

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION  
DOCKET NO. E-2, SUB 1174

In the Matter of: )  
Application of Duke Energy Progress, )  
LLC for Approval of Demand-Side )  
Management and Energy Efficiency ) **PETITION TO INTERVENE**  
Cost Recovery Rider Pursuant to N.C. )  
Gen. Stat. § 62-133.9 and Commission )  
Rule R8-69 )

PURSUANT TO Commission Rule R1-19, the North Carolina Justice Center, the Southern Alliance for Clean Energy, Natural Resources Defense Council, and North Carolina Housing Coalition, through counsel, file this petition to intervene in the above-captioned docket, and provide the following information in support of their petition:

1. On June 20, 2018, Duke Energy Progress, LLC (“DEP”) filed an application in the present docket for approval of its demand-side management (“DSM”) and energy efficiency (“EE”) cost recovery rider for 2019 (“Rider 10”). N.C. Gen. Stat. § 62-133.9(d) authorizes the Commission to approve an annual rider to the rates of an electric public utility for the recovery of all reasonable and prudent costs of new DSM and EE programs, as well as incentives. The Commission approved the existing cost recovery and incentive mechanism for DEP’s DSM and EE programs in Docket No. E-2, Sub 931. Commission Rule R8-69(b) provides for an annual proceeding in which the Commission reviews each electric public utility’s DSM/EE rider application.

2. The North Carolina Justice Center (“NC Justice Center”) is a nonprofit research and advocacy organization whose mission is to eliminate poverty in North Carolina by ensuring that every household in the state has access to the resources,

services and fair treatment it needs to achieve economic security. The NC Justice Center has offices at 224 S. Dawson Street, Raleigh, North Carolina, 27601.

3. The NC Justice Center has previously intervened on behalf of low-income North Carolinians in proceedings before the Commission, and most recently intervened in Duke Energy Carolinas, LLC's ("DEC") DSM/EE rider proceeding in Docket No. E-7, Sub 1164.

4. The NC Justice Center and the low-income consumers whose interests it represents have a direct and substantial interest in this proceeding. Many of the low-income consumers represented by the NC Justice Center are customers of DEP and are therefore subject to the direct impacts of DEP's DSM/EE rider. The NC Justice Center seeks to intervene in this proceeding in order to ensure that its interests in promoting energy efficiency programs that help lift the energy burden borne by low-income households are represented.

5. Southern Alliance for Clean Energy ("SACE") is a regional nonprofit organization whose mission is to promote responsible energy choices that address global climate change and ensure clean, safe, and healthy communities throughout the Southeast. SACE has its principal office in Tennessee, with a mailing address of Post Office Box 1842, Knoxville, Tennessee, 37901. SACE also has offices in North Carolina, South Carolina, Georgia and Florida.

6. SACE frequently appears before the Commission as an intervenor in DSM/EE rider proceedings, including in Docket No. E-2, Sub 1019, Docket No. E-2, Sub 1030, Docket No. E-2, Sub 1044, Docket No. E-2, Sub 1070, and Docket No. E-2, Sub

1108. SACE also participated actively in Docket No. E-2, Sub 931 and was a party to the DSM/EE Mechanism approved by the Commission in that docket.

7. SACE and its members have a direct and substantial interest in this proceeding. SACE has members who are customers of DEP and are therefore subject to the direct impacts of DEP's DSM/EE rider. SACE seeks to intervene in this proceeding in order to ensure that its members' interests in promoting energy savings through cost-effective DSM and EE are represented. SACE is also interested in ensuring that DEP's DSM and EE programs are delivering results, and that the costs and incentives to be recovered via the rider are based on measured and verified energy savings.

8. The Natural Resources Defense Council is a national environmental organization with more than 30 years of experience working on state energy-policy issues, including utility regulation, energy efficiency, and renewable energy. NRDC conducts advocacy, outreach, and education on the issue of smart rate design, and encourages models that will promote efficient, equitable, and affordable electric systems. NRDC also works to promote affordable energy for low-income households, and conducts research, partners with manufacturers, and advocates for policies that create energy savings through energy-efficiency programs. In 2013, NRDC helped launch the Energy Efficiency for All project, a national partnership that strives toward increasing energy efficiency in the affordable multifamily housing sector. NRDC has headquarters at 40 West 20th Street, New York, New York 10011, and also has staff in North Carolina.

