

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-7, SUB 1289
DOCKET NO. E-2, SUB 1314

In the Matter of
Petition of Duke Energy Progress, LLC,)
and Duke Energy Carolinas, LLC,) COMMENTS OF CUCA
Requesting Approval of Green Source)
Advantage Choice Program and Rider)
GSAC

The Carolina Utility Customers Association, Inc. (“CUCA”), through counsel, respectfully submits these Comments pursuant to the Commission’s *Order Requesting Comments on Agreement and Stipulation of Settlement Resolving Contested Issues and Recommending Approval of Modified Programs* issued on April 17, 2024, in connection with the *Agreement and Stipulation of Settlement Resolving Contested Issues and Recommending Approval of Modified Programs* (the “Stipulation”) filed by Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP,” and together with DEC, “Duke” or “Duke Energy”) on April 12, 2024.

CUCA has participated in multiple discussions among the parties to this docket, including stakeholder meetings with Duke and with other intervenors relating to Duke’s proposed RAO program and an alternative proposal from the Carolinas Clean Energy Business Association (“CCEBA”). CUCA appreciates the time and effort put into these discussions by all of the participants, including Duke’s willingness to consider alternative proposals and the work of CCEBA in developing its alternative program.

CUCA is not opposed to Duke’s RAO proposal as described in the Stipulation, in light of CUCA’s understanding that there are CIGFUR members who would like to

participate in the program. However, no member of CUCA has expressed interest in the proposed RAO program. CUCA's members are currently dealing with the fallout of the large rate increases approved for DEC and DEP in the 2023 rate case orders from the Commission. As a result, CUCA's members have little interest in the RAO, which would deliver electricity at a premium cost without providing the benefit of regulatory surplus-based environmental attributes that would be useful in meeting corporate environmental, social, and governance goals.

CUCA members who are interested purchasing renewable energy in the current environment have indicated that they might participate in a program like the alternative proposed by CCEBA, primarily because it offers the opportunity (though no guarantee) of qualifying for certifiable regulatory surplus environmental attributes. Therefore, CUCA would support continued stakeholder discussions and consideration by the Commission regarding customer programs designed to achieve surplus carbon emissions savings compared to what Duke would otherwise accomplish and that would be more attractive to customers.

In the meantime, as stated, CUCA does not oppose implementation of the programs proposed in the Stipulation.

Respectfully submitted, this 26th day of April, 2024.

/s/ Matthew B. Tynan

Marcus W. Trathen

Matthew B. Tynan

Christopher B. Dodd

BROOKS, PIERCE, McLENDON,

HUMPHREY & LEONARD, LLP

Suite 1700, Wells Fargo Capitol Center

150 Fayetteville Street

P.O. Box 1800 (zip 27602)

Raleigh, NC 27601

(919) 839-0300, ext. 207 (phone)

(919) 839-0304 (fax)

mtrathen@brookspierce.com

mtynan@brookspierce.com

cdodd@brookspierce.com

*Attorneys for Carolina Utility Customers
Association, Inc.*

OFFICIAL COPY

Apr 26 2024

Certificate of Service

I hereby certify that a copy of the foregoing *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 26th day of April, 2024.

BROOKS, PIERCE, MCLENDON,
HUMPHREY & LEONARD, LLP

By: /s/ Matthew B. Tynan