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January 13, 2021

**VIA ELECTRONIC FILING**

Ms. Kimberley A. Campbell  
Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4300

**Re: Duke Energy Progress, LLC's Petition to Intervene  
Docket No. SP-100, Sub 35**

Dear Ms. Campbell:

I enclose Duke Energy Progress, LLC's Petition to Intervene, for filing in connection with this matter.

Thank you for your attention to this matter. If you have any questions, please let me know.

Sincerely,

Lawrence B. Somers

Enclosure

cc: Parties of Record

OFFICIAL COPY

Jan 13 2021

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. SP-100, SUB 35

In the Matter of	)	
Request for Declaratory Ruling by Sunstone	)	
Energy Development LLC that the Jurisdiction	)	<b>DUKE ENERGY PROGRESS,</b>
of the North Carolina Utilities Commission	)	<b>LLC'S PETITION TO</b>
does not extend to Federal Enclave within Fort	)	<b>INTERVENE</b>
Bragg	)	

NOW COMES Duke Energy Progress, LLC (“DEP” or “Petitioner”), pursuant to North Carolina Utilities Commission (“Commission”) Rules R1-5 and R1-19, by and through the undersigned counsel, and petitions the Commission to enter an order permitting DEP to intervene and fully participate in the above-referenced docket. In support of this Petition, DEP shows the following:

1. DEP is an electric utility organized, existing and operating under the laws of the State of North Carolina for the purposes of generating, transmitting, and distributing electric power in its assigned service territory in North and South Carolina. Its principal office is located at 410 S. Wilmington Street, Raleigh, North Carolina 27601.

2. The attorneys for DEP, to whom all communications and pleadings should be addressed, are:

Lawrence B. Somers  
Deputy General Counsel  
Duke Energy Corporation  
Post Office Box 1551 / NCRH 20  
Raleigh, North Carolina 27602-1551  
919.546.6722  
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501 Fayetteville Street, Ste. 500  
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3. On December 9, 2020, Sunstone Energy Development LLC (“Sunstone”) filed a corrected request for declaratory ruling (“Petition”) that (1) Fort Bragg is not subject to the North Carolina Public Utilities Act (“Public Utilities Act”) because it is a federal enclave; (2) Sunstone's provision of solar energy and energy efficiency services within the federal enclave of Fort Bragg does not subject it or its assignees, nor their work, to the Public Utilities Act; and (3) Sunstone's proposed activities will not cause it to be considered a public utility under N.C. Gen. Stat. § 62-3(23).

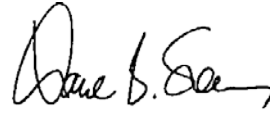
4. Fort Bragg is a customer of DEP’s, and thus Sunstone’s Petition implicates DEP’s service rights pursuant to the Public Utilities Act.

5. DEP has a real and substantial interest in this proceeding. The Commission’s determination as to Sunstone’s Petition not only directly impacts DEP, but the general subject matter of this docket also affects DEP and its retail customers. DEP’s interests cannot be adequately represented by any other party.

6. Pursuant to Commission Rule R1-39, DEP agrees to accept electronic service of all filings in the docket.

WHEREFORE, for the reasons set forth above, DEP petitions the Commission to enter an order granting the right to intervene in this matter and exercise all rights provided to intervenors under the Commission’s Rules and North Carolina law.

Respectfully submitted, this the 13<sup>th</sup> day of January 2021.



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*ATTORNEYS FOR DUKE ENERGY  
PROGRESS, LLC*

VERIFICATION

STATE OF NORTH CAROLINA )  
 ) DOCKET NO. SP-100, SUB 35  
COUNTY OF WAKE )

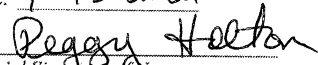
Kendal C. Bowman, being first duly sworn, deposes and says that she is Vice President of Regulatory Affairs and Policy for Duke Energy Corporation, and as such she is an Officer of Duke Energy Progress, LLC; that she has read the foregoing Petition to Intervene and knows the contents thereof; and that the facts set forth therein are true and correct.

Dated this, the 13<sup>th</sup> day of January, 2021.

  
Kendal C. Bowman

Signed and sworn to before me this day by Kendal C. Bowman

Date: 1-13-2021

  
Official Signature of Notary

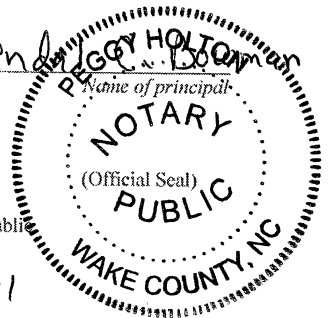
Peggy Horton, Notary Public  
Notary's printed or typed name

My commission expires: 12/22/2021

I signed this notarial certificate on 1-13-2021 according to the emergency video notarization requirements contained in G.S. 10B-25.

Notary Public location during video notarization: Wake County

Stated physical location of principal during video notarization: Wake County



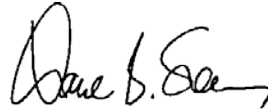
## CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Progress, LLC's Petition to Intervene, in Docket No. SP-100, Sub 35, has been served by electronic mail, hand delivery or by depositing a copy in the United States mail, postage prepaid to the following parties:

Dianna Downey  
Public Staff  
North Carolina Utilities Commission  
4326 Mail Service Center  
Raleigh, NC 27699-4300  
[dianna.downey@psncuc.nc.gov](mailto:dianna.downey@psncuc.nc.gov)

Bradley M. Risinger  
Fox Rothschild  
434 Fayetteville St.  
Suite 2800  
Raleigh, NC 27601  
[brisinger@foxrothschild.com](mailto:brisinger@foxrothschild.com)

This the 13<sup>th</sup> day of January, 2021.



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