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October 12, 2021

VIA Electronic Filing

Ms. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27603

**Re: Application of Juno Solar, LLC, for a Conditional Certificate of Public Convenience and Necessity to Construct a 275-MW Solar Facility in Richmond County, North Carolina
Docket No. EMP-116, Sub 0**

Dear Ms. Dunston:

Enclosed for filing in the above-referenced proceeding is the Petition to Intervene of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC.

Please feel free to contact me should you have any questions. Thank you for your assistance with this matter.

Very truly yours,

/s/Jack E. Jirak

Enclosure

OFFICIAL COPY

Oct 12 2021

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-116, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	PETITION TO INTERVENE OF DUKE
Application of Juno Solar, LLC for a)	ENERGY CAROLINAS, LLC AND
Conditional Certificate of Public)	DUKE ENERGY PROGRESS, LLC
Convenience and Necessity to Construct a)	
275-MW Solar Facility in Richmond)	
County, North Carolina)	

PETITION TO INTERVENE

Pursuant to North Carolina Utilities Commission (“Commission”) Rules R1-5, R1-7, and R1-19, Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP” and together with DEC, “Duke Energy”), hereby petition the Commission to intervene in the above-referenced docket. In support of this Petition, Duke Energy states as follows:

1. On July 12, 2021, Juno Solar, LLC (“Juno Solar” or “Applicant”) filed an application for a conditional certificate of public convenience and necessity (“CPCN”) to construct a 275MW_{AC} solar facility in Richmond County, North Carolina (the “Project”). Juno Solar’s CPCN Application identifies that the facility proposes to interconnect to DEP’s transmission system and intends to be studied through the Transitional Cluster study process to identify any specific network upgrades needed to interconnect the proposed generating facility. Juno Solar requests the Commission issue a conditional CPCN based upon proposed Levelized Cost of Transmission (“LCOT”) of \$4.00/MWh of network upgrade costs, because, at this time, Juno Solar has not completed the interconnection study

process and does not know the level of network upgrades to be assigned to the Project through the Transitional Cluster study process.

2. On August 31, 2021, the Commission issued its *Order Scheduling Hearings, Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice* (“Scheduling Order”), in which the Commission ordered that any person having an interest in this proceeding may file a petition to intervene on or before October 12, 2021. The Scheduling Order also denied a Motion by the Public Staff—North Carolina Utilities Commission to stay the CPCN proceeding pending the completion of interconnection studies by DEP and any affected system studies by potential affected systems. The Scheduling Order further identified that the Commission has seen an increase in the number of merchant plant facility applications seeking to interconnect to utility systems in North Carolina, and, accordingly, the Commission sought additional information from the Applicant regarding whether any network upgrades to DEP’s or any affected system’s transmission system may be required to accommodate the operation of the Applicant’s proposed facility, amongst other requests for information.

3. DEC and DEP are each electric utilities organized, existing and operating under the laws of the State of North Carolina for the purposes of generating, transmitting, and distributing electric power in its assigned service territory in North Carolina and South Carolina. As such, DEC’s and DEP’s public utility operations are each subject to the jurisdiction of the Commission.

4. DEC and DEP are each also transmission providers regulated by the Federal Energy Regulatory Commission (“FERC”) responsible for administering the Attachment J-Large Generator Interconnection Procedures (“LGIP”) under the Joint Open Access

Transmission Tariff and providing non-discriminatory interconnection service to proposed generating facilities requesting to interconnect to the DEC and DEP transmission system. DEP is responsible for studying and potentially interconnecting with Juno Solar, while DEC may be an affected system.

5. Based upon the foregoing, DEC and DEP each have a direct and substantial interest in the outcome of this proceeding and no other party can adequately represent DEC's and DEP's interests. The Commission has previously granted DEP intervention in a similar merchant CPCN proceeding where the costs of network upgrades were at issue. *See Order Granting Petition to Intervene*, Docket No. EMP-105, Sub 0 (Aug. 2, 2019). Good cause similarly exists to also allow DEC and DEP's intervention in light of the Commission's expressed interest in the Scheduling Order relating to potential affected systems. Both DEC and DEP also have an interest in the Commission's consideration of Juno Solar's novel proposal to issue a conditional CPCN based upon a pre-determined LCOT.

6. The names and addresses of Petitioners are:

Duke Energy Carolinas, LLC
PO Box 1321 (DEC 45A)
Charlotte, North Carolina 28201-1006

Duke Energy Progress, LLC
P.O. Box 1551 / NCRH 20
Raleigh, North Carolina 27602

7. Duke Energy's attorneys, to whom all communications and pleadings should be addressed, are:

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And

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8. Pursuant to Rule R1-39, DEC and DEP agree to accept electronic service of all filings in the docket.

9. Duke Energy asks that the Commission make DEC and DEP each a party to this proceeding with the rights typically applicable to intervenors.

WHEREFORE, based on the foregoing, Duke Energy respectfully requests that the Commission issue an order allowing DEC and DEP to intervene and fully participate in the above-captioned proceeding.

Respectfully submitted, this the 12th day of October, 2021.

/s/Jack E. Jirak

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*Counsel for Duke Energy Carolinas, LLC
and Duke Energy Progress, LLC*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition to Intervene of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC, as filed in Docket No. E-116, Sub 0, was served via electronic delivery or mailed, first-class, postage prepaid, upon all parties of record.

This, the 12th day of October, 2021.

/s/E. Brett Breitschwerdt

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