



## **NC ENERGY POLICY TASK FORCE**

Tuesday, February 10, 2026 | 3:00 – 5:00 PM

Virtual via WebEx

*Co-Chairs: NC Representative Kyle Hall & DEQ Secretary Reid Wilson*

### EXECUTIVE SUMMARY

The meeting began with opening remarks from Secretary Wilson, who noted the Governor's interest and enthusiasm for seeing the results of the Task Force's work. The conflict of interest policy and public records policy were read, and the roll was called.

Task Force Members reviewed the process so far to write and edit the report, noting three full meetings were held to develop the compromise text discussed at the meeting. Task Force Members then reviewed recent changes to text and technical corrections.

Task Force members then walked through the report from start to finish, noting areas in need of revision. After deliberation, compromise language was found for all outstanding areas of disagreement.

Secretary Wilson moved for a vote to approve the text of the report. Seven Task Force Members (or their delegates) abstained from voting:

- Michael Youth, NCEMCs
- Mark McIntire, Duke Energy
- Winnie Wade, Dominion Energy
- Kathy Moyer, Town of Apex
- Peter Ledford, Ward and Smith
- Dana Magliola, NC Chamber of Commerce
- Tom Felling, NCUC Public Staff

Some members abstaining provided explanations and rationale. Those are captured in the meeting notes below. All other Members present voted in the affirmative to approve the report text.

The Task Force did not offer a motion to reconvene to continue to edit the report, and thus approved release of the report on February 15.

The meeting was adjourned with notes of follow-up actions and additional meetings that would need to take place.

## OPENING

- Staff: Rep. Hall is running late, but will be on the call.
- Sec. Wilson: Was just with the Governor, where he was announcing that the Energy Saver NC program now available in all counties. The program already has about 4,800 applications. The Governor mentioned that he was very interested in receiving the interim report from the task force. Looking forward to getting close to a resolution today.
- Conflict of interest policy read by Sec. Wilson
  - No conflicts raised
- Public records policy presented
- Roll Call read by Staff
  - Sec. Wilson - here
  - Rep. Hall - not present
  - Rep. Brown - here
  - Rep. Chesser - not present
  - Rep. Harrison - here
  - Sen. Lazarra - here
  - Sen. Mayfield - here
  - Matt Abele - here
  - Chris Ayers - Tom Felling here as designee
  - Chris Carmody - here
  - Chris Chung - arrived late
  - Christina Cress - Peter Ledford here as designee
  - Ray Fakhoury - Rob Corradi here as designee
  - Katharine Kollins - Karly Brownfield here as designee
  - Steve Levitas - arrived late
  - Dana Magliola - here
  - Mark McIntyre - here
  - Kathy Moyer - here
  - Jennifer Mundt - not present
  - David Neal - here
  - Tim Profeta - here
  - Dave Rogers - here
  - Will Scott - arrived late
  - Asher Spiller - here
  - Don Stewart - not present
  - Winnie Wade - here
  - Steve Wall - here
  - Markus Wilhelm - Marshall Conrad here as designee
  - Rachel Wilson - here
  - Michael Youth - here

## DRAFT REPORT REVIEW

- Report Drafting Process
  - Process and current status presented by Staff
  - This is the fifth meeting of the task force and the third task force meeting dedicated to report review and editing

- Staff have conducted 20 individual meetings with Task Force Members to work out differences and arrive at compromise text
- Staff presented changes to the draft report from the previous meeting's version to the current version. Changes include:
  - Section 1 - Took out brackets indicating proposed changes, updated executive summary based on changes further in the report, updated figures with new formatting (but keeping the same underlying data), removed the word 'significant' in significant parts of the NC electricity grid reaching near end of life, changed units from billion kWh to GWh
  - Section 2 - Removed brackets, updated the number of times the task force met. The text is currently written as this being the last meeting, but that can be updated if needed.
  - Section 4 - There was discussion at the last meeting of where the data came from for the number of data centers - this sentence was simplified with the specific number removed. Additional challenges language added and elaborated on where energy demand is coming from
  - Recommendations Section - Language changed to "develop options for" from "explore" or "develop a proposal for", language added on mitigating cost shifts if they exist, clarified sleeved third-party PPAs, added language for recommendations other than the first three that specifies they are for continued investigation by the technical advisory subcommittee (based on feedback that there were too many recommendations for the Task Force to be responsible for), and noted that third-party load forecasting might have more value in areas with multiple major utilities
- Technical Corrections
  - Reference to statutory target - carbon neutral changed to net-zero emissions
  - Reference to Dominion's large load tariff approval in Virginia added in
  - Removed brackets in recommendation 3
  - Recommendation 9 - added back some text that was dropped referring to a New Jersey bill

