

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-7, SUB 1146

In the Matter of:)
Application by Duke Energy Carolinas, LLC,)
For adjustment of Rates and Charges)
Applicable to Electric Utility Service)
In North Carolina)

**PETITION TO INTERVENE BY RATE-PAYING NEIGHBORS OF
DUKE ENERGY CAROLINAS, LLC'S COAL ASH SITES**

Pursuant to North Carolina Utilities Commission ("Commission") Rules R1-5, R1-7 and R1-19, Amy Brown and Deborah Graham, as rate-paying customers of Duke Energy Carolinas, LLC ("DE Carolinas" or the "Company"), and as individuals who reside within a half-mile of DE Carolinas coal ash sites (the "Rate-Paying Neighbors"), through counsel, on their own behalf and on behalf of the other similarly-situated neighbors including those listed in Exhibit 1 who support this petition, hereby request leave from the Commission to intervene and participate in this proceeding. In support, the Rate-Paying Neighbors state as follows:

1. On July 25, 2017, DE Carolinas filed a notice with the Commission pursuant to R1-17(a) of its intent to file a general rate application on or about August 25, 2017.
2. On or about August 25, 2017, DE Carolinas is expected to file an application with the Commission requesting authority to adjust and increase its retail electric rates and charges.¹

¹ A similar application was filed by Duke Energy Progress, LLC at Docket No. E-2, Sub 1142 on June 1, 2017.

3. In its application, DE Carolinas is expected to detail what it will claim to be costs of its efforts to comply with recently adopted federal and state rules regarding the handling of coal ash and closure of coal ash basins. The Company is expected to request that a significant part of its requested rate increase will be intended to recover ash basin closure compliance costs it has incurred.

4. The Rate-Paying Neighbors have a direct stake in the issues presented by the application which DE Carolinas has notified the Commission that it intends to file and that will request authority to increase the utility's rates and charges for retail electric service in North Carolina.

5. Specifically, the proposed intervenors are each consumer retail utility customers of DE Carolinas, as well as being homeowners who reside less than half a mile from the coal ash waste sites owned and operated by the Company. Unlike other rate paying consumers, they have suffered stigma, loss of property value, nuisance and other injury and loss due to the Company's mismanagement of its coal ash. The other individuals listed on Exhibit 1 are similarly situated and support the named proposed intervenors.

6. The Rate-Paying Neighbors are doubly burdened: not only have they been injured by the Company's improper management of its coal ash waste, but they also would be subjected to the rate increase which DE Carolinas seeks to pass along in part precisely as a result of its coal ash liability.

7. The Rate-Paying Neighbors should be allowed to intervene and be heard on the issues before this Commission. Because of their status as community members who have long been affected by the coal ash issues, they have information to bear on the

relevant issues which may assist the Commission in determining whether rates should allow for recovery of coal ash related costs.

8. The proposed intervenors note that as befitting a matter of this magnitude, the Commission has already allowed one or more other stakeholder groups to intervene.² The current petitioners are uniquely situated and their interests will not necessarily be wholly protected by the existing intervenors.

9. Pursuant to Rule R1-5(b)(1) and R1-19(a)(1), the identities of the proposed intervenors are as follows:

- a. Amy Brown resides at 103 Mitchell Street, Belmont, North Carolina in Gaston County. She is a Duke Energy Carolinas power customer and lives in the vicinity of the Allen plant.
- b. Deborah Graham resides at 310 Dukeville Road, Salisbury, North Carolina in Rowan County. She is a Duke Energy Carolinas power customer and lives in the vicinity of the Buck plant.
- c. Additional individuals who, upon information and belief, are Duke Energy Carolinas customers and who live near its plants, are listed in full in Exhibit 1. In order to facilitate the handling of this petition, they are not listed as additional petitioners but rather as fellow community members who support the two named petitioners.

