PLACE: Macon County Courthouse
Franklin, North Carolina

DATE: January 15, 2020

DOCKET NO.: E-7, Sub 1214

TIME IN SESSION: 7:00 p.m. to 7:48 p.m.

BEFORE: Chair Charlotte A. Mitchell, Presiding
Commissioner ToNola T. Brown-Bland
Commissioner Lyons Gray
Commissioner Daniel G. Clodfelter
Commissioner Kimberly W. Duffley
Commissioner Jeffrey A. Hughes

IN THE MATTER OF:
Docket No. E-7, Sub 1214

Application by Duke Energy Carolinas, LLC, for
Adjustment of Rates and Charges Applicable to
Electric Utility Service in North Carolina

VOLUME 1
APPEARANCES:

FOR DUKE ENERGY CAROLINAS:
Camal Robinson, Esq.
Senior Counsel
Duke Energy Corporation
P.O. Box 1551/NCR 20
Raleigh, North Carolina 27602

FOR THE USING AND CONSUMING PUBLIC:
David T. Drooz, Esq.
Public Staff
North Carolina Utilities Commission
4326 Mail Service Center
Raleigh, North Carolina 27699-4300
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North Carolina Utilities Commission
CHAIR MITCHELL: Good evening. Let's come to order and go on the record, please.

I'm Charlotte Mitchell, Chair of the North Carolina Utilities Commission. With me tonight are Commissioners ToNola D. Brown-Bland, Lyons Gray, Daniel G. Clodfelter, Kimberly W. Duffley, and Jeffrey A Hughes.

I now call for hearing Docket Number E-7, Sub 1214, which is the Application of Duke Energy Carolinas, which I'll refer to as Duke, for an Adjustment of Rates and Charges Applicable to Electric Utility Service in North Carolina.

On September 30th, 2019, Duke filed an Application with the Commission Requesting Authority to Adjust and Increase its Rates for Retail Service in North Carolina, along with supporting direct testimony and exhibits of 19 witnesses. By its application, Duke requests authority to increase its retail rates and charges to produce additional annual North Carolina retail revenues of approximately $445 million. Duke further proposes to partially offset the increase by refunding sums related to the federal Tax Cut and Jobs Act, which would result in a net revenue increase of $290.8 million.
In support of the requested increase, Duke states that recent work to modernize its electric system, generate cleaner power, efficiently restore service to customers after major storm damage, responsibly close coal ash basins and operate active coal plants, and continue to provide reliable, efficient, and high quality service to its North Carolina customers, has made it necessary to request a net base rate increase in its retail revenues.

On October 29th, 2019, the Commission issued an Order Establishing this General Rate Case, Suspending Rates, Scheduling Hearings, and Requiring Public Notice. The Order scheduled hearings, established intervention, and testimony due dates and discovery deadlines, and required that Duke provide public notice of its request to its customers.

Several hearings have been scheduled at locations around the state for the purpose of receiving testimony from public witnesses addressing the proposed rate adjustment, and that is the purpose of the hearing this evening. An evidentiary hearing has been scheduled to begin on March 23rd, 2020, in Raleigh for the purposes of receiving testimony from the expert witnesses of the parties in this proceeding.
On December 16th, 2019, Duke filed a Notice of Corrective Filing incorporating pertinent appendices to the direct testimony of one of its witnesses that had been filed on September 30th, 2019.

On December 23rd, the Commission issued an Order allowing Duke witness Larry Hatcher to adopt the direct testimony of witness James Henning.

On January 10th, 2020, Duke filed with the Commission Affidavits of Publication and Certifications of Notice to its retail customers regarding these public hearings.

The following parties have been allowed to intervene in this proceeding: Carolina Industrial Group for Fair Utility Rates III, Carolina Utility Customers Association, Incorporated, the North Carolina Sustainable Energy Association, Vote Solar, the Sierra Club, NC WARN, Incorporated, the Center for Biological Diversity and Appalachian Voices, the Commercial Group, Apple, Facebook, and Google, the North Carolina Justice Center, the North Carolina Housing Coalition, the Natural Resources Defense Council, and the Southern -- the Southern Alliance for Clean Energy and Harris Teeter.

Numerous statements of position have been received to date by the Commission and filed in the
official docket for this proceeding, and that brings us to the hearing tonight.

