

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. E-100, SUB 165**

In the Matter of:) **PETITION TO INTERVENE**
2020 Biennial Integrated Resource Plan) **BY CITY OF ASHEVILLE**
) **AND COUNTY OF**
) **BUNCOMBE**

PETITION TO INTERVENE

Pursuant to North Carolina Utilities Commission (“Commission”) Rules R1-5, R1-7, and R1-19, the City of Asheville and Buncombe County, through the undersigned attorneys, respectfully request that the North Carolina Utilities Commission enter an order permitting them to intervene in the above-referenced docket. In support of this petition is the following:

1. The City of Asheville is a municipal corporation organized under North Carolina law. Its address is City of Asheville, 70 Court Plaza, Asheville, North Carolina 28801.
2. Buncombe County is a body politic organized under North Carolina law. Its address is Buncombe County, 200 College Street, STE 300, Asheville, North Carolina 28801.
3. The attorney for the City to whom all correspondence and filings should be addressed is Jannice Ashley, Senior Assistant City Attorney, City Attorney’s Office, 70 Court Plaza, Asheville, North Carolina 28801.

4. The attorney for the County to whom all correspondence and filings should be addressed is Curtis W. Euler, Senior Attorney II, Buncombe County, 200 College Street, STE 100, Asheville, NC 28801.

5. Pursuant to Commission Rule R1-39, City and County agree to electronic service of all pleadings and other filings in this matter.

6. The City, County and many of their citizens are customers of Duke Energy Progress, LLC and are strong proponents of renewables-based generation and energy efficiency. The community's interest and commitment to this subject is evidenced by the numerous renewable energy related resolutions passed by the governing bodies of the City and the County over the past several years. Most recently, the City adopted Resolution No. 18-79 on October 23, 2018, establishing a 100% renewable energy goal for municipal operations to be achieved by December 31, 2030 and supporting the County's community-wide 100% renewable energy goal, established by Resolution No. 17-12-06, adopted on December 5, 2017, which called for the creation of a "road map" to transition County operations to 100% renewable energy by December 31, 2030 and transition all of Buncombe County to 100% renewable energy by December 31, 2042.

7. The City of Asheville and Buncombe County have an interest in the subject matter of this proceeding. The 2020 Biennial Integrated Resource Plans ("IRP") for Duke Energy, is the first IRP that has been published since the City adopted its 100% renewable goal. The IRP will have significant implications for the City and County's ability to achieve the ambitious renewable energy goals set at the direction of their citizens. Duke Energy Progress is an essential partner in the achievements of these important municipal and

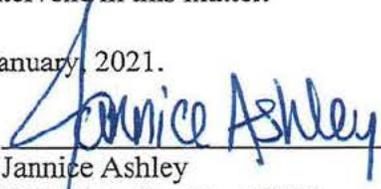
county goals and the 2020 IRP represents a pivotal moment to align our renewable energy efforts. As a result, the City and County have a clear, direct and substantial interest in the matters to be addressed by the Commission, and no other party can adequately represent the City and County's interests. City and County participation in this docket will bring critical municipal government perspective, insight, knowledge, and understanding to the proceeding.

8. Intervention will give the City and County an opportunity to comment on the Integrated Resource Plan in a more impactful way and to better advocate for renewable energy and promote the success of the existing partnership efforts with Duke Energy to achieve our mutual renewable energy goals.

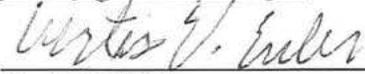
9. Attached to this petition is a Resolution (No. 20-203) authorizing a request to intervene in this matter passed by the City Council of the City of Asheville and the Board of Buncombe County Commissioners approved the County's intervention in this matter on December 7, 2020.

THEREFORE, for the reasons set forth above, the City of Asheville and the County of Buncombe pray that they be allowed to intervene in this matter.

Respectfully submitted, this the 21st day of January, 2021.



Jannice Ashley
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Curtis W. Euler
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(828) 250-4177
curt.euler@buncombecounty.org

VERIFICATION

Jannice Ashley, being duly sworn, deposes and says that he is an attorney for the City of Asheville; that she has read the foregoing Petition to Intervene and that the same is true of her personal knowledge, except as to any matters and things therein stated on information and belief, and as to those, she believes them to be true; and that she is authorized to sign this verification on behalf of the City of Asheville.

This the 21st day of January, 2021.

Jannice Ashley
Jannice Ashley

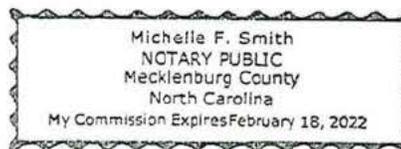
NORTH CAROLINA
BUNCOMBE COUNTY

Sworn to and subscribed before me,

this the 21st day of January, 2021.

