

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION  
DOCKET NO. EC-67, SUB 55

In the Matter of:	)	
Joint Application of Duke Energy	)	
Progress, LLC and North	)	<b>PETITION TO INTERVENE</b>
Carolina Electric Membership	)	<b>ON BEHALF OF</b>
Corporation for a Certificate of	)	<b>SOUTHERN ALLIANCE FOR</b>
Public Convenience and	)	<b>CLEAN ENERGY,</b>
Necessity to Construct a 1,360	)	<b>NATURAL RESOURCES</b>
MW Natural Gas-Fueled	)	<b>DEFENSE COUNCIL, AND</b>
Combined Cycle Electric	)	<b>SIERRA CLUB</b>
Generating Facility in Person	)	
County, North Carolina	)	

PURSUANT TO North Carolina Utilities Commission (Commission) Rule R1-19, the Southern Alliance for Clean Energy, Sierra Club, and Natural Resources Defense Council (collectively, Petitioners) file this petition to intervene in the above-captioned docket, and provide the following information in support of their petition:

1. Southern Alliance for Clean Energy (SACE) is a regional nonprofit organization whose mission is to promote responsible energy choices to address the impacts of global climate change and ensure clean, safe and healthy communities throughout the Southeast. SACE and its members, including members in North Carolina who receive electricity service from Duke Energy Progress (DEP) and members of the North Carolina Electric Membership Corporation (NCEMC), are interested in promoting greater reliance on clean energy resources to meet the Southeast's energy needs. SACE works directly with diverse stakeholders and industries on energy issues affecting the region and actively participates in utility-sponsored energy efficiency and demand-side management stakeholder processes. SACE also promotes clean energy solutions such as energy efficiency, solar energy and wind energy through education and outreach to improve public health, the

environment and the economy. SACE has its principal office in Tennessee, with a mailing address of Post Office Box 1842, Knoxville, TN 37901, and also has offices in North Carolina, South Carolina, Florida, and Georgia.

2. The Natural Resources Defense Council (NRDC) is a national environmental organization with over 30 years' experience working on state energy policy, including utility regulation and energy efficiency. NRDC, and its members in North Carolina who receive electricity service from DEP and members of NCEMC, have a strong interest in ensuring that North Carolina adopts environmentally sound and sustainable energy policies. NRDC works to promote renewable energy and to advocate for the passage and implementation of clean energy standards and other policies. NRDC works to promote energy efficiency and conducts research, partners with manufacturers, and advocates for policies that create dramatic energy savings. Likewise, NRDC encourages states to fully account for efficiency potential when they forecast whether they need new power plants or transmission lines in order to avoid costly infrastructure and lower customers' bills. NRDC has headquarters at 40 West 20th Street, New York, NY 10011, and also has an office in Asheville, North Carolina.

3. The Sierra Club is a national environmental organization whose mission is to explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. In furtherance of this mission, the Sierra Club works to accelerate the transition from dirty fuels like coal and gas to clean energy solutions like solar, wind and energy efficiency, and advocates for state and federal policies and industry action to achieve this transition. The Sierra Club has a

long history of working to reduce air pollution from coal-fired power plants and to promote clean energy sources in North Carolina, and its members include customers of DEP and members of NCEMC. The address of the Sierra Club's principal office in North Carolina is 19 West Hargett Street, Suite 210, Raleigh, NC 27601.

4. Petitioners and their members have a direct and substantial interest in the operations of North Carolina electric utilities that no other party is capable of adequately representing or protecting. Petitioners and their members are interested in promoting greater reliance on energy efficiency and renewable energy and reducing carbon dioxide emissions by electric utilities in North Carolina. Moreover, Petitioners' members who receive electricity service at their homes and businesses from the utilities operating in our state will be affected by decisions made by the utilities in their planning processes and by the Commission in this and future related proceedings.

5. Petitioners seek to intervene in order to participate in this important proceeding concerning NCEMC's and DEP's joint application for a certificate of public convenience and necessity (CPCN) to build a new 1,360 megawatt (MW) combined-cycle gas turbine in Person County at the site of DEP's Roxboro coal-fired power plant. If allowed to intervene, Petitioners will raise their concerns about the CPCN application given North Carolina's carbon-reduction targets and the availability of low-cost renewable energy, energy efficiency, and storage resources. Petitioners also have filed a petition to intervene in the companion docket for this matter (Docket No. E-2, Sub 1318).

The attorneys for Petitioners to whom all correspondence and filings in this docket should be addressed are:

David Neal  
Munashe Magarira  
Thomas Gooding  
Southern Environmental Law Center  
601 West Rosemary Street, Suite 220  
Chapel Hill, NC 27516  
919-967-1450

Service by electronic mail pursuant to NCUC Rule R1-39 is preferred and should be addressed to: [dneal@selcnc.org](mailto:dneal@selcnc.org), [mmagarira@selcnc.org](mailto:mmagarira@selcnc.org), and [tgooding@selcnc.org](mailto:tgooding@selcnc.org).

WHEREFORE, Petitioners request that they be allowed to intervene in this docket.

Respectfully submitted this the 10<sup>th</sup> of May, 2024.

s/ David Neal

David Neal  
N.C. Bar No. 27992  
[dneal@selcnc.org](mailto:dneal@selcnc.org)

Munashe Magarira  
N.C. Bar No. 47904  
[mmagarira@selcnc.org](mailto:mmagarira@selcnc.org)

Thomas Gooding  
N.C. Bar No. 59314  
[tgooding@selcnc.org](mailto:tgooding@selcnc.org)

Southern Environmental Law Center  
601 West Rosemary Street, Suite 220  
Chapel Hill, NC 27516  
Telephone: (919) 967-1450  
Fax: (919) 929-9421

*Attorneys for Southern Alliance for Clean Energy,  
Natural Resources Defense Council, and Sierra  
Club*

VERIFICATION

I, Munashe Magarira, verify that the contents of the foregoing Petition to Intervene on behalf of the Southern Alliance for Clean Energy, Natural Resources Defense Council, and Sierra Club 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 of the Southern Alliance for Clean Energy, Natural Resources Defense Council, and Sierra Club.

  
\_\_\_\_\_

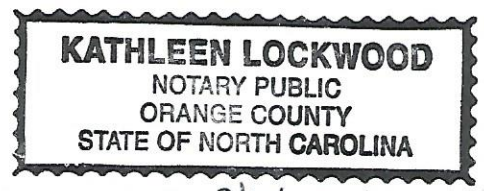
Munashe Magarira

Date: 05/10/2024

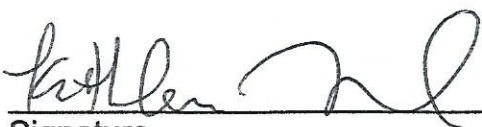
Durham County, North Carolina

Sworn to and subscribed before me this day by Munashe Magarira.

This 10 day of May, 2024.



exp. 8/17/2024

  
\_\_\_\_\_

Signature

CERTIFICATE OF SERVICE

I certify that the parties of record on the service list have been served with the Petition to Intervene on behalf of the Southern Alliance for Clean Energy, Natural Resources Defense Council, and Sierra Club either by electronic mail or by deposit in the U.S. Mail, postage prepaid.

This the 10<sup>th</sup> day of May, 2024.

*s/ David L. Neal*  
David L. Neal