

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. G-5, SUB 668

In the Matter of:)
Natural Gas Pipeline Construction)
and Transportation Service)
Agreement)
)
)

**PETITION TO INTERVENE OF
SOUTHERN ALLIANCE FOR
CLEAN ENERGY, SIERRA CLUB,
AND NATURAL RESOURCES
DEFENSE COUNCIL**

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

1. On October 16, 2023, the Public Service Company of North Carolina, Inc. (“PSNC”) submitted for the Commission’s “review and approval” a natural gas pipeline construction and transportation service agreement (“Agreement”) between PSNC and Duke Energy Progress, LLC (“DEP”). PSNC filed the Agreement under seal pursuant to N.C. Gen. Stat. § 132-1.2. According to the public transmittal letter filed with the Agreement, “DEP has requested PSNC to transport natural gas on DEP’s behalf to use at its Person County Electric Generation Facility (the “Facility”). Under the Agreement, PSNC proposes to construct incremental facilities to provide the natural gas transportation and redelivery service to the Facility.”

2. The 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, whose members include customers of PSNC and DEP, engages in advocacy before public utilities commissions throughout the Southeast to promote clean energy solutions, improve public health, protect the environment, promote economic opportunity, and ensure affordable rates for utility customers. SACE has its principal office in Tennessee, with a mailing address of Post Office Box 1842, Knoxville, TN 37901, and has offices in North Carolina, South Carolina, Florida, and Georgia.

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 its objectives. At the state and federal level, the Sierra Club advocates for policies and practices that accelerate the transition from fossil fuels—such as natural gas—to clean energy, such as solar, wind, and energy efficiency. In North Carolina, the Sierra Club, whose members include customers of PSNC and DEP, has a long history of working to reduce air pollution from fossil-fueled power plants and promote clean energy resources while ensuring affordable rates for utility customers. The address of the Sierra Club's principal office in North Carolina is 19 West Hargett Street, Suite 210, Raleigh, NC 27601.

4. The Natural Resources Defense Council ("NRDC") is a national environmental organization with over 30 years' experience working on state energy

policy, including advocacy before public utilities commissions. NRDC and its members, including customers of PSNC and DEP, have a strong interest in ensuring that North Carolina adopts environmentally sound and sustainable energy policies. NRDC works to promote carbon-free renewable energy as an alternative to fossil-fueled power generation. NRDC also promotes energy efficiency through research, diverse partnerships, and policy advocacy to create dramatic energy savings for utility customers. NRDC has headquarters at 40 West 20th Street, 11th floor, New York, New York 10011 and has an office in Asheville, North Carolina.

5. With respect to Docket No. G-5, Sub 668, Petitioners and their members have a direct and substantial interest in this matter, which concerns the buildout of fossil-fueled resources in North Carolina, as well as the associated costs to ratepayers and the environment. The construction of pipelines and expansion of natural gas service affects Petitioners' interests in, among others, promoting responsible and sustainable energy choices, protecting natural places and resources, and ensuring a healthy environment for all North Carolinians. The terms of the Agreement ultimately will affect the natural gas and/or electric rates of Petitioners' members and constituents who are customers of PSNC and DEP. Accordingly, Petitioners have a direct interest in this matter, an interest which cannot be adequately represented by other parties, and they should be permitted to intervene.

6. 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

Service by electronic mail pursuant to NCUC Rule R1-39 is preferred and should be addressed to the following: dneal@selcnc.org, mmagarira@selcnc.org, and tgooding@selcnc.org.

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

Respectfully submitted this 3rd day of April 2024.

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

VERIFICATION

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

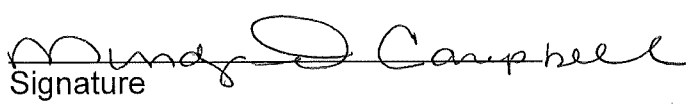


Munashe Magarira
Date: April 3, 2024

Durham County, North Carolina

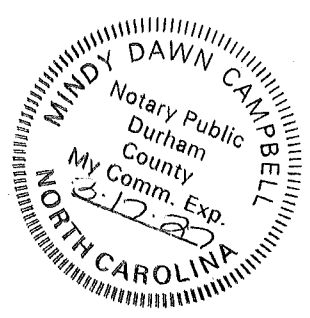
Sworn to and subscribed before me this day by Munashe Magarira.

This 3rd day of April, 2024.


Signature

Mindy D. Campbell, Notary Public

My commission expires: March 17, 2027



CERTIFICATE OF SERVICE

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

This the 3rd day of April, 2024.

/s David L. Neal

David L. Neal