10. Pursuant to Rule R1-5(b)(1), the above listed individuals are represented through the below-signed counsel; to whom all correspondence and filings in this docket should be addressed:

Mona Lisa Wallace, NCSB 9021
John Hughes, NCSB 22126
Marlowe Rary, NCSB 49480
WALLACE & GRAHAM, P.A.
525 N. Main St.
Salisbury, NC 28144
(704) 633-5244 Telephone

² See Order granting petition to intervene of the North Carolina Sustainable Energy Association dated August 7, 2017.

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Catherine Cralle Jones, NCSB 23733
LAW OFFICE OF F. BRYAN BRICE, JR.
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The above counsel, pursuant to Commission Rule R1-39, agree to electronic service of all pleadings and other filings in this matter.

WHEREFORE, Amy Brown and Deborah Graham and herein listed Rate Paying Neighbors, through counsel, hereby petition to intervene and participate in the above-captioned proceeding.

Respectfully submitted, this the 23rd day of August, 2017.

LAW OFFICE OF F. BRYAN BRICE, JR.



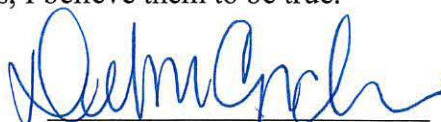
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Attorneys for Rate Paying Neighbors

VERIFICATION

I, Deborah Graham, verify that the contents of the foregoing *Petition to Intervene by Rate Paying Neighbors* are true to the best of my knowledge, except as to those matters stated on information and belief, and as to those matters, I believe them to be true.


Deborah Graham

Sworn to and subscribe before me

This the 23 day of August, 2017

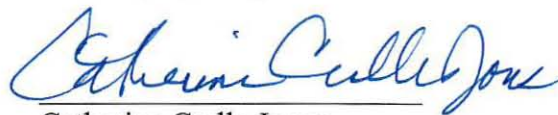

Notary Public

Commission expires: 11/24/2017



VERIFICATION

I, Catherine Cralle Jones, verify that the contents of the foregoing *Petition to Intervene by Rate Paying Neighbors* are true to the best of my knowledge, except as to those matters stated on information and belief, and as to those matters, I believe them to be true. I am authorized to sign this verification on behalf named *Rate Paying Neighbors*.


Catherine Cralle Jones

Sworn to and subscribe before me
This the 23 day of August, 2017


Notary Public

Commission expires: 11/29/2017



CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing *Petition to Intervene by Rate Paying Neighbors* upon each of the parties of record in these proceedings or their attorneys of record as listed on the following page by deposit in the U.S. Mail, postage prepaid, or by email transmission.

This the 23rd day of August, 2017.

LAW OFFICE OF F. BRYAN BRICE, JR.

