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To: Statements
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The Public Staff is supposed to be independent of the commission and its legal staff. Instead, they play virtually the same game each time Duke wants to raise rates, build a power plant or acquire a smaller corporation. The commission leadership relies on Public Staff leaders to work secretly with Duke to reach settlements, then the Staff formally endorses the project with modest changes.

The early deal-making heavily predetermines the case so that its outcome will align closely with the backroom deal. Meanwhile, other parties that have worked with expert witnesses to prepare cases learn their concerns will be ignored, while they are left with insufficient time to redirect efforts toward examining the backroom deal.

Now, we are proposing that the commission adopt rules that require that any negotiations toward settling cases must be open to all qualified parties, with sufficient time for open communication and examination of proposals. If a party to the case doesn't agree to a pre-hearing settlement, then at least the hearing before the commission would include well informed parties that can fairly debate the merits of the proposed settlement and the overall case for a power plant or rate increase. We also propose that the rules would prevent settlements from being made until after all parties have submitted testimony and a public hearing has been conducted.

This would be a giant step forward for North Carolina's electricity customers, for those concerned about the path of our energy future, and for those seeking a state less dominated by corporate money and power.

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Clerk's Office
N.C. Utilities Commission