary to provide them a product that  
8 you said you would produce; and Duke, leave your  
9 comfort zone - Duke be nimble, Duke be quick; use  
10 imagination; use science; use calculated risks to  
11 adapt to the changing world of electricity generation,  
12 distribution, storage; stop producing carbon dioxide  
13 on the scale that you historically have. Duke can  
14 have it all if they are guided by the strong authority  
15 of the public Commission. They can make money. They  
16 can provide a product and a service their customers  
17 need and want. They can play a tremendous role in  
18 slowing climate change and its damages to the planet,  
19 but they are unlikely to do that without your  
20 guidance, Commissioners; your willing to confront and  
21 to challenge. That's why we're here today to impress  
22 on you what we think the public Utility Commissioners'  
23 roles are: Change leaders. People of my age are --

24 COMMISSIONER KEMERAIT: Ms. Scott, the three

1 minutes has been up so, if you can, conclude your  
2 remarks.

3 THE WITNESS: We're going to keep pressing  
4 you because we want you on our side. Thank you.

5 COMMISSIONER KEMERAIT: Are there any  
6 questions for Ms. Scott from Duke?

7 MR. JIRAK: (Shakes head no).

8 COMMISSIONER KEMERAIT: From the Public  
9 Staff?

10 MS. KEYWORTH: (Shakes head no).

11 COMMISSIONER KEMERAIT: From the Commission?  
12 (Shakes head no)

13 COMMISSIONER KEMERAIT: Ms. Scott, thank you  
14 for your testimony. You may be excused.

15 MS. KEYWORTH: Thank you, Ms. Scott. The  
16 next witness is Sherry Vaughan.

17 COMMISSIONER KEMERAIT: Please place your  
18 left hand on the Bible and raise your right hand.

19 SHERRY VAUGHAN;  
20 having been duly sworn,  
21 testified as follows:

22 COMMISSIONER KEMERAIT: Can you state your  
23 name and address for the record?

24 THE WITNESS: Sherry Vaughan, Swannanoa, 306

1 Stonewall Avenue.

2 MS. KEYWORTH: And Ms. Vaughan, if you can,  
3 provide your statement.

4 THE WITNESS: Yes.

5 DIRECT STATEMENT BY THE WITNESS:

6 My mother used to say, 'Sherry, you are such  
7 a dreamer', and I am. I dream that our Carbon Plan  
8 for North Carolina is not written by a private utility  
9 that must answer to investors and shareholders'  
10 profits. That our state's Carbon Plan is written by a  
11 public utility focused on the health and the wellbeing  
12 of all Carolinians. That everyone benefits from a  
13 healthy community where we have clean air and clean  
14 water. That Duke and the public utilities operate on  
15 the premise that we are all in this climate emergency  
16 together. That when our grid is stressed and Duke  
17 asks us to sacrifice our comfort and our convenience  
18 by cutting back, that we all comply. Conversely, Duke  
19 would sacrifice capital improvements like building a  
20 new Duke Energy plaza in South Carolina and then pass  
21 that cost onto us as part of the very difficult hikes  
22 that they have imposed this year that have hurt so  
23 many of us. That Duke understands that consumers  
24 simply cannot handle any more rate hikes with the high

1 food cost and gasoline cost. And some people that  
2 don't have insurance for health don't even have the  
3 money for -- they have to decide on food or their  
4 medicine and now you add more costs. It's too hard.  
5 That Duke incentives that it incentivizes those of us  
6 who have solar on our rooftops by -- as this is  
7 contributing to the community good, which it is.  
8 Solar contributes to the community good at a time of  
9 climate emergency when our planet is on fire during  
10 hot summer months.

11 What does that incentive look like? Well,  
12 maybe they don't make our solar customers reset our  
13 solar generation to zero in the spring, robbing us of  
14 some of our solar production. That solar customers  
15 like myself who did resist getting a smart meter  
16 because I just didn't want it, they said -- you know,  
17 they said, oh, you owe us \$450 for six months of usage  
18 that we couldn't register because you didn't have a  
19 smart meter, and they made me pay that.

20 COMMISSIONER KEMERAIT: Ms. Vaughan, your  
21 time is up. If you can conclude your remarks, please.

22 THE WITNESS: All right. I'll wrap it up.  
23 I just hope that we all live as one as a community and  
24 that we look out for each other, whatever that highest



1 and best is, and thank you.

2 COMMISSIONER KEMERAIT: Just one moment.

3 Are there any questions from Duke?

4 MR. JIRAK: (Shakes head no).

5 COMMISSIONER KEMERAIT: Any questions for  
6 the witness from the Public Staff?

7 MS. KEYWORTH: (Shakes head no).

8 COMMISSIONER KEMERAIT: From the Commission?

9 (No audible response)

10 COMMISSIONER KEMERAIT: Thank you for your  
11 testimony.

12 THE WITNESS: Yes.

13 MS. KEYWORTH: Thank you.

14 The next witness is Hilda von Schmittou.

15 COMMISSIONER KEMERAIT: Good evening.

16 Please place your left hand on the Bible and raise  
17 your right hand.

18 HILDA VON SCHMITTOU;

19 having been duly sworn,

20 testified as follows:

21 COMMISSIONER KEMERAIT: And can you begin by  
22 stating your name and address, please?

23 THE WITNESS: Yes. Hilda von Schmittou, 508  
24 East 17th Street, Newton.

1 DIRECT STATEMENT BY THE WITNESS:

2 Firstly, thank for your time this evening.  
3 I know you're all busy people. As you could hear from  
4 my address, I am not an Asheville resident. I drove  
5 one and a half hours because I believe this was an  
6 important conversation. In my private life, I work  
7 professionally in data analytics and I partner with  
8 clients to find them cost savings opportunities and  
9 optimization practices.

10 We've talked a lot tonight about  
11 profitability, bottom line, and business solutions;  
12 however, as a businesswoman, I would like to push back  
13 on the idea that it is more cost-effective or more in  
14 line with a fiduciary duty to adopt what is  
15 essentially a short-term plan being those that include  
16 natural gas and new fossil fuels. The reason for that  
17 is because it is not in line with targets that North  
18 Carolinians have set. HB951 is something that North  
19 Carolinians have made very clear is important to us.  
20 That 70 percent reduction by 2030 is something we've  
21 very clearly stated via our elected representatives  
22 and should not be up for negotiation, and I would ask  
23 the Commission that any plan submitted that do not  
24 meet that requirement be disregarded.

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1           Secondly, I would remind the Commission that  
2     their duty is to us and not necessarily to Duke  
3     Energy. Duke Energy is a partner of its citizens. It  
4     provides us with our utilities; however, its cost  
5     modeling raises a lot of questions to me. For  
6     example, there is a 20 percent increase for renewables  
7     included in their model with no explanation as to why  
8     that cost is being passed along to consumers. That  
9     lack of transparency gives me great pause, and any  
10    plans that Duke has currently submitted that includes  
11    that.

12           Lastly, I would also like the Commission to  
13    consider the fact that any new fossil fuels adopted,  
14    any new plants created, any expansion of current  
15    networks, while it might service us today, will  
16    disservice us tomorrow, because as consumers we're  
17    paying a premium for that expansion or creation when  
18    we know that it's only a short-term solution. Duke is  
19    obviously concerned about its profits, however, I  
20    would argue that its long-term profitability is by  
21    adopting renewable energy now as currently it is the  
22    most cost-effective form of energy. Its adoption  
23    today means we are not scrambling as 2050 approaches  
24    us to create new networks of energy; instead, North

1 Carolinians will be prepared to meet additional  
2 regulation that will come down the pipeline.

3 I thank you very much for your time tonight.

4 COMMISSIONER KEMERAIT: Thank you. Are  
5 there any questions from Duke?

6 MR. JIRAK: (Shakes head no).

7 COMMISSIONER KEMERAIT: Public Staff?

8 MS. KEYWORTH: (Shakes head no).

9 COMMISSIONER KEMERAIT: From the  
10 Commissioners?

11 (No audible response)

12 COMMISSIONER KEMERAIT: Thank you for your  
13 testimony. You may be excused.

14 THE WITNESS: Thank you.

15 MS. KEYWORTH: The next witness is Don  
16 Kraus.

17 COMMISSIONER KEMERAIT: Please place your  
18 left hand on the Bible and raise your right hand.

19 DON KRAUS;

20 having been duly sworn,

21 testified as follows:

22 COMMISSIONER KEMERAIT: Can you begin by  
23 stating your name and address, please?

24 THE WITNESS: Don Kraus, 42 Brookwood Road,

1 Asheville, North Carolina.

2 MS. KEYWORTH: Thank you. And, Mr. Kraus,  
3 you can provide your statement.

4 THE WITNESS: Yes.

5 DIRECT STATEMENT BY THE WITNESS:

6 Good evening. I live in Asheville in a net  
7 zero home and I'm a volunteer North Carolina State  
8 Coordinator with Citizens Climate Lobby. I thank the  
9 Commissioners for holding this hearing today. I also  
10 want to express my gratitude for the Commission's  
11 support for the PowerPair Program which directs Duke  
12 to pay incentives to have solar installed, solar  
13 panels plus battery storage. Thank you for that.

14 We know the extraction and use of fossil  
15 fuels is driving climate change with negative effects  
16 already being felt. More catastrophic outcomes are in  
17 store if we do not act quickly. Fortunately, advances  
18 in technology have now made power generation from  
19 solar panels and wind turbines the least expensive  
20 option in most locations. In addition, battery  
21 technology advances have made it economically feasible  
22 to store energy for later uses and overcoming  
23 intermittency of solar and wind power.

24 While the Carbon Plan should lean heavily on

1 renewable resources, Duke's preferred pathway to  
2 decarbonization slows the retirement of coal-fired  
3 power plants and cause for the construction of new gas  
4 plants while immediate closure of all fossil fuel  
5 power generation would create unnecessary economic  
6 construction, there should be no construction of new  
7 fossil fuel plants. We know that renewables  
8 out-compete fossil generation on cost.

9 In Duke's modeling there is an unexplained  
10 and unjustified 20 percent premium added to the cost  
11 of renewable construction which is not consistent with  
12 market data.

13 On the fossil side, Duke fails to account  
14 for the risk that new fossil gas plants will leave  
15 ratepayers holding the bag and forced to continue  
16 paying for them on their electricity bills once  
17 decarbonization mandates that are phased out. Duke's  
18 argument that these gas plants will be able to switch  
19 to clean hydrogen relies on most optimistic future  
20 projections.

21 In terms of climate risk, it's important to  
22 note that heat-tracking gasses released by fossil  
23 fuels will continue to warm our planet long after they  
24 are emitted. For this reason, it's crucial to slow

1 emissions as early as possible. Simply put, reducing  
2 CO2 emissions by a ton today is better than cutting  
3 out that same ton in five years.

4 Public health also dictates that we should  
5 reduce emissions sooner rather than later. About 3000  
6 North Carolinians suffer premature deaths annually due  
7 to air pollution caused by burning fossil fuels. In  
8 addition to cardiac and respiratory problems for  
9 adults, fossil fuel pollution is a significant  
10 contributor to childhood asthma, which my daughter has  
11 experienced.

12 Today, I urge the Commission to do three  
13 things as it reviews the Carbon Plan filings:

14 One, prioritize renewable energy sources and  
15 battery storage over new fossil fuel power generation.

16 Two, reject any plans that do not meet  
17 decarbonization goals of 70 percent emissions by 2030.

18 And three, require Duke to submit at least  
19 one model plan that does not include any new fossil  
20 generation.

21 Thank you for your attention.

22 COMMISSIONER KEMERAIT: Are there any  
23 questions from Duke?

24 MR. JIRAK: (Shakes head no).

1 COMMISSIONER KEMERAIT: Are there any  
2 questions from the Public Staff?

3 MS. KEYWORTH: Just one.

4 EXAMINATION BY MS. KEYWORTH:

5 Q Are you testifying this evening in your  
6 individual capacity or --

7 A Yes.

8 Q Okay. Not in association with your group or not  
9 on behalf of your group?

10 A As a volunteer I don't get to do that.

11 MS. KEYWORTH: Thank you very much for your  
12 testimony.

13 THE WITNESS: Sure.

14 COMMISSIONER KEMERAIT: Before you step  
15 down, are there any questions from the Commission?

16 COMMISSIONER TUCKER: No.

17 COMMISSIONER KEMERAIT: Mr. Kraus, thank you  
18 for your testimony. You may be excused.

19 THE WITNESS: Thank you.

20 MS. KEYWORTH: The next witness is Sophie  
21 Loeb.

22 MS. LOEB: It's Loeb.

23 SOPHIE LOEB;

24 having been duly sworn,



1 testified as follows:

2 COMMISSIONER KEMERAIT: And can you begin by  
3 stating your name and address?

4 THE WITNESS: Yes. Sophie Loeb, 28 Cub  
5 Road, Asheville.

6 (WHEREUPON, the Court  
7 Reporter requested address  
8 clarification.)

9 THE WITNESS: Cub, C-U-B.

10 MS. KEYWORTH: And Ms. Loeb, if you can,  
11 provide your statement.

12 THE WITNESS: Yes.

13 DIRECT STATEMENT BY THE WITNESS:

14 My name is Sophie Loeb and I'm here on  
15 behalf of the Center for Progressive Reform in  
16 opposition to Duke Energy's revised Carbon Plan. The  
17 Center is a nonprofit that harnesses the power of law  
18 and public policy to create a response in government,  
19 a healthy environment, and a just society.

20 While I'm up here I also want to thank the  
21 folks in this room in their 60's and 70's who have  
22 been fighting a multi-generational battle for a  
23 peaceful, healthy world for us all. As a millennial,  
24 I thank you for your service.

1           As an Asheville resident, I'm personally  
2 concerned about how the Carbon Plan will average the  
3 impact for me and my neighbors from both an economic  
4 and environmental perspective. Especially as a new  
5 homeowner, I'm really scared about my high energy  
6 bills with few to no options for lower cost to energy.  
7 Fingers crossed, I get into the PowerPair pilot.

8           In 2022, the Center launched a campaign for  
9 energy justice to ensure the Commission adopts an  
10 affordable Carbon Plan that meaningfully incorporates  
11 community input, leads to fair and affordable rates to  
12 increase energy security, and ensures the benefits of  
13 decarbonization in North Carolina's transition to a  
14 clean energy economy are passed on to all.

15           In its newest iteration the Carbon Plan  
16 still fails to incorporate meaningful community impact  
17 and further perpetuates economic and environmental  
18 burdens on already over-burdened communities.  
19 Racially segregated, low wealth, and rural communities  
20 face alarming higher levels of pollution, particularly  
21 air pollution. In some parts of the State, the  
22 respiratory risk for black North Carolinians is twice  
23 the risk for white people in the same region. Duke  
24 Energy's plans to build more methane power plants

1 under the Carbon Plan will only widen those health  
2 disparities.

3 Without adequate oversight and  
4 accountability from the Commission, North Carolina's  
5 carbon reduction commitments under House Bill 951 will  
6 not be fulfilled leaving low wealth ratepayers with  
7 the worst repercussions. For these reasons and many  
8 more, the Center urges the Commission to provide  
9 additional oversight and require significant  
10 improvements to the Carbon Plan itself, specifically,  
11 with greater input from the community that would be  
12 most affected by the Plan and without the buildout of  
13 any new methane gas infrastructure.