## DISCUSSION OF SUBSTANTIVE EDITS

- General comments
  - Michael Youth: NCEMCs appreciates all of the work that the Governor and staff do, but does not believe that the report reflects their energy policy interests, so they will not be casting a vote in support of report issuance. They will abstain and want the abstention noted in the record and minutes. NCEMCs is committed to continuing to participate in the future task force discussions.
  - Task Force Member (TFM): Can you talk about how we will be able to track (a matrix to track?) how these recommendations are working so us lawmakers can determine the success? How do we measure the success of the recommendations / if they are working? Asking if the committee has thought through this.
    - TFM reply: At least the first four recommendations we're keeping as a task force to develop options around, so the metrics will be whether a proposal is developed or not. For some of the others where the recommendation is passed off to another entity, it will be seeing if the

entities follow through and do this work. Is the work on these that we hope will happen, happening?

- TFM: Scope question about report - noting one recommendation has to do with state sales and use tax for data centers and curious how this fits within the executive order's energy focus. Has this been discussed?
  - Staff: Change glossed over when going over them earlier - added into this recommendation language on potential ways to link the sales and use tax to energy policy outcomes in order to address this point.
- Section 1: NC Energy Landscape
  - No comments or objections raised on this section
- Section 2: Task Force Activities
  - No comments or objections raised on this section
- Section 3: Implications and Policy Approaches
  - TFM: Page 11 - Delete language *"Additionally, in Virginia, customers who procure clean energy according to their utilities' requirements are exempt from state-based procurement or carbon-free electricity riders. This is via the accelerated renewable energy buyers mechanism, authorized in the Virginia Clean Economy Act (VCEA)."*
    - TFM: Are these sentences inaccurate?
    - TFM: Cannot comment on this
    - TFM: Was this presented to us when Virginia came and talked to us? If it is then it's reflective of our fact-finding
    - TFM: What is the concern with the highlighted language?
    - TFM: We're working through some things in Virginia and would rather delete that
    - TFM: Are you saying this program is still being worked through?
    - TFM: Would need to clarify with our team
    - TFM: Can we put a pin in this, and you can get some clarity on this while we're talking?
  - TFM: Disagrees with language that Dominion does not have a large load tariff in NC (referencing Dominion Energy's Schedule NS)
    - TFM: That is a special contract rate approved for a specific customer (Nucor Steel)
    - TFM: Might want to acknowledge that there are special contracts in NC
    - Staff: Can we add language that there is one special contract?
    - Proposed language added to address this
      - No objections voiced
      - TFM: Could we add "generally available" large load tariffs to address this? Since the availability is limited to one specific customer, going to a default of generally available could address this
      - No objections raised

