January 26, 2026

The Honorable Chris Wright
Secretary of Energy
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Re: Request for Emergency Order Under Section 202(c) of the Federal Power Act

Dear Secretary Wright:

Pursuant to Section 202(c) of the Federal Power Act ("FPA") and the regulations promulgated thereunder by the Department of Energy ("Department" or "DOE"), Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP") (collectively, "Duke Energy") respectfully request that the Secretary of Energy ("Secretary") find that an emergency exists within the Duke Energy service territory that requires intervention by the Secretary, in the form of a Section 202(c) emergency order, to preserve the reliability of the bulk electric power system. Duke Energy respectfully requests that the Secretary issue an order immediately, effective January 27, 2026, authorizing certain electric generating units located within the Duke Energy service territory to operate up to their maximum generation output levels under the limited circumstances described in this letter, notwithstanding air emissions or other permit limitations. Duke Energy further requests that the order remain effective through 1200 Eastern Standard Time (EST) on January 30, 2026. Duke Energy is requesting the Department issue an order for this duration with this limiting condition because Duke Energy anticipates unusually high load forecasts during this time of approximately 15,335 MW for DEP and 22,762 MW for DEC.

Background

A significant winter weather event known as Winter Storm Fern impacted Duke Energy's service territory during the weekend of January 23rd – 24th, bringing a combination of sleet, ice and impactful freezing rain that presents a looming outage risk. Behind this storm, extremely cold temperatures are forecasted to move southeastward over the Carolinas starting Monday evening and lasting through Wednesday morning. The coldest temperatures are projected in the lower to middle teens on Tuesday morning, with colder wind chills, and lasting winter weather effects from the storm. As such, customer demand may reach or exceed record-breaking thresholds for Duke Energy on Tuesday morning. Later in the week, another round of extreme

cold is forecast to impact the Carolinas as lows fall into the teens around January 29th - 30th. Average temperatures are slated to be nearly 15-20° below standard January conditions. Demand for electricity is expected to rise to an extraordinarily high peak load on January 27, 2026, in excess of approximately 15,335 MW for DEP and 22,762 MW for DEC.

While the vast majority of generating units in the Duke Energy service territory continue to function adequately under these stressed conditions, some units are limited in providing the generation needed by the system by conditions and limitations in their environmental permits. As a result, Duke Energy is concerned that under these conditions the system may not have sufficient generation available to meet this unusually high demand and may be forced to curtail load in order to maintain security and reliability of the grid. In anticipation of this emergency, Duke Energy has initiated its Emergency Operating Plans to mitigate an Operating Emergency.

When needed during an emergency, Duke Energy takes extensive conservation measures in an effort to reduce load so that the supply of power continues to be sufficient to meet system demand and reserve requirements. Specifically, Duke Energy issues public conservation appeals encouraging customers to reduce usage, curtails all recallable energy sales, and implements its load management program, including implementing residential demand response programs, large load curtailments, and a 5% voltage reduction. Duke Energy also notifies wholesale customers to implement in-kind load management programs. In addition to the conservation measures, Duke Energy also exhausts its ability to obtain more power through other means, including committing all available generation resources, implementing Emergency Ratings output, as well as purchasing external capacity where available and deliverable. As a result of these efforts, for Winter Storm Fern, Duke Energy expects to reduce demand by more than approximately 700 MW and has secured an additional 1278 MW in DEC and 911 MW in DEP. Duke Energy will continue to pursue more capacity as available.

Subject to the exceptions requested herein, Duke Energy commits to continuing to take such actions, including utilizing other supply resources, before operating any units or calling on any generator to operate any units in a manner that will result in a conflict with a requirement of any federal, state, or local environmental statute or regulation, including requirements in permits issued pursuant to such laws or regulations. Even with the requested order, however, it is possible that Duke Energy will have no choice but to curtail firm load to ensure system reliability.