Pursuant to the State Ethics Act, I remind all members of the Commission of their duty to avoid conflicts of interest, and inquire if any Commissioner has a known conflict of interest with regard to the matters coming before us this evening?

(No response.)

Please let the record reflect that no conflicts have been identified, so we will proceed.

I'll now call on parties to announce their appearances for the record, beginning with the Applicant.

MR. ROBINSON: Madam Chairman, members of the Commission, my name is Camal Robinson, appearing on behalf of Duke Energy Carolinas.

CHAIR MITCHELL: Good evening.

MR. DROOZ: David Drooz with the Public Staff representing consumers in these proceedings.

CHAIR MITCHELL: Good evening, Mr. Drooz.

UNIDENTIFIED FEMALE: Madam Chairman, excuse me for interrupting, but we can't hear a word you all are saying.

BAILIFF: Everybody's going to have to go to the podium. That's the only working mic other than
CHAIR MITCHELL: Are you all able to hear me as I speak into this microphone? Okay. Well, I will continue and I will speak louder.

All right. Before we begin tonight, I'm going to say a few words regarding the process that we're going to use. We appreciate your coming out tonight to voice your views on this important matter, and we welcome your testimony.

In conducting this hearing the Commission functions in a judicial capacity, as we are required to do under North Carolina state law. We largely follow the rules of North Carolina, the North Carolina Rules of Civil Procedure, and the Rules of Evidence. Because we function -- because we function as a court (microphone feedback) -- okay. I'm going to keep going.

All right. Because we function as a court, we cannot respond to your questions, but rather we're here to receive evidence from you all in the form of your testimony to us. The Public Staff, represented tonight by Mr. Drooz, which represents the Using and Consuming Public, is made a party to this proceeding pursuant to North Carolina law. In this proceeding the Public Staff will investigate the case being made by Duke and will
make appropriate recommendations to the Commission with respect to Duke's application. The Public Staff will assist all of you in providing your testimony tonight. The Public Staff is set to file its testimony in this case, setting forth its recommendations to the Commission, on February 18th. That testimony will be available on our website for you to review should you wish to do so.

In order to facilitate a full and fair opportunity for all of you to speak tonight, or those of you who wish to speak tonight, we will use the following process. Witnesses who wish to testify must register first with the Public Staff and will be called in the order listed on the roster. In order to allow each person an equal amount of time, there will be a limit of three minutes for each witness to speak; therefore, witnesses should do their best to avoid cumulative or repetitive testimony. To comply with the Rules of Procedure and Evidence, I must have witnesses swear or affirm his or her testimony prior to providing that testimony. This means that when you hear your name called, please proceed to the stand, and I will deliver the oath. At that point you may begin your testimony. Only one witness may testify at a time.
Please refrain from offering opinions or matters not specified in the Notice of Hearing for this docket. Tell us how this request affects you, tell us what you need to tell us about the revenue increase requested by Duke, or the service provided to you by the Company. Witnesses should address their testimony to the Commission, not to the audience, not to representatives of the Company, but rather to the Commission. In lieu of oral testimony, if you wish, you may submit written testimony as long as you're willing to swear to its accuracy. Written statements must be submitted by the person under oath during this hearing.

Any party may ask you -- any party may ask questions of the witnesses tonight. This means that if you come to the stand to provide testimony, you may be asked questions by counsel for the Public Staff or counsel for the Company or any members of the Commission. Testimony tonight is being recorded by our court reporter and, therefore, to ensure the accuracy of her transcript and of our record, we ask that you not engage in unconventional modes of testimony. And by this, I mean please -- please speak your testimony and speak slowly and clearly into the microphone and refrain from unconventional modes such as singing. This makes it more
difficult for the court reporter to understand the testimony that you're providing. In addition, please do your best to remain quiet when you are not testifying. Please don't disturb the hearing by clapping, booing, hissing, or otherwise reacting to testimony provided. This makes it difficult for the Commissioners to hear your testimony and for the court reporter to take an accurate transcript.

As a final reminder, the Commission and the parties are not allowed to respond to your questions during this hearing. However, both representatives of the Public Staff and the Company will be here tonight after the hearing to answer questions that you may have should you so wish.

Okay. It's my understanding that the Applicant would like to provide an opening statement, so Counsel, if you would, please proceed.

