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VIA EMAIL & MAIL

October 28, 2015

Roy Cooper
Attorney General
Attorney General's Office
9001 Mail Service Center
Raleigh, NC 27699-9001

Re: Emergency Complaint submitted by NC WARN et al.

Dear Mr. Cooper:

On October 6, NC WARN and several other groups submitted an Emergency Complaint to you seeking an investigation of the corporate charters of Duke Energy in North Carolina, based on Duke Energy's continuing reliance on coal plants given the climate crisis, its actions seeking to hinder competition, and its abuse of the political process. To date, we have not heard from your office.

Representatives from the alliance of groups signing onto the Emergency Complaint would like to meet with you and your staff to discuss how the investigation will proceed, and what a fair process should look like. We understand Duke Energy will, or already has, requested a meeting to explain the "facts" to you, and we want to be able to rebut what it says.

I am attaching a supplement to the petition, with a report, *Blocking the Sun*, released last week by Environment America. The report supports the allegations in our Emergency Complaint, and shows clearly the efforts of Duke Energy to protect its monopoly against competition from the solar industry through political influence.

Lastly, we would draw your attention to the extremely troublesome "settlement" agreement entered into by the Department of Environmental Quality and Duke Energy on September 29, 2015, giving Duke Energy a free hand for further coal ash pollution.

As reported by the *Raleigh News & Observer* on October 8, 2015, Assistant Secretary of the Environment, Tom Reeder, wanted much higher penalties and sanctions, but was overruled by others in the administration. Besides being extremely harmful environmental policy, the settlement further supports our allegations of undue political influence.

Please let us know at your earliest convenience your agency's process to investigate our emergency complaint. We again make our offer to meet with you and your staff over this critical matter.

Sincerely,

John D. Runkle
On behalf of NC WARN et al.

STATE OF NORTH CAROLINA
BEFORE THE ATTORNEY GENERAL

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|--|---|---------------------|
| Investigation of |) | |
| The Operations and Practices of Duke |) | |
| Energy Carolinas and Duke Energy Progress |) | EMERGENCY COMPLAINT |
| To Determine Whether Their State Corporate |) | (FIRST SUPPLEMENT) |
| Charters Should Be Amended To Reduce |) | |
| The Impacts of the Global Climate Crisis |) | |

Now come NC WARN et al. with their first supplement to the emergency complaint.

Appendix E -- Environment North Carolina's report, *Blocking the Sun*, on Duke Energy's efforts to block the solar industry and other competition, October 8, 2015.

Appendix F -- Settlement Agreement between DEQ and Duke Energy regarding groundwater violations at the Sutton coal ash facility, September 25, 2015.

Submitted this the 28th day of October 2015.

FOR THE COMPLAINANTS

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