



June 5, 2024

Via Electronic Filing

Ms. Shonta Dunston, Chief Clerk

North Carolina Utilities Commission

430 North Salisbury Street, Dobbs Building

Raleigh, NC 27603-5918

**RE: DUKE ENERGY PROGRESS, LLC, AND DUKE ENERGY CAROLINAS, LLC, REQUESTING APPROVAL OF CLEAN ENERGY IMPACT PROGRAM (DOCKETS NO. E-7, SUB 1288CS & NO. E-2, SUB 1315CS) AND GREEN SOURCE ADVANTAGE CHOICE PROGRAM AND RIDER GSAC (NO. E-7, SUB 1289CS & NO. E-2, SUB 1314CS)**

CRS appreciates this opportunity to submit comments on the clean energy impact program, green source advantage choice program, resource acceleration option, and rider GSAC (Collectively referred to “Duke’s Customer Programs”) submitted by Duke Energy. Our comments pertain to the effects of the implementation of HB 951 on voluntary renewable energy (VRE) generation in North Carolina and Duke’s Customer Programs.

**Background on CRS and Green-e®**

CRS is a 501(c)(3) nonprofit organization that creates policy and market solutions to advance sustainable energy and has been providing renewable energy and carbon policy analysis and technical assistance to policymakers and other stakeholders in California for over 20 years. CRS also administers the Green-e® programs. For over 20 years, the Green-e® program has been the leading independent certification for voluntary renewable electricity products in North America. In 2022, the Green-e® Energy program certified retail sales of over 114 million megawatt-hours (MWh), serving over 1.3 million retail purchasers of Green-e® certified renewable energy, including over 314,000 businesses.<sup>1</sup>

**Restoring Regulatory Surplus**

CRS restates the importance of “Regulatory surplus” in fostering a robust voluntary market for renewable energy. As highlighted in our [November 14th, 2022 Consumer Statement](#), regulatory surplus ensures that voluntary actions to reduce emissions go beyond regulatory requirements, driving additional emissions reductions through private sector investment. It also encourages economic growth and supports clean energy investments, ultimately benefiting both the environment and

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<sup>1</sup> See the 2023 (2022 Data) Green-e® Verification Report here for more information: <https://www.green-e.org/verification-reports>

stakeholders. Regulatory surplus can be restored to voluntary generation in North Carolina by backing out the emissions avoided by VRE generation from Duke's emissions calculations. To maintain the impact of voluntary purchasing of RE in North Carolina, Duke should estimate and effectively "back out" emissions avoided by VRE generation from its emissions calculations and reduce that quantity of additional emissions reductions. For example, if the total reductions to achieve the 70% reduction target in 2030 were 100 tons and 10 tons of those were avoided by VRE generation, Duke should reduce an additional 10 tons, i.e. reduce 110 tons.

### **Resource Acceleration Option (RAO)**

CRS acknowledges the efforts made by Duke Energy and stakeholders in developing the RAO as part of the voluntary customer programs. While recognizing the progress made with the RAO, CRS shares the concerns raised by SELC regarding the limited form of regulatory surplus *potentially* offered by the current RAO proposal. CRS is committed to working collaboratively with the Commission, Duke, and other stakeholders to evaluate the certifiability of the RAO program and explore potential enhancements to ensure that it and other voluntary programs achieve meaningful regulatory surplus.

### **Technical Conference**

CRS support the call for a technical conference and would be happy to discuss best practices and the appropriate verification measures for maintaining regulatory surplus and achieving the state's GHG emissions reductions goals. CRS has extensive experience developing reporting and verification processes, and has advised state, national, and international agencies on verification approaches and procedures.

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We thank you for this opportunity to provide comments on Duke's Customer Programs. Please feel free to reach out with any questions or comments.

Sincerely,  
Lucas Grimes  
Manager, Policy