By: 
Catherine Cralle Jones

**PETITION TO INTERVENE BY RATE-PAYING NEIGHBORS OF
DUKE ENERGY CAROLINAS, LLC'S COAL ASH SITES**

EXHIBIT 1 – Rate-Paying Neighbors: Duke Energy Carolinas, LLC

Plant	Name	Address	City	State	Zip
Allen	Arthur & Sandi McCarter	2650 South Point Rd	Belmont	NC	28012
Allen	Barry & Crystal West	120 Midwood Ln	Belmont	NC	28012
Allen	Bill Collins & David Smith	2649 South Point Rd	Belmont	NC	28012
Allen	Brian & Tracey Buzzeo	406 Reese Wilson Rd	Belmont	NC	28012
Allen	Barbara Hinson	411 Heather Glen Ln	Belmont	NC	28012
Allen	Carl Beck	107 Wildlife Rd	Belmont	NC	28012
Allen	Charles & Kim Lail	200 Mitchell St	Belmont	NC	28012
Allen	Charles Ellington	2618 South Point Rd	Belmont	NC	28012
Allen	Charlie Walker	2092 South Point Rd	Belmont	NC	28012
Allen	Danny & Melissa Deal	116 Idlewood Ln	Belmont	NC	28012
Allen	David & Jackie Yarbrough	7016 Highland Way	Belmont	NC	28012
Allen	David Wayne Auten	112 Wildlife Rd	Belmont	NC	28012
Allen	Debra Baker	114 Wildlife Rd	Belmont	NC	28012
Allen	Diane Duckett	2738 South Point Rd	Belmont	NC	28012
Allen	Eddie & Amy Brown	103 Mitchell St	Belmont	NC	28012
Allen	Edward & Gail Burgin	703 John Douglas Dr	Belmont	NC	28012
Allen	Fairly & Carolyn Dawkins	106 Wildlife Rd	Belmont	NC	28012
Allen	Granvil & Patricia Holt	2708 South Point Rd	Belmont	NC	28012
Allen	Jack & Laura Tench	117 Idlewood Ln	Belmont	NC	28012
Allen	Jackie Wilson	503 Reese Wilson Rd	Belmont	NC	28012
Allen	Jeff & Kelly Patterson	1006 Nutall Oak Ln	Belmont	NC	28012
Allen	Jeff Kiser	123 Midwood Ln	Belmont	NC	28012
Allen	Jerry & Wanda Queen	112 Reese Wilson Rd Ext	Belmont	NC	28012
Allen	JL & Barbara Blanton	2084 South Point Rd	Belmont	NC	28012
Allen	Joe & Sandra Avery	110 Wildlife Rd	Belmont	NC	28012
Allen	John & Beverly Goins	506 Reese Wilson Rd	Belmont	NC	28012
Allen	John & Carol Teague	102 Mitchell St	Belmont	NC	28012
Allen	John & Dana Baker	116 South Point Dr	Belmont	NC	28012
Allen	John & Shirley Baker	109 Wildlife Rd	Belmont	NC	28012
Allen	John Bommarito	101 Dana Michelle Ct	Belmont	NC	28012
Allen	Johnny & Rachel Spain	122 South Point Dr	Belmont	NC	28012
Allen	Joseph & Evelyn Blanton	2505 South Point Rd	Belmont	NC	28012

Allen	Kenneth & Betty McJunkins	201 Mitchell St	Belmont	NC	28012
Allen	Larry & Karen Mathis	103 Heather Glen Ln	Belmont	NC	28012
Allen	Marshall Mitchem	2621 South Point Rd	Belmont	NC	28012
Allen	Mary Shepherd	110 South Point Dr	Belmont	NC	28012
Allen	Michael & Crystal Craft	115 Idlewood Ln	Belmont	NC	28012
Allen	Mitchell & Alice Jones	2343 South Point Rd	Belmont	NC	28012
Allen	Phillip & Angela Carter	109 Mitchell St	Belmont	NC	28012
Allen	Reese Wilson	402 Reese Wilson Rd	Belmont	NC	28012
Allen	Richard Cherry	130 Canal Road	Belmont	NC	28012
Allen	Robert & Melanie James	7025 Highland Way	Belmont	NC	28012
Allen	Robert & Teresa Whitesides	125 South Point Dr	Belmont	NC	28012
Allen	Roger & Gabriele Estes	2359 South Point Rd	Belmont	NC	28012
Allen	Tony & Diane Adams	111 South Point Dr	Belmont	NC	28012
Allen	William & Sue Ann Fuqua	135 Midwood Ln	Belmont	NC	28012
Allen	Andy Williams	218 Lake Hill Ct	Belmont	NC	28012
Allen	Angela Strome	114 Warren Dr	Belmont	NC	28012
Allen	Anthony Hardin	2351 South Point Rd	Belmont	NC	28012
Allen	Barbara Morales	2072 South Point Rd	Belmont	NC	28012
Allen	Benjamin & Jennifer McQuay	7020 Highland Way	Belmont	NC	28012
Allen	Benny & Melissa Clements	7012 Highland Way	Belmont	NC	28012
Allen	Betty Rodden	130 Midwood Ln	Belmont	NC	28012
Allen	Chris & Melissa Ward	211 Lake Hill Ct	Belmont	NC	28012
Allen	Cynthia Rogers	108 Wildlife Rd	Belmont	NC	28012
Allen	James & Pamela Reece	2935 South Point Rd	Belmont	NC	28012
Allen	Jim & Annette Hale	7001 Highland Way	Belmont	NC	28012
Allen	Kathy Dixon	2323 South Point Rd	Belmont	NC	28012
Allen	Kenneth & Amy Rash	7029 Highland Way	Belmont	NC	28012
Allen	Kenneth Bicki	2096/2098 South Point Rd	Belmont	NC	28012
Allen	Mark & Lyndsi Valenti	1351 Armstrong Rd	Belmont	NC	28012
Allen	Michael & Bobbie Gregory	401 Heather Glen Ln	Belmont	NC	28012
Allen	Robert & Kim Heustess	219 Heather Glen Ln	Belmont	NC	28012
Allen	Robert & Stephanie Taylor	1354 Armstrong Rd	Belmont	NC	28012
Allen	Roger Wilson	128 Reese Wilson Rd	Belmont	NC	28012
Allen	Tammy Boone	111 Warren Dr	Belmont	NC	28012
Allen	Tim & Teresa Salmon	305 Mitchell St	Belmont	NC	28012
Allen	Timothy & Frieda Ryan	707 John Douglas Dr	Belmont	NC	28012
Allen	Brian & Carla Gibson	123 South Point Dr	Belmont	NC	28012
Allen	Chris & Joanna Ritchie	214 Lake Hill Ct	Belmont	NC	28012
Buck	Andrew & Donna Bragg	1360 Leonard Rd.	Salisbury	NC	28146
Buck	Betty Risner	2750 Long Ferry Rd.	Salisbury	NC	28146
Buck	Betty Thompson	920 Leonard Rd.	Salisbury	NC	28146