14 Thank you for your time and consideration.

15 COMMISSIONER KEMERAIT: Thank you. Are  
16 there any questions from Duke?

17 MR. JIRAK: (Shakes head no).

18 COMMISSIONER KEMERAIT: Any questions from  
19 the Public Staff?

20 MS. KEYWORTH: The same question as for the  
21 last witness. Just are you testifying this evening in  
22 your capacity with your organization --

23 THE WITNESS: Yes.

24 MS. KEYWORTH: It sounded like -- okay.

NORTH CAROLINA UTILITIES COMMISSION

1 MR. CREECH: I do want to confirm with the  
2 reporter whether she was sworn in.

3 COURT REPORTER: She was sworn in.

4 MR. CREECH: She was, okay.

5 COMMISSIONER KEMERAIT: She was sworn in?

6 COURT REPORTER: Yes.

7 MR. CREECH: Thank you.

8 MS. KEYWORTH: Thank you for your testimony,  
9 Ms. Loeb.

10 COMMISSIONER KEMERAIT: Before you step  
11 down, let me just check with the Commission. Are  
12 there any questions from the Commissioners?

13 (No audible response)

14 COMMISSIONER KEMERAIT: Thank you. You may  
15 be excused.

16 MS. KEYWORTH: The next witness is Cheryl  
17 Orengo.

18 COMMISSIONER KEMERAIT: Please place your  
19 left hand on the Bible and raise your right hand.

20 CHERYL ORENGO;

21 having been duly sworn,

22 testified as follows:

23 COMMISSIONER KEMERAIT: And can you begin by  
24 stating your name and address?

1 THE WITNESS: My name is Cheryl Orengo and  
2 my address is 358 Kenilworth Road, Asheville, North  
3 Carolina.

4 MS. KEYWORTH: Thank you. And Ms. Orengo,  
5 if you can, provide your statement.

6 DIRECT STATEMENT BY THE WITNESS:

7 We've actually lived there for 43 years and  
8 seen a lot of changes in Asheville, but I want to talk  
9 about this, and I thank you-all for coming.

10 I'm a wife, a mother, and a grandmother, and  
11 I don't want to leave an inhabitable world for my tiny  
12 grandchildren age one and a half and five, my two  
13 daughters, and all the people in North Carolina, and  
14 on the planet. We are already having horrible floods,  
15 temperatures over 100 degrees for weeks in Eastern  
16 North Carolina, and fires are destroying forests and  
17 homes in Western North Carolina and even in Canada.  
18 We experienced mucky air last year when those fires  
19 were burning in Canada. And -- I'm sorry, I lost my  
20 place. We experienced smoky air where the fires were  
21 burning. Smoky air is deadly for those with asthma  
22 and COPD.

23 On March 19th, the World Meteorological  
24 Organization officially certified 2023 as the hottest

1 year in human history. And the temperatures will only  
2 go up unless Duke stops using fossil fuels.

3 Our recent poll of voters shows that  
4 70 percent majority of North Carolina voters believe  
5 the State should increase its use of clean energy  
6 sources, decrease its reliance on polluting fossil  
7 fuels, and speed up the transition for a clean energy  
8 economy. North Carolinians increasingly feel the  
9 impacts of climate change, from slow moving rain,  
10 storms that drop more rain causing floods, rising sea  
11 levels that are harming our coastal areas, and more  
12 hotter and humid days and nights. The voters want our  
13 state to act now to protect families and communities.

14 You have the capacity and the capability to  
15 use clean energy which is much cheaper than building  
16 natural gas or nuclear infrastructure. You are using  
17 expensive methods and charging your customers money  
18 that they don't have, especially those who have a low  
19 income. If you use clean energy you will save so many  
20 people in North Carolina who are actually your  
21 customers. I can't imagine how much my grandchildren  
22 will suffer and perhaps your children and  
23 grandchildren as well. Please do what you can to save  
24 peoples lives. Thank you.

1 COMMISSIONER KEMERAIT: Are there any  
2 questions for Ms. Orengo from Duke?

3 MR. JIRAK: (Shakes head no).

4 COMMISSIONER KEMERAIT: From the Public  
5 Staff?

6 MS. KEYWORTH: (Shakes head no).

7 COMMISSIONER KEMERAIT: Are there any  
8 questions from the Commission?

9 (No audible response)

10 COMMISSIONER KEMERAIT: Thank you for your  
11 testimony. You may be excused.

12 MS. KEYWORTH: The next witness is Rob  
13 Simon.

14 MR. SIMON: I would prefer to affirm.

15 COMMISSIONER KEMERAIT: Will you raise your  
16 right hand, please, Mr. Simon?

17 ROB SIMON;  
18 having been affirmed,  
19 testified as follows:

20 COMMISSIONER KEMERAIT: And can you begin by  
21 stating your name and address?

22 THE WITNESS: Rob Simon, 16 Nebraska Street,  
23 Asheville, and I'm a Duke Energy Progress customer.

24 MS. KEYWORTH: Thank you, Mr. Simon. You

1 can provide your statement.

2 DIRECT STATEMENT BY THE WITNESS:

3 Thanks to everyone for being here tonight.  
4 It's great to hear all of the passionate testimony. I  
5 wanted to talk about something that is personal to me  
6 and that's green jobs. I love seeing North Carolina  
7 ranking in the top of the country in green jobs.  
8 We're a small state and we're a powerhouse in  
9 renewable energy installations. I really want to see  
10 that continue moving forward. I want to thank the  
11 Commission and Duke Energy for partnering with that  
12 and making that happen.

13 Personally, I'm excited about the PowerPair  
14 Program. I'm working on a design for a solar and  
15 battery installation that I can have ready for an  
16 Interconnection Agreement come May when the Program is  
17 announced. So thank you for doing that. I know a lot  
18 of people I talk to are excited about it. And I know  
19 that you're -- and jobs in the Triangle and throughout  
20 the State are just -- are crucial to creating small  
21 business and generating small business throughout the  
22 State. I know that the more green jobs we create the  
23 more companies will continue to attract to our state  
24 creating more jobs and that's just a really great



1 cycle that we have an opportunity to strengthen here  
2 with creating a new Carbon Plan.

3 So, I know a lot of the large companies that  
4 are looking to move to states like Georgia are looking  
5 at being able to get carbon-free electricity. And I'd  
6 love to see some of those companies moving to North  
7 Carolina and I think we all would really appreciate  
8 that and want to see that. So, that is kind of the  
9 main part of my testimony.

10 On a more personal note, I do have asthma.  
11 I don't know if this is going to change my personal  
12 struggles, using an inhaler every day, walking up a  
13 few flights of stairs and having to stop from being  
14 winded, but I'd like to know. I'd like to find out.  
15 I think that Duke can do better on this clean energy  
16 plan and the Carbon Plan. I'd love to see them take  
17 another crack at it and come up with some relief. And  
18 negotiations back and forth are definitely part of how  
19 we do business and how things get done. And just  
20 creating an opportunity for Duke to come back with  
21 something really strong that works for them and works  
22 for the community, and works for the State, works for  
23 green jobs, works for creating those green jobs that  
24 we want to see come to the State over the next couple

1 of decades.

2 So, thank you very much for your time.

3 COMMISSIONER KEMERAIT: Thank you,  
4 Mr. Simon. Are there any questions from Duke?

5 MR. JIRAK: (Shakes head no).

6 COMMISSIONER KEMERAIT: Any questions from  
7 the Public Staff?

8 MS. KEYWORTH: (Shakes head no).

9 COMMISSIONER KEMERAIT: And the Commission?  
10 (No audible response)

11 COMMISSIONER KEMERAIT: Thank you for your  
12 testimony. You may be excused.

13 MS. KEYWORTH: The next witness is Thomas  
14 Gonzalez.

15 COMMISSIONER KEMERAIT: Good evening.

16 THOMAS GONZALEZ;  
17 having been duly sworn,  
18 testified as follows:

19 COMMISSIONER KEMERAIT: Thank you. Can you  
20 begin by stating your name and address for the record?

21 THE WITNESS: My name is Thomas Gonzalez. I  
22 live at 12 Coy Evie Lane, Hendersonville, North  
23 Carolina.

24 MS. KEYWORTH: Mr. Gonzalez, if you can,

1 provide your statement.

