

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. E-100, SUB 189

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Consideration of Certain Standards to  
Promote Utility Demand Response  
Pursuant to the Infrastructure  
Investment and Jobs Act

PETITION TO INTERVENE OF  
CIGFUR I, II, AND III

NOW COMES the Carolina Industrial Group for Fair Utility Rates I (CIGFUR I), the Carolina Industrial Group for Fair Utility Rates II (CIGFUR II), and the Carolina Industrial Group for Fair Utilities III (CIGFUR III) (together with CIGFUR I and CIGFUR II, CIGFUR), by and through the undersigned counsel, pursuant to Commission Rules R1-5 and R1-19 and the Commission's November 10, 2022 *Order Allowing Comments*, and respectfully submits this petition to intervene in the above-captioned docket. In support of this petition, CIGFUR respectfully shows as follows:

1. CIGFUR I is an association of large customers of Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina (DENC).
2. CIGFUR II is an association of large customers of Duke Energy Progress, LLC (DEP).
3. CIGFUR III is an association of large customers of Duke Energy Carolinas, LLC (DEC).

4. CIGFUR's mailing address is Post Office Box 1351, Raleigh, North Carolina 27602-1351. CIGFUR may be contacted by email through its counsel at [ccress@bdixon.com](mailto:ccress@bdixon.com).
5. Section 40104(a)(1) of the Infrastructure Investment and Jobs Act, H.R. 3684, 117th Cong. (2021) (IIJA) amends the Public Utility Regulatory Policies Act of 1978 (PURPA) by adding new federal ratemaking standards relating to demand response practices by commercial, residential, and industrial customers.
6. As electric retail customers of DENC, DEP, and DEC, respectively, CIGFUR member companies have direct, substantial, and pecuniary interests in this proceeding.
7. Some CIGFUR member companies have flexible load and either currently participate in demand response programs or potentially would be interested in participating in demand response programs that may in the future be offered by DENC, DEP, and/or DEC. Therefore, CIGFUR has a real interest in participating in this docket.
8. While some CIGFUR member companies have flexible load, others do not. For such customers with non-flexible load, ensuring firm, reliable, uninterrupted electric service remains of paramount concern. Likewise, ensuring that any new demand response programs are optional and will be implemented in a way that is just, reasonable, and non-discriminatory for both participating and non-participating customers is equally as important.

9. CIGFUR's participation in these dockets will bring the important perspective of large, high load factor industrial customers of DENC, DEP, and DEC, particularly with regard to prioritizing and maximizing the amount of federal funding sought and made available to provide ratepayer and system benefits.
10. CIGFUR's attorney, to whom all communications and pleadings should be addressed, is shown below:

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11. No other party is capable of adequately representing or protecting CIGFUR's interests in this proceeding. As such, CIGFUR should be permitted to intervene and participate as a party to this proceeding.
12. Pursuant to Commission Rule R1-39, CIGFUR agrees to accept electronic service of all pleadings and other papers filed in this docket.

WHEREFORE, CIGFUR respectfully requests that the Commission issue an order allowing it to intervene and participate in this proceeding and to otherwise exercise all rights of a party to this proceeding.

Respectfully submitted, this the 22nd day of December, 2022.

**BAILEY & DIXON, LLP**

/s/ Christina D. Cress

Christina D. Cress

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*Counsel for CIGFUR*

STATEMENT

I, Christina D. Cress, Attorney for CIGFUR I, II, and III (collectively, CIGFUR), located at the law office of Bailey & Dixon, LLP at 434 Fayetteville St., Ste. 2500, Raleigh, NC 27601 (physical address) and P.O. Box 1351, Raleigh, NC 27602 (mailing address), with a telephone number of (919) 607-6055 and an email address of [ccress@bdixon.com](mailto:ccress@bdixon.com), do hereby declare that the contents of this petition to intervene are true and accurate to the best of my knowledge; that my law firm has been retained to represent CIGFUR's interests in this docket before the North Carolina Utilities Commission; and that I am authorized to make these representations on behalf of CIGFUR.

This the 22<sup>nd</sup> day of December, 2022.

/s/ Christina D. Cress  
Christina D. Cress

### CERTIFICATE OF SERVICE

The undersigned attorney for CIGFUR hereby certifies that she caused the foregoing *Petition to Intervene of CIGFUR I, II, and III* to be served upon all parties of record to this proceeding by electronic mail.

This the 22nd day of December, 2022.

/s/ Christina D. Cress  
Christina D. Cress