



January 3, 2024

Ms. A. Shonta Dunston, Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4300  
*Via Electronic Filing*

Re: Letter in Lieu of Comments Responding to Duke Energy Progress, LLC, and Duke Energy Carolinas, LLC's Request for Development of Supplemental Portfolios and Adjustment to Procedural Schedule

**In re: Biennial Consolidated Carbon Plan and Integrated Resource Plans of Duke Energy Carolinas, LLC, and Duke Energy Progress, LLC, Pursuant to N.C.G.S. § 62-110.9 and § 62-110.1(c)**

**Docket No. E-100, Sub 190**

Dear Ms. Dunston:

As requested by the Commission's December 20, 2023 Order Requesting Comments, the Carolinas Clean Energy Business Association ("CCEBA") provides this letter in lieu of comments responding to the Duke Energy Progress, LLC and Duke Energy Carolinas, LLC's (collectively "Duke Energy") Request for Development of Supplemental Portfolios and Adjustment to Procedural Schedule filed on December 18, 2023.

In preparation of this letter, CCEBA has reviewed the Comments filed by the Southern Alliance for Clean Energy ("SACE"), the Sierra Club, the Natural Resources Defense Council ("NRDC"), and the North Carolina Sustainable Energy Association ("NCSEA") as well as those filed by the Clean Energy Buyers Association ("CEBA") and the North Carolina Office of the Attorney General. CCEBA agrees with those comments, which point out that Duke Energy's late-filed changes to its load forecast and other unspecified modeling parameters and its planned – but unclear – updates to its portfolios fundamentally disadvantage Intervenor by depriving them of time to analyze Duke's filings and to prepare their own data analysis, testimony, and modeling. CCEBA agrees with the Attorney General's summation of the situation:

Carolinas Clean Energy Business Association  
811 Ninth Street, Suite 120-158 // Durham, NC // 27705  
(919) 306-6906 – [counsel@Carolinasceba.com](mailto:counsel@Carolinasceba.com)

Duke now comes to the Commission several months after its original filing was due, asking to effectively redo that filing and to dramatically compress the amount of time others have to investigate and respond.

AGO's Letter in Lieu of Comments at 1-2.

CCEBA agrees that the proposed schedule laid out by Duke Energy is unfair to Intervenor because it effectively nullifies the work already done in evaluating Duke Energy's original filing, and leaves them with only 77 days to review and evaluate Duke Energy's final IRP, rather than the 180 days required by Commission Rules. Because CCEBA does not intend to prepare its own modeling, we defer to those parties that do intend to do their own modeling as to what amount of time is needed to accomplish it. In any case, Duke Energy's proposal is not compliant with Commission rules, and benefits Duke Energy while harming other parties.

Despite its agreement with the critiques and responses of other Intervenor and the Attorney General, CCEBA writes separately to emphasize that any revised schedule must result in a determination before the end of 2024 of the amount of solar and solar plus storage Megawatts to be procured in the 2025 procurement. The Commission's December 30, 2022 Order in Docket No. E-100, Sub 170 established solar and solar plus storage procurement targets in 2023 and 2024 but did not authorize any procurement in later years. It is crucial to compliance with the mandates of House Bill 951 that procurement of clean energy resources continue on schedule.

CCEBA looks forward to working with all parties to arrive at a creative and just resolution to this scheduling issue.

Respectfully submitted,

\_\_\_\_/s/ John D. Burns

John D. Burns  
General Counsel  
Carolinas Clean Energy Business Association  
811 Ninth Street  
Suite 120-158  
Durham, NC 27705  
NC Bar No. 24152  
(919) 306-6906  
[counsel@carolinasceba.com](mailto:counsel@carolinasceba.com)

Carolinas Clean Energy Business Association  
811 Ninth Street, Suite 120-158 // Durham, NC // 27705  
(919) 306-6906 – [counsel@Carolinasceba.com](mailto:counsel@Carolinasceba.com)

**CERTIFICATE OF SERVICE**

I hereby certify that all persons on the docket service list have been served true and accurate copies of the foregoing document by hand delivery, first class mail, deposited in the U.S. Mail, postage pre-paid, or by email transmission with the party's consent.

This, the 3rd day of January 2024.

\_\_\_\_/s/ John D. Burns\_\_\_\_  
John D. Burns  
General Counsel, CCEBA  
811 Ninth Street  
Suite 120-158  
Durham, NC 27705  
NC Bar No. 24152  
(919) 306-6906  
[counsel@carolinasceba.com](mailto:counsel@carolinasceba.com)