

# OFFICIAL COPY

## BEFORE THE NORTH CAROLINA UTILITIES COMMISSION DOCKET NO. E-2, SUB 1107

**FILED**

JUN 28 2016

Clerk's Office  
N.C. Utilities Commission

**In the Matter of:** )  
**Application of Duke Energy Progress,** )  
**Inc. Pursuant to G.S. 62-133.2 and** )  
**NCUC Rule R8-55 Relating to Fuel and** )  
**Fuel-Related Charge Adjustments for** )  
**Electric Utilities** )

### **PETITION OF NCSEA TO INTERVENE**

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Pursuant to North Carolina Utilities Commission ("Commission") Rules R1-5, R1-7, and R1-19, the North Carolina Sustainable Energy Association ("NCSEA") hereby moves to intervene in the above-referenced docket. In support of this petition, NCSEA states as follows:

1. NCSEA is a non-profit corporation formed under the laws of North Carolina, with individual, business, and government members located across the State. NCSEA's mission is to promote a sustainable future through the use of renewable energy and energy efficiency programs. NCSEA seeks to achieve its objectives by advocating for public policies that encourage the responsible technological and market development of renewable energy and energy efficiency, including all aspects of demand side management, a smart grid, energy storage, and vehicle electrification.
2. NCSEA has frequently appeared before this Commission as an intervenor in dockets involving integrated resource planning ("IRP"). *See, e.g.*, Commission Docket No. E-100, Sub 141; Commission Docket No. E-100, Sub 137; Commission Docket No. E-100, Sub 128; Commission Docket No. E-100, Sub 118. The IRP, however, is "not intended to provide an occasion for the issuance of mandatory orders requiring substantive changes in a given utility's operations." *Utilities Comm. v. N.C. Electric Membership Corp.*, 105 N.C.

App. 136, 143, 412 S.E.2d 166, 170 (1992). Consequently, a party like NCSEA that desires a specific utility “to take or to refrain from taking some specific substantive action[.]” *Id.* at 144, 412 S.E.2d at 171, must seek to involve itself in a specific, substantive proceeding.

3. NCSEA was a chief proponent of North Carolina’s Renewable Energy and Energy Efficiency Portfolio Standard (“REPS”), has substantial organizational awareness of the law and its implementation, and has a direct interest in seeing the policies and goals of the REPS law achieved in a manner consistent with the legislative intent. The interest of NCSEA and its members in the REPS law, renewable energy, and energy efficiency extends to dockets such as this one for a multitude of reasons. First and foremost, hearings under Commission Rule R8-55 involve costs for the purchase of power from renewable energy facilities. *See* Rule R8-55(a)(6). But, even if no such costs were at issue, a utility’s generation portfolio must be viewed comprehensively – its non-renewable fuel and fuel-related costs inevitably impact the renewable component of its generation portfolio as well as consideration of demand-side management measures – and, therefore, NCSEA and its members would still have an interest in Duke Energy Progress, Inc.’s non-renewable fuel and fuel-related costs.

4. NCSEA has frequently appeared before this Commission as an intervenor in fuel and fuel-related cost recovery proceedings. *See, e.g.*, Commission Docket No. E-2, Sub 1069; Commission Docket No. E-2, Sub 1045; Commission Docket No. E-2, Sub 1031; Commission Docket No. E-2, Sub 1018; and Commission Docket No. E-2, Sub 1001.

5. NCSEA’s participation in this docket will bring critical insight, knowledge, and understanding to the proceeding.

6. NCSEA's address is 4800 Six Forks Rd, Suite 300, Raleigh, NC 27609. All correspondence related to this proceeding should be addressed to:

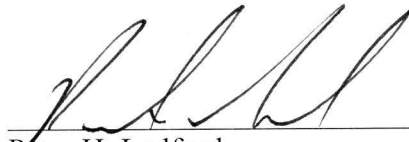
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7. Pursuant to Commission Rule R1-39, NCSEA agrees to electronic service of all pleadings and other filings in this matter.

**WHEREFORE**, for the reasons set forth above, NCSEA prays that it be allowed to intervene in this matter.

Respectfully submitted,



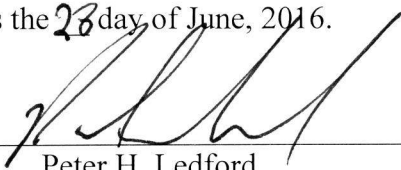
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**VERIFICATION**

Peter H. Ledford, first being duly sworn, deposes and says that he is the attorney for NCSEA; that he has read the foregoing Petition to Intervene and that the same is true of his personal knowledge, except as to any matters and things therein stated on information and belief, and as to those, he believes them to be true; and that he is authorized to sign this verification on behalf of NCSEA.

This the 28 day of June, 2016.

  
\_\_\_\_\_  
Peter H. Ledford

NORTH CAROLINA  
WAKE COUNTY

Sworn to and subscribed before me,

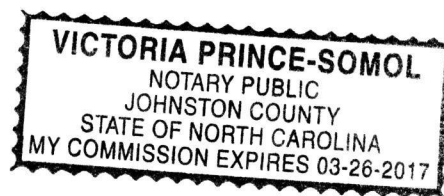
this the 28 day of June, 2016.

[AFFIX SEAL OF NOTARY]

  
\_\_\_\_\_  
Notary Public

Victoria Prince Somol  
Printed Name of Notary Public

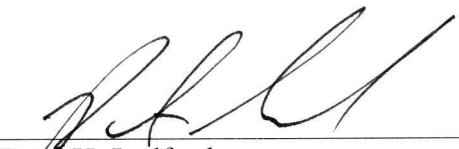
My Commission Expires: 3-26-2017



**CERTIFICATE OF SERVICE**

I hereby certify that all persons on the docket service list have been served true and accurate copies of the foregoing Petition to Intervene by hand delivery, first class mail deposited in the U.S. mail, postage pre-paid, or by email transmission with the party's consent.

This the 28 day of June, 2016.



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