

*Office of the Governor
State of North Carolina*

*Roy Cooper
Governor*



*20301 Mail Service Center
Raleigh, N.C. 27699-0301*

December 12, 2018

The Honorable Harry Brown
North Carolina State Senate
Legislative Office Building, Room 300-B
Raleigh, North Carolina 27603-5925

The Honorable Dean Arp
North Carolina House of Representatives
Legislative Office Building, Room 529
Raleigh, North Carolina 27603-5925

Dear Senator Brown & Representative Arp:

In preparation for your hearing this morning on the Atlantic Coast Pipeline, I would like to remind you of my November 27th letter. I committed that our office will make information available to you and wanted you to know that will happen by Thursday, December 20, 2018.

I acknowledge that the North Carolina General Assembly has important oversight responsibilities and should carefully exercise them as a function of our system of checks and balances. Unfortunately, your conduct in this matter has not been one of serious oversight but of political showmanship. We offered to discuss these issues with legislative leaders as early as last February. Additionally, at your request I attended a rare meeting of the Joint Legislative Commission on Governmental Operations on this topic, yet you failed to ask me or the North Carolina Department of Environmental Quality a single question. It leads me to believe that you are not looking for answers but rather intend to use these hearings and proposed hiring of an outside investigator to try to score political points.

As we have stated, we created the fund at the urging of local leaders whose communities will be disrupted by the Atlantic Coast Pipeline with little to show for it. We had envisioned the fund paying to extend gas distribution lines to attract jobs to rural Eastern North Carolina. It is a mystery why legislators continue to punish these communities by squandering this economic development fund, refusing to close the coverage gap, and underfunding rural schools.

December 12, 2018

Page 2

North Carolina needs certainty that you are not wasting state resources on hearings and investigators for political gain. It is imperative that Eastern North Carolina know why you took this opportunity for economic growth away. In your rhetoric, you imply that the fund's creation may not have followed the law but yet you took the funds and appropriated them. However, under your control, no one has benefited from the fund. Additionally, the fund was created to ensure that the ACP's promises were kept to provide economic development by extending gas lines. So why did you hijack the fund and therefore the extension of gas, which is essential to job creation? This is true especially for our farmers and the agriculture community of North Carolina, who requested this economic development fund. You claim the fund would deter companies from coming to North Carolina. Since the fund was created, Governor Cooper has attracted top companies to North Carolina, in both urban and rural areas: Advanced Auto in Raleigh; Honeywell in Charlotte; Cascades in Scotland County, and Reser's Fine Food in Halifax County, to name only a few. We are working to attract and expand more businesses in North Carolina. We have not heard any concern about this fund. North Carolina needs opportunities for growth, not politically-motivated hearings and investigations that waste time and taxpayer money and create a negative view of the state.

In the interest of transparency, I respectfully request that you respond to the attached public records request. The North Carolina General Assembly has attempted to exempt itself from some of the public records laws under which state and local governments operate. However, as an act of good faith and transparency, you can release all of this information and I am asking you to do so. Please provide all relevant documents and communications, including correspondence, to our office and to the public as soon as possible.

Thank you in advance for your attention to the matter and for helping North Carolinians know the truth.

Sincerely,

A handwritten signature in black ink that reads "Kristi Jones". The signature is written in a cursive, flowing style.

Kristi Jones
Chief of Staff

Public Records Request of the North Carolina General Assembly

1. All records, including communications between (a) legislators, (b) legislators and legislative staff, (c) legislative staff, and (d) legislators or legislative staff and third parties (including employees or agents of the Republican Party), which relate to the reason for, purpose of, plans for, or work of the Joint Legislative Commission on Governmental Operations Subcommittee on the Atlantic Coast Pipeline.
2. All records, including communications between (a) legislators, (b) legislators and legislative staff, (c) legislative staff, and (d) legislators or legislative staff and third parties (including employees or agents of the Republican Party), which discuss or reflect any potential or existing political benefit to be obtained by any member of the North Carolina General Assembly or the Republican Party as a result of any investigation related the Atlantic Coast Pipeline.
3. All records, including communications between (a) legislators, (b) legislators and legislative staff, (c) legislative staff, and (d) legislators or legislative staff and third parties (including employees or agents of the Republican Party), which relate to the decision by the Joint Legislative Commission on Governmental Operations Subcommittee on the Atlantic Coast Pipeline or the General Assembly to hire an investigator and the legal authority for such hire.
4. All records, including communications between (a) legislators, (b) legislators and legislative staff, (c) legislative staff, and (d) legislators or legislative staff and third parties (including employees or agents of the Republican Party), which relate to the decision of the North Carolina General Assembly or any particular legislator to support HB90, including any analysis regarding the propriety of the State's receipt of funds from the Atlantic Coast Pipeline or associated entities or any opposition of the North Carolina General Assembly's seizure of the funds or concerns regarding HB90's effect on the Pipeline project.
5. All records, including communications between (a) legislators, (b) legislators and legislative staff, (c) legislative staff, and (d) legislators or legislative staff and third parties (including employees or agents of the Republican Party), which relate to the costs associated with the work of the Joint Legislative Commission on Governmental Operations Subcommittee on the Atlantic Coast Pipeline including any projections or budgets.
6. All records, including communications between (a) legislators, (b) legislators and legislative staff, (c) legislative staff, and (d) legislators or legislative staff and third parties (including employees or agents of the Republican Party), referencing or relating to the March 9, 2018 "Request of [sic] federal investigation" submitted by Robin Hayes and Dallas Woodhouse to the United States Department of Justice.

7. All records, including communications between (a) legislators, (b) legislators and legislative staff, (c) legislative staff, and (d) legislators or legislative staff and third parties (including employees or agents of the Republican Party) plans or efforts to acquire the funds identified in HB90.