

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. E-100 SUB 194**

)	
In the Matter of:)	
Biennial Determination of Avoided Cost)	NCSEA’S PETITION TO
Rates for Electric Utility Purchases from)	INTERVENE
Qualifying Facilities — 2023)	
)	

Pursuant to North Carolina Utilities Commission (“Commission”) Rules R1-5, R1-7, and R1-19, and the Commission’s August 7, 2023, *Order Establishing Biennial Proceeding, Requiring Data, and Scheduling Public Hearing* in the above referenced docket, the North Carolina Sustainable Energy Association (“NCSEA”) hereby petitions to intervene in the 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 using 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 the Commission as an intervenor in dockets involving integrated resource planning (“IRP”). *See, e.g.*, Commission Docket E-100, Sub 190; Commission Docket E-100, Sub 179; Commission Docket No. E-100, Sub 165; Commission Docket No. E-100, Sub 157; Commission Docket No. E-100, Sub 147; Commission Docket No. E-100, Sub 141; Commission Docket No. E-100, Sub 137;

Commission Docket No. E-100, Sub 128; and Commission Docket No. E-100, Sub 118. However, IRP proceedings are “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. Elec. Membership Corp.*, 105 N.C. App. 136, 143, 412 S.E.2d 166, 170 (1992). Therefore, a party like NCSEA that desires a specific utility “to take or refrain from taking some specific substantive action” must seek to involve itself in a specific, substantive proceeding, such as this one. *Id.* at 144, 412 S.E.2d at 171.

3. NCSEA has frequently appeared before this Commission as an intervenor in avoided cost dockets. *See, e.g.*, Commission Docket No. E-100, Sub 175, Commission Docket No. E-100, Sub 117; Commission Docket No. E-100, Sub 167; Commission Docket No. E-100, Sub 158; Commission Docket No. E-100, Sub 148; Commission Docket No. E-100, Sub 140; Commission Docket No. E-100, Sub 136; and Commission Docket No. E-100, Sub 127.

4. NCSEA’s participation in these dockets will bring critical insight, knowledge, and understanding to the proceeding.

5. NCSEA’s address is 4441 Six Forks Road, Suite 106-250, Raleigh, NC 27609. All correspondence related to this proceeding should be addressed to:

Ethan Blumenthal
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6. 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 these matters.

Respectfully submitted this the 16th day of November, 2023,

/s/ Ethan Blumenthal

Ethan Blumenthal
N.C. State Bar No. 53388
Regulatory Counsel
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VERIFICATION

Ethan Blumenthal, 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 16th day of November, 2023.

Ethan Blumenthal

NORTH CAROLINA
MECKLENBURG COUNTY

Sworn to and subscribed before me,

this the 16th day of November, 2023.

[AFFIX SEAL OF NOTARY]

Notary Public

Printed Name of Notary Public
My Commission Expires: _____

CERTIFICATE OF SERVICE

I hereby certify that all persons on the docket service lists 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.

Respectfully submitted this the 16th day of November, 2023,

/s/ Ethan Blumenthal
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