

March 14, 2024

North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4300

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION: Petition to Intervene in NCUC Docket E-100 Sub 190, *Carbon Plan of Duke Energy Progress, LLC, and Duke Energy Carolinas, LLC*.

To whom it may concern:

This letter constitutes my petition to intervene as a North Carolina citizen and Duke Energy rate-payer in NCUC Docket E-100 Sub 190, *Carbon Plan of Duke Energy Progress, LLC, and Duke Energy Carolinas, LLC*.

I previously petitioned to intervene in this proceeding. My petition was denied by the Commission on January 18. The basis of that denial was my failure to clearly state why my interests were not represented by existing parties. I have since investigated the other avenues for representation suggested in the Commission's denial letter. After careful consideration, I conclude that my interests cannot be adequately represented by existing parties, and I respectfully request reconsideration of my petition. This petition includes an additional item (4) below, now required by Rule R1-19 as of February 2, 2024, which provides a clear, concise statement explaining why petitioner's interest is not adequately represented by existing parties.

The information below is intended to be fully responsive to the Utility Commission's rules and sufficient to grant leave to intervene.

(1) The correct name, post-office address and electronic mailing address of the petitioner:

Mr. John P. Gaertner
1440 Harding Place, #229
Charlotte, NC 28204
jgaertner@carolina.rr.com
704-607-4608

(2) The name, post office address and electronic mailing address of counsel representing the petitioner, if any.

Petitioner is not represented by counsel.

(3) A clear, concise statement of the nature of the petitioner's interest in the subject matter of the proceeding, and the way and manner in which such interest is affected by the issues involved in the proceeding.

- Petitioner is qualified by education, work experience, and certification as an expert in electric power engineering, resource planning, risk analysis, and climate science.
- Petitioner has participated extensively as a reviewer of Duke Energy resource plans since 2020: their Carbon Report 2020 and associated strategy, their 2020 IRP, their 2022 Carbon Plan, and their 2023 CPIRP. He serves as a technical expert, both as a paid consultant and as a volunteer, to state and regional environmental organizations. He has presented findings and recommendations on Duke's resource plans at a technical conference, through op-eds in major NC newspapers, in lectures and panel discussions to the public, as author of a formal review report to Duke Energy, through NCUC hearing and docket comments on the 2022 Carbon Plan, and as a participant and technical expert in Duke Energy's 2023 CPIRP stakeholder process.
- The petitioner has a strong commitment to apply his expertise and experience cited above to the mitigation of climate change; and more specifically, to the success of the NC Carbon Plan and Duke Energy's transition to zero-carbon electricity.

(4) A clear, concise statement explaining why petitioner's interest is not adequately represented by existing parties.

After intensive study of Duke Energy's 2023 CPIRP submittal and Jan 31 Update, I found critical deficiencies in the plan and developed opportunities to enhance both the analytics and execution process to remedy those deficiencies. Importantly, these opportunities build upon the significant effort of Duke Energy, the Commission, and stakeholders. They are incremental improvements to the analytics and the execution process which do not call for rejection or extensive immediate re-analysis. These changes could be adopted before the NCUC order or, alternatively, through NTAs in the upcoming CPIRP cycle.

However, these changes are quite technical and require in-depth understanding of Set-based Optimization and Planning. I have identified no existing party in this proceeding that has the interest and capability to adequately represent my interest, including the AGO, the Commission Public Staff, or the E-100 Sub 190 CS docket. Direct communication with Duke Energy technical staff would not be effective now that this proceeding is docketed. I believe that direct intervention is well-suited and necessary to represent my interests.

(5) A statement of the exact relief desired.

Petitioner has intensively studied the Duke Energy 2023 CPIRP submittal and has important comments and recommendation for both NCUC and for Duke Energy. He intends to submit these materials through the docket for these proceedings.

Intervening provide assurance that comments and recommendations are received, considered, understood, and addressed by NCUC and Duke Energy in a timely manner.

I am eager to contribute to the success of North Carolina's transition to zero-carbon energy through this intervention process. Please contact me for addition information or for any issue regarding this petition.

Thank you in advance for your consideration. I look forward to a favorable response.

Regards,

A handwritten signature in black ink that reads "John Gaertner" with a long horizontal flourish extending to the right.

John Gaertner
jgaertner@carolina.rr.com
704-607-4608

CERTIFICATE OF SERVICE

The undersigned certifies that he has served a copy of the foregoing PETITION TO INTERVENE IN NCUC DOCKET E-100 Sub 190, *Carbon Plan of Duke Energy Progress, LLC, and Duke Energy Carolinas, LLC* upon the parties of record in this proceeding by email, this the 14th day of March, 2024.

A handwritten signature in cursive script, reading "John Gaertner", followed by a horizontal line.

John Gaertner