January 26, 2026

The Honorable Chris Wright
Secretary of Energy
U.S. Department of Energy
1000 Independence Ave SW
Washington, DC 20585

RE: Request for Emergency Order Pursuant to 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. As described in the Secretary's January 22, 2026 letter, "Leveraging Backup Generation Facilities During Energy Emergencies," Duke Energy respectfully requests that the Secretary issue an order immediately, effective January 27, 2026, authorizing certain backup generation units located within the Duke Energy service territory to operate up to their maximum generation output levels under the limited circumstances described below, 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. Such order need only be effective during the pendency of any Duke Energy-issued Energy Emergency Alert (EEA) Level 2 or Level 3, except as otherwise provided herein in certain limited circumstances in anticipation of an EEA Level 2 or above. 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.

I. Background

A significant winter weather event known as Winter Storm Fern has impacted Duke Energy's service territory during the weekend of January 24, 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.

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 has reduced demand by more than approximately 700 MW and secured approximately 1278 MW in DEC and 910 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 calling for the operation of 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.

II. **Relief Requested**

In an effort to further reduce load, non-essential customer-owned or operated backup generation facilities within the Duke Energy service territory may be available to disconnect from the grid and operate during this emergency (the "Specified Resources"). However, these units may be limited in their power output due to emissions and other limits established by federal and state environmental laws and permits. Specifically, the operation of the Specified Resources could result in emissions of NOx, carbon monoxide, and volatile organic compounds exceeding regulatory limits when operated continuously in support of the cold weather event. These exceedances could be the result of combustion concerns or supply issues for materials such as Diesel Emission Fluid (DEF) which helps to minimize emissions. Additionally, the units could exceed run hour limitations in their permits or as described in the

regulations. Extended run periods could also cause a unit to exceed a specified maintenance interval while operating in support of this event.

Because the output from the units subject to these restrictions could help to reduce demand and potentially avoid 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 operation of the Specified Resources regardless of emissions or other permit limitations and excluding these run time hours from compliance limits. This relief would be available only under the following limited circumstances:

- For any unit that is unable, or expected to be unable, to produce at its maximum output in compliance with environmental statute, regulation, or permit for the duration of the order, the unit will be allowed to operate at maximum output regardless only during any period for which Duke Energy has declared an Energy Emergency Alert (EEA) Level 2 or Level 3, except as described in the bullet below in certain limited circumstances in anticipation of an EEA Level 2 or above. Once Duke Energy declares that the EEA Level 2 (or above) event has ended, the units would be required to immediately return to operation within their permitted limits, except for the limited exceptions provided herein for operation in anticipation of an EEA Level to prevent the cycling of units. At all other times, the units would be required to operate within their permitted limits.

- Exception: Duke Energy seeks authority for the Specified Resources to operate in certain limited circumstances in advance of declaring an Energy Emergency Alert (EEA) Level 2, or in between such events, where such operation or continued operation of the Specified Resource is reasonably necessary to avoid shutting down and restarting the Specified Resource, because such cycling of units can cause reliability issues regarding restarting, delays, and increased emissions during start up.

- To minimize adverse environmental impacts as set forth herein, this order limits operation of the Specified Resources to the times and within the parameters identified in this request and as 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 calling on the Specified Resources to potentially operate at levels in excess of environmental permits.

- Duke Energy will provide such additional information regarding the environmental impacts of the order and its compliance with the conditions of the order, in each case as requested by the Department of Energy from time to time.

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 may 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. Limiting the requested allowance to situations described above will ensure that the operation of the Specified Resources in excess of environmental permit limits will be a last resort to maintain grid stability, 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,

Rick Grant
SVP, Grid Operations
Duke Energy