



November 22, 2021

Ms. Antonia Dunston, Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27603

Re: NCSEA's Letter in lieu of Initial Comments
NCUC Docket No. E-100, Sub 177

Dear Ms. Dunston:

On October 14, 2021, the North Carolina Utilities Commission (the "Commission") issued the *Order Requesting Comments and Proposed Rules* ("Order") wherein the Commission requested comments and proposed rules in response to the Governor signing into law House Bill 951 also known as Session Law 2021-165 ("HB 951"). In the Order, the Commission specifically requested "comments and proposed rules on the securitization of costs associated with the early retirement of subcritical coal-fired generating facilities."

North Carolina Sustainable Energy Association ("NCSEA"), upon issuance of the Order, engaged with the Southern Environmental Law Center ("SELC") about the drafting of a proposed rule. SELC represents the Natural Resources Defense Council ("NRDC") and Sierra Club in this docket. NCSEA engaged with SELC to streamline and make more efficient the comment process in this proceeding.

NCSEA has reviewed a near final draft of the filing including a proposed rule that SELC has prepared with the assistance of and on behalf of its clients, NRDC and Sierra Club. Upon review, NCSEA supports the filing and proposed rule that SELC will be filing



on behalf of its clients in this docket. Therefore, NCSEA has declined to file its own initial comments and/or proposed rule, and instead offers this letter in support of the NRDC/Sierra Club filing.

NCSEA looks forward to reviewing the initial comments and proposed rules from the other participants in this docket and may elect to file more robust reply comments responsive to other parties' initial comments if necessary. In the meantime, however, NCSEA wishes express to the Commission its support of the filing made on behalf of NRDC and Sierra Club and support the relief requested therein.

Sincerely,

/s/ Benjamin W. Smith
Benjamin W. Smith
Regulatory Counsel for NCSEA
N.C. State Bar No. 48344
4800 Six Forks Road, Suite 300
Raleigh, NC 27609
919-832-7601 Ext. 111
ben@energync.org

cc: Parties of Record