2 THE WITNESS: Okay. Thank you.

3 DIRECT STATEMENT BY THE WITNESS:

4 So I'm a retired software engineer and I and  
5 my wife Rhodeena Gonzalez live in --

6 (WHEREUPON, the Court  
7 Reporter requested the  
8 witness to speak into the  
9 microphone.)

10 THE WITNESS: I'm sorry. I and my wife  
11 Rhodeena live in Hendersonville and we moved here from  
12 Raleigh where we lived for 27 years. We have lived  
13 here in Western North Carolina for almost 10.

14 I am grateful for the Commission for their  
15 time and the opportunity to share my comments and  
16 concerns about Duke Energy's proposed Carbon Plan. I  
17 also appreciate Duke Energy for subsidizing the  
18 purchase and installation of our PV system and for  
19 improving our local atmosphere by installing gas  
20 turbines after removing the coal plant that was along  
21 I-26, which I hate.

22 I'm not here for myself but for those who  
23 will continue here after I'm gone, especially for my  
24 four daughters, three of which live in North Carolina

1 with their families. I'm dedicated to do what I can  
2 while I'm still here to insist on the reduction of CO2  
3 emissions. This is why I want Duke Energy to be  
4 successful in taking the reduction of carbon dioxide  
5 emissions as specified in HB951. Success means Duke  
6 Energy will reduce carbon dioxide emissions in a  
7 cost-effective manner for its ratepayers while  
8 ensuring the electrical grid is resilient and  
9 reliable. The application of renewables instead of  
10 fossil fuels, electric generation strategies keeps  
11 successfully reducing CO2 emissions.

12 Battery storage teamed up with these who  
13 cover economies 24/7. Renewables are now the lowest  
14 cost way to generate electricity. These approaches  
15 are proven.

16 The State of Texas is one of the leaders in  
17 the application of Bulverde solar to their electrical  
18 grid. The Texas grid had a record amount of battery  
19 capacity in 2023. This will be dwarfed by the amount  
20 of new sites planned in the next few years.

21 Duke's preferred strategies, they're  
22 planning to confirm that it's not possible to meet the  
23 targets of HB9 -- 951. This plan to fail should not  
24 be accepted. It holds a piracy onus for ratepayers

1 that are unworthy of consideration.

2 Construction of new gas power plants is  
3 risky because net zero is the mandate by 2050. Thus,  
4 these power plants may well have to be retired early.  
5 Relying on the availability of future hydrogen gas  
6 infrastructure to enable promoting construction of new  
7 methane gas generation capacity is very risky.

8 Creating energy with hydrogen is in --  
9 (indiscernible) -- with many barriers to overcome  
10 before it can be a reliable part of the clean energy  
11 equation. Like, the methane gas pipelines now in  
12 place cannot be used for hydrogen gas. This gas is  
13 highly reactive. Upgrades to existing pipelines  
14 should be required.

15 Application of nuclear power plants is even  
16 riskier to taxpayers. Their track record of this  
17 technology is filled with cost overruns and huge  
18 delays. For example, construction of the Waynesboro,  
19 Georgia nuclear power plant began in 2013 and it took  
20 14 years to complete. This plant's third unit which  
21 started delivering power to customers in August 2023  
22 was the first nuclear reactor to be built in the  
23 United States since the 1980's. The plant's original  
24 cost estimates were \$14 billion, but the costs since

1 then comes to \$30 billion. Duke takes no risk in  
2 these endeavors because they get paid no matter what  
3 the outcome. Costs are passed onto us, their  
4 subscribers.

5 I appreciate the opportunity. Thank you  
6 very much.

7 COMMISSIONER KEMERAIT: Thank you. Are  
8 there any questions from Duke?

9 MR. JIRAK: (Shakes head no).

10 COMMISSIONER KEMERAIT: Any questions from  
11 the Public Staff?

12 MS. KEYWORTH: (Shakes head no).

13 COMMISSIONER KEMERAIT: Any questions from  
14 the Commission?

15 (No audible response)

16 COMMISSIONER KEMERAIT: Mr. Gonzalez, thank  
17 you for your testimony. You may be excused.

18 MS. KEYWORTH: The next witness is Bill  
19 Marshall.

20 COMMISSIONER KEMERAIT: Good evening,  
21 Mr. Marshall.

22 MR. MARSHALL: Good evening.

23 COMMISSIONER KEMERAIT: Place your left hand  
24 on the Bible and raise your right.

1 BILL MARSHALL;  
2 having been duly sworn,  
3 testified as follows:

4 COMMISSIONER KEMERAIT: Can you begin by  
5 stating your name and address?

6 THE WITNESS: Bill Marshall, 3 Blue Damsel  
7 Court, Candler, North Carolina.

8 MS. KEYWORTH: Thank you, Marshall --  
9 Mr. Marshall and, if you can, provide your statement.  
10 DIRECT STATEMENT BY THE WITNESS:

11 Okay. Well, thank you everyone for the  
12 opportunity to speak about Duke's power plan and  
13 its -- the ability to comply with HB951.

14 Providing the electrons we all need to power  
15 our lives, the moment we need them, 24-hours a day,  
16 seven days a week, 365 days a year, is a tough job. I  
17 want to thank the Board and Duke, and want them to  
18 know I appreciate that most of the time that works  
19 just fine. It's a herculean task to meet the  
20 electricity demands of 11 million North Carolinians,  
21 but one that needs to be focused, not maintaining the  
22 status quo, but enabling a non-polluting future.

23 I want to see Duke achieve a 70 percent  
24 electricity level by 2030 that comes from fuels that

1 do not contribute to planetary warming. That is a  
2 promise of HB951. Change is always difficult but  
3 cost-effective with solar, wind, and battery  
4 technologies need to be emphasized with the zeal that  
5 would make the space race to the moon in the '60's  
6 seem pale by comparison. Betting that modular nuclear  
7 or green hydrogen can contribute meaningfully to  
8 achieve the 2030 goal on a cost-effective way is just  
9 not realistic.

10 Five points I would like to see Duke  
11 aggressively pursue:

12 One, the development of wind assets that  
13 they own or control off the North Carolina coast.

14 Two, the use of advanced reconductoring  
15 technologies to quickly, cost-effectively, and  
16 dramatically improve existing transmission  
17 capabilities.

18 Three, actively support and encourage more  
19 distributed generation around the State. People today  
20 have spoken about more support for solar and other  
21 initiatives that would help manage our power going  
22 forward.

23 And, if necessary, start planning to  
24 purchase PJM power or other sources of power to meet



1 their commitments under 951.

2 And I guess fifth, while it's not a task per  
3 se, is to not site polluting generating capacity in  
4 another state to avoid the goals of 951. That does  
5 nothing to mitigate carbon emissions.

6 I think Duke has the capacity to pursue  
7 these objectives. What is needed is the will to  
8 aggressively pursue them and others to get us where we  
9 need to be by 2030.

10 I want to conclude by saying today is my  
11 81st birthday. I hope I can come back here in 2030  
12 and congratulate Duke for exceeding my expectations  
13 today. Thank you very much.

14 COMMISSIONER KEMERAIT: Thank you,  
15 Mr. Marshall. Are there any questions from Duke?

16 MR. JIRAK: (Shakes head no).

17 COMMISSIONER KEMERAIT: Any questions from  
18 the Public Staff?

19 MS. KEYWORTH: (Shakes head no).

20 COMMISSIONER KEMERAIT: Any questions from  
21 the Commission?

22 (No audible response)

23 COMMISSIONER KEMERAIT: Thank you for your  
24 testimony.

1 THE WITNESS: Thank you.

2 MS. KEYWORTH: Next is Ms. Jane Laping.

3 JANE LAPING;

4 having been duly sworn,

5 testified as follows:

6 COMMISSIONER KEMERAIT: Can you begin by  
7 stating your name and address?

8 THE WITNESS: Jane Laping, L-A-P-I-N-G, 14  
9 Concord Place in Asheville.

10 MS. KEYWORTH: And Ms. Laping, if you can,  
11 provide your statement.

12 THE WITNESS: Somebody said something.

13 MS. KEYWORTH: Yes, ma'am. If you can,  
14 provide your statement, we would love to hear it.

15 THE WITNESS: Certainly.

16 DIRECT STATEMENT BY THE WITNESS:

17 Thank you, Commissioners, for being here and  
18 offering the public the opportunity to comment on  
19 Duke's inadequate Carbon Plan. My name is Jane  
20 Laping. I live in Asheville and am a Duke Energy  
21 ratepayer, because that is my only choice.

22 I may be the thriftiest person you will ever  
23 meet. I keep my home's thermostat at 62 degrees in  
24 the winter and 78 in the summer. I drive a

1 22-year-old hybrid car and drive less than 10,000  
2 miles a year and get 40 miles per gallon. I cook all  
3 my meals from scratch, grow a lot of my own produce,  
4 and I don't buy meat. I buy clothing at thrift shops,  
5 and I hang laundry on a clothes line on sunny days and  
6 fluff it in the dryer without heat.

7 Like many retired people in my situation, I  
8 struggle to pay my bills. Inflation and the downturn  
9 in the stock market have hit me hard. I take on  
10 part-time jobs when I can just to pad my checking  
11 account. Duke Energy's rate increase that you  
12 Commissioners approved arrived along with the very  
13 cold mornings we experienced in January and February.

14 If I have to be so thrifty just to make ends  
15 meet, how can the Commission allow Duke Energy to  
16 continue to spend recklessly and pass on the costs to  
17 the ratepayers?

18 Solar energy is the cheapest form of energy  
19 available, yet Duke insists on increasing  
20 gas-generated power, fully knowing that they are  
21 contributing to the very emissions that are causing  
22 the wild extremes in temperatures and storms. In  
23 addition, trees that store the carbon that contributes  
24 to climate change are being cut down for pipelines and

1 new power plants. And we cannot ignore the pollutants  
2 from burning fossil fuels - particulate matter,  
3 benzene, methane - that affect poor, people of color,  
4 and low-income people who live near power plants the  
5 most. Coal ash escapes from holding ponds and gets  
6 into rivers. And who pays for that besides the  
7 aquatic organisms? The ratepayers.

8           How is it that the Commission can ignore  
9 these external costs to humans and let Duke profit  
10 while people are suffering and dying from exposure?  
11 How is it that the Commission can ignore these  
12 external costs to the environment, the very land, air,  
13 and water that we rely on for a healthy life?

14           Members of the Commission, I am pleading  
15 with you to consider your morals and values when you  
16 make decisions about the second largest power company  
17 in the country. You are intelligent, educated, and  
18 powerful people. I know you can --

19           COMMISSIONER KEMERAIT: Ms. Laping, your  
20 three minutes is up so, if you can, conclude your  
21 remarks, please.

22           THE WITNESS: Stand up to Goliath like David  
23 did.

24           COMMISSIONER KEMERAIT: Are there any

1 questions from Duke?

2 MR. JIRAK: (Shakes head no).

3 COMMISSIONER KEMERAIT: Any questions from  
4 the Public Staff?

5 MS. KEYWORTH: (Shakes head no).

6 COMMISSIONER KEMERAIT: From the Commission?

7 (No audible response)

8 COMMISSIONER KEMERAIT: Thank you for your  
9 testimony.

10 THE WITNESS: I have written testimony,  
11 also.

12 MS. KEYWORTH: Yes. Ms. Laping, if you can,  
13 provide it to the Court Reporter right here. She'll  
14 get that into the record for you.

15 The next witness is Rhodeena Gonzalez.

16 COMMISSIONER KEMERAIT: Good evening. If  
17 you can, place your left hand on the Bible and raise  
18 your right.

19 RHODEENA GONZALEZ;  
20 having been duly sworn,  
21 testified as follows:

22 COMMISSIONER KEMERAIT: And can you begin by  
23 stating your name and address?

24 THE WITNESS: Rhodeena Gonzalez, 12 Coy Evie

1 Lane, Hendersonville.

2 MS. KEYWORTH: Ms. Gonzalez, if you can,  
3 provide your statement.

4 DIRECT STATEMENT BY THE WITNESS:

5 Good evening. My name is Rhodeena Gonzalez.  
6 I live in Hendersonville, North Carolina, and send  
7 energy into the grid via my solar panels. I thank the  
8 Commissioners for being here. There are so many  
9 things we could be doing this evening, like reading  
10 stories to our grandchildren.

11 Duke proposes methane infrastructure and  
12 converting to hydrogen when that technology becomes  
13 available. It is not commercially available anywhere  
14 in the world. This would leave the ratepayers paying  
15 for infrastructure that does not get us to where we  
16 want to be by 2030. Meanwhile, wind and solar costs  
17 are dropping as the costs -- as are the costs of  
18 storage batteries. This technology exists and is  
19 proven. Renewable energy is currently the least  
20 expensive way to generate electricity. It is so  
21 inexpensive that according to Rocky Mount Institute,  
22 Texas, big oil country, relies on wind and solar as  
23 part of their energy sector saving Texas \$20 million  
24 per day.

1           Insisting on reduced emissions sooner rather  
2   than later ensures North Carolinians can start saving  
3   money sooner. Emissions from fossil fuel power  
4   plants, that only aggravate a warming climate, impose  
5   real health risks to people who live around the plants  
6   and the people who live around the refineries. There  
7   is evidence of increased asthma and cancer rates in  
8   these communities.

9           As to nuclear energy, whether they are large  
10   or small, only come online after significant delays  
11   and cost overruns. These cost overruns are always  
12   passed on to the ratepayer.

13           Please hold Duke to reducing emissions by  
14   70 percent by 2030 in accordance with HB951 for the  
15   sake of our descendants. Let us all strive to be good  
16   ancestors. Thank you.

17           COMMISSIONER KEMERAIT: Are there any  
18   questions from Duke?

19           MR. JIRAK: (Shakes head no).

20           COMMISSIONER KEMERAIT: Any questions from  
21   the Public Staff?

22           MS. KEYWORTH: (Shakes head no).

23           COMMISSIONER KEMERAIT: Any questions from  
24   the Commission?

1 (No audible response)

2 COMMISSIONER KEMERAIT: Thank you for your  
3 testimony.

4 MS. KEYWORTH: The next witness is Karen  
5 Willey.

6 And, Commissioner Kemeraït, after Witness  
7 Willey, there are eight additional witnesses.

8 COMMISSIONER KEMERAIT: Thank you.

9 Good evening.

10 KAREN WILLEY;

11 having been duly sworn,

12 testified as follows:

13 COMMISSIONER KEMERAIT: Can you begin by  
14 stating your name and address?

15 THE WITNESS: Yes. I'm Karen Willey. My  
16 address is 165 Lakewood Drive in Asheville.

17 MS. KEYWORTH: And Ms. Willey, if you can,  
18 provide your statement, please.

19 THE WITNESS: Okay.

20 DIRECT STATEMENT BY THE WITNESS:

21 So, my name is Karen Willey. I'm a resident  
22 of Asheville, a Duke Energy customer, and a climate  
23 change communicator trained by the National Network  
24 for Ocean and Climate Change Interpretation. And I



1 appreciate being able to speak to you today about the  
2 North Carolina Carbon Plan. And I'm sure that you,  
3 the North Carolina Utilities Commission, want to  
4 responsibly manage the resources of our state, so  
5 let's look at where we are at this point.

