

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. E-100, SUB 178

In the Matter of	)	Petition to Intervene
Rulemaking Proceeding to Implement	)	of the North Carolina Retail
Performance-Based Regulation of	)	Merchants Association
Electric Utilities	)	

Through counsel and pursuant to Rule R1-19 of the Rules and Regulations of the North Carolina Public Utilities Commission (“Commission”), the North Carolina Retail Merchants Association (“NCRMA”), a non-profit association organized in 1902 that speaks on behalf of retail companies in North Carolina, respectfully requests that the Commission enter an order permitting it to intervene and participate in the above-captioned proceeding. In support of this Petition, NCRMA states as follows:

1. NCRMA members operate more than 25,000 retail facilities in North Carolina, a very substantial number of which are commercial customers of regulated North Carolina utilities.
2. NCRMA was involved in the legislative process on behalf of its members that led to House Bill 951 and this current rulemaking docket. Accordingly, NCRMA has insights to offer that could facilitate the Commission’s implementation of House Bill 951.
3. The physical address of NCRMA is 209 Fayetteville Street, Raleigh, NC 27601.

The mailing address of NCRMA’s principal officer is:

Andy Ellen, President & General Counsel  
NC Retail Merchants Association  
P.O. Box 1030  
Raleigh, NC 27602

4. Pursuant to Rule R1-39, NCRMA agrees to electronic service of all pleadings and other papers in this docket. NCRMA requests that copies of all notices, pleadings, orders, correspondence, and other communications be directed to and served upon its counsel in this proceeding:

Brian O. Beverly  
Young Moore and Henderson, P.A.  
3101 Glenwood Ave.  
P.O. Box 31627  
Raleigh, NC 27622  
Tel: (919) 782-6860  
Fax: (919) 782-6753  
Email: [brian.beverly@youngmoorelaw.com](mailto:brian.beverly@youngmoorelaw.com)

And upon:

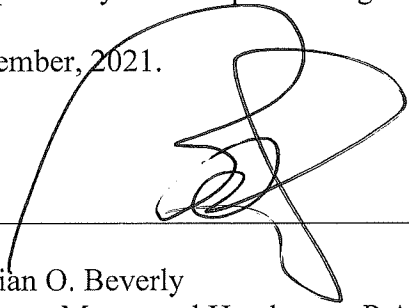
Andy Ellen [andy@ncrma.org](mailto:andy@ncrma.org)  
Alan Jenkins [aj@jenkinsatlaw.com](mailto:aj@jenkinsatlaw.com)

5. In this proceeding, the Commission proposes to adopt rules concerning performance-based ratemaking for the State's regulated electric utilities, which ultimately could change the electric rates and service received by members of NCRMA. Accordingly, NCRMA and its members have an interest in this proceeding.

6. No other party to this proceeding can adequately represent the interest of NCRMA and its members. Moreover, this intervention would not unduly delay the proceedings or prejudice the rights of other parties.

WHEREFORE, NCRMA respectfully requests that the Commission grant it intervenor status as a full party of record and allow it to participate fully in these proceedings.

Respectfully submitted, this 4<sup>th</sup> day of November, 2021.



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ATTORNEYS FOR INTERVENOR, THE NORTH CAROLINA RETAIL MERCHANTS  
ASSOCIATION

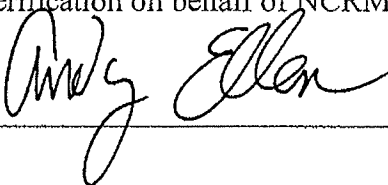
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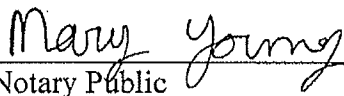
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**VERIFICATION**

Andy Ellen, first being duly sworn, deposes and says that he is the President and General Counsel of the North Carolina Retail Merchants Association (“NCRMA”); that he has read the foregoing Petition to Intervene and 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 NCRMA.

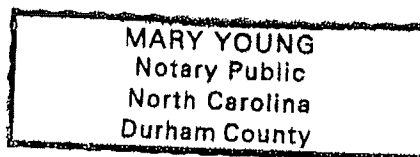
  
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Subscribed and sworn to before me this 4<sup>th</sup> day of November, 2021.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 10/11/2026

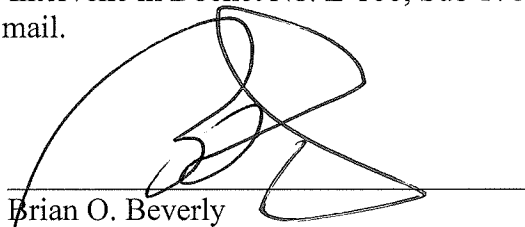
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**CERTIFICATE OF SERVICE**

I certify that a copy of the Petition to Intervene in Docket No. E-100, Sub 178 will be served on each party of record by electronic mail.

This 4<sup>th</sup> day of November, 2021.



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