MR. ROBINSON: Yes, Madam Chairman. I call Lisa Leatherman, our District Manager.

MS. LEATHERMAN: Good evening, Chairman Mitchell, and Commissioners. I am Lisa Leatherman, the District Manager for the far six western counties in North Carolina, and I would be remiss if I didn't include that it's also the home to the Eastern Band of Cherokee
Indians which is a sovereign nation in North Carolina.

So welcome to Franklin. We are glad to have the Commission here and our customers. And we have a number of customers that have signed up to speak, and we want to let you know that we are here to listen and learn, and that also that we have a team of representatives from Duke here to answer any questions that customers have -- may have regarding our operations, billing, energy efficiency, or any other topics that they may have.

So we are here and available to answer those questions for the customers. If we can't do that tonight, we will collect the customer's contact information and follow up with them as soon as we can after this meeting. So, again, thank you for being here.

CHAIR MITCHELL: Thank you. Before we begin, any preliminary matters from counsel?

MR. ROBINSON: Nothing from the Company.

CHAIR MITCHELL: All right. Mr. Drooz, please call your first witness.

MR. DROOZ: This is the one mic I know is working so I'll speak here. I will call the names in the order that you signed up. At the end I'll ask if there's anyone else. When I call your name, please come up
through that little gate and to the microphone, and you
will be sworn in by the Commission, and after that please
just state your name and whether you are a customer of
Duke Energy Carolinas, and then make your statement.
The first one is Victoria Estes.
THE WITNESS: Good evening, everybody. I'm
Victoria Estes.
CHAIR MITCHELL: Let me get you sworn in.
VICTORIA ESTES; Having first been duly sworn,
Testified as follows:
STATEMENT BY MS. ESTES:
I am from Asheville, North Carolina, and I am a
volunteer on behalf of the Center for Biological
Diversity, and I am also a Duke Energy customer.
Duke's 2019 gross profit was $17.25 billion, a
2.99 percent increase from 2018, money which came from
our pockets, and I'll tell you what it pays for. Eighty
million dollars a year goes to influence elected
officials, nonprofits, and businesses in North Carolina.
Duke continues to fund dirty fossil fuels, like natural
gas and coal, which poison our communities and cause
irreparable damage to our planet, fueling climate change.
Their profit also goes to investing in unsustainable and
publicly unpopular projects such as the Atlantic Coast
Pipeline, as well as cost recovery for coal ash cleanup and storm recovery relief and other issues that they could have easily avoided.

As consumers, we have a responsibility to hold Duke accountable for their continued destruction of our climate and precious resources. They are using the public's money to fund what the public does not want, and they're doing so by greenwashing us. They have repeatedly came to the courts to receive the green light for increasing the cost of energy for ratepayers, us, by submitting deceptive schemes to supposedly streamline our energy grids for the future of renewable energy, when, in fact, Duke's own 15-year plan shows no proposed increase in renewables past 8 percent by 2033, which is absolutely unacceptable. Evidence shows that most of the grid work proposed are high dollar unnecessary projects such as undergrounding power lines.

In 2013, Duke Energy Carolina proposed a 15 percent ratepayer increase and got approved for 5.1 percent. In 2017, they proposed a 13 percent increase and were approved for 1.2 percent. This year Duke Energy is proposing a 10.3 increase. By people continuing to stand up and hold corporations like Duke accountable for their sneaky, underhanded investments in fossil fuels, we...
can demand that our hard-earned money doesn't go into the
pockets of these that are poisoning our communities and
profiting off of our most valuable asset, which is the
planet that sustains our life. And instead, we can
ensure that our money goes into investing in sustainable
energy practices that secures a healthy future for our
children and grandchildren.

We don't want to pay for fossil fuels. We want
to pay for an entirely new GIP which focuses on a just
transition to clean energy. The time to act to save our
planet is now, and a 15-year plan of only an eight
percent increase in renewables is just not acceptable. A
multi-billion dollar a year corporation can and should do
more to secure our future.

Thank you. That is all.

CHAIR MITCHELL: Thank you very much. Hang on
one second. Questions for the witness?

MR. ROBINSON: No.

MR. DROOZ: No.

CHAIR MITCHELL: Questions by Commissioners?

(No response.)

CHAIR MITCHELL: Thank you, Ms. Estes. You may
step down.