- TFM: Suggesting to delete on page 12 the VCEA language that was also referenced earlier (same sentence)
  - TFM: If it's accurate then it's helpful context
  - TFM: It's not part of the large tariff so we'd like it deleted.
  - Staff: Is it more applicable in a different section?
- TFM:
  - Load Flexibility - Page 15 - TFM: Heard recently that Duke Energy is imposing new curtailment requirements on large load customers. If this is true, it would be good to mention.
  - TFM: Yes, for new ESAs with large loads Duke is including curtailment conditions in those agreements.
- TFM: On BYOC, state statistic referenced applies to third-party PPAs, not retail choice. First sentence to refer to retail customer choice, and the following sentences refer to something else. Propose to delete the sentence that begins "five other states".
  - TFM: This refers to third-party choice for arrangements like third-party solar; this was an issue due to the definition of a utility
  - Staff: This was included to refer to third-party PPAs, not retail choice. First sentence included because this is was where this legality/illegality originates in statute.
  - TFM: Can we add language "For rooftop solar" to clarify this?
    - No objections
- TFM: GSA program - There should be a sentence that acknowledges precedent for BYOC through the GSA program
  - Staff: Phrasing to put in?
  - TFM: In NC, there is precedent for BYOC in context of GSA, which is discussed in greater detail below
    - No objections to this suggestion
- TFM: On-site generation requirements - Requirements? Voluntary? Mandating?
  - Staff: This section is not a recommendation, it is a menu of all of the different options that states are considering
  - TFM: Requested dropping the word requirements
  - TFM: recommends deleting paragraph beginning "One option to expand opportunities for on-site generation..."
  - Staff: A designee of a TFM recommended this, then was batted around by another TFM to edit further
  - TFM: My understanding is it has been a live topic of conversation to expand those limits; still seems relevant to allow customers to BYOG
  - TFM: I withdraw my comment
- TFM: End of green tariff under grid capacity - Currently doesn't make any mention of participation in that program, would be helpful to know that first GSA iteration was fully subscribed

- TFM: Don't have any objection to this comment. The original program had an institutional carveout and a private carveout; the private was fully subscribed and institutional was not. There was an effort to take some of the institutional carveout and move it to non-institutional.
    - TFM: Added, UNC and military
    - TFM: That's correct, legislation assigned it to Toyota
    - TFM: Fair amount of discussion about ERIS vs NRIS service??
      - TFM: ERIS non-firm interconnection as a way to speed interconnection
      - TFM: Will withdraw, think it is too complicated to raise now
- Section 4: Key Findings
  - Staff: Regarding state carbon target, statute says "be carbon neutral" and not "net zero"
  - TFM: Neutrality is limited to the last 5% of emissions in 2050, in other words, proceed with carbon emission reductions, then as you are approaching 2050, the utility is able to utilize offsets for last 5%
    - When I think carbon neutral, I think offsets
  - TFM: Does this new language of "achieve net-zero emissions" capture it?
  - TFM: Want to make sure the language is consistent with the intent of the statute; could be remembering it wrong
  - TFM: It does say carbon neutrality
    - State electric generating facilities... reduced, offset, etc., may use offsets provided that they're verified and are less than 5%
  - TFM: Think that carbon neutrality without clarifying last 5% of emissions does not give the whole picture
    - Fine with carbon neutrality, but should be clear what it means in the context of the statute
  - Staff: Leave it to the Task Force to decide
  - Staff: Add "be carbon neutral as defined by statute"?
  - TFM: Perfectly fine as far as I am concerned; may want to cite general statute
  - Staff: Think we can cite up above and then keep carbon neutral language here
- Section 5: Recommendations
- Recommendation 1
  - Staff: if you have objections, edits, or comments on recommendation 1, please raise your hand or speak up
  - Staff: hearing none, we will move to recommendation 2
  - No comments or objections raised on recommendation 1
- Recommendation 2
  - Note technical correction to delete extra word 'pathways'
  - Staff: if you have objections, edits, or comments on recommendation 2, please raise your hand or speak up
  - Staff: hearing none, we will move to recommendation 3
  - No comments or objections raised
- Recommendation 3