Buck	Beulah Shaw	330 Leonard Rd.	Salisbury	NC	28146
Buck	Bradley Butler Trust	1230 Leonard Rd.	Salisbury	NC	28146
Buck	Bryant & Sherry Gobble	260 Leonard Rd.	Salisbury	NC	28146
Buck	Carlos Parra	2440 Long Ferry Rd.	Salisbury	NC	28146
Buck	Charles & Linda Thomas	1735 Leonard Rd	Salisbury	NC	28146
Buck	Charlie & Lillie Morgan	775 Stoner Morgan Rd.	Salisbury	NC	28146
Buck	Clyde Leonard	330 Dukeville Rd.	Salisbury	NC	28146
Buck	Dianne Starnes	880 Leonard Rd.	Salisbury	NC	28146
Buck	Don Gobble	1285 Leonard Rd.	Salisbury	NC	28146
Buck	Essie Ruffin	1095 Viola Rd.	Salisbury	NC	28146
Buck	Fannie Gibson	840 Stoner Morgan Rd.	Salisbury	NC	28146
Buck	Frank & Wendy Everhart	1550 Leonard Rd.	Salisbury	NC	28146
Buck	Georgia Moore & Linda Beaver	560 Leonard Rd.	Salisbury	NC	28146
Buck	Greg & Jill Lentz	585 Dukeville Rd.	Salisbury	NC	28146
Buck	Gregory & Gina Mitchell	2685 Long Ferry Rd.	Salisbury	NC	28146
Buck	Ivan Bowyer	3068 Long Ferry Rd.	Salisbury	NC	28146
Buck	Jacqueline Krider	315 Leonard Rd.	Salisbury	NC	28146
Buck	Janet McKinney	485 Leonard Rd.	Salisbury	NC	28146
Buck	Jeremiah Jones	2405 Long Ferry Rd.	Salisbury	NC	28146
Buck	Jim & Polly Lewis	710 Dukeville Rd.	Salisbury	NC	28146
Buck	Joann Bostian	285 Dukeville Rd.	Salisbury	NC	28146
Buck	Joann Thomas, Melissa Shue & Mark Shue	1080 Leonard Rd.	Salisbury	NC	28146
Buck	Johathan & Kandee Luckadoo	1425 Leonard Rd.	Salisbury	NC	28146
Buck	John Kistler	1475 Leonard Rd.	Salisbury	NC	28146
Buck	Joseph & Dori Facemyer	2505 Long Ferry Rd.	Salisbury	NC	28146
Buck	Judy Miller	2930 Long Ferry Rd.	Salisbury	NC	28146
Buck	Julia Queen	635 Dukeville Rd.	Salisbury	NC	28146
Buck	Lois Poston Heirs	2535 Long Ferry Rd.	Salisbury	NC	28146
Buck	Marcos Albarran & Nora Rodriguez	175 Leonard Rd.	Salisbury	NC	28146
Buck	Mark & Lori Weaver	255 Grant Rd.	Salisbury	NC	28146
Buck	Meredith "Sy" Ponds	2610 Long Ferry Rd.	Salisbury	NC	28146
Buck	Michael & Elizabeth Moore	2435 Long Ferry Rd.	Salisbury	NC	28146
Buck	Michelle Dieul	1440 Leonard Rd.	Salisbury	NC	28146
Buck	Phyllis Kluttz	170 Leonard Rd.	Salisbury	NC	28146
Buck	Randy & Levene Mahaley	550 Grant Rd.	Salisbury	NC	28146
Buck	Randy & Luann Alley	1165 Leonard Rd.	Salisbury	NC	28146
Buck	Reggie & Peggy Gobble	270 Leonard Rd.	Salisbury	NC	28146
Buck	Richard & Suzette Bailey	550 Stoner Morgan Rd.	Salisbury	NC	28146
Buck	Ricky & Levene Mahaley	2302 Long Ferry Rd.	Salisbury	NC	28146
Buck	Robert & Margaret Gobble	210 Dukeville Rd.	Salisbury	NC	28146