(Witness excused.)
MR. DROOZ: Next is Elsa Enstrom.

ELSA ENSTROM: Having first been duly sworn, 

Testified as follows:

STATEMENT BY MS. ENSTROM:

My name is Elsa Enstrom. I am from Arden, North Carolina, and I am also a Duke customer. And I am -- I'm here along with Victoria from the Center for Biological Diversity, excuse me, as a volunteer expressing my concern.

What we're concerned about is we believe that this rate increase will be used to fund dirty infrastructure such as -- such as gas plants. There's plans to build more natural gas plants which, as was previously mentioned, is a dirty type of fuel that is not sustainable, not safe for our environment long term. We're also very concerned about the potential pipeline which has plans to go underneath the Appalachian Trail, which is a very important cultural piece of our heritage here.

We're also very concerned that they will use this increase to help pay for what they caused as far as environmental problems for many communities. They've been required to fix a lot of their coal ash projects, and they want to use this money to fix those problems.
They should not be given money to fix problems that they created. They should be forced to use the money they already have. They're a multi-billion dollar corporation.

We're also concerned about their plans for the grid, for the power grid. Their plans do not actually help to create a more sustainable grid. They just -- as previously mentioned, they will make it maybe look a little bit nicer, look a little bit more modern, but there are no plans for true sustainability, true steps towards making us more renewable in the future and saving our planet. So we submit that there should be a new grid improvement plan that is created.

We are also very concerned about the amount of money that Duke Energy uses for lobbying and for political purposes to push their agenda, and we're very concerned that the money that we will be asked to pay will go towards this agenda. And we are also very concerned about where they plan on investing this surplus money, that often it will end up with investors in the Company; it will not end up going back into the communities that they have affected and they have harmed.

Thank you very much.

CHAIR MITCHELL: Thank you. Questions for this
witness?

MR. ROBINSON: Not from the Company.

CHAIR MITCHELL: Questions from Commissioners?

(No response.)

CHAIR MITCHELL: Thank you very much. You may step down.

(Witness excused.)

MR. DROOZ: Patricia Bailey. And while Ms. Bailey is coming in place, please remind everyone, make sure your ringers and sound on your phones are turned off. Thank you.

PATRICIA BAILEY; Having first been duly sworn,

Testified as follows:

STATEMENT BY MS. BAILEY:

My name is Patricia Bailey. I live in Sylva, North Carolina. I'm just an ordinary Duke customer. I came over the mountain tonight just to speak against this proposed rate increase.

I just retired, and I was sitting down making a budget when I received my bill, $111, and this little folder in it. And I just, as a -- I've never done anything like this. I just wanted to say I'm concerned that a portion of this increase is being used for those expenses to clean up the coal ash pits. I think that
should be totally separate, that the residential
customers like myself who are now on a fixed income
should not be required to pay for cleaning up those coal
ash pits because that is a cost of doing proper business,
of Duke doing proper business. It's unfortunate. It was
a mistake maybe made by another generation, but the
current residential customer should not have to pay for
that.

I think that the 6.8 percent residential rate
-- proposed rate increase is more than I can handle and
-- on a fixed income. And so I'm just really speaking
for customers like myself who are retired and on fixed
incomes. So I didn't bring any data with me other than
that, but I am concerned about being asked to clean up --
help clean up those coal ash pits which I think is
something that Duke should pay for.

That's all.

CHAIR MITCHELL: Thank you, Ms. Bailey. Any
questions for the witness?

MR. ROBINSON: Nothing from the Company.

MR. DROOZ: Nothing.

CHAIR MITCHELL: Commissioner Hughes?

MS. BROWN-BLAND: Just a minute.

CHAIR MITCHELL: Ms. Bailey, question from --
THE WITNESS: One question? I'm sorry. Excuse me.

EXAMINATION BY COMMISSIONER HUGHES:

Q    What month, what time of year was your -- was the bill number that you gave?

A    January. And I -- and by the way, I have a 1,200 square foot farmhouse in Sylva, and it does not have -- it's not dependent upon electric heating in the winter. My bills in the summer are more expensive. I would like to expand a heat pump system in my house, but with these kind of bills I can't afford it. That's more -- because partly because it's more environmentally friendly. So I don't heat with electricity much in the winter.

(Witness excused.)

