

Jan 21, 2022

Chair Charlotte Mitchell  
Commissioner ToNola D. Brown-Bland  
Commissioner Lyons Gray  
Commissioner Daniel G. Clodfelter  
Commissioner Kimberly W. Duffley  
Commissioner Jeffrey A. Hughes  
Commissioner Floyd B. McKissick Jr.  
C/o: Brandi McMillian, Assistant to Chair Mitchell  
North Carolina Utilities Commission  
430 North Salisbury Street  
Dobbs Building, 5th Floor  
Raleigh, NC 27603-5918

Via Email: [bmcmillen@ncuc.net](mailto:bmcmillen@ncuc.net)

Re: North Carolina Carbon Plan, Docket E-100, Sub 179

Dear Chair Mitchell and NCUC Commissioners:

As you know, Governor Cooper recently signed the Executive Order on Climate Change and Equity (EO 246). Included in that order is a provision (Section 8) on increased outreach and public participation in agency decision making processes. This is a long overdue first step at addressing the concerns and needs of communities that have been living with severe environmental impacts and racially unjust policies for far too long.

It is unclear to us why the Commission has delegated the planning and stakeholder processes for the state's Carbon Plan, established by HB 951, to Duke Energy. HB 951 clearly states that it is the Commission's responsibility to develop the Carbon Plan and to facilitate stakeholder sessions. The first of only four stakeholder meetings is scheduled to be January 25th from 9am to 4pm. Duke's facilitator sent the notice for the first stakeholder session out on January 14th, seven business days (11 calendar days) prior to the event. This notice was sent via email to a limited universe of recipients and in English only.

By delegating the stakeholder process and the plan's development to Duke Energy, the Commission is trusting that a for-profit corporation (with a fiduciary responsibility to a Board and investors) will have the best intentions for all North Carolinians. With a six-business-day notice before a seven-hour meeting during business hours on a

Tuesday, the outcome of this stakeholder process will most likely result in the neglect of historically underrepresented and underserved communities in this important process. We find this to be unacceptable, especially during a pandemic. Moreover, this is exactly the *opposite* of the intent prescribed in EO 246, which would see increased public participation and community involvement.

As you may know, a vast majority of the environmental community was displeased with the outcome of HB 951, specifically with its lack of protections and assistance for low- and moderate-income ratepayers. It is imperative that individual voices from these communities are heard, especially when the topic is one that will impact not just their natural environment, but their wallets and wellbeing as well. Climate change will affect communities that have been environmentally impacted by the cumulative impacts of industrial pollution harder than most. It is imperative that these communities are held harmless from rate increases and from climate related impacts as we transition to cleaner and more resilient forms of infrastructure.

We urge the Commission to develop an improved stakeholder and carbon plan development process that prioritizes environmental justice and includes the same communities that Governor Cooper is striving to reach in EO 246. On this issue, our organizations stand ready to help you and the Commission in any way we can.

We appreciate your attention to these important issues and thank you for your prompt response.

Sincerely,

June Blotnick  
Executive Director  
CleanAIRE NC

Carrie Clark  
Executive Director  
NC League of Conservation Voters

Lindsey Hallock  
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CC:  
Jeremy Tarr, Senior Advisor for Climate Change Policy, Office of Governor Roy Cooper  
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