

# CRISP & PAGE, PLLC

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June 17, 2020

Ms. Kimberley A. Campbell, Chief Clerk  
North Carolina Utilities Commission  
Dobbs Building, Fifth Floor  
430 North Salisbury Street  
Raleigh, North Carolina 27602

**VIA E-FILE**

Re: Docket No. E-2, Sub 1253; Duke Energy Progress' Joint Agency  
Asset Rider Application

Dear Ms. Campbell:

We electronically submit for filing in the above-referenced matter, on behalf of Carolina Utility Customers Association, Inc. ("CUCA"), a Petition to Intervene.

Pursuant to the North Carolina Utilities Commission's (Commission) Order Further Extending Suspension of Requirement for filing Paper Copies, issued on April 16, 2020, we understand that the requirement to file additional paper copies of electronically filed documents with the Commission has been suspended until further notice by order of the Commission.

Please let me know, at your early convenience, if you have any questions concerning this filing.

Very truly yours,

CRISP & PAGE, PLLC

*/s/ Robert F. Page*

Robert F. Page

RFP/scm  
Enclosure  
cc: Kevin Martin  
Parties of Record

{00136324.DOCX}

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WILLIAM T. CRISP II  
(1924-1992)

OFFICIAL COPY

JUN 17 2020

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, SUB 1253

In the Matter of	)	
	)	
Application of Duke Energy Progress, LLC	)	<b>Petition of Carolina Utility Customers</b>
Pursuant to N.C. Gen. Stat. §62-133.14 and	)	<b>Association, Inc. to Intervene</b>
Rule R8-70 to Establish a Joint Agency	)	
Asset Rider for Recovery of Costs Related to	)	
Facilities Purchased from Joint Power Agency	)	

Carolina Utility Customers Association, Inc. ("CUCA"), by and through its undersigned counsel, 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 210, Trawick Professional Center, 1708 Trawick Road, Raleigh, North Carolina 27604. The names and addresses of its principal officers are:

Chair: David J. Lyons  
Gerdau Long Steel North America  
384 Old Grassdale Road NE  
Cartersville, GA 30121

Vice Chair: Sean M. Finsel  
Moen, Inc.  
2609 Cox Mill Road  
Sanford, NC 27332-9727

Executive Director: Kevin N. Martin  
Carolina Utility Customers Association, Inc.  
Suite 210, Trawick Professional Center  
1708 Trawick Road  
Raleigh, NC 27604  
Email: kmartin@cucainc.org

2. CUCA's attorney, to whom all communications and pleadings should be addressed, is shown below. Copies of all communications and pleadings should also be served on CUCA's Executive Director Kevin Martin.

Robert F. Page  
Crisp & Page, PLLC  
4010 Barrett Drive, Suite 205  
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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 Duke Energy Progress, Inc. ("DEP") has been authorized by the Commission to sell electricity at retail.

4. CUCA's member companies use electricity sold by DEP in the operation of their manufacturing plants. The availability of an adequate supply of electricity at a reasonable price is critical to the economic viability of CUCA's member companies. DEP's filing will affect the rates associated with DEP's sale of electricity to CUCA members. 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 agrees to accept electronic service of all filings in the Docket.

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 Intervenor under North Carolina law.

This, the 17<sup>th</sup> day of June, 2020.

CRISP & PAGE, PLLC

*/s/ Robert F. Page*

By: \_\_\_\_\_  
Robert F. Page  
N.C. State Bar No. 3307  
4010 Barrett Drive, Suite 205  
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(919) 791-0010 Fax  
rpage@crisppage.com Email

#### **CERTIFICATE OF SERVICE**

I, the undersigned counsel for CUCA, do hereby certify that a copy of the foregoing Petition to Intervene was served upon all parties of record in this proceeding, or their legal counsel, by electronic mail.

This, the 17<sup>th</sup> day of June, 2020.

*/s/ Robert F. Page*

\_\_\_\_\_  
Robert F. Page

## **ELECTRONIC SERVICE LIST**

Lawrence B. Somers, Duke Energy Corporation – [bo.somers@duke-energy.com](mailto:bo.somers@duke-energy.com)

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Kendrick C. Fentress, Duke Energy – [Kendrick.fentress@duke-energy.com](mailto:Kendrick.fentress@duke-energy.com)

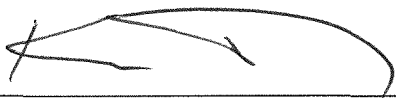
Robert W. Kaylor, Law Office of Robert W. Kaylor – [bkaylor@rwkaylorlaw.com](mailto:bkaylor@rwkaylorlaw.com)

STATE OF NORTH CAROLINA      VERIFICATION

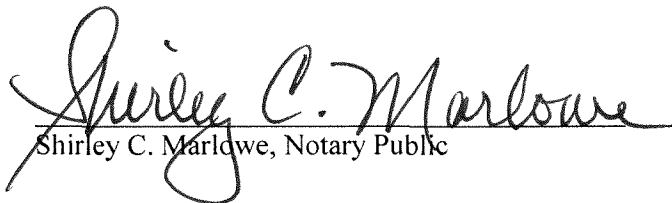
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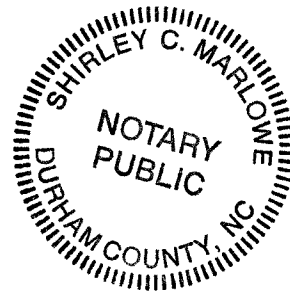
Kevin Martin, being duly sworn, deposes and says that he is the Executive Director of Carolina Utility Customers Association, Inc., the Intervenor herein; that he has read the foregoing Petition of Carolina Utility Customers Association, Inc., to Intervene, and knows the contents thereof, and that the same is true of his own knowledge, except as to those matters herein state upon information and belief, and as to those, he believes them to be true; and that this verified petition be used as an affidavit.

This, the 17<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
KEVIN MARTIN

SWORN to and subscribed before me,  
This the 17<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
Shirley C. Marlowe, Notary Public



My Commission Expires: May 10, 2024