Relief Requested

Duke Energy and generators within the Duke Energy service territory may have to limit some generating units in their power output due to emissions, effluent, and other limits established by federal and state environmental laws and permits. These units are described in **Exhibit A** (the "Specified Resources").[1] Specifically, the operation of the identified coal-fired

[1] In the event that Duke Energy identifies additional units that it deems necessary to operate in violation of federal and state environmental laws in order to maintain the reliability of the power grid when the demand on the Duke Energy system exceeds expected energy and reserve requirements, Duke Energy shall provide prompt written

generating units may be impacted by air permit restrictions related to particulate emissions. As the units run at full capacity for extended periods to meet electric demand, significant quantities of ash are generated and must be transported through a series of hoppers and conveyors for disposal. When this handling equipment is subject to extreme cold conditions, the material can freeze and form plugs. Once ash handling capacity is affected, there are follow-on impacts to the operation of the electrostatic precipitator and flue gas scrubbers, resulting in potentially increased particulate and mercury emissions.

Combustion turbines equipped with selective catalytic oxidation (SCR) units to minimize NOx emissions can experience increased emission rates should valves or other components associated with the ammonia handling system freeze. In addition to increased NOx emissions, air permits also require work practice standards, such as minimum ammonia injection rates or continuous operation of the SCR that can be problematic should a component freeze. Additionally, units equipped with catalytic oxidation to minimize carbon monoxide (CO) emissions can be impacted by cold ambient temperatures, reducing the removal efficiency.

Finally, simple cycle units operate with precise ratios of fuel and ambient air to ensure optimized combustion which is required to meet NOx, CO, and other emission limits. The heavy, cold air can create dynamics issues within the turbine combustors when fired at capacity for extended periods. To ensure safe operation of the unit, combustion parameters may be altered to address any dynamics issues, resulting in increased emissions.

Because the output from all of the units subject to these restrictions would help to reduce the need for any firm load shedding that may be required during this extreme cold weather event, Duke Energy seeks an immediate order from the Department authorizing the provision of additional energy from the Specified Resources, as well as any other generating units, regardless of emissions or other permit limitations. To minimize adverse environmental impacts as set forth herein, this order would limit operation of dispatched units to the times and within the parameters determined by Duke Energy as necessary for grid reliability to avoid adverse health and safety impacts to customers from shedding firm customer load. Consistent with good utility practices, Duke Energy shall exhaust all reasonably and practically available resources, including available imports, demand response and identified behind-the-meter generation resources selected to minimize an increase in emissions to the extent that such resources provide support to maintain grid reliability prior to dispatching the Specified Resources at levels in violation of environmental laws. Duke Energy shall provide a daily notification to the Department by email

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notice to the Department of Energy at AskCR@hq.doe.gov with an updated Exhibit A to its application with the name and location of those units, the fuel type of such unit, and the anticipated category of environmental impact, at 11:00 Eastern Standard Time or 21:00 Eastern Standard Time, whichever follows closest in time to the unit identification by Duke Energy to the greatest extent feasible. Duke Energy requests that such additional generation units be deemed a resource covered by any order for the hours prior to the required written notice to the Department. However, if the Department of Energy notifies Duke Energy that it does not approve of such generation unit being designated as a resource covered by any order, such generation unit shall not constitute a covered resource upon notification from the Department.

to AskCR@hq.doe.gov reporting each generating unit that has been designated to use the allowance and operated in reliance on the allowances contained in this Order.

Duke Energy requests this order because it is committed to public health and safety, takes its compliance obligations seriously, and understands the importance of the environmental permit requirements that are at issue. In this case, the risk of power outages in extremely cold temperatures is a more imminent and prominent threat to the communities in our service territory than the temporary exceedances of those permit limits that would be allowed under the order. Authorizing the Specified Resources to operate notwithstanding permit and other limitations will reduce the likelihood that Duke Energy will need to curtail load.

This request is narrowly tailored to allow only the exceedances that are necessary to ensure reliability during the limited timeframe of this request, ensuring that the generation capacity subject to emissions limits and other permit restrictions will be the last generation that is made available for dispatch to meet system demand, thus minimizing any environmental impact to the greatest degree possible.

Duke Energy greatly appreciates the Department of Energy's expedited consideration of this request and commits to respond to any requests for additional information on an expedited basis. Please do not hesitate to contact me or my staff if you have any questions or require additional information in order to act on this request.

Respectfully Submitted,

Jessica L Bednarcik

Jessica L. Bednarcik
SVP, Enterprise Safety and Generation Services
Duke Energy