- TFM: Voluntary should not be in the actual recommendation title, though we talk about them being voluntary?
- Staff: Clarifying question - Are you saying we do or don't need to put voluntary in the title?
- TFM: Does the title need to say voluntary load flexibility?
- TFM: Would prefer not to put voluntary so we do not limit ourselves to only voluntary
  - TFM: I would agree with that, we may just recommend voluntary in the end, would not want to limit ourselves
  - TFM: Text says mandatory and voluntary
  - TFM: Agree, text makes sense as it is
  - TFM: Headline is develop options, should not exclude any options
- Staff: if you have further objections, edits, or comments on recommendation 3, please raise your hand or speak up
- Staff: hearing none, we will move to recommendation 4
- No other reactions or objections raised
- Recommendation 4
  - Staff: As a reminder, the idea would be for this to go to the technical advisory subcommittee, where they could handle this and then pass up info to the Task Force on how to proceed
  - Staff: if you have objections, edits, or comments on recommendation 4, please raise your hand or speak up
  - Staff: hearing none, we will move to recommendation 5
  - No edits or objections raised
- Recommendation 5
  - Staff: Restate changes for relevance to Task Force
  - Staff: Explore potential ways to link incentives to desired energy policy outcomes
    - Lower in the document has tie to certain state energy policy that certain folks care about
  - TFM: MI commission chair, has user tax example, would be useful to reference as we move forward, but no current amendments suggested
  - Staff: if you have further objections, edits, or comments on recommendation 5, please raise your hand or speak up
  - Staff: hearing none, we will move to recommendation 6
  - No other comments or objections raised
- Recommendation 6
  - Staff: if you have objections, edits, or comments on recommendation 6, please raise your hand or speak up
  - Staff: hearing none, we will move to recommendation 7
  - No comments or objections raised
- Recommendation 7
  - Staff: if you have objections, edits, or comments on recommendation 7, please raise your hand or speak up

- Staff: hearing none, we will move to recommendation 8
- No comments or objections raised
- Recommendation 8
  - Staff: if you have objections, edits, or comments on recommendation 8, please raise your hand or speak up
  - Staff: hearing none, we will move to recommendation 9
  - No comments or objections raised
  - TFM raised a later hand for Recommendation 8, looks like there is an incomplete sentence?
    - Revised sentence to be complete (grammatical revision, not a substantive/content revision)
- Recommendation 9
  - Staff: if you have objections, edits, or comments on recommendation 9, please raise your hand or speak up
  - Staff: hearing none, we will move to the conclusion
  - No comments or objections raised
- Conclusion
  - No comments or objections raised
  - TFM: Last bullet should be “with regard”

Staff: Reviewing process

- Gone through this version, technical edits, people seemed okay with this version
- There will be two votes now, then turn to Sec. Wilson and Rep. Hall
- We will move to approve this text as backup version
  - Section 2 statement, a few folks will abstain
  - Staff read the disclaimer language:
    - “The Task Force operated under a consensus model, although this did not always mean unanimity. The Task Force members represent diverse organizational perspectives. A Task Force member’s vote supporting issuance of this report and the recommendations made herein is not intended to be (and should not be) construed as reflecting their organization’s blanket endorsement of each and every recommendation made herein. Each Task Force member’s employing organization reserves the right to advocate for policy and regulation that serves its organizational mission. This includes in North Carolina Utilities Commission proceedings, where, because of the continual cycle of the Carbon Plan and Integrated Resource Plan proceedings, there will never be a full year in which there is not a significant North Carolina Utilities Commission regulatory proceeding underway.”
  - Then we will decide – do you want to meet again tomorrow?
- Will work on copy editing the report and have it out by the 15th, work on the next task force meeting, refining and defining what the recommendations are; lots of continued work to do

Sec. Wilson: Any points that need to be tied up still?

- Staff: Returning to VCEA language

- TFM: Working on language for curtailment obligations for new large load
- TFM: Will try to get a sentence for the group, though it may be very general
- Staff: General is fine, this is the interim report and the Task Force will have a full year to dive in and elaborate on this
- Staff: This language (VCEA) was a suggested addition from AWS initially, the question is how crucial is it to include this language?
- TFM: It is important regional input to see how markets (Virginia, especially for large loads) in terms of making capacity available and giving options to large load customers. As a factual matter, I think it is an important part to keep in.
- TFM: Going to have to get back to everyone unfortunately with potentially some tweaking of the language
- TFM: Would moving the language to another section help?
- TFM: Comfortable moving it, as long as it is somewhere in the report
  - Important for the ability of data center customers to be able to work with the market; Virginia is a good example of a mature market
  - TFM agreement
- Staff: What if we move the language to the BYOC section and put it right after PJM, so it is no longer related to the large load tariff section?
- TFM: You're saying it's not specifically connected to large load tariffs?
- Staff: No, now it is in the BYOC section
- TFM: Strikes us as a reasonable compromise
- TFM: Can't agree to that right now
- TFM: If it remains an area of concern in the next report it could be updated, but as it sits now, it strikes me as accurate
- TFM: What did we do with the same paragraph in another section?
- Staff: We removed it
- TFM: Like how it says utilities requirements
  - Prefer to vote today?
- Staff: Trying to vote today, getting the backup text on a version as close to consensus as we can here, then we will have an option to vote again and see if we should meet again tomorrow
- TFM: As I noted earlier, I believe this is important context
  - TFM: I agree
- TFM: Could you have an answer by tomorrow?
  - TFM: Yes
- TFM: Remove the utilities clause? "In Virginia, customers who procure clean energy under the..."
- TFM: Not apply to large load?
- TFM: No, still large loads, just not large load tariffs
  - TFM: Takes onus from utility officially owning, but recognizes existence of program under VCEA and the pathway for large customers to procure, in relation to state statute
- TFM: Basically, removing "according to their utilities requirement"
- TFM: Grammatical edits

