

# WEST LAW OFFICES, P.C.

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June 23, 2003

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**OFFICIAL COPY**  
**FILED**

JUN 23 2003

**Via Hand Delivery**

Geneva Thigpen, Chief Clerk  
North Carolina Utilities Commission  
Dobbs Building  
Raleigh, NC 27603

**Re: Docket No. E-2, Sub 834**

Dear Ms. Thigpen:

Enclosed for filing in the above-referenced matter on behalf of Carolina Utility Customers Association, Inc. are an original and 30 copies of our Petition to Intervene and Comments. Kindly date-stamp and return to us via our courier the additional enclosed copies. Please do not hesitate to telephone me with any questions concerning this matter.

Sincerely,

West Law Offices, P.C.

By: 

James P. West

Enclosures

cc: All Parties

Clerk's Office  
N.C. Utilities Commission

mtf  
clerk  
AG  
Bennink  
Kirby  
Watson  
Moore  
Sessions  
Kite  
Ericson  
Gruber  
3 Legal  
3 Acctg.  
2 Ec/Res.  
3 Elec.

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, SUB 834

**FILED**

JUN 23 2003

In the Matter of	)	
	)	Petition to Intervene
Application by Carolina Power & Light	)	Comments of Carolina
Company for Authority to Offer Optional	)	Utility Customers
Meter-Related Programs	)	Association, Inc.

Clerk's Office  
N.C. Utilities Commission

Carolina Utility Customers Association, Inc. ("CUCA"), by and through its legal counsel, hereby files this petition pursuant to G.S. 62-72 and Rule R1-19 of the Rules and Regulations of the North Carolina Utilities Commission ("Commission") that CUCA be permitted to intervene and participate in the above-captioned proceeding. In support of this petition, CUCA states as follows:

1. CUCA is a corporation duly organized, validly existing, and in good standing under the laws of the State of North Carolina, with its principal office located at Suite 204, Glenwood Corporate Center, 5811 Glenwood Avenue, Raleigh, North Carolina 27612. The names and addresses of its principal officers are:

Chair: W. Fletcher Steele  
Pine Hall Brick  
Post Office Box 11044  
Winston-Salem, North Carolina 27116

Vice-Chair: Peggy R. Claytor  
The Timken Company  
1835 Dueber Avenue, SW  
Canton, Ohio 47706-2798

Executive Director: Sharon C. Miller  
Carolina Utility Customers Association, Inc.  
Suite 204, Glenwood Corporate Center  
5811 Glenwood Avenue  
Raleigh, North Carolina 27612

2. CUCA's attorney, to whom all communications and pleadings

should be addressed, is:

James P. West, Esq.  
West Law Offices, P.C.  
Suite 1735, Two Hannover Square  
434 Fayetteville Street Mall  
Raleigh, NC 27601  
Telephone (919) 856-8800

3. CUCA is an organization of industrial utility customers whose member companies maintain numerous industrial manufacturing facilities and employ thousands of workers throughout the State of North Carolina, including the territory in which Carolina Power & Light Company ("CP&L") has been authorized by the Commission to sell electric power at retail.

4. CUCA's member companies use electric power in the operation of their manufacturing plants. The availability of an adequate supply of electric power at reasonable prices is critical to the economic viability of CUCA's member companies. As a result, CUCA has a vital interest in the matters at issue in the above-captioned proceeding and should be permitted to intervene and participate.

5. CUCA has been advised by CP&L that the optional meter-related programs will have no effect on the rates charged to CP&L's Real Time Pricing customers, in accordance with the attached letter from CP&L's Manager-Regulatory Affairs. In reliance upon the representations included in the attached letter, CUCA does not oppose the proposed optional meter-related programs.

WHEREFORE, CUCA respectfully requests that the Commission enter an order allowing CUCA to intervene and fully participate in the above-captioned proceeding, including the right to discovery, and to otherwise exercise all

statutory rights provided to intervenors under North Carolina law.

This the 23rd day of June, 2003.

WEST LAW OFFICES, P.C.


By:   
James P. West  
N.C. State Bar No. 18019  
Suite 1735, Two Hannover Square  
434 Fayetteville Street Mall  
Raleigh, NC 27601  
(919) 856-8800

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the foregoing Petition to Intervene and Comments was served on all parties of records by either hand delivery or depositing the same in the United States mail, postage prepaid.

This the 23rd day of June, 2003.

WEST LAW OFFICES, P.C.

By:   
James P. West

STATE OF NORTH CAROLINA

VERIFICATION

COUNTY OF WAKE

James P. West, being duly sworn, deposes and says that he is the attorney for Carolina Utility Customers Association, Inc., the intervenor herein; that he has read the foregoing Petition to Intervene and Comments of Carolina Utility Customers Association, Inc., and knows the contents thereof, and that the same is true of his own knowledge, except as to those matters therein stated upon information and belief, and as to those, he believes them to be true; and that he consents that this verified petition be used as an affidavit.

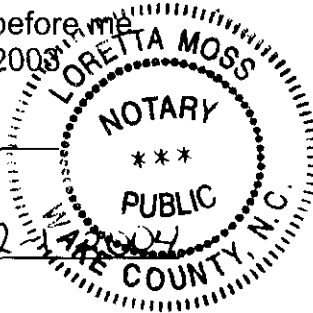
This the 23rd day of June, 2003.

  
JAMES P. WEST

SWORN to and subscribed before me  
this the 23<sup>rd</sup> day of June, 2003.

  
Notary Public

My Commission Expires: 12-31-2004



**Progress Energy**

June 19, 2003

James P. West  
West Law Offices, P.C.  
Suite 1735, Two Hannover Square  
434 Fayetteville Street Mall  
Raleigh, NC 27601

Re: NCUC Docket No. E-2, Sub 834

Dear Jamie:

The Optional Meter-Related Programs, which are the subject of Docket No. E-2, Sub 834, will have no impact on the rates charged to Progress Energy Carolinas, Inc.'s Real Time Pricing customers. The cost of the metering services required for a customer to subscribe to PEC's RTP tariff are included within the RTP rates. PEC's RTP customers will not pay any additional charges of any kind if the Optional Meter-Related Programs in question are approved by the Commission.

Very truly yours,

Len S. Anthony  
Manager - Regulatory Affairs

LSA:at

cc: Mrs. Geneva S. Thigpen

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