MR. DROOZ: Al Bernard.

AL BERNARD; Having first been duly sworn,

Testified as follows:

STATEMENT BY MR. BERNARD:

My name is Al Bernard. I live here in Franklin, and I am a Duke customer.

I've been in construction for 35 years, and I've had to have insurance for all my jobs. When I go to Cashiers and Highlands, I have to have a million dollars
insurance to work on the houses. And I've only had five problems in 35 years that I had to use my insurance. I can't understand why Duke does not have insurance to cover the coal ash problem and the other problems that they've been having. I don't have a lot data. I don't know all the numbers and all this. I just know that they should be covered in one way or another. Somebody should be taking care of this, and they should have the foresight to look ahead when they started storing all this coal ash and all this stuff that one day something was going to catch up. It's like if I go to a job and I tear a roof off and I leave the shingles laying beside the house when I leave, who's going to clean that up? Who has to pay for that? I do. It's my job. That's what I have insurance for. I pay the people that work for me, and they're insured. Anything happens to them, they're taken care of. It's like us, we should be insured that we shouldn't have to pay for this stuff. I mean, my wife is disabled. I'm 67 years old and I still have to work because her medicine's $1,100 a month. I can't afford a rate hike. I did put gas heat in my house. Took all the electric baseboard heaters out. I had a few screw-in fuses in my house; I had to replace those, put a new box outside and all that. That
was just done recently. And I just can't afford a rate
hike for something that I shouldn't have to pay for.
And that's all I have to say.
CHAIR MITCHELL: Thank you, Mr. Bernard.

Questions for the witness?

MR. ROBINSON: No.
MR. DROOZ: No.

CHAIR MITCHELL: All right. You may step down.

Thank you.

(Witness excused.)

MR. DROOZ: William Thomas.

WILLIAM THOMAS; Having first been duly sworn,
Testified as follows:

STATEMENT BY MR. THOMAS:

A few months ago I -- several months ago I got
a notice about Duke Power installing smart meters, and
then about two months later a smart meter was installed.

After the meter was installed I went to plug something
into the outlet like I normally do, and everything was
fine before the smart meter was put it in, and when I
went to plug it in, a spark jumped from the plug to the
outlet. And after that, about a month later when I got
my bill, my power jumped up 33 percent. My power bill
jumped up 33 percent. And that was mild, mild weather.
We were having mild weather. It didn't get real cold until middle of November. And I also have propane as a backup.

And another thing about the smart meter is it's not -- I'm renting a place. I'm not responsible for the power meter, and I don't feel that it's fair to charge me for the meter. And I don't feel it's fair to charge people in Macon County for the coal ash pits which, if I'm correct, were put in around 1982. The coal-fired power plants were put in in 1982. And we had -- Nantahala Power had nothing to do with the coal-fired power plants put in.

And that's all.

CHAIR MITCHELL: Questions for Mr. Thomas?

MR. ROBINSON: No, but we encourage Mr. Thomas to speak with some of our Company representatives in the back regarding your meter issue.

THE WITNESS: Okay.

MR. DROOZ: No questions. Thank you.

CHAIR MITCHELL: Mr. Thomas, we have -- there's a question for you from Commissioner Brown-Bland.

EXAMINATION BY COMMISSIONER BROWN-BLAND:

Q Mr. Thomas, can you state where you reside?

A Franklin, North Carolina.
Q: All right. And with regard to the meter issue, when you saw the spark jump out of your outlet or some -- did you contact anyone with the Company or have them to come out to check it out?

A: No.

Q: Have you had anyone come check it out, an electrician?

A: No.

Q: And can you tell us approximately when it was?

A: It was about -- short -- right after the meter was put in, installed.

Q: Okay. Do you remember what time of year? Was it like July, August, September?

A: I'd say it was probably September.

Q: Okay. Thank you.

MR. DROOZ: If you don't mind, I have a follow-up question on that.

EXAMINATION BY MR. DROOZ:

Q: Mr. Thomas, have you had any circuit breaker trips or other electrical fault issues since that spark incident?

A: No, nothing besides the meter being installed.

Q: Thank you. That's all.

CHAIR MITCHELL: Thank you, Mr. Thomas. You
MR. DROOZ: Callie Moore.