[Signature]
Notary Public

[AFFIX SEAL OF NOTARY]



Michelle F. Smith
Printed Name of Notary Public

My Commission Expires: 2-18-22

VERIFICATION

Curtis W. Euler, being duly sworn, deposes and says that he is an attorney for Buncombe County; 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 the City of Asheville.

This the 21st day of January, 2021.

Curtis W. Euler
Curt Euler

NORTH CAROLINA
BUNCOMBE COUNTY

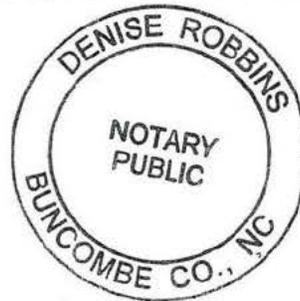
Affirmed
Sworn to and subscribed before me,

this the 21st day of January, 2021.

Denise Robbins
Notary Public

Denise Robbins
Printed Name of Notary Public
My Commission Expires: 7/8/2021

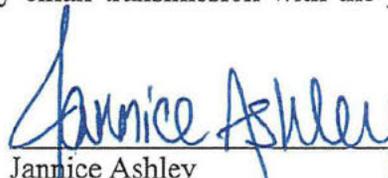
[AFFIX SEAL OF NOTARY]



CERTIFICATE OF SERVICE

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

This the 25th day of January, 2021.



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CERTIFICATE

I, Magdalen Burleson, City Clerk of the City of Asheville do hereby certify that the attached is a true and accurate copy of Resolution No. 20-203 adopted on November 10, 2020, and found in Resolution Book No. 42 at Page 8.

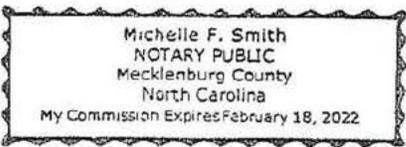
Magdalen Burleson
Magdalen Burleson
City Clerk

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, Michelle F. Smith a Notary Public of Buncombe County, State of North Carolina, do hereby acknowledge that Magdalen Burleson, City Clerk, personally appeared before me this day and acknowledged the due execution by her of the foregoing Certificate.

Witness my hand and notarial seal this 20th day of January, 2021.

Michelle F. Smith
Notary Public
Printed Name: Michelle F. Smith
My Commission Expires: 2-18-22



mb

RESOLUTION NO. 20-203

RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FORMALLY INTERVENE IN THE NORTH CAROLINA UTILITIES COMMISSION DOCKET E-100 SUB 165 OF DUKE ENERGY'S 2020 INTEGRATED RESOURCE PLAN ("IRP")

WHEREAS, the City of Asheville adopted a resolution to reduce municipal carbon emissions by 80% by 2030 on April 12, 2011; and

WHEREAS, the City of Asheville adopted a resolution supporting a Clean Energy Economy on October 22, 2013; and

WHEREAS, the City of Asheville adopted a resolution establishing a 100% Renewable Energy Goal for municipal operations and support Buncombe County's 100% Renewable Energy Community-wide Goal; and

WHEREAS, this is the first IRP that has been published since the City adopted its 100% renewable energy goal; and

WHEREAS, engaging on utility level policies at the North Carolina Utilities Commission was prioritized as a strategy in *Moving to 100 Percent: Renewable Energy Transition Pathways Analysis for Buncombe County and the City of Asheville*; and

WHEREAS, the City of Asheville adopted a resolution declaring a climate emergency and committed to an equitable and just citywide mobilization effort to reverse global warming that, if met with all necessary financial and regulatory assistance and authorization from State and Federal authorities, would end citywide GHG emissions as quickly as possible and no later than 2030; and

WHEREAS, intervention will give the City an opportunity to comment on the Integrated Resource Plan and advocate for renewable energy and promote the success of the existing partnership efforts with Duke Energy and Buncombe County through the Blue Horizons Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Attorney, is hereby authorized to formally intervene in the North Carolina Utilities Commission Docket E-100 Sub 165 of Duke Energy's 2020 Integrated Resource Plan ("IRP") in order to provide comment from the Sustainability Staff regarding the City's renewable energy goals as they relate to the IRP; and the City Manager is authorized to execute any and all documents necessary in order to give effect to this resolution.

Read, approved, and adopted this the 10th day of November 2020.

Magdalena Paulson
City Clerk

Edw. E. Hahn
Mayor

Approved as to form:
[Signature]
City Attorney