- All covered by the broader “we basically agree to this but there might be some points of disagreement” language above

[In Virginia, customers who procure clean energy via the ~~accelerated~~ accelerated renewable energy buyers mechanism authorized in the Virginia Clean Economy Act (VCEA) are exempt from state-based procurement or carbon-free electricity riders.]

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- TFM (Regarding Duke Energy curtailment requirements in ESAs): “For new large loads, Duke is executing new ESAs that include a variety of risk mitigants, including curtailment”
- Intended to get at some of the issues a large load tariff would get at if there was one
  - Language to be socialized
- TFM: ESAs with large load customers... through executing ESAs for large load customers
- Staff: We already have large load in this sentence, can we rephrase?
- TFM: Key differentiation is that it has to be an agreement rather than a requirement, want to make it clear that this is a negotiation provision and not foisted upon customers
- TFM: Instead of ‘executing’, ‘negotiating’ ESAs with large load customers
  - TFM: I think we can live with that

#### Sec. Wilson:

- Motion to approve this document as it currently stands right this moment
  - Staff confirming
  - This is the backup text, could work further tomorrow if you vote to meet again
- Rep. Brown: Move to approve the document as it currently stands
- Matt Abele: Second that motion
- Sec. Wilson:
  - All in favor, say ‘aye’
  - [Task Force Members vote yes]
- Sec. Wilson:
  - Any opposed?
    - No Task Force Members voice opposition
  - Any members want to abstain?
    - Peter Ledford - Would like to abstain
    - Mark McIntyre - Duke Energy will abstain
    - Tom Felling for Public Staff - Due to acting independently on behalf of ratepayers in all proceedings at the Utilities Commission, we will abstain, but do not object to issuance of the report
    - Michael Youth - Abstain
    - Dana Magliola: Fully supportive of the work, appreciate being involved, will abstain from the vote
    - Winnie Wade - Dominion is also abstaining
  - Sec. Wilson: 6 abstentions, 0 “no” votes, rest in affirmative
  - Staff: One additional abstention by email - Kathy Moyer
  - Sec. Wilson: Approved with abstentions noted
    - Anyone want to motion to meet tomorrow, won’t prejudice

- TFM: I believe we said there's nothing else to work out? My sense from those abstained is they are abstaining on principle and not due to specific language. My sense is a meeting tomorrow would not change anything, but correct me if I'm wrong
- TFM: Won't go into great detail, we are parties to dockets being considered that are relevant to the report; wouldn't be appropriate for us to vote. Don't think a meeting tomorrow would change that, but happy to participate in a social gathering if pizza is involved, if someone wants to motion for social gathering, I'm all in
- Sec. Wilson: Sounds like there is not enthusiasm for another meeting tomorrow
  - Held a vote today; approved with abstentions noted
  - At this point motion for adjournment
    - TFM seconded
    - None opposed
- TFM: Asking who will distribute?
- Staff: Will put a link up on the Governor's Office website by 11:59 PM Sunday, then the DEQ will put out a press release
  - It probably will not be fully formatted, will be made prettier later on, DEQ will do a press release on Monday referring to it
- TFM: Are we stopping meeting for now?
  - Staff: Need to meet with subcommittee co-chairs, decide on how we would like to continue delving into those recommendations