6 Specifically, based on our carbon output,  
7 where are we in the process of staying below  
8 1.5 degrees centigrade temperaturewise. According to  
9 the United Nations 2022 Climate Report by the IPCC,  
10 we've already omitted 90 percent of the carbon dioxide  
11 to get us to that dangerous point. Now, think about  
12 that. As of 2022, we had already emitted 90 percent  
13 of the carbon dioxide that will warm our world to  
14 1.5 degrees centigrade. With this in mind, the Carbon  
15 Plan from Duke Energy puts us way too far behind what  
16 is necessary for our grandchildren to have a natural  
17 world that is somewhat similar to what we grew up  
18 with.

19 Under House Bill 951's mandate, the North  
20 Carolina Carbon Plan must cut carbon emissions by  
21 70 percent by 2030, and Duke's plan doesn't do this.

22 Under House Bill 951's mandate, the Carbon  
23 Plan's focus is only on carbon dioxide emitted from  
24 facilities owned by Duke Energy. So, I ask you why is

1 Duke creating this plan? It seems a third party  
2 unaffiliated would make more sense. But if you're  
3 unwilling to look at an alternative Carbon Plan, which  
4 by the way is what the public wants, I suggest  
5 requiring competitive bids on alternative  
6 technologies. Also, as others have stated, more focus  
7 on solar and offshore wind and less on nuclear and  
8 hydrogen.

9           Solar and wind are proven. They are  
10 affordable and they are available now. In fact, the  
11 North Carolina Department of Environmental Quality in  
12 their 2020 study group came up with this very  
13 suggestion, stating that there's value in diversity, a  
14 generation ownership, and that utility-owned rate base  
15 assets should be procured through a competitive  
16 process.

17           So the bottom line is to get experts in the  
18 field to provide alternative energy on a quicker  
19 timeline than offered by the Duke Energy Carbon Plan.  
20 By law, the North Carolina Carbon Plan must move at a  
21 quicker pace to clean energy and to do that you need  
22 contractors other than Duke to participate.

23           I would like to end with a Greta Thunburg  
24 quote in her recent climate book that just came out.

1                   *The weather seems to be on steroids and*  
2                   *natural disasters increasingly appear less*  
3                   *and less natural. But this is not the new*  
4                   *normal. What we are seeing now is only the*  
5                   *very beginning of a changing climate, caused*  
6                   *by human emissions of greenhouse gases.*

7                   Thank you for allowing me to speak.

8                   COMMISSIONER KEMERAIT: Thank you,  
9                   Ms. Willey.

10                  Are there any questions from Duke?

11                  MR. JIRAK: (Shakes head no).

12                  COMMISSIONER KEMERAIT: Any questions from  
13                  the Public Staff?

14                  MS. KEYWORTH: (Shakes head no).

15                  COMMISSIONER KEMERAIT: Any questions from  
16                  the Commission?

17                               (No audible response)

18                  COMMISSIONER KEMERAIT: Thank you for your  
19                  testimony.

20                  MS. KEYWORTH: The next witness is Rob  
21                  Denton.

22                  COMMISSIONER KEMERAIT: Good evening,  
23                  Mr. Denton. Do you swear that the testimony -- I'm  
24                  sorry. Put your left hand on the Bible and raise your

1 right hand.

2 ROB DENTON;

3 having been duly sworn,

4 testified as follows:

5 COMMISSIONER KEMERAIT: Thank you. Please  
6 state your name and address.

7 THE WITNESS: Rob Denton, 28 Brahma Ridge in  
8 Candler, North Carolina.

9 COMMISSIONER KEMERAIT: Thank you.

10 MS. KEYWORTH: And Mr. Denton, if you can,  
11 provide your statement.

12 DIRECT STATEMENT BY THE WITNESS:

13 My name is Rob Denton. I'm President of  
14 Connect Enka, a volunteer citizens group advocating  
15 for quality of life improvements in Enka and Candler  
16 where I live, but I am speaking solely as a citizen  
17 and a Duke customer today.

18 I judge that Duke's reliance on fossil fuel  
19 sources of energy are detrimental to the health of our  
20 community, environmentally and with public health  
21 effects. I'm opposed to all attempts to increase  
22 reliance on fossil fuels. I favor expanding renewable  
23 energy sources in Duke's portfolio.

24 I contribute clean solar electricity to the

NORTH CAROLINA UTILITIES COMMISSION

1 grid with my rooftop solar. And I don't trust Duke's  
2 ability to pay us fairly for what we contribute. We  
3 are not merely consumers placing pressure on the grid  
4 that Duke is required to keep running. We are  
5 producers. We are adding to the grid and adding to  
6 solutions and not just consuming energy. I also  
7 oppose the reliance on nuclear energy.

8 In February, I was driving on I-40 at rush  
9 hour through Asheville and I was going at the speed  
10 limit of 60, and a truck, a flat-bed truck, carrying a  
11 cask marked radioactive from Energy Solutions went  
12 speeding past me at over 70 miles an hour in heavy  
13 rush-hour traffic through a heavily populated area of  
14 Asheville. If this is how utilities manage nuclear  
15 power, we're in trouble. That was scary. I don't  
16 know who's in charge over there but someone needs to  
17 take care of that.

18 Thank you for listening. And I hope that  
19 you will rediscover ways to give us a clean energy  
20 future. Thank you very much.

21 COMMISSIONER KEMERAIT: Thank you,  
22 Mr. Denton.

23 Any questions from Duke?

24 MR. JIRAK: (Shakes head no).

1 COMMISSIONER KEMERAIT: Any questions from  
2 the Public Staff?

3 MS. KEYWORTH: (Shakes head no).

4 COMMISSIONER KEMERAIT: Any questions from  
5 the Commission?

6 COMMISSIONER MCKISSICK: Just one.

7 COMMISSIONER KEMERAIT: Commissioner  
8 McKissick.

9 EXAMINATION BY COMMISSIONER MCKISSICK:

10 Q You mentioned seeing a speeding truck carrying  
11 radioactive fuel canister. Was it -- in some way  
12 were you able to identify the source of that  
13 radioactive canister, the canister was labeled  
14 radioactive, and know that it was from a utility?

15 A Yes, it was marked. The corporate name is Energy  
16 Solutions.

17 Q Energy Solutions.

18 A Which, you know -- I'm sure you're very aware of  
19 that.

20 Q Very good, sir.

21 A And I was driving at the speed limit and it went  
22 whizzing past me. I had to speed up to catch the  
23 license tag number of this truck. I called  
24 the -- I wrote to the Nuclear Regulatory

1 Commission. They said, 'Well, we've granted  
2 regulatory authority for some of these activities  
3 to the State of North Carolina'. It turns out I  
4 was given names for people at the Department of  
5 Health and Human Services. Is that who's  
6 overseeing the transport of nuclear materials in  
7 North Carolina? I just don't -- I don't trust  
8 it. I don't feel like its safe. If this is  
9 characteristic of how nuclear power is managed in  
10 the southeast, we're in a bit of trouble. Thank  
11 you very much.

12 COMMISSIONER KEMERAIT: Thank you for your  
13 testimony. You may be excused.

14 MS. KEYWORTH: Daniel Dean.

15 COMMISSIONER KEMERAIT: Good evening,  
16 Mr. Dean. If you will place your left hand on the  
17 Bible and raise your right hand.

