

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. E-100, SUB 190

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:	)	<b>PETITION TO INTERVENE OF</b>
	)	<b>WALMART INC.</b>
Biennial Consolidated Carbon Plan and	)	
Integrated Resource Plans of Duke Energy	)	
Carolinas, LLC, and Duke Energy	)	
Progress, LLC, Pursuant to N.C.G.S. § 62-	)	
110.9 and § 62-110.1(c)	)	

Pursuant to North Carolina Utilities Commission ("Commission") Rules, including Rules R1-5, R1-7, and R1-19, Walmart Inc. ("Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matters. In support of its Petition to Intervene, Walmart submits as follows:

1. On March 15, 2023, the Commission issued an Order establishing biennial proceedings and opening dockets for Duke Energy Carolinas, LLC's ("DEC") and Duke Energy Progress, LLC's ("DEP") (collectively, "Companies") Carbon Plan and Integrated Resource Plan ("CPIRP").

2. On August 17, 2023, the Companies filed their Petition for Approval of their 2023-2024 Carbon Plan and Integrated Resource Plans pursuant to N.C.G.S. §§ 62-110.1(c) and 62-110.9, the Commission's December 30, 2022, *Order Adopting Initial Carbon Plan and Providing Direction for Future Planning*, and consistent with Proposed Rule R8-60A.

3. Walmart is a national retailer of goods and services throughout the United States, including in North Carolina and South Carolina. Walmart is a large commercial customer of the Companies, with 144 stores and four distribution centers in the Companies' North Carolina service territory. Walmart purchases over 493 million kWh annually from the Companies in North

Carolina, principally pursuant to DEC's Rate Schedule Optional Power Service, Time of Use with Voltage Differential ("OPT") and DEP's Rate Schedule Small General Service – Time of Use ("SGS-TOU").

4. Walmart has an interest in this proceeding because electricity is one of its highest operating costs. Moreover, Walmart has established aggressive and significant renewable energy goals.<sup>1</sup> As such, the Companies' efforts to develop a CPIRP that complies with the obligations of HB 951 directly impacts Walmart's operations in North Carolina and South Carolina as well as Walmart's renewable energy goals.

5. Walmart has substantial experience with renewable energy, both at a corporate level and in other jurisdictions in which it operates that it would bring to bear in this proceeding, including participation in the Companies' 2022 Carbon Plan proceeding as well as dockets in the Commonwealth of Virginia concerning the implementation of the Virginia Clean Economy Act, which, similar to HB 951, seeks to bring Virginia to a carbon free economy by 2050. This collective experience would assist the Commission's analysis and consideration of the Companies' Petition.

6. Walmart's principal office is at 2608 SE J Street, Bentonville, Arkansas 72716. All correspondence related to this proceeding should be addressed to counsel:

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Winston-Salem, NC 27103  
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<sup>1</sup> See <https://corporate.walmart.com/newsroom/2020/09/21/walmart-sets-goal-to-become-a-regenerative-company>

Steven W. Lee<sup>2</sup>  
Spilman Thomas & Battle, PLLC  
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7. Walmart's intervention is timely as not deadline for intervention has been set by the Commission.

8. Pursuant to Commission Rule R1-39, Walmart agrees to accept electronic service of all filings in this docket.

**WHEREFORE**, Walmart Inc. respectfully requests that it be granted leave to intervene and to participate fully as a party to this docket.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By   
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*Counsel to Walmart Inc.*

Dated: October 20, 2023

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<sup>2</sup> Walmart respectfully requests that Mr. Lee be added to the service list as Walmart may seek Mr. Lee's admission to appear before the Commission *pro hac vice* in the near future.

VERIFICATION

Carrie H. Grundmann, first being duly sworn, deposes and says that she is the attorney for Walmart Inc.; that she has read the foregoing Petition to Intervene of Walmart Inc., and that the same is true of her personal knowledge, except as to any matters and things therein stated on information and believe, and as to those, she believes them to be true; and that she is authorized to sign this verification on behalf of Walmart.

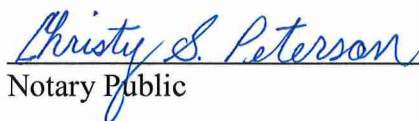
This the 20<sup>th</sup> day of October, 2023.



\_\_\_\_\_  
Carrie H. Grundmann

NORTH CAROLINA  
FORSYTH COUNTY

Sworn to and Subscribed before me,  
this the 20<sup>th</sup> day of October, 2023.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 8/3/2027

CHRISTY S PETERSON  
NOTARY PUBLIC  
FORSYTH COUNTY, NC  
MY COMMISSION EXPIRES 8/3/27

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Petition to Intervene of Walmart Inc. has been served this day upon the parties of record in this proceeding by electronic mail.

  
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Carrie H. Grundmann (NC Bar No. 52711)

Dated: October 20, 2023