

# The Road Ahead: An Update on the Atlantic Coast Pipeline

In 2019, Duke Energy made a commitment to cut our carbon emissions from electric generation at least in half by 2030 with the goal of attaining net-zero emissions by 2050. The Atlantic Coast Pipeline (ACP) – a 600-mile natural gas pipeline slated to run through West Virginia, Virginia and North Carolina – is a critical piece of Duke Energy’s decarbonization strategy. The ACP is also crucial to the continued ability to safely and reliably provide natural gas service to residential, commercial and industrial customers.

The project is facing a busy road ahead in 2020. Here is the latest on our journey to build the ACP:



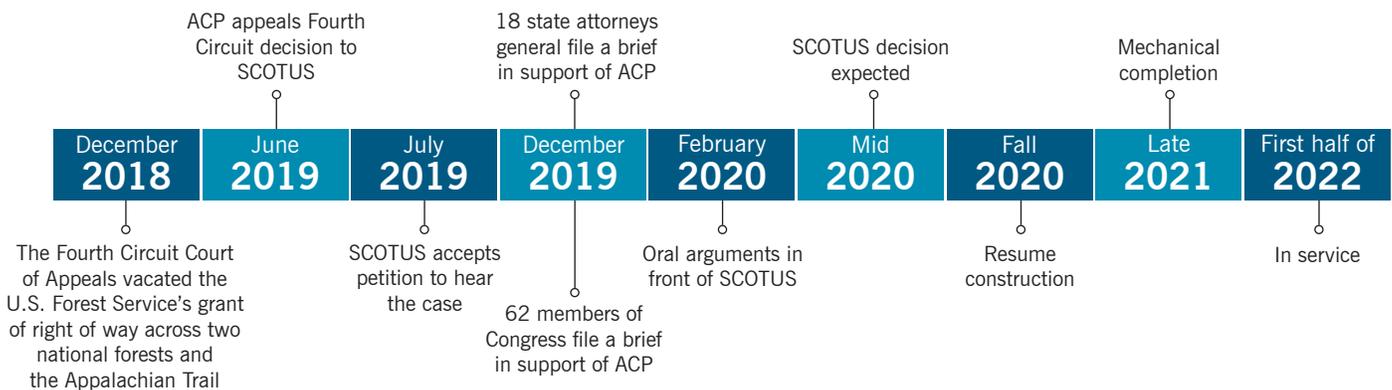
## SCOTUS Hearing: Atlantic Coast Pipeline LLC v. Cowpasture River Preservation Association

On October 4, 2019, the U.S. Supreme Court (SCOTUS) agreed to hear ACP’s appeal of the U.S. Court of Appeals for the Fourth Circuit’s decision to vacate permits for the project to cross beneath the Appalachian Trail.

The court is scheduled to hear oral arguments in the case beginning February 24, 2020. A final ruling is expected by the summer of 2020. A favorable resolution of the Appalachian Trail case should allow full construction to resume by fall of 2020 and major construction of the project to be completed by the end of 2021, with an in-service date in 2022.

*“We remain committed to the Atlantic Coast Pipeline and the significant benefits it will bring to our customers and our region.”*

– Lynn Good, Duke Energy Corporation, Chairman, President & CEO



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## Agreement on U.S. Forest Service Authority

At the center of the SCOTUS hearing is whether the U.S. Forest Service had the authority to approve ACP's crossing beneath the Appalachian Trail. ACP's position is that the Forest Service does have such authority, and we have been joined by a groundswell of supporters, including the U.S. solicitor general, 18 state attorneys general, 62 members of Congress and more than a dozen industry and labor organizations.

## Additional Outstanding Legal Hurdles

Work is ongoing to resolve additional permits and opinions that have been remanded or vacated:

- The U.S. Fish and Wildlife Service (FWS) is currently working on revising and reissuing the project's biological opinion (BO) and incidental take statement (ITS) that was vacated by the Fourth Circuit in July 2019.
  - The Federal Energy Regulatory Commission (FERC) has formally reinitiated consultation with FWS for the BO/ITS. Re-issuance of BO and ITS permits is expected mid-year of 2020.
- The National Park Service (NPS) was granted remand of the Blue Ridge Parkway right of way and associated NEPA analyses in January 2019. This allows the NPS and the Department of Justice to review and revise the right of way.
- The Fourth Circuit vacated the project's air permit for the Buckingham Compressor Station in January 2020, citing technology and environmental justice concerns.

## Summary of Key Permits and Approvals Secured

Despite outstanding regulatory and legal hurdles, it is important to note approvals that have been secured:

- Final Environmental Impact Statement received (July 2017)
- FERC Certificate (CPCN) received (October 2017)
- Full construction approved in North Carolina (July 2018)

## What Supporters Are Saying

*"It's an unfortunate reality that the voices of communities and workers that directly benefit from this project have been drowned out by special interest organizations coming from outside regions of the country. We demand answers from Congress as to why the ACP cannot get necessary clarity on permits it rightfully earned during extensive reviews."*

**- Sean McGarvey, President of North America's Building Trades Unions**

*"The Atlantic Coast Pipeline was halted due to this exact activism against the well-established congressional support for domestic energy production and infrastructure. I'm encouraged the Supreme Court agreed to consider this case, and I look forward to hearing the argument presented to the court in February."* - **Rep. Jeff Duncan (SC-03)**

*"In order for the counties' leaders to position their counties for economic growth, we have got to have the ACP. Without that gain, it is going to be a challenge. That is because it is such a recruitment tool to bring in businesses who are looking for places to locate and relocate."* - **Vernon Bryant, Chairman of the Halifax County Board of Commissioners**

*"ACP is designed to address North Carolina's environmental and energy needs in a way that is beneficial to the rural communities hosting it. By lifting the competitive posture of our manufacturing economy, the pipeline's positive economic impact will be strategic and statewide. With its safety and viability thoroughly studied for the better part of the past three years, it's time to move forward with this key piece of economic infrastructure."*

**- Steve Yost, President of the North Carolina Economic Development Association**

