

**OFFICIAL COPY**

Oct 03 2023

In the Matter of  
Biennial Consolidated Carbon Plan and  
Integrated Resource Plans of Duke  
Energy Carolinas, LLC, and Duke  
Energy Progress, LLC, Pursuant to  
N.C.G.S. § 62-110.9 and § 62-110.1(c)

Pursuant to North Carolina Utilities Commission (“Commission”) Rules R1-5, R1-7, and R1-19, Environmental Defense Fund (“EDF” or “Petitioner”), petitions to intervene in this proceeding. In support of its Petition, EDF states the following.

1. EDF is a national non-profit corporation engaged in linking science, economics, and law to create innovative, equitable and cost-effective solutions to society's most urgent environmental problems. EDF has over 336,304 members nationwide.

2. Relevant to this proceeding, EDF has 9,538 members in North Carolina. EDF has been active in North Carolina working on environmental policies including clean energy, climate change, oceans, and sustainable agriculture.

3. The address of EDF's North Carolina office is: Environmental Defense Fund, 4000 Westchase Blvd., Suite 510, Raleigh, NC 27607.

4. EDF, through its current programs aimed at various clean energy policies, including: (1) eliminating barriers to adoption of clean energy; and (2) advancing "smart" electric and gas system modernization, is pursuing initiatives at the state and national levels designed to

ensure that grid investments maximize their potential to create a cleaner, more resilient electric and gas system.

5. Specifically, EDF works extensively with public utility commissions, industry, academia, and other stakeholders across the country and in this region to evaluate, improve and advance electric and gas system investment plans so that they realize a full range of resiliency, environmental, economic and consumer benefits. EDF aims to ensure that clean energy and grid modernization investments provide: (1) benefits that outweigh the costs of the investments; and (2) accountability that dollars spent are providing tangible benefits. EDF also supports various clean energy policies before state public utility commissions.

6. EDF's members have an interest in the electric generation planning in the Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP") (DEC and DEP, collectively, "Duke") North Carolina territories. Specifically, EDF's members have direct interest in the implementation of North Carolina's SL 2021-165, including the Commission's implementation of the updates to the Carbon Plan, and the Commission's approval of a Duke integrated resource plan.

7. EDF has repeatedly appeared in proceedings before the Commission dealing with matters affecting their members including proceedings regarding energy generation and energy efficiency planning, prudence in utility investments and rate payer impact, and policy decisions, particularly regarding clean energy, regarding new Duke generation investments. *See*, Docket No. E-100, Sub 157 (2018 Integrated Resource Plan and REPS Compliance Proceeding); Docket No. E-2, Sub 1142 (DEP 2017 Rate Case); Docket No. E-100, Sub 147 (2016 Integrated Resource Plan and REPS Compliance Proceeding); Docket E-100, Sub 141 (2014 Integrated Resource Plans Proceeding); Docket No. E-7, Sub 939 (Buck Stream Station Renewable Energy Facility

Registration Proceeding); Docket No. E-7, Sub 940 (Lee Steam Station Renewable Energy Facility Registration Proceeding); Docket No. E-100, Sub 115 (Determination of Purchase Price of Swine Farm Methane Gas Proceeding); Docket No. E-2, Sub 926 (Proposed Demand Response Program); E-2, Sub 929 (Proposed Residential EnergyWise Program); E-2, Sub 928 (Proposed Residential Comprehensive Retrofit Programs); Docket Nos. E-2, Sub 998 and E-7, Sub 986 (Progress/Duke Merger Proceedings).

8. EDF's participation as a party will benefit the Commission by providing critical insight, knowledge, and understanding to the proceeding.

9. All correspondence related to this proceeding should be addressed to counsel:

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10. Pursuant to Commission Rule R1-39, EDF agrees to accept electronic service of all filings in this docket.

WHEREFORE, for the foregoing reasons, EDF respectfully requests that the Commission grant Petitioner's request that it be permitted to intervene and participate fully as a party to this docket.

Respectfully submitted this 3rd day of October, 2023.

KILPATRICK TOWNSEND & STOCKTON LLP

By: 

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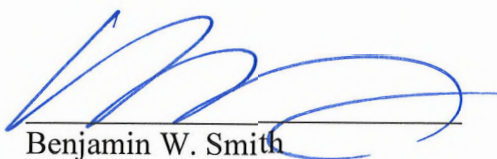
STATE OF NORTH CAROLINA

WAKE COUNTY

VERIFICATION

Benjamin W. Smith, first being duly sworn, deposes and says that he is the attorney for Environmental Defense Fund; 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 as to those, he believes them to be true; and that he is authorized to sign this verification on behalf of Environmental Defense Fund.

This 3<sup>rd</sup> day of October, 2023.

  
Benjamin W. Smith

Sworn to and subscribed before me  
this 3<sup>rd</sup> day of October, 2023.

  
Notary Public (signature)

Donna C. Knowles  
Notary Public (printed)

My Commission expires: October 23, 2023



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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing *Petition to Intervene* has been served by electronic mail, hand delivery, or by depositing a copy in the United States Mail, first-class postage prepaid, properly addressed to parties of record.

This the 3<sup>rd</sup> day of October, 2023.



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