Buck	Ron & Joann Thomas	1160 Leonard Rd.	Salisbury	NC	28146
Buck	Shane Ogg	1145 Leonard Rd.	Salisbury	NC	28146
Buck	Ted & Pat Rary	295 Leonard Rd.	Salisbury	NC	28146
Buck	Terry & Sandra Butler	1180 Leonard Rd.	Salisbury	NC	28146
Buck	Thomas & Joanne Wetherell	545 Dukeville Rd.	Salisbury	NC	28146
Buck	Tim & Cindy Allen	315 Grant Rd.	Salisbury	NC	28146
Buck	Trevor Graham	665 Dukeville Rd.	Salisbury	NC	28146
Buck	Walter & Ardith Bowyer	3060 Long Ferry Rd.	Salisbury	NC	28146
Buck	Wayne Graham	2715 Long Ferry Rd.	Salisbury	NC	28146
Buck	William Kluttz	2670 Long Ferry Rd.	Salisbury	NC	28146
Buck	Yadkin Grove Baptist	325 Leonard Rd.	Salisbury	NC	28146
Buck	Bill & Georgia Moore	580 Leonard Rd.	Salisbury	NC	28146
Buck	Doris Gobble Estate	245 Leonard Rd.	Salisbury	NC	28146
Buck	Georgia Moore	470 Leonard Rd.	Salisbury	NC	28146
Buck	Joel & Sylvia Butler	425 Grant Rd.	Salisbury	NC	28146
Buck	Kim and David Billingsley	2625 James St.	Salisbury	NC	28146
Buck	Luis & Madeline Torres	740 Stoner Morgan Rd.	Salisbury	NC	28146
Buck	Marcelle & Deborah Graham	310 Dukeville Rd.	Salisbury	NC	28146
Buck	Kathy Lyerly	329 Leonard Rd.	Salisbury	NC	28146
Buck	Donna Leonard	685 Leonard Rd.	Salisbury	NC	28146
Buck	Josh Goodnight	630 Leonard Rd.	Salisbury	NC	28146
Buck	Lonnie & Sandra Ogg	2980 Long Ferry Rd.	Salisbury	NC	28146
Buck	Mishelle Salaam	535 Stoner Morgan Rd.	Salisbury	NC	28146
Buck	Tyson Beaver Estate	770 Leonard Rd.	Salisbury	NC	28146
Buck	Vida Myers	2735 Long Ferry Rd.	Salisbury	NC	28146
Buck	Walter & Kenya Morgan	1115 Ruffin Graham Rd.	Salisbury	NC	28146