9. NRDC and the consumers whose interests it represents have a direct and substantial interest in this proceeding. Many of the consumers represented by NRDC are customers of DEP and are therefore subject to the direct impacts of DEP's DSM/EE

rider. Further, NRDC and its members have an interest in promoting increased investment in energy efficiency, demand-side management programs, and other least-cost measures. NRDC and its members have a particular interest in promoting increased investments in programs that bring the direct benefits of energy-efficiency measures to residents of affordable, multifamily buildings. NRDC has previously intervened in Commission dockets, most recently Duke Energy Carolina's application for approval of its DSM/EE rider in Docket E-7, Sub 1164.

10. The North Carolina Housing Coalition ("NC Housing Coalition") is a nonprofit membership organization with the goal of ensuring that every North Carolinian has access to safe, decent, and affordable housing. The NC Housing Coalition and its members have a direct and substantial interest in this proceeding. The NC Housing Coalition works with its members to reduce the energy burdens faced by low-income residents. In addition, as part of its efforts to improve access to affordable housing for low-income individuals, the NC Housing Coalition has advocated for fair and affordable utility rates and charges and for the provision of energy efficient housing. The NC Housing Coalition has members who are customers of DEP and are therefore subject to the direct impacts of DEP's proposed DSM/EE rider. The NC Housing Coalition has previously intervened in Commission dockets, most recently in the rate cases filed by DEP and DEC in Docket numbers E-2, Sub 1142 and E-7, Sub 1146. The principal address of the NC Housing Coalition is 5800 Faringdon Place, Raleigh, North Carolina, 27609.

11. The attorneys for the NC Justice Center, SACE, NRDC, and NC Housing Coalition to whom all correspondence and filings in this docket should be addressed are:

David Neal  
Gudrun Thompson  
Southern Environmental Law Center  
601 West Rosemary Street, Suite 220  
Chapel Hill, NC 27516  
919-967-1450

Service by electronic mail pursuant to NCUC Rule R1-39 is preferred and should be addressed to [dneal@selcnc.org](mailto:dneal@selcnc.org) and [gthompson@selcnc.org](mailto:gthompson@selcnc.org).

WHEREFORE, the NC Justice Center and SACE request that they be allowed to intervene in this docket.

Respectfully submitted this 2<sup>nd</sup> day of August, 2018.

s/ David Neal  
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*Attorneys for North Carolina Justice Center, Southern Alliance for Clean Energy, Natural Resources Defense Council, and North Carolina Housing Coalition*

VERIFICATION

I, David Neal, verify that the contents of the foregoing Petition to Intervene 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 North Carolina Justice Center, Southern Alliance for Clean Energy, Natural Resources Defense Council, and North Carolina Housing Coalition.

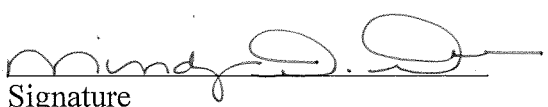
  
David Neal

Date: August 2, 2018

Durham County, North Carolina

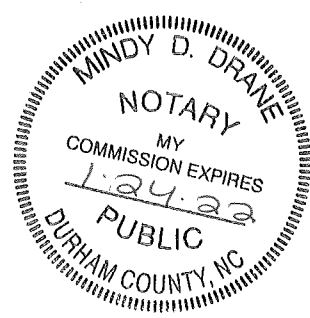
Sworn to and subscribed before me this day by David Neal.

This the 2<sup>nd</sup> day of August, 2018

  
Signature

Mindy D. Drane, Notary Public

My commission expires: 1-24-22



CERTIFICATE OF SERVICE

I certify that the persons on the service list have been served with the foregoing Petition to Intervene either by electronic mail or by deposit in the U.S. Mail, postage prepaid.

This the 2<sup>nd</sup> day of August, 2018.

s/ Mindy D. Drane  
Mindy D. Drane