

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. E-2, SUB 1127**

In the Matter of:)
Duke Energy Progress, LLC)
Application for Certificate of Public)
Convenience and Necessity – Mt.)
Sterling Microgrid Solar and)
Battery Storage Facility)

**PETITION OF NCSEA 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 petitions to intervene in the above-referenced docket. In support of this petition, 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 the Commission as an intervenor in dockets involving integrated resource planning (“IRP”). *See, e.g.*, Commission Docket E-100, Sub 147, Commission Docket No. E-100, Sub 141; Commission Docket No. E-100, Sub 137; Commission Docket No. E-100, Sub 128; and Commission Docket No. E-100, Sub 118. The 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 Cor., 105 N.C. App. 136, 143,412S.E.2d 166, 170 (1992). 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 a specific, substantive proceeding. To this end, NCSEA has intervened in application for certificates of public convenience and necessity proceedings and has provided informational letters to the Commission regarding such applications. See, e.g., Commission Docket No. E-2, Sub 1089; Commission Docket No. E-2, Sub 1063; Commission Docket No. E-2, Sub 1056; Commission Docket No. E-2, Sub 1055; Commission Docket No. E-2, Sub 1054.

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

4. NCSEA’s address is 4800 Six Forks Road, Suite 300, Raleigh, NC 27609. All correspondence related to this proceeding should be addressed to:

Peter H. Ledford
Counsel for NCSEA
4800 Six Forks Road
Suite 300
Raleigh, NC 27609
(919) 832-7601 Ext. 107
peter@energync.org

5. 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,

/s/ Peter H. Ledford
Peter H. Ledford
Counsel for NCSEA
N.C. State Bar No. 42999
4800 Six Forks Road
Suite 300
Raleigh, NC 27609
(919) 832-7601 Ext. 107
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VERIFICATION

Peter H. Ledford, first being duly sworn, deposes and says that he is the attorney for NCSEA; that he has read the foregoing Petition 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 22nd day of November [MONTH], 2016.


Peter H. Ledford

NORTH CAROLINA
WAKE COUNTY

Sworn to and subscribed before me,

this the 22 day of November [MONTH], 2016.

[AFFIX SEAL OF NOTARY]


Notary Public

Timothy M. Lyons
Printed Name of Notary Public
My Commission Expires: 7-9-2020



CERTIFICATE OF SERVICE

I hereby certify that all persons on the docket service list have been served true and accurate copies of the foregoing Petition 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 22nd day of November, 2016.

 /s/ Peter H. Ledford
Peter H. Ledford
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