

FILED

JUL 11 2008

Clerk's Office  
N.C. Utilities Commission

July 11, 2008

Ms. Renee Vance, Chief Clerk  
North Carolina Utilities Commission  
Dobbs Building, Fifth Floor  
430 North Salisbury Street  
Raleigh, NC 27602

OFFICIAL COPY

Re: Docket No. E-7, Sub 856; Duke Energy Application for Approval of  
A Solar Photovoltaic Distributed Generation Program and Cost Recovery

VIA HAND DELIVERY

Dear Ms. Vance:

We enclose for filing in the above-referenced matter, on behalf of Carolina Utility Customers Association, Inc. ("CUCA"), an original and 37 copies of CUCA's Petition to Intervene. Kindly date-stamp and return to us via our courier the seven additional enclosed copies. Please let me know, at your early convenience, if you have any questions concerning this filing.

Very truly yours,

CRISP, PAGE & CURRIN, L.L.P.

*Robert F. Page*  
Robert F. Page

Enclosures

cc: Ms. Sharon Miller  
All Parties

Clerk  
AG  
7 comm  
Benning  
Wirby  
Watson  
Moore  
Wite  
Ericson  
Sessoms  
Jones

Gruber  
2 PSECO  
3 PS Legal  
3 PS Acc'ts  
5 PSECO

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-7, SUB 856

**FILED**

**JUL 11 2008**

Clerk's Office  
N.C. Utilities Commission

In the Matter of )  
 )  
Application of Duke Energy Carolinas, )  
L.L.C. for Approval of a Solar Voltaic )  
Distributed Generation Program and for )  
Approval of the Proposed Method of )  
Recovery of Associated Costs )

**Petition of Carolina Utility Customers  
Association, Inc. to Intervene**

**OFFICIAL COPY**

Carolina Utility Customers Association, Inc. ("CUCA"), by and through its undersigned counsel, files this Petition pursuant to G.S. 62-72 and Rule R1-19 of the Rules and Regulations of the North Carolina Utilities Commission ("Commission") that CUCA be permitted to intervene and participate in the above-captioned proceeding. In support of this petition, CUCA states as follows:

1. CUCA is a corporation duly organized, validly existing, and in good standing under the laws of the State of North Carolina, with its principal office located at Suite 210, Trawick Professional Center, 1708 Trawick Road, Raleigh, North Carolina 27604. The names and addresses of its principal officers are:

Chair: H. Gary Faw  
Ajimomoto Aminoscience  
4020 Ajinomoto Drive  
Raleigh, NC 27610

Vice-Chair: Peggy R. Claytor  
The Timken Company  
1835 Dueber Avenue, SW  
Canton, Ohio 47706-2798

Executive Director: Sharon C. Miller  
Carolina Utility Customers Association, Inc.  
Suite 210, Trawick Professional Center  
1708 Trawick Road  
Raleigh, North Carolina 27604

2. CUCA's attorney, to whom all communications and pleadings should be addressed is:

Robert F. Page  
Crisp, Page & Currin, L.L.P.  
4010 Barrett Drive, Suite 205  
Raleigh, NC 27609  
Telephone: (919)791-0009  
Facsimile: (919)791-0010  
Email: [rpage@cpclaw.com](mailto:rpage@cpclaw.com)

CUCA will accept electronic service of all pleadings and other documents at the above listed email address for its counsel.

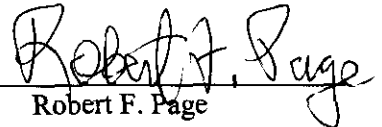
3. CUCA is an organization of industrial utility customers whose member companies maintain numerous industrial manufacturing facilities and employ thousands of workers throughout the State of North Carolina, including the territory in which Duke Energy Carolinas, L.L.C. ("Duke") has been authorized by the Commission to sell electricity at retail.

4. CUCA's member companies use electricity sold by Duke in the operation of their manufacturing plants. The availability of an adequate supply of electricity at a reasonable price is critical to the economic viability of CUCA's member companies. Duke's proposal in this Docket will increase the rates associated with the Duke's sale of electricity to CUCA members. As a result, CUCA has a vital interest in the matters at issue in the above-captioned proceeding and should be permitted to intervene and participate.

WHEREFORE, CUCA respectfully requests that the Commission enter an order allowing CUCA to intervene and fully participate in the above-captioned proceeding, including the right to discovery, and to otherwise exercise all statutory rights provided to intervenors under North Carolina law.

This the 11<sup>th</sup> day of July, 2008.

CRISP, PAGE & CURRIN, L.L.P.

By:   
Robert F. Page  
N.C. State Bar No. 3307  
4010 Barrett Drive, Suite 205  
Raleigh, NC 27609  
(919)791-0009 Telephone  
(919)791-0010 Facsimile  
[rpage@cpclaw.com](mailto:rpage@cpclaw.com) Email

STATE OF NORTH CAROLINA

VERIFICATION

COUNTY OF WAKE

Sharon C. Miller, being duly sworn, deposes and says that she is the Executive Director of Carolina Utility Customers Association, Inc., the intervenor herein; that she has read the foregoing Petition of Carolina Utility Customers Association, Inc., to Intervene, and knows the contents thereof, and that the same is true of her own knowledge, except as to those matters therein stated upon information and belief, and as to those, she believes them to be true; and that she consents that this verified petition be used as an affidavit.

This the 7<sup>th</sup> day of July, 2008.

Sharon C. Miller  
SHARON C. MILLER

SWORN to and subscribed before me,  
this the 7<sup>th</sup> day of July, 2008.

Deatrice Williams  
Notary Public

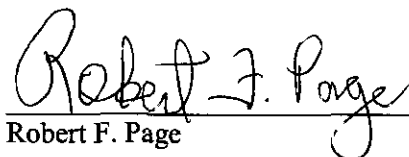


My Commission Expires: 3-23-2011

## CERTIFICATE OF SERVICE

I, the undersigned counsel for CUCA, do hereby certify that a copy of the foregoing Petition to Intervene was served upon all parties of record in this proceeding, or their legal counsel, by hand delivery or by depositing a copy of same in the United States Postal Service, first class postage prepaid, and addressed to them as indicated on the Service List below.

This the 11<sup>th</sup> day of July, 2008.

  
Robert F. Page

### Service List

Mr. Robert W. Kaylor  
Robert W. Kaylor, P.A.  
3700 Glenwood Ave., Suite 330  
Raleigh, NC 27603

Mr. Kodwo Ghartey-Tagoe  
VP Legal, State Regulation  
Ms. Lara Simmons Nichols  
Associate General Counsel  
Mr. Brian R. Franklin  
Senior Counsel  
Duke Energy Carolinas, LLC  
ECO3T/P.O. Box 1006  
Charlotte, NC 27201-1006

Ms. Antoinette R. Wike  
Chief Counsel  
Public Staff – Legal Division  
4326 Mail Service Center  
Raleigh, NC 27699-4326

Mr. Leonard G. Green  
Assistant Attorney General  
N.C. Department of Justice  
P. O. Box 629  
Raleigh, NC 27602-0629