

**In the Matter of:** )  
**Application of Duke Energy Carolinas, LLC** )  
**Pursuant to G.S. 62-133.2 and NCUC Rule** )  
**R8-55 Relating to Fuel and Fuel-Related** )  
**Charge Adjustments for Electric Utilities** )

**MOTION TO INTERVENE**

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Pursuant to North Carolina Utilities Commission ("Commission") Rules R1-5, R1-7, and R1-19, the North Carolina Sustainable Energy Association ("NCSEA") hereby moves to intervene in the above-referenced docket. In support of this motion, NCSEA states as follows:

1. NCSEA is a non-profit corporation formed under the laws of North Carolina, with individual, business, and government members located across the State. NCSEA's mission is to promote a sustainable future through the use of renewable energy and energy efficiency programs. NCSEA seeks to achieve its objectives by advocating for public policies that encourage the responsible technological and market development of renewable energy and energy efficiency, including all aspects of demand side management, a smart grid, energy storage, and vehicle electrification.

2. NCSEA has frequently appeared before this Commission as an intervenor in dockets involving integrated resource planning ("IRP"). *See, e.g.*, NCUC Docket No. E-100, Sub 137; NCUC Docket No. E-100, Sub 128; NCUC Docket No. E-100, Sub 118. IRP, however, is "not intended to provide an occasion for the issuance of mandatory orders requiring substantive changes in a given utility's operations." *Utilities Comm. v. N.C. Electric Membership Corp.*, 105 N.C. App. 136, 143, 412 S.E.2d 166, 170 (1992).

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Consequently, a party like NCSEA that desires a specific utility “to take or to refrain from taking some specific substantive action[.]” *id.* at 144, 412 S.E.2d at 171, must seek to involve itself in a specific, substantive proceeding.

3. NCSEA was a chief proponent of the REPS law, has substantial organizational awareness of the law and its implementation, and has a direct interest in seeing the policies and goals of the REPS law achieved in a manner consistent with the legislative intent. The interest of NCSEA and its members in the REPS law, renewable energy, and energy efficiency extends to dockets such as this one for a multitude of reasons. First and foremost, hearings under Commission Rule R8-55 involve costs for the purchase of power from renewable energy facilities. *See* Rule R8-55(a)(6). But, even if no such costs were at issue, a utility’s generation portfolio must be viewed comprehensively – its non-renewable fuel and fuel-related costs inevitably impact the renewable component of its generation portfolio as well as consideration of demand-side management measures – and, therefore, NCSEA and its members would still have an interest in Duke Energy Carolina, LLC’s non-renewable fuel and fuel-related costs. The Commission has recognized NCSEA’s interest in such proceedings. *See, e.g.*, NCUC Docket No. E-7, Sub 1002 (NCSEA intervened in Duke’s 2012 fuel and fuel-related cost recovery proceeding).

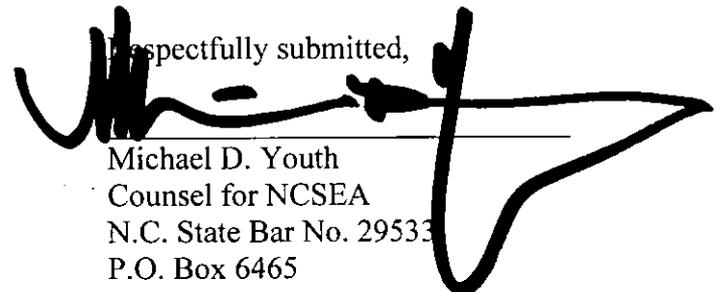
4. NCSEA’s participation in this docket will bring critical insight, knowledge, and understanding to the proceeding.

5. NCSEA’s address is 1111 Haynes Street, Suite 109, Raleigh, NC 27604. All correspondence related to this proceeding should, however, be addressed to:

Michael D. Youth  
Counsel for NCSEA  
P.O. Box 6465  
Raleigh, NC 27628  
(919) 832-7601 Ext. 118  
[michael@energync.org](mailto:michael@energync.org)

6. Pursuant to Commission Rule R1-39, NCSEA agrees to electronic service of all pleadings and other filings in this matter.

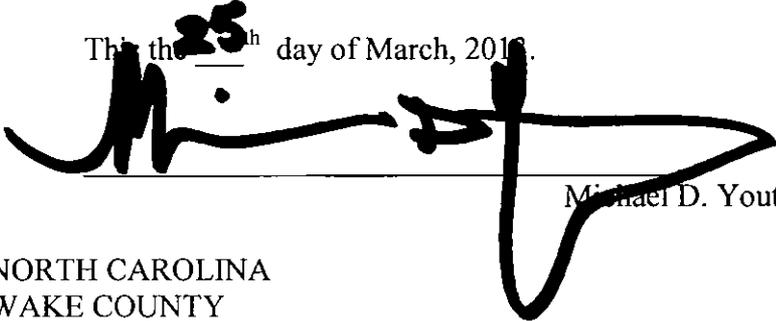
**WHEREFORE**, for the reasons set forth above, NCSEA prays that it be allowed to intervene in this matter.

Respectfully submitted,  
  
Michael D. Youth  
Counsel for NCSEA  
N.C. State Bar No. 29533  
P.O. Box 6465  
Raleigh, NC 27628  
(919) 832-7601 Ext. 118  
[michael@energync.org](mailto:michael@energync.org)

**VERIFICATION**

Michael D. Youth, first being duly sworn, deposes and says that he is the attorney for NCSEA; that he has read the foregoing Motion to Intervene and that 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 NCSEA.

This the 25<sup>th</sup> day of March, 2013.



Michael D. Youth

NORTH CAROLINA  
WAKE COUNTY

Sworn to and subscribed before me,

this the 25<sup>th</sup> day of March, 2013.

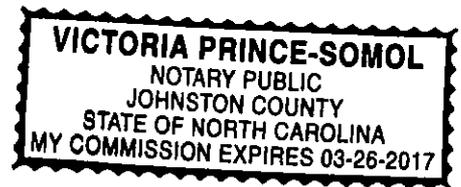
NOTARY]

  
Notary Public

Victoria Prince-Somol  
Printed Name of Notary Public

My Commission Expires: 3-26-2017

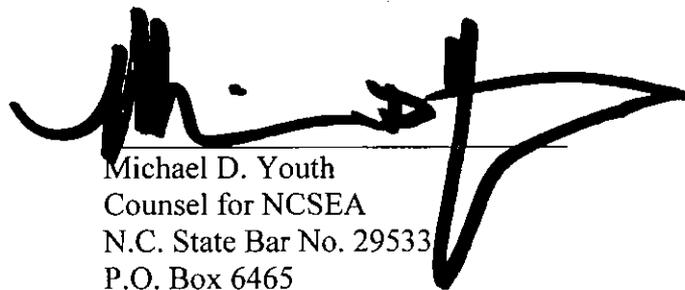
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**CERTIFICATE OF SERVICE**

I hereby certify that all persons on the docket service list have been served true and accurate copies of the foregoing Motion to Intervene by hand delivery, first class mail deposited in the U.S. mail, postage pre-paid, or by email transmission with the party's consent.

This the 2<sup>nd</sup> day of March, 2013.



Michael D. Youth  
Counsel for NCSEA  
N.C. State Bar No. 29533  
P.O. Box 6465  
Raleigh, NC 27628  
(919) 832-7601 Ext. 118  
michael@energync.org