18 DANIEL DEAN;

19 having been duly sworn,

20 testified as follows:

21 COMMISSIONER KEMERAIT: Thank you. And  
22 please begin by stating your name and address.

23 THE WITNESS: My name is Daniel Dean. My  
24 address is 23 Richmond Avenue, Asheville, North

1 Carolina 28806.

2 MS. KEYWORTH: And Mr. Dean, if you can,  
3 provide your statement, please.

4 DIRECT STATEMENT BY THE WITNESS:

5 I am a resident of Asheville and a Duke  
6 Energy Carolinas customer. I am deeply concerned  
7 about Duke's plan to expand fossil fuel utilities that  
8 will overshoot the State's Carbon Plan. Duke has a  
9 near-monopoly on energy in North Carolina and many  
10 areas of the south. The people of North Carolina  
11 deserve a democratic energy system that prioritizes  
12 the wellbeing of the community and future generations.

13 As many others have said, Duke is a  
14 for-profit company and they put their profits ahead of  
15 the people. Duke continues to raise rates, and  
16 customers are stuck paying for their negligent  
17 practices.

18 I work in Social Services here and many of  
19 my clients are low income. When they cannot pay  
20 Duke's electricity rates, which can be in the hundreds  
21 of dollars for one bill for one family, they are  
22 forced to ask for charity. If we invested in a  
23 renewable energy, these same folks could be  
24 contributing to the power grid. We know fossil fuels



1 are destructive when they are extracted, transported  
2 and utilized. We know fossil fuels are finite,  
3 damaging, and exist in an unpredictable marketplace  
4 that does not guarantee affordability or availability  
5 in times of need. We don't want or need more fracking  
6 for natural gas poisoning our waterways. We don't  
7 need any new methane gas plants.

8 I ask that the Utilities Commission  
9 aggressively pursue the Carbon Plan and hold Duke  
10 accountable to providing safe, renewable energy.  
11 Thank you.

12 COMMISSIONER KEMERAIT: Thank you, Mr. Dean.  
13 Wait one moment, please.

14 THE WITNESS: Okay.

15 COMMISSIONER KEMERAIT: We'll check to see  
16 if there are any questions.

17 Any questions from Duke?

18 MR. JIRAK: (Shakes head no).

19 COMMISSIONER KEMERAIT: Any questions from  
20 the Public Staff?

21 MS. KEYWORTH: (Shakes head no).

22 COMMISSIONER KEMERAIT: Any questions from  
23 the Commission?

24 (No audible response)

1 COMMISSIONER KEMERAIT: Thank you for your  
2 testimony.

3 THE WITNESS: Thank you.

4 MS. KEYWORTH: Thank you. Sheri  
5 Lacumondier. Sheri.

6 MS. LACUMONDIER: I'm sorry.

7 MS. KEYWORTH: Okay. Lynne Harty.

8 MS. HARTY: We just signed in. We didn't  
9 sign up to speak.

10 MS. KEYWORTH: Okay. So, Sheri and Lynne,  
11 neither want to speak. Okay. And Julie Mayfield.

12 COMMISSIONER KEMERAIT: Ms. Mayfield, if you  
13 can, place your left hand on the Bible and raise your  
14 right hand.

15 MS. MAYFIELD: I prefer to affirm.

16 COMMISSIONER KEMERAIT: If you can, raise  
17 your right hand, please.

18 JULIE MAYFIELD;  
19 having been affirmed,  
20 testified as follows:

21 COMMISSIONER KEMERAIT: Thank you. And can  
22 you begin by stating your name and address?

23 THE WITNESS: Yes. My name is Julie  
24 Mayfield. My address is 54 Branny Street, Asheville,

1 North Carolina 28806.

2 MS. KEYWORTH: Thank you, Ms. Mayfield. And  
3 if you can, provide your statement, please.

4 THE WITNESS: Thank you so much.

5 DIRECT STATEMENT BY THE WITNESS:

6 My name is Julie Mayfield. I am a State  
7 Senator here in Senate District 49, which encompasses  
8 Asheville and much of Buncombe County, and I was part  
9 of the small team of democrats working closely with  
10 the Governor's office in negotiating House Bill 951  
11 back in 2020 -- whenever that was -- 2021.

12 I want to thank you-all for being here.  
13 Thank you for making the drive out here and thank  
14 you-all for your service to the State of North  
15 Carolina on the Commission.

16 I want to start my comments tonight  
17 recounting a phone call that I got within the last  
18 week from a friend of mine named Amber. Amber is  
19 disabled and her income -- her disability income every  
20 month is \$1000.00. Amber lives in affordable housing  
21 here and she has just started going back to school  
22 after many years. She called me in flat-out panic  
23 about her latest Duke Energy bill. And as I -- I  
24 since -- since that call have done some reading and

1 learned some of the reasons behind the increase in the  
2 bill, and a lot of that is related to fuel costs and  
3 recovering fuel costs. And what I want to -- what  
4 concerns me -- so many things about this plan concern  
5 me, but one of them is that the trickling down on  
6 natural gas, fossil gas, really will serve -- what is  
7 likely to serve to -- as the emphasis for a series of  
8 continuing rate increases that will continue to  
9 present an existential threat to people like Amber.  
10 She literally did not know what she would do. She has  
11 nowhere else to go and has no other way to generate  
12 additional income. She was in near tears in this  
13 phone call to me.

14 So what I want to encourage is that instead  
15 of building out these natural gas resources that will  
16 become stranded assets by 2050, absolutely, that the  
17 plan should, as you've heard, be more aggressively  
18 doubling down, tripling down on proven renewable  
19 energy resources. The plan is already aggressive on  
20 those fronts for where we are in North Carolina, but  
21 we can do more.

22 Duke should also be much more aggressively  
23 investing in energy efficiency and demand management.  
24 I will say this every time I get a chance, Duke should

1 always -- should strive to be in the top tier of  
2 utilities in terms of energy efficiency and demand  
3 management, and we are simply not there.

4 So I want to encourage you to use your full  
5 scope of your authority under 951 to be as aggressive  
6 as possible in pushing energy efficiency and demand  
7 management and known -- these known proven renewable  
8 technologies.

9 One final piece that we could not agree on  
10 in House Bill 951 is how to take care of low income  
11 customers. That will require subsidies either by  
12 taxpayers or by ratepayers. The General Assembly  
13 could not agree on that and so we are left with very  
14 little. And again, I want to courage you to use the  
15 full scope of your authority under 951 or any other  
16 bill that gives you authority to take care of our  
17 low-income customers.

18 And my final comment will be just to listen  
19 to Brad Rouse and do whatever he says because he's one  
20 of the smartest people I know and he's never wrong.  
21 Thank you.

22 COMMISSIONER KEMERAIT: Thank you,  
23 Ms. Mayfield. Any questions from Duke?

24 MR. JIRAK: (Shakes head no).

1 COMMISSIONER KEMERAIT: Any questions from  
2 the Public Staff?

3 MS. KEYWORTH: (Shakes head no).

4 COMMISSIONER KEMERAIT: Any questions from  
5 the Commission?

6 (No audible response)

7 COMMISSIONER KEMERAIT: Thank you for your  
8 testimony.

9 MS. KEYWORTH: Thank you. Pamela Brown.

10 COMMISSIONER KEMERAIT: Good evening,  
11 Ms. Brown. If you place your left hand on the Bible  
12 and raise your right hand.

13 PAMELA BROWN;  
14 having been duly sworn,  
15 testified as follows:

16 COMMISSIONER KEMERAIT: Thank you. Can you  
17 begin by stating your name and address, please?

18 THE WITNESS: Yes. My name is Pam Brown and  
19 I live at 29 Elkin Street in Asheville. I'm a Duke  
20 Progress customer and I'm representing myself as such.

