

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. E-7, SUB 1276

<b>In the Matter of</b> <b>Application of Duke Energy Carolinas, LLC</b> <b>For Adjustment of Rates and Charges Applicable</b> <b>To Electric Service in North Carolina and</b> <b>Performance Based Regulation</b>	) ) ) ) )	<b>Petition to Intervene</b> <b>of the Commercial Group</b>
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Through counsel and pursuant to Rule R1-19 of the Rules and Regulations of the North Carolina Public Utilities Commission ("Commission"), the Commercial Group, an association of large commercial customers of the applicant<sup>1</sup> respectfully requests that the Commission enter an order permitting it to intervene and participate in the above-captioned proceeding. In support of this Petition, the Commercial Group states as follows:

1. Members of the Commercial Group are commercial customers of Duke Energy Carolinas, LLC ("Duke Carolinas") that operate retail facilities and distribution centers in the service territory of Duke Carolinas in North Carolina.
2. The Commercial Group requests that copies of all notices, pleadings, orders, correspondence, and other communications be directed to and served upon:

Alan R. Jenkins  
Jenkins at Law, LLC  
2950 Yellowtail Ave.  
Marathon, FL 33050  
Phone: (404) 729-2037  
Email: [aj@jenkinsatlaw.com](mailto:aj@jenkinsatlaw.com)

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<sup>1</sup> The Commercial Group is composed currently of BJ's Wholesale Club, Inc., Food Lion, LLC, Penney OpCo LLC, and Walmart Inc., although other potential members of the Commercial Group may join the group for this proceeding. The Commercial Group shall inform the Commission of its final make-up upon or before the filing of direct testimony.

3. In this proceeding, Duke Progress proposes to change the rates it charges members of the Commercial Group, which could financially impact the members of the Commercial Group. Accordingly, the Commercial Group has an interest in this proceeding.

4. As a group of large commercial customers, the Commercial Group has interests that differ from, and are not adequately represented by, other parties to this proceeding. Moreover, this intervention would not unduly delay the proceedings or prejudice the rights of other parties.

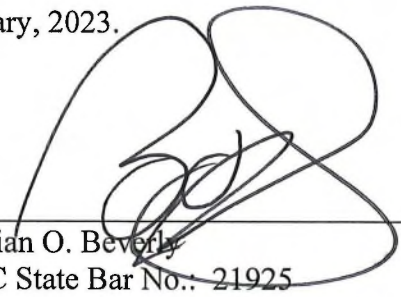
5. This intervention is not for the purpose of delay, and no prejudice will result to the other parties if the Commercial Group is allowed to intervene. The Commercial Group's rights may be adversely affected if intervention is not granted at this time.

6. Pursuant to Rule R1-39, the Commercial Group agrees to electronic service of all pleadings and other papers in this docket.

WHEREFORE, the Commercial Group respectfully requests that the Commission grant it intervenor status as a full party of record and allow it to participate fully in these proceedings including, without limitation, filing and presenting testimony, cross examination of witnesses, participation in all formal and informal conferences and hearings, and filings of briefs and any other pleading, to the extent it deems necessary for its full participation herein.

Respectfully submitted, this 3<sup>rd</sup> day of February, 2023.

Alan R. Jenkins  
Georgia Bar No. 390198  
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2950 Yellowtail Ave.  
Marathon, FL 33050  
Phone: (404) 729-2037  
Email: [aj@jenkinsatlaw.com](mailto:aj@jenkinsatlaw.com)  
Simultaneously moving for limited admission  
to appear *pro hac vice*



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Brian O. Beverly  
NC State Bar No.: 21925  
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P.O. Box 31627  
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ATTORNEYS FOR INTERVENOR, THE COMMERCIAL GROUP

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

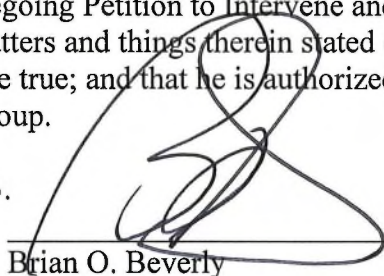
DOCKET NO. E-7, SUB 1276

In the Matter of	)	
Application of Duke Energy Carolinas, LLC For	)	Petition to Intervene
Adjustment of Rates and Charges Applicable	)	of the Commercial Group
To Electric Service in North Carolina and	)	
Performance Based Regulation	)	


VERIFICATION

Brian O. Beverly, first being duly sworn, deposes and says that he is the attorney for the Commercial Group; 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 the Commercial Group.

This the 3<sup>rd</sup> day of February, 2023.

  
\_\_\_\_\_  
Brian O. Beverly

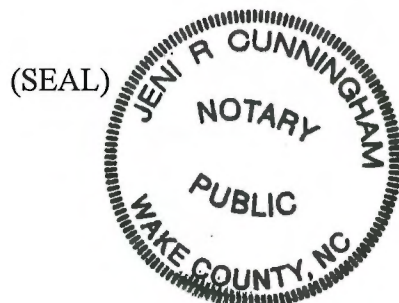
Subscribed and sworn to before me  
this 3<sup>rd</sup> day of February, 2023.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Printed Name

My Notary No: 19923140113

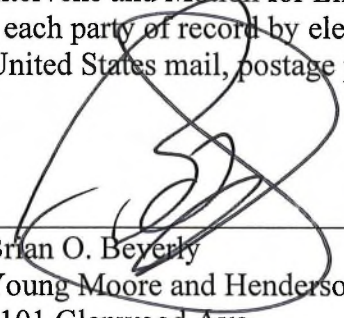
My Commission Expires: 03/02/2025



**CERTIFICATE OF SERVICE**

I certify that a copy of the Petition to Intervene and Motion for Limited Admission in Docket No. E-7, Sub 1276 has been served on each party of record by electronic mail (e-mail), hand delivery, or by depositing a copy in the United States mail, postage prepaid.

This the 3<sup>rd</sup> day of February, 2023.



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