THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: Jan 27, 2026

Subject: City of Asheville's formal intervention in the North Carolina Utilities Commission Docket E-100 Sub 207 of Duke Energy's Carbon Plan Integrated Resource Plan

Staff Resource(s): Kiera Bulan, Interim Sustainability Director,
Chris Clarke, Sustainability Coordinator

Action Requested: Adoption of a resolution authorizing the City Attorney to formally intervene in the North Carolina Utilities Commission Docket E-100 Sub 207 of Duke Energy's Carbon Plan Integrated Resource Plan.

Background:

- In 2023, the City Council adopted Resolution 23-70 approving the Municipal Climate Action Plan, which includes engaging in state level and utility policy as one of 22 high impact activities.
- Session Law 2021-165, more commonly referred to as House Bill 951, required Duke Energy to develop a Carbon Plan outlining how the utility would achieve a 70% reduction in carbon dioxide emissions by the year 2030 and carbon neutrality by 2050, with plan updates every two years. The 70% reduction by 2030 interim carbon reduction target and other key provisions were removed in 2025 via Senate Bill 266 (Session Law 2025-78).
- Additionally, every two years Duke Energy submits an Integrated Resource Plan (IRP) to communicate strategies for delivering reliable electricity at the lowest cost (typically on a 10 to 20 year horizon). In 2023 the North Carolina Utilities Commission approved Duke Energy's request to submit the Carbon Plan and Integrated Resource Plan at one time, and it was named the Carbon Plan Integrated Resource Plan (CPIRP).
- Duke Energy's recommended CPIRP portfolio, released in October 2025, delays coal retirements, increases natural gas generation, reduces solar buildout and eliminates long-term planning for onshore or offshore wind or hydroelectric resources. The proposed plan also won't reduce GHG emissions until the late 2030's, jeopardizing the City's ability to meet our emissions reduction and renewable energy goals.
- The North Carolina Utilities Commission (NCUC) statutory review is an opportunity for local governments to weigh in before a plan is approved. To participate, the City must petition to become a formal intervenor by demonstrating they are a stakeholder in the proceeding. The City has officially intervened in three previous dockets at the NCUC in 2020, 2022 and 2024.
- Public comments provided to NCUC through the formal intervention process increases visibility and impact. The City's participation as an intervener is our best path to advance efficiency and renewable generation strategies that advance the City's goals and support residents' interests.
- Staff will provide an opportunity for council members to review full comments prior to submission.
- This is an opportunity to strengthen and highlight the success of the current partnership with Duke Energy and advocate for affordable, renewable electricity that also provides resilience benefits.

Vendor Outreach Efforts:

- Not applicable

Council Goal(s):

- Equitable and Diverse Community
- A Clean and Healthy Environment

Committee(s):

- Planning, Economic Development, and Environment, Jan 20, 2026, Recommended Approval (2-0).

Pro(s):

- Action prioritized in the Municipal Climate Action Plan and in Moving to 100% Renewable Energy Roadmap
- Supports resolutions 11-77 Establishing a 4% Carbon Reduction Goal, 18-279 Establishing a 100% Renewable Energy Goal, and 20-25 Declaration of a Climate Emergency.
- Timely and important opportunity to advance affordable, resilient, low carbon, renewable electricity for the City of Asheville, as a large customer and for the City's residents as ratepayers.
- Technical support is being provided by the Southeast Sustainability Directors Network and World Resources Institute, which reduces the time commitment for City staff.
- Collective action strategy of a joint intervention with Buncombe County in alignment with other NC local government comments provides an opportunity for regional impact.

Con(s):

- This will consume staff time to file the petition to intervene, draft comments, and monitor the docket.

Fiscal Impact:

- This action requires no City resources and has no fiscal impact.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Attorney to formally intervene in the North Carolina Utilities Commission Docket E-100 Sub 207 of Duke Energy's Carbon Plan.

Attachment(s)

- Resolution
- Planning, Economic Development & Environment Presentation

RESOLUTION NO. 26-____

RESOLUTION AUTHORIZING CITY ATTORNEY TO FORMALLY INTERVENE IN THE NORTH CAROLINA UTILITIES COMMISSION DOCKET E-100 SUB 207 OF DUKE ENERGY'S CARBON PLAN INTEGRATED RESOURCE PLAN

WHEREAS, the City of Asheville adopted a resolution to reduce municipal carbon emissions by 80% by 2030 on April 12, 2011; and

WHEREAS, the City of Asheville adopted a resolution supporting a Clean Energy Economy on October 22, 2013; and

WHEREAS, the City of Asheville adopted a resolution on October 23, 2018 establishing a 100% Renewable Energy Goal for municipal operations and supports Buncombe County's 100% Renewable Energy Community-wide Goal; and

WHEREAS, the City of Asheville adopted a resolution on January 28, 2020 declaring a climate emergency and committed to a citywide mobilization effort to reverse climate change that, if met with all necessary financial and regulatory assistance and authorization from State and Federal authorities, would end citywide greenhouse gas emissions as quickly as possible and no later than 2030; and

WHEREAS, the City of Asheville adopted a resolution on March 28, 2023 to adopt the Municipal Climate Action Plan as the plan for sustainability goals and initiatives and that plan identifies engagement in state level and utility policies as a high impact activity; and

WHEREAS, engaging on utility level policies at the North Carolina Utilities Commission was prioritized as a strategy in *Moving to 100 Percent: Renewable Energy Transition Pathways Analysis for Buncombe County and the City of Asheville*; and

WHEREAS, intervention will give the City an opportunity to comment on the Carbon Plan Integrated Resource Plan and advocate for renewable energy and promote the success of the existing partnership efforts with Duke Energy and Buncombe County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Attorney, is hereby authorized to formally intervene in the North Carolina Utilities Commission Docket E-100 Sub 207 of Duke Energy's Carbon Plan Integrated Resource Plan in order to provide comment from the sustainability staff regarding the City's renewable energy goals as they relate to the Carbon Plan Integrated Resource Plan; and the City Manager is authorized to execute any and all documents necessary in order to give effect to this resolution.

Read, approved, and adopted this the 27th day of January 2026.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney