STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-7, SUB 1214

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION:

In the Matter of: )
PETITION OF CENTER FOR BIOLOGICAL ) DIVERSITY AND APPLALACHIAN VOICES ) TO INTERVENE
Application of Duke Energy Carolinas )
LLC to Adjust Retail Rates and Charges )

Pursuant to North Carolina Utility Commission ("Commission") Rules R1-5, R1-7, and R1-19, the Center for Biological Diversity ("the Center") and Appalachian Voices hereby petition to intervene in the above-captioned docket. In support of this petition, the Center and Appalachian Voices state as follows:

1. The Center for Biological Diversity is a national, non-profit conservation organization with offices throughout the United States, including North Carolina. The Center has more than 1.6 million members and online activists, including over 30,800 in North Carolina, who care about the country’s—and North Carolina’s—urgent need to expedite the renewable energy transition in order to protect human health, the natural environment, and species from the ravages of the climate crisis and other environmental harms. The mission of the Center’s Energy Program is to remove barriers to an equitable renewable energy transition, particularly those posed by investor-owned monopoly electricity utilities, including through rate-making and other actions that disincentivize renewable energy adoption. The Center’s North Carolina address is P.O. Box 6414, Asheville, NC 28816.

2. Appalachian Voices is a regional, non-profit environmental organization with offices in Boone, Asheville and Raleigh, North Carolina; Charlottesvile and Norton, Virginia;
and, Knoxville, Tennessee. The organization has approximately 40,000 members and supporters, including 6,800 in North Carolina, dedicated to protecting the land, air, and water of Central and Southern Appalachia and advancing a just transition to a generative and equitable clean energy economy. The activities, resource and infrastructure investments, and rate structures of North Carolina’s investor-owned monopoly electric utilities have a direct, negative impact on Appalachian Voices mission and membership. Appalachian Voices’ North Carolina address is 589 W. King Street, Boone, NC 28607.

3. The Center and Appalachian Voices seek to represent the interests of their thousands of members and supporters in North Carolina, many of whom are customers of Duke Energy Carolinas, LLC (“DEC”), in the outcome of DEC’s application to adjust retail rates and charges across its territory. In requesting to significantly increase retail rates, DEC claims newly incurred costs which the Center’s and Appalachian Voices’ members oppose: certain costs related to the Grid Improvement Plan (“GIP”), political spending, and a substantial increase in the rate of return for investors at the expense of retail customers. Moreover, DEC is not proposing to make meaningful investments in the desperately needed renewable energy transition, including encouraging residential and commercial customers to make critical investments in Distributed Energy Resources.

DEC’s requested changes directly and significantly affect the Center’s and Appalachian Voices’ mission, interests, and members, who support equitable rate structures and investments that will advance the widespread adoption of distributed renewable energy and energy efficiency measures. Moreover, the Center and Appalachian Voices’ members oppose rate structures designed to perpetuate and expand DEC’s fossil-fuel generated electricity, which adversely impacts public health and safety, air quality, species, the environment, and the climate crisis.
Finally, the Center and Appalachian Voices object to DEC’s charging expenditures for lobbying, industry association fees, and other inherently political activities, costs which should not be borne by DEC ratepayers.

4. The Commission has previously recognized the Center’s interests in the utility rate-setting process in North Carolina. See NCUC, Order Dismissing Petition in Part, Granting Petition to Intervene, Docket No. M-100, Sub 150, at 17 (Aug. 29, 2019) (granting intervention to the Center).

5. The Center and Appalachian Voices seek to intervene in this proceeding to further their missions and represent the interests of their members. The Center’s and Appalachian Voices’ participation in this docket will contribute to the proceeding, including by offering (a) technical knowledge concerning the ways the Commission should amend DEC’s proposals to advance the adoption of distributed solar technologies by DEC’s residential and commercial customers; (b) context regarding the impacts of DEC’s ongoing reliance on fossil fuel generation and concomitant contribution to the climate crisis and other social, health, economic, and environmental harms; and (c) information concerning the reasonableness, and constitutionality, of DEC passing on to customers its expenditures for lobbying, industry association fees, and other inherently political activities.

6. The Center’s North Carolina office, which will represent the Center and Appalachian Voices in this matter, is located in Asheville, North Carolina. The attorneys to whom all correspondence and filings in this docket should be addressed are:

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Service by electronic mail pursuant to NCUC Rule R1-39 is preferred and should be addressed to perrin@biologicaldiversity.org, hcrystal@biologicaldiversity.org, and jsu@biologicaldiversity.org. Written correspondence should be sent to both the Center’s North Carolina office (P.O. Box 6414, Asheville, NC 28816) as well as its DC office (1411 K Street NW, Suite 1300, Washington, DC 20005).

WHEREFORE, the Center for Biological Diversity and Appalachian Voices request that they be allowed to intervene in this docket.

Respectfully submitted on October 17, 2019.

/\* Perrin de Jong \
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