

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

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

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Joint Petition of Duke Energy Carolinas, LLC, )	
and Duke Energy Progress, LLC, to Request )	ORDER ACCEPTING
the Commission to Hold a Joint Hearing with )	WITHDRAWAL OF PETITION
the Public Service Commission of South )	FOR JOINT PROCEEDING
Carolina to Develop Carbon Plan )	

BY THE CHAIR: On October 13, 2021, Governor Cooper signed into law House Bill 951 (S.L. 2021-165), directing the Commission to take all reasonable steps to achieve reductions in the emissions of carbon dioxide in this State from electric generating facilities owned or operated by certain electric public utilities. The Commission is directed to achieve a reduction of 70% from 2005 levels by the year 2030 and carbon neutrality by the year 2050. Session Law 2021-165 limits the applicability of this requirement to Duke Energy Progress, LLC (DEP), and Duke Energy Carolinas, LLC (DEC, together with DEP, Duke). The Commission is directed to develop by December 31, 2022, a plan (the Carbon Plan) to achieve these emission reductions and to review the plan every two years thereafter.

On November 9, 2021, DEC and DEP filed a Joint Petition to Request the Commission to Hold a Joint Hearing with the Public Service Commission of South Carolina to Develop Carbon Plan (Petition for Joint Proceeding). In the Petition for Joint Proceeding, Duke requested that the Commission and the Public Service Commission of South Carolina (PSCSC) conduct a joint proceeding to consider the impact on generation planning and related issues resulting from the requirement of S.L. 2021-165 for the Commission to develop a Carbon Plan by December 31, 2022. Duke filed a similar petition with the PSCSC.

Following additional commentary by Duke and substantive commentary by intervenors, including the Attorney General's Office, the Southern Alliance for Clean Energy, the Natural Resources Defense Council, the Sierra Club, the North Carolina Sustainable Energy Association, the Carolina Industrial Group for Fair Utility Rates II & III, the Carolinas Clean Energy Business Association, the Carolina Utility Customers Association, Inc., and Walmart Inc., on January 24, 2022, DEP and DEC filed a motion to withdraw the Petition for Joint Proceeding (Motion). Duke filed a similar motion to withdraw with the PSCSC.

In support of the Motion, Duke states:

After reflecting on certain stakeholders' objections to the requested joint proceeding between the Commission and the PSCSC, the Companies have determined that it is appropriate at this time to withdraw the Petition, so that the uncertainties and challenges regarding the procedural aspects of the joint proceeding do not distract from the more critical goal of encouraging coordination between South Carolina and North Carolina on planning the energy transition to meet the needs of its customers in both states.

Given the foregoing, the Chair will allow Duke's Motion and will close these dockets. The DEP and DEC systems, each of which operates as a single integrated system across both North Carolina and South Carolina, for many generations have provided reliable, efficient, and affordable electricity to the residents of both states. As the electric industry continues its transition, if the benefits of the dual-state systems are to be maintained, then coordination in planning would seem to be an important step. For these reasons, engagement with the PSCSC to consider and examine the benefits of continued system-wide planning and operation for Duke's customers in both States, in a manner that is consistent with applicable South Carolina law and North Carolina law and respectful of the jurisdiction and sovereignty of each State could be worth exploring.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 1st day of February, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Joann R. Snyder", is written over a light gray circular stamp.

Joann R. Snyder, Deputy Clerk