



Recently the Commission has received several statements from groups and individuals concerning the implementation of the stakeholder process and overall accessibility of the Carbon Plan development process to the general public. Accordingly, the Commission finds good cause to clarify the Commission's intent to engage the general public in the development of the Carbon Plan.

As an initial matter, the Commission notes that its role in developing the Carbon Plan must be consistent with its statutory function as prescribed by Chapter 62 of the North Carolina General Statutes. In developing the Carbon Plan, the Commission intends to act in a judicial capacity by conducting hearings to receive evidence, including testimony under oath, pursuant to its authority pursuant to N.C. Gen. Stat. § 62-60. For this reason, it would be inappropriate for the Commission to engage with members of the public through an informal, off-the-record stakeholder process. Therefore, the Commission deemed it reasonable to direct Duke to conduct at least three stakeholder sessions before May 13, 2022.

The Commission intends to closely monitor this stakeholder process to ensure to the best of its ability that it is inclusive and productive. Toward this end, the Commission ordered that

On or before five business days after each stakeholder meeting, Duke shall file a summary report identifying the participating stakeholders, outlining the process employed, and identifying points of consensus. The Public Staff shall participate in the stakeholder process and shall separately file a report on or before five days after each stakeholder meeting generally providing an overview of the stakeholder meeting, issues on which there is consensus, and issues in dispute[.]

To provide additional oversight in an effort to ensure an adequate stakeholder process, on January 21, 2022, the Commission issued an Order Requiring Updates on Stakeholder Meetings (January 21, 2022 Order), which requires Duke and the Public Staff to appear before the Commission following each stakeholder meeting to report on the process. Pursuant to the January 21, 2022 Order, other parties to this docket will also be afforded an opportunity to provide the Commission with an update on the sufficiency of the process.

The first of these update sessions is scheduled to take place on Monday, February 7, 2022, directly following the Commission's regularly scheduled Staff Conference, which begins at 10 a.m. If no Staff Conference is held that day, the update will begin at 10 a.m. Parties to this proceeding wishing to comment on the sufficiency of the stakeholder process during an update session may file a request with the Commission to present an overview of the stakeholder process on or before Tuesday, February 1, 2022. Updates on the stakeholder meetings to be held in February and March will be scheduled by subsequent order of the Commission.

Beyond the Duke-organized stakeholder process, the Commission notes that persons who desire to send written statements to inform the Commission of their positions on this matter may do so. These persons should address their statements to the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300, and reference Docket No. E-100, Sub 179. Persons may also electronically submit a position statement to the Commission about the Carbon Plan via the Commission's website at [www.ncuc.net/contactus.html](http://www.ncuc.net/contactus.html). In either case, consumer statements will be placed in Docket No. E-100, Sub 179CS and may be accessed by searching that docket number via the Commission's website. Written consumer statements cannot be considered competent evidence unless the author appears at a public hearing and testifies concerning the information contained in their written statement. The Commission intends to schedule at least three public witness hearings, which will be publicly noticed, by subsequent order following the filing of Duke's proposed Carbon Plan by May 16, 2022.

Further, the Commission has ordered that

In the interest of making efficient use of time and resources, particularly given the December 31, 2022 deadline established by the legislation, the stakeholder process undertaken by Duke shall take into account and shall reflect the collaborative work and the outputs of the stakeholder efforts associated with the 2019 North Carolina Clean Energy Plan and the 2020 IRPs and shall build off of the consensus achieved and resources expended during those stakeholder efforts.

Particularly, the development of the 2019 North Carolina Clean Energy Plan incorporated a robust and diverse stakeholder process that explored issues consistent with those that will be considered during the immediate proceeding. The Commission continues to stress that the Carbon Plan process should be informed by the acumen achieved as a result of the 2019 North Carolina Clean Energy Plan stakeholder process.

In summary, the Commission concludes that the following avenues are available to any person or entity desiring to participate in the development of the Carbon Plan pursuant to H951:

1. Formal intervention in this proceeding, which affords parties the opportunity to (1) comment on the sufficiency of the stakeholder process during the update sessions discussed herein and (2) file a plan, report, or evaluation of or comments on Duke's proposed Carbon Plan within 60 days from the filing of Duke's proposed Carbon Plan, as well as participation in any formal, evidentiary hearing to be determined by subsequent order of the Commission;

2. Participation in the Duke-organized stakeholder process: Interested stakeholders may contact the third-party facilitator, Great Plains Institute, at

DukeCarbonPlan@gpisd.net to receive future communications about the stakeholder process;

3. Submission of written position statements to the Commission via mail — North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300 (reference Docket No. E-100, Sub 179) — or web form — [www.ncuc.net/contactus.html](http://www.ncuc.net/contactus.html); and

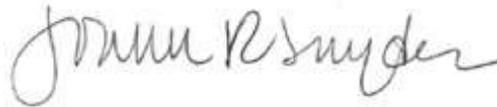
4. Providing formal testimony under oath at one of at least three publicly-noticed public witness hearing to be scheduled by subsequent order following the filing of Duke's proposed Carbon Plan on or before April 1, 2022.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 28th day of January, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Joann R. Snyder". The signature is written in a cursive, flowing style.

Joann R. Snyder, Deputy Clerk