CALLIE MOORE; Having first been duly sworn,

Testified as follows:

STATEMENT BY MS. MOORE:

CHAIR MITCHELL: Before you begin, will you please state your name and address for the record?

THE WITNESS: Yes. My name is Callie Moore, and my address is 3190 Tusquittee Road, Hayesville, North Carolina.

While I am not a Duke ratepayer currently, I am a member of the Council for Collaborative Impact through Hinton Rural Life Center. And the Council for Collaborative Impact works on issues of poverty and breaking the cycle of poverty in Cherokee, Clay, Graham, and then Towns County which is in North Georgia. So many of the people that we're working with and the communities that we're working with are Duke ratepayers.

Tens of thousands of Duke customers in Western North Carolina, and particularly far Western North Carolina which is where I live and work, are in poverty, deep poverty. They can't afford to buy food for their children. Their children have to bring bags of food home...
over the weekend, otherwise, they won't have a meal.

In 2018, Duke had a net income of $3.03 billion and paid no federal taxes. And so to raise the rates of these tens of thousands of people that live in poverty in Western North Carolina, and I'm sure in other places in North Carolina, to pay for anything that Duke wants to do, to me -- so when this was announced, it was Duke needs to do this. Okay. From where I come from, this is not a need, this is a want. When they have $3.03 billion of net income, it's not a need.

I'm also the Western Regional Director for an environmental advocacy organization called Mountain True. And from Mountain True's perspective, we're very concerned, like some of the other speakers, that Duke should be investing in solar and wind energy as a response to the climate crisis. While burning gas is cleaner, arguably, than burning coal, we would like to see, for the health of the environment and people that live in Western North Carolina and throughout North Carolina, we would like to see there be a healthier environment and a cleaner environment. And the way to get there is not to keep investing in other fossil fuels and different fossil fuels. The way to get there is to invest in solar and wind energy. Thank you.
CHAIR MITCHELL: Thank you, Ms. Moore.

Questions for the witness?

MR. ROBINSON: No.

MR. DROOZ: No.

CHAIR MITCHELL: Questions by Commissioners?

(No response.)

CHAIR MITCHELL: All right. You may step down.

(Witness excused.)

MR. DROOZ: Tamara Zwinak.

TAMARA ZWINAK; Having first been duly affirmed,

Testified as follows:

CHAIR MITCHELL: Before you begin, would you please state your name and your address for the record?

THE WITNESS: Sure. My name is Tamara Zwinak. I live at 83 Firefly Lane in Franklin, North Carolina.

CHAIR MITCHELL: You may proceed.

STATEMENT BY MS. ZWINAK:

I'm a Duke customer. I've been a Duke customer since 2017 continuously, and I just had to throw this together because I just found out about this meeting when I picked up the Smoky Mountain News today, so bear with me if it's not as cogent and well put together as I'd like, but I want to make several what I think are very important points on a very focused area.
I testified previously about a rate increase when you had a hearing, I guess, a couple years ago, and one of the things I talked about then is I couldn't believe you were passing the coal ash cleanup on to us residents. Well, since 2017, you know, we've had Greta Thunberg bring to the world's attention in a very vocal way climate change. Okay. I'm going to touch on climate change, but I want to say my testimony is really going to focus on coal, the use of coal, and its contribution to global warming, and the health impacts of coal power and the contaminants from coal ash.

So what I'd like to say is you probably heard in the news today that NASA announced that 2019 was the second hottest year on record. The hottest year was in 2016, and 2015 was the third hottest. Thus, it is now an acceptable fact that climate change is real. What's causing climate change is still under discussion. In response to climate change, Governor Cooper issued Executive Order 80, and he's also established a Clean Energy Plan and the -- well, he set forth the Clean Energy Plan and established the North Carolina Climate Change Interagency Council, and I'm sure you're aware of that and involved in that, and I'm sure you've seen his Resolution 80.
And in his Resolution 80, one of things he talks about is that the State of North Carolina will support the 2015 Paris Agreement goals and honor the State's commitments to the United States Climate Alliance. And I'm sure you're all on board with that or you're aware of that. And the reason that he -- well, some of the reasons he used to justify that conclusion in the resolution is that, obviously, the effects of more frequent and intense hurricanes, flooding, extreme temperatures, drought, salt water intrusion, and beach erosion. Now, some of these things have nothing to do -- well, I guess they do have something to do with you, and that has to do with the use of coal.

