

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-100, SUB 179

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Duke Energy Progress, LLC, and Duke)
Energy Carolinas, LLC, 2022 Biennial) PETITION TO INTERVENE
Integrated Resource Plans and Carbon Plan)

NOW COMES Person County, North Carolina (“Person County” or “Petitioner”), by and through the undersigned counsel, and pursuant to Commission Rules R1-5, R1-7, and R1-19, and petitions the Commission for leave to intervene in above-captioned proceeding. In support of this petition, Person County states the following:

1. Petitioner’s name, mailing address, and email address are as follows:

Person County
c/o Ellis Hankins, County Attorney
304 S. Morgan St.
Roxboro, NC 27573
hankins@broughlawfirm.com

2. The name, address, and email of Petitioner’s attorney are as follows:

Patrick Buffkin
Buffkin Law Office
3520 Apache Dr.
Raleigh, NC 27609
pbuffkin@gmail.com

3. Person County is a body politic and corporate and is one of North Carolina’s 100 counties vested with the authorities and powers as set out in Chapter 153A of the North Carolina General Statutes.

4. Person County has a population of approximately 39,259 and a median household income of approximately \$43,381. The North Carolina Department of Commerce designates Person County as a Tier 2, or moderately distressed county, based upon the average unemployment rate, median household income, percentage growth in population, and adjusted property tax base.¹

5. Duke Energy Progress, LLC (“DEP” or together with Duke Energy Carolinas, LLC, “Duke”), operates two significant generation resources within the boundaries of Person County: the Mayo Plant (a single-unit 727-MW coal-fired electric generating facility) and the Roxboro Plant (a four-unit 2,422-MW coal-fired electric generating facility, which is one of the largest power plants in the United States).

6. On May 16, 2022, Duke filed with the Commission a Verified Petition for Approval of Carbon Plan, along with a voluminous set of documents that make up Duke’s Carbon Plan, as required by Section 1 of S.L. 2021-165 and the Commission’s *Order Requiring Filing of Carbon Plan and Establishing Procedural Deadlines*, which was issued in this proceeding on November 19, 2021.²

7. Duke’s Carbon Plan includes two “pathways” consisting of four “discrete portfolios” intended to “further the transition of the Companies’ energy systems, achieve the CO2 emissions reductions targets established under HB 951, and inform the Commission’s assessment of optimal timing and resources mix.”³

¹ 2022 North Carolina Development Tier Designations, Nov. 30, 2021. Available online at https://files.nc.gov/nccommerce/documents/Research-Publications/2022-Tiers-memo_asPublished_113021.pdf (last visited May 20, 2022).

² Pursuant to the Commission’s *Order Granting Extension of Time*, which was issued in this docket on November 29, 2021, Duke’s Carbon Plan was timely filed with the Commission.

³ Verified Petition for Approval of Carbon Plan, p. 7, Docket No. E-100, Sub 179 (filed May 16, 2022).

8. Each of Duke's Carbon Plan "portfolios" call for the early retirement of the Mayo and Roxboro Plants. Under all four portfolios, Mayo Unit 1 (727 MW) would be retired in 2029. Duke's Portfolio 1 plans for an accelerated retirement of Roxboro Units 3-4 (1,409 MW) in 2029, Portfolio 2 plans for retirement of Roxboro Units 3-4 in 2032, and Portfolios 3 and 4 plans for the retirement of Roxboro Units 3-4 by 2034.

9. The location and operation of the Mayo and Roxboro plants have been and continue to be significant divers of economic prosperity in Person County, representing a fiscal year 2021-2022 combined annual property tax value of \$869,175,056, equating to \$6,258,060 in combined property tax revenue to Person County. This annual revenue represents 18.5% of Person County's \$34.65 million in estimated annual property tax revenue for the fiscal year 2021-2022 that is needed to fund Person County's operations, including public schools, public safety, human services, and general government functions.⁴

10. In addition, DEP employs approximately 240 individuals at the Roxboro and Mayo Plants, making DEP a significant employer within Person County, and the presence of the Roxboro and Mayo Plants support numerous small businesses, contract service providers, and other ancillary supportive enterprises within Person County.

11. The presence of Duke's Roxboro and Mayo Plants also supports significant employment and business operations; for example, Person County's 3rd largest taxpayer makes beneficial reuse of by-products of Duke's generation operations and represents approximately \$27,956,998 in annual property tax value, equating to approximately \$412,499.91 in annual property tax revenue to Person County.

⁴ While the exact percentage of total revenue for Person County from Duke Energy's Mayo and Roxboro plants' property tax payments varies each year, the plants have consistently represented approximately 20% of Person County's total revenue.

12. Person County has a direct and substantial interest in this proceeding because the issues under consideration in this proceeding will determine or affect how long the Roxboro and Mayo Plants will continue in operation and whether the Roxboro and Mayo Plants will be replaced with generation resources located within Person County, and may include consideration of measures that can be designed to mitigate the impact of the harm that would result to Person County by the retirement of these plants.

13. In addition, the timing of the retirement of the Roxboro and Mayo Plants has significant implications for the reliability of Duke's electric systems and for the affordability of Duke's electric service for customers in Person County and across Duke's entire service territory, two considerations that the Commission must weigh in implementing the requirements of S.L. 2021-165.

14. Person County's participation in this docket may bring critical insight, knowledge, and understanding to this proceeding, and no other party can adequately represent Person County's interests in this proceeding.

15. Pursuant to Commission Rule R1-39, Person County consents to and requests that service of all notices, filings, communications, and other documents be made by electronic mail upon the undersigned counsel.

WHEREFORE, for the foregoing reasons, Person County respectfully requests that the Commission grant Petitioner's request that it be permitted to intervene and participate fully as a party to this proceeding.

Respectfully submitted this 24th day of May, 2022.

/s/ Patrick Buffkin

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3520 Apache Dr.
Raleigh, NC 27609
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VERIFICATION

STATE OF NORTH CAROLINA

COUNTY OF PERSON

VERIFICATION

I, Heidi York, being first duly sworn, depose and say that I am the County Manager of Person County, the Petitioner herein, and do hereby declare that I am duly authorized to act on behalf of the Petitioner, that I have read the foregoing Petition to Intervene and that the contents of this Petition to Intervene is true and accurate to my personal knowledge and belief.

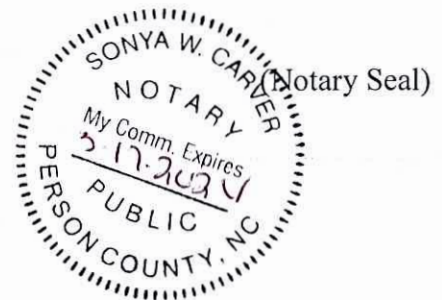
This 23rd day of May 2022.

Heidi York

Sworn to and subscribed before me this 23rd day of May 2022.

Sonya W Carver
Notary Public (signature)

Sonya W Carver
Notary Public (printed)



My commission expires 3-17-2024.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Petition to Intervene has been duly served upon all persons on the docket service list by United States Postal Service or by electronic mail with the party's consent.

This the 24th day of May, 2022.

BUFFKIN LAW OFFICE

BY: /s/ Patrick Buffkin

Counsel for Person County, North Carolina