

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1283
DOCKET NO. E-7, SUB 1259

In the Matter of
Joint Petition of Duke Energy Carolinas,)
LLC and Duke Energy Progress, LLC to)
Request the Commission to Hold a Joint) CUCA’S REPLY COMMENTS
Hearing with the Public Service)
Commission of South Carolina to)
Develop Carbon Plan)

Carolina Utility Customers Association, Inc. (“CUCA”), by and through counsel, respectfully submits these short reply comments pursuant to the November 23, 2021 Order Requesting Comments on Petition for Joint Proceeding issued by the North Carolina Utilities Commission (“Commission”) in response to the joint petition filed by Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP”) (collectively, “Duke”).

CUCA supports cross-jurisdictional cost allocation. Its members also support joint planning efforts for multi-jurisdictional matters, such as the regional market reform that is currently being studied in South Carolina¹—reform that is not being studied in North Carolina due to Duke’s opposition in this state. CUCA agrees with NCSEA’s observation that competitive market solutions regularly reduce costs for ratepayers,² and they should

¹ See Act No. 187 of 2020 Session of South Carolina Legislature (H.B. 4940).

² See NCSEA Initial Cmts., at 9–11.

be deployed whenever possible to achieve “the least cost planning” mandate of the forthcoming Carbon Plan.³

CUCA reiterates its concerns—which were shared by other commenters⁴—that Duke’s proposed joint proceeding risks being an administratively challenging and potentially fruitless endeavor given the jurisdictional-specific issues that Duke asks the Commission and the Public Service Commission of South Carolina to resolve collectively. Duke’s comments in support of its petition did not alleviate these concerns. Furthermore, Governor Cooper’s issuance of Executive Order No. 246 on January 7, 2022, has the potential to further complicate a joint proceeding, as the Executive Order articulates additional state-specific policy goals concerning greenhouse gas emissions, environmental justice, and social-cost considerations that could impact the Commission’s review of the Carbon Plan under state law.⁵ CUCA respectfully asks the Commission to consider the valid concerns presented by such a novel joint proceeding.

³ S.L. 2021-165, § 1(2).

⁴ *See, e.g.*, SACE, Sierra Club & NRDC Initial Cmts., at 2–4; Attorney General Initial Cmts., at 1–3; CIGFUR Initial Cmts., at 2–3; NCSEA Initial Cmts., at 3–16; Tech Customers Initial Cmts. at 3–9.

⁵ Gov. Cooper Executive Order No. 246 (Jan. 7, 2022), *available at* <https://governor.nc.gov/media/2907/open>.

Respectfully submitted, this 10th day of January, 2022.

/s/ Craig D. Schauer

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Certificate of Service

I hereby certify that a copy of the foregoing *Reply Comments of CUCA* has been served this day upon all parties of record in this proceeding, or their legal counsel, by electronic mail or by delivery to the United States Post Office, first-class postage pre-paid.

This the 10th day of January, 2022.

BROOKS, PIERCE, MCLENDON,
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/s/ Craig D. Schauer