21 MS. KEYWORTH: Thank you, Ms. Brown. You  
22 can provide your statement.

23 THE WITNESS: Thank you.

24 DIRECT STATEMENT BY THE WITNESS:

1           You guys on the Utilities Commission have a  
2 very difficult job regulating Duke, which is an  
3 investor-owned energy monopoly. A monopoly that  
4 annually gives large amounts of money to both the  
5 democrat and the republican sides of the legislature  
6 in North Carolina. A legislature which makes the laws  
7 governing Duke's monopoly.

8           As you know, your job is to regulate Duke  
9 according to the provisions of House Bill 951. These  
10 provisions are to ensure Duke provides the least cost  
11 pathway for electricity rates; to ensure Duke's  
12 infrastructure is reliable; and to ensure carbon  
13 emissions are reduced 70 percent by 2030.

14           As so many others have and will testify with  
15 plenty supporting data, burning fossil fuels is not  
16 the least cost pathway nor are Duke's speculative  
17 proposals for the future such as nuclear and hydrogen.

18           Duke's proposed customer rate increase of  
19 16.6 percent by September 1st of this year means that  
20 we, Duke's customers, will be paying the skyrocketing  
21 cost of fossil fuels. Duke sells its utility solar  
22 production to out-of-state bidders for a profit, while  
23 suppressing rooftop and community-owned solar. Its  
24 infrastructure and the grid is unreliable in the face

1 of increasing extreme weather. And Duke asked you to  
2 postpone the carbon reduction goals set by House Bill  
3 951.

4 It's obvious that a public utility that is a  
5 monopoly and owned by private investors cannot serve  
6 the best interest of its customers. It's loyalty is  
7 to profits for its shareholders, not to customers who  
8 actually pay the financial costs of Duke's pursuit of  
9 private profits. Not only are we, as customers,  
10 locked into Duke's monopoly interest, but competitive  
11 energy providers and sources are locked out. We need  
12 and want affordable rooftop solar and community-owned  
13 renewable energy. Competition brings down costs and  
14 increases accountability. This is the least costly  
15 and most reliable pathway.

16 Because you-all know this, I urge you to  
17 reject Duke's current request for the largest proposed  
18 natural gas buildout in the United States at this  
19 time. Reject Duke's rate increase. Reject Duke's  
20 request to postpone the carbon reduction goals set by  
21 House Bill 951. And I hope that all of us realize  
22 that we really do need to reject Duke's monopoly and  
23 its hold on our energy and our futures. Thank you.

24 COMMISSIONER KEMERAIT: Are there any



1 questions for the witness from Duke?

2 MR. JIRAK: (Shakes head no).

3 COMMISSIONER KEMERAIT: Any questions from  
4 the Public Staff?

5 MS. KEYWORTH: (Shakes head no).

6 COMMISSIONER KEMERAIT: Any questions from  
7 the Commission?

8 (No audible response)

9 COMMISSIONER KEMERAIT: Thank you for your  
10 testimony.

11 MS. KEYWORTH: Thank you.

12 Beth McKinsey.

13 MS. MCKINSEY: I just signed in.

14 MS. KEYWORTH: And the last witness is Max  
15 Lander.

16 COMMISSIONER KEMERAIT: Good evening,  
17 Mr. Lander. If you can, place your left hand on the  
18 Bible and raise your right hand.

19 MAX LANDER;

20 having been duly sworn,

21 testified as follows:

22 COMMISSIONER KEMERAIT: Thank you. And can  
23 you please begin by stating your name and address.

24 THE WITNESS: My name is Max Lander. My

1 address is 52 Hibriten Drive, Asheville.

2 MS. KEYWORTH: And Mr. Lander, if you can,  
3 provide your statement.

4 DIRECT STATEMENT BY THE WITNESS:

5 Esteemed members of the Public Utility  
6 Commission, good evening. My name is Max Lander.  
7 I've worked 12 years in clean energy development and  
8 deployed personally over a billion dollars of solar in  
9 numerous countries. I currently lead Rondo Energy's  
10 business development decarbonizing industrial heat. I  
11 have a Masters in Energy Economics.

12 Many other states and regulatory bodies  
13 offer a suite of examples in how to decarbonize the  
14 electric sector in ways that ensure both security and  
15 affordability of our system. After working with  
16 numerous PUCs across the country, I have a few  
17 recommendations of best practices for the  
18 implementation of a smart Integrated Resource Plan.

19 Carbon reduction targets for the electricity  
20 sector need to be set on a full life cycle emission  
21 for the generation fleet with gradual declining annual  
22 caps. Clear thresholds are necessary.

23 Integrated resource planning should organize  
24 requests for proposals for new, large-scale solar,

1 wind and other renewable energy generation projects on  
2 a rolling basis. Contracts for Differences contracts  
3 with utilities offer a balance model for sharing risks  
4 between utilities and power producers.

5 Clear data transparency and interconnection  
6 rules and procedures for new interconnection of solar  
7 and wind plants are needed.

8 Interconnection rules should be on a build  
9 and manage basis. ERCOT in Texas is the best model  
10 for interconnection rules. Interconnection should  
11 also be preemptively planned to zones of future high  
12 interval energy generation.

13 Integrated resource planning must outline  
14 clear plans for expanded energy -- renewable energy  
15 generation, interconnection, and storage. No new  
16 thermal generation capacity should be approved without  
17 a full avoided cost analysis comparing the costs and  
18 benefits to storage, load control programs, and  
19 dynamic rates.

20 Demand response programs should be  
21 implemented to the fullest.

22 And customers and large industrials need  
23 access to real-time pricing. Demand charges should be  
24 measured on a coincidental peak basis, not on a static

1 maximum load basis.

2 Large customers need the ability to self  
3 source long-term energy contracts from alternative  
4 providers other than the utility and have access to  
5 clear real-time price signals to respond to high  
6 systemic demand events.

7 North Carolina is home to many large  
8 industries and these large industries must reduce  
9 their emissions to stay competitive in the relevant  
10 industries. With the arrival of Europe's Carbon  
11 Border Adjustment Mechanism, these companies must  
12 reduce their emissions in order to stay competitive in  
13 the relevant industries. It's important for North  
14 Carolina's industrial sector to stay competitive and  
15 to also be able to source clean electrons.

16 COMMISSIONER KEMERAIT: Mr. Lander, the  
17 three minutes is up so, if you can, wrap up your  
18 testimony, please.

19 THE WITNESS: I thank you-all for the  
20 opportunity to speak to you again here and I have the  
21 utmost respect for what you're trying to accomplish  
22 here, and I thank you for your time.

23 COMMISSIONER KEMERAIT: Thank you.  
24 are there any questions from Duke?

1 MR. JIRAK: (Shakes head no).

2 COMMISSIONER KEMERAIT: Any questions from  
3 the Public Staff?

4 MS. KEYWORTH: No, thank you.

5 COMMISSIONER KEMERAIT: Commissioner  
6 Brawley, did you have a question?

7 COMMISSIONER BRAWLEY: Did you complete your  
8 statement? And if not, are you going to put it into  
9 the record?

10 THE WITNESS: I will put it in the record  
11 right here.

12 COMMISSIONER KEMERAIT: Mr. Lander, thank  
13 you for your testimony.

14 THE WITNESS: Thank you.

15 COMMISSIONER KEMERAIT: Ms. Keyworth, I  
16 believe you said you have called all of the witnesses.

17 MS. KEYWORTH: That's correct.

18 COMMISSIONER KEMERAIT: Since we've heard  
19 from all of the witnesses who have signed up, I want  
20 to thank everyone for coming tonight and also thank  
21 the witnesses who spoke. With that, we will conclude  
22 the public witness hearing.

23 (The proceedings were adjourned)  
24

## C E R T I F I C A T E

I, KIM T. MITCHELL, do hereby certify that the Proceedings in the above-captioned matter were taken before me, that I did report in stenographic shorthand the Proceedings set forth herein, and the foregoing pages are a true and correct transcription to the best of my ability.

Kim T. Mitchell

Kim T. Mitchell