

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 190

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

)	PETITION TO INTERVENE
In the Matter of:)	OF NORTH CAROLINA
Biennial Consolidated Carbon Plan)	ENVIRONMENTAL
and Integrated Resource Plans of)	JUSTICE NETWORK AND
Duke Energy Carolinas, LLC, and)	ENVIRONMENTAL
Duke Energy Progress, LLC, Pursuant to)	JUSTICE COMMUNITY
N.C.G.S. § 62-110.9 and § 62-110.1(c))	ACTION NETWORK

Pursuant to North Carolina Utilities Commission (“Commission”) Rules R1-5, R1-7, and R1-19, North Carolina Environmental Justice Network (“NCEJN”) and Environmental Justice Community Action Network (“EJCAN”) (collectively, “Petitioners”), by and through undersigned counsel, respectfully file this petition to intervene and participate in the above-captioned docket. In support of this motion, Petitioners state as follows:

1. NCEJN is a 501(c)(3) non-profit environmental organization located in Raleigh, North Carolina, dedicated to advancing environmental justice. The organization has over 1,000 members, donors, and volunteers, the vast majority of whom reside in North Carolina and are dedicated to NCEJN’s mission of promoting health and environmental equality for all people of North Carolina through community action for clean industry, safe workplaces, and fair access to all human and natural resources. NCEJN seeks to accomplish these goals through organizing, advocacy, research, and education based on principles of economic equity and democracy for all people.

2. NCEJN seeks to represent the interests of its members, supporters, and partners in North Carolina who are customers of Duke Energy Progress, LLC (“DEP”) and Duke Energy Carolinas, LLC (“DEC”) (together, “Duke Energy” or “the Companies”) and support the initiative to take all reasonable steps to achieve a 70% reduction in emissions of carbon dioxide from 2005 levels by the year 2030 and carbon neutrality by the year 2050 through the use and promotion of clean energy technologies. The Carbon Plan’s development and updates will directly and significantly affect NCEJN’s efforts to alleviate the burdens that fossil fuel extraction and energy infrastructure impose on communities where infrastructure is located, NCEJN’s members and supporters who advocate for a just transition to an equitable and affordable clean energy economy, and North Carolina communities who are unable to intervene in this docket due to social and procedural barriers that continue to marginalize and silence frontline communities.

3. With respect to this docket, NCEJN and its members have a direct and substantial interest in these proceedings. Since 2014, the organization has focused on advancing clean energy solutions that benefit communities in North Carolina. Over the past decade, the organization’s work has focused on combating the cumulative impacts that fracked natural gas and pipelines impose on frontline communities and instead promoting transitions to clean energy infrastructure that reduce pollution burdens on vulnerable rural, economically disadvantaged, communities of color. In this proceeding, DEP and DEC propose extensive new investment in fossil fuel infrastructure, a proposal which directly affects NCEJN’s mission, operations, members, and supporters. NCEJN’s numerous members who are DEP and DEC customers will be directly affected by the Commission’s decisions in this planning process.

4. NCEJN seeks to intervene to ensure that its members' interest in highlighting the true cost externalities imposed on frontline communities are accounted for and included in the Commission's cost calculations in this process. NCEJN's testimony on behalf of its members and represented communities will analyze the impacts and true cost imposition of Duke Energy's proposed methane gas infrastructure buildout on North Carolina communities and advocate for more complete cost analyses that account for public health costs associated with continued and increased use of fossil fuels. The interests of North Carolina Environmental Justice Network and its members are not represented by any other party to the proceeding, so NCEJN's intervention is necessary to ensure the perspectives of its members and the frontline communities it advocates for are represented within the Carbon Plan. North Carolina Environmental Justice Network's address is 3434 Edwards Mill Road, Suite 112-378, Raleigh, NC 27612.

5. EJCAN is also a 501(c)(3) non-profit organization organized under North Carolina law, located in Sampson County, North Carolina. EJCAN is a community-based organization that informs, educates, and empowers communities to confront environmental injustice by advocating for positive change. EJCAN's vision is to ensure clean and safe air, soil, and water for rural communities in support of achieving equity and dignity.

6. EJCAN seeks to intervene to ensure that its interests in access to reliable, clean energy and in alleviating the burdens of fossil fuel-based energy on frontline communities are considered as the Commission weighs the costs and benefits of the Companies' proposed portfolio in this planning process. Its testimony will delve into the costly burdens that methane-based energy sources impose on the frontline communities that EJCAN represents and advocates for.

7. EJCAN's testimony and perspective as a community-based organization in Eastern North Carolina, where existing and planned energy infrastructure, factory farms, and a massive landfill impose substantial and compounding impacts on community members, is not adequately represented by any party to this proceeding thus far. If allowed to intervene, EJCAN will ensure principles of equity, affordability, and true reliability are considered and included within the Carbon Plan. Environmental Justice Community Action Network's address is 209 W Morrissey Blvd., Clinton, NC 28328.

8. EJCAN intervened and actively participated in the previous Carbon Plan proceeding (NCUC Docket No. E-100, Sub 179).

9. The attorneys for North Carolina Environmental Justice Network and Environmental Justice Community Action Network to whom all correspondence and filings in this docket should be addressed are:

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Southern Coalition for Social Justice
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10. The above counsel for North Carolina Environmental Justice Network and Environmental Justice Community Action Network, pursuant to Commission Rule R1-39, agree to electronic service of all pleadings and other filings in this matter.

WHEREFORE, for the reasons set forth above, Petitioners respectfully request to be allowed to intervene in this docket.

[SIGNATURE ON NEXT PAGE]

Respectfully submitted this the 21st day of May, 2024.

/s/ Anne Harvey

Anne M. Harvey

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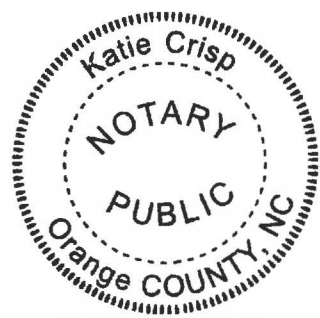
VERIFICATION

I, Anne Harvey, verify that the contents of the foregoing Petition to Intervene are true to the best of my knowledge, except as to those matters stated on information and belief, and as to those matters, I believe them to be true. I am authorized to sign this verification on behalf of North Carolina Environmental Justice Network and Environmental Justice Community Action Network.

Anne M. Harvey
Anne Harvey

Sworn to and subscribed before me
This the 21 day of May, 2024

Katie Crisp
Notary Public Katie Crisp
Commission expires: 10/03/2028



CERTIFICATE OF SERVICE

I certify that I have on this day served a copy of the foregoing *Petition to Intervene of North Carolina Environmental Justice Network and Environmental Justice Community Action Network* upon each of the parties of record in these proceedings or their attorneys of record by electronic mail or by delivery to the United States Post Office, first-class postage prepaid.

This the 21st day of May, 2024.

SOUTHERN COALITION FOR SOCIAL JUSTICE

By: /s/ Anne M. Harvey
Anne M. Harvey