So these are environmental disruptions that have very extensive and global consequences on a massive scale. Coal power has resulted in irreparable damage to the environment that may be contained, but not reversed, and safe containment is not foolproof. The byproducts of coal power have impacted the health of North Carolina residents for the worse, including neurological impacts, asthma, and increased cancer rates, to name only a few.

There are 14 coal-powered plants in North Carolina, all operated by Duke Energy. I don't know if that's factual or not. There was a contamination of
water from coal ash that was inadvertently dumped into
the Dan River, and one million residents in North and
South Carolina had drinking water from exposed rivers and
streams. There has been extensive groundwater pollution
as well. Although, you know, we do know that a lot of
people have local wells, so if that happens to seep into
a local well, it may be contaminated by groundwater
pollution.

But the bottom line is Duke is in the process
of cleaning up 126 million tons of coal ash, okay, after
a settlement with Catawba River Keepers, and you're
closing 31 coal ash basins, I believe -- well, you may
not know because you're not representing -- you're
representing Duke. So that's in the process. And that's
-- that's good news. That's good news.

CHAIR MITCHELL: Okay. Ma'am, please move
forward with your testimony. You've reached the end of
your three minutes.

THE WITNESS: Oh, I didn't know I had three
minutes. Okay.

Anyway, what I wanted to say is there are
numerous -- this is from the "Coal Ash, The toxic threat
to our health and environment," a report from Physicians
for Social Responsibility and Earthjustice. Okay. And
coal ash contaminants affect, you know, the -- neurology. They can cause learning disabilities, cancer, so on and so forth, but you can look at that report.

So what I want to say, the bottom line is this, these -- they want -- Duke wants to contain coal ash now in lined, I guess, basins. Those may be faulty. But what we need to do is use the revenue streams, the increases that Duke is asking for, okay, that -- by providing services to us to address and establish funds, a health fund for residents and customers who have been damaged by coal ash pollutants and contamination. These contaminants, there are some estimates, will go on for 1,000 years, okay? So I'm asking Duke, if you want a rate increase, you need to establish funds to start addressing these health impacts, to address the damage to environment, which includes wildlife, fish, biodiversity, plants, and climate change, okay? And I'm also asking you to establish a fund for displaced workers who are going to lose their jobs when you close these coal plants.

So thank you very much for letting me go over. I didn't realize I had three minutes or I would have really contained it.

CHAIR MITCHELL: Thank you. Questions for the
witness?

MR. ROBINSON: No.

CHAIR MITCHELL: Questions from the Commission?

(No response.)

CHAIR MITCHELL: Thank you, ma'am, you may step down.

(Witness excused.)

MR. DROOZ: Pat McGee.

PAT McGEE; Having first been duly sworn,

Testified as follows:

CHAIR MITCHELL: Before you begin, will you please state your name and your address for the record?

THE WITNESS: Yes. My name is Pat McGee, and my address is 2023 Mashburn Branch Road in Franklin.

STATEMENT BY MS. McGEE:

I come here -- I really bow to some of the articulate people that were here before me because this is my first time to ever come to anything like this. But I am a widow of veteran. And I'm on a fixed income, and as Ms. Bailey said, I just cannot afford an increase in my electric bill.

And I have a son, God forgive me, that works for Duke in Florida, so my name may be mud, but, nevertheless, I know that there is fat that could be cut
and other ways to handle it other than increase on to the customers. I thank you.

CHAIR MITCHELL: Thank you, ma'am. Questions for the witness?

MR. ROBINSON: No.

MR. DROOZ: No.

CHAIR MITCHELL: Commissioner Hughes. Ms. McGee, Commissioner Hughes has a question for you.

THE WITNESS: Oh, I have a question?

EXAMINATION BY COMMISSIONER HUGHES:

Q    Do you have an idea of what your average electric bill is?

A    Do I have any idea --

Q    What your average electric bill is?

A    Yes. It's about 164 a month; sometimes more.

That's because I supplement with propane, the heat, during the winter, but I have electric heat.

(Witness excused.)

MR. DROOZ: That's everyone who signed up. Is there anyone else who would care to make a statement this evening? Okay. If you would please come forward, and I will ask you to put your name and address on the sign-up sheet and then you state your -- make your statement.

KATIE BRECKHEIMER; Having first been duly sworn,
Testified as follows:

CHAIR MITCHELL: Will you please provide your name and address before you begin?

THE WITNESS: Yes. My name is Katie Breckheimer, and I live at 1393 Macedonia Road, Saluda, North Carolina.

STATEMENT BY MS. BRECKHEIMER:

And I apologize. I was on time, but we came to an entrance that had no sign, so for the other hearings I do hope you all make sure people can get in. I apologize.

Commissioners, thank you for this opportunity to speak. I am a Duke Carolina customer. Your charge is to allow Duke Energy to make reasonable profit, but you're not. Duke is paying their top executives and stockholders millions of dollars, plus, we, their customers, are paying for Duke's lobbyists in order to keep the status quo. We're captive customers. We can't shop around for a better company. Help us.

Duke is making consistent requests for rate hikes and now are asking for another. Duke needs to pay to clean up the coal ash that it knew was toxic for years. Don't make the ratepayers pay for it. Transitioning to natural gas is not clean energy.
Instead of focusing on costly fossil fuel modernization projects and grid improvements, Duke should be helping North Carolinians shift to renewable energy, bringing energy bills down, not driving them up, and reducing environmental and climate impacts at the same time.

Please make Duke accountable, pay for its mess, and deny their latest rate hike request. Thank you.

CHAIR MITCHELL: Thank you. Questions for the witness?

MR. ROBINSON: No.

MR. DROOZ: No.

CHAIR MITCHELL: Thank you, ma'am. You may step down.

(Witness excused.)

MR. DROOZ: Is there anyone else who would care to speak?

DEBRA UCCETTA; Having first been duly sworn,

Testified as follows:

CHAIR MITCHELL: Please state your name and your address for the record, please, ma'am.

THE WITNESS: My name is Debra Uccetta, and I live at 132 Harper Lane in Franklin, North Carolina.

STATEMENT BY MS. UCCETTA:

I just wanted to go on the record that I do
oppose this. I'm on a fixed income. I live in a --
probably a 1,000 square foot apartment at the most, and
my average bill already is about $150 a month. I can't
afford a rate increase, as well as I'm sure everybody
else can't. I feel that we should not have to contribute
to the cleanup of the coal ash accident, and I think that
everybody involved in this, all the customers, would feel
the same way. I just wanted to go on record that that's
how I feel.

CHAIR MITCHELL: Questions for this witness?

MR. ROBINSON: No.

MR. DROOZ: No.

CHAIR MITCHELL: Questions from the Commission?

(No response.)

CHAIR MITCHELL: All right. You may step down.

Thank you.

(Witness excused.)

MR. DROOZ: Is there anyone else who would care
to speak?

(No response.)

MR. DROOZ: That's all the public witnesses for
this evening.

MS. ZWINAK: Actually, can I submit this into
evidence as part of my testimony?
CHAIR MITCHELL: You may. Please hand it to Mr. Drooz, and he will take care of that for you.

Let's -- Mr. Drooz, let's get that exhibit marked, please, sir.

MR. DROOZ: We would ask this be marked for identification as Tamara Zwinak Exhibit 1.

CHAIR MITCHELL: It shall be so marked.

(Whereupon, Tamara Zwinak Exhibit 1 was marked for identification and admitted into evidence.)

MR. DROOZ: And I will provide a copy to the court reporter.

CHAIR MITCHELL: Thank you, sir. Okay. Out of abundance of caution, is there anyone else in the room who wishes to provide testimony tonight?

(No response.)

CHAIR MITCHELL: Seeing no one, we will be adjourned. Thank you all for coming tonight. We appreciate it.

(Proceedings adjourned.)
STATE OF NORTH CAROLINA

COUNTY OF RUTHERFORD

CERTIFICATE

I, Marianne S. Aguirre, Notary Public/Court Reporter, do hereby certify that the foregoing hearing before the North Carolina Utilities Commission in Docket No E-7, Sub 1214, was taken and transcribed under my supervision; and that the foregoing pages constitute a true and accurate transcript of said Hearing.

I do further certify that I am not of counsel for, or in the employment of either of the parties to this action, nor am I interested in the results of this action.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 28th day of January, 2020.

Marianne S. Aguirre
Notary Public No. 19961490099