

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-2, SUB 1095
DOCKET NO. E-7, SUB 1100
DOCKET NO. G-9, SUB 682

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

| | | |
|--|---|---------------------|
| In the Matter of |) | |
| Application of Duke Energy Corporation and |) | MOTION TO INTERVENE |
| Piedmont Natural Gas Company Inc., to |) | BY NC WARN, THE |
| Engage in Business Combination Transaction |) | THE CLIMATE TIMES |
| and Address Regulatory Conditions and |) | AND NC HOUSING |
| Codes of Conduct |) | COALITION |

PURSUANT TO NCUC Rule R1-19, and the Order Scheduling Hearing, Establishing Procedural Deadlines, and Requiring Public Notice, March 2, 2016, now comes the NC Waste Awareness and Reduction Network, Inc. (“NC WARN”) The Climate Times, Inc., and the North Carolina Housing Coalition, Inc., by and through the undersigned attorney, with a motion to allow them to intervene in this docket.

In support of the motion is the following:

1. NC WARN is a not-for-profit corporation under North Carolina law, with more than one thousand individual members and families across North Carolina. Its primary purpose is to work for climate protection through the advocacy of clean, efficient, and affordable energy. Its address is Post Office Box 61051, Durham, North Carolina 27715-1051.

2. The Climate Times is a not-for-profit corporation under North Carolina law, dedicated to the use of science and policy to minimize the impacts of climate

change. As part of its public education, The Climate Times publishes feature-length pieces based on extended interviews of experienced scientists working on issues related to climate change concerns in our state. Its address is 346 Fieldstream Drive, Boone, North Carolina 28607.

3. The North Carolina Housing Coalition is a private, non-profit membership organization made up of more than 300 organizations and individuals around North Carolina. The Coalition works for decent, affordable housing that promotes self-determination and stable communities for low- and moderate-income North Carolinians. Its mission is to lead a movement to ensure that every North Carolinian has a home in which to live with dignity and opportunity. Its address is 5800 Faringdon Place, Raleigh, North Carolina 27609.

4. The attorney for the Intervenors to whom all correspondence and filings should be addressed is John Runkle, Attorney at Law, 2121 Damascus Church Road, Chapel Hill, North Carolina 27516. Rule 1-39 service by email is acceptable and may be sent to jrunkle@pricecreek.com.

5. Most of the members of NC WARN and the NC Housing Coalition are customers of Duke Energy and many are customers of Piedmont Natural Gas, and use electric power and natural gas supplied by those utilities in their homes and businesses. The groups' members are concerned about the economic and environmental costs of a natural gas future, and the impacts of those costs on themselves, their families and their livelihood.

6. The Climate Times brings with it expertise on the costs and environmental impacts of the natural gas industry, primarily from the release of

methane and its impact on climate change. Both it and NC WARN are concerned about Duke Energy's reliance on fossil fuel generation and its contribution to the climate crisis.

7. NC WARN has intervened in various dockets before the Commission, including the merger between Duke Energy and Progress Energy, and it and The Climate Times recently intervened in the Asheville natural gas project, Docket No. E-2, Sub 1089. The NC Housing Coalition has participated in previous rate cases and energy efficiency dockets.

8. If allowed to intervene in this docket, the three groups will advocate that the Commission fully investigate the costs and impacts of the proposed merger on ratepayers. Preliminary issues associated with the merger are the following:

- a. the inherent conflicts and costs associated with the merger of two competing regulated monopolies;
- b. compliance with the self-dealing provisions of G.S. 62-153;
- c. the rising costs and financial risks associated with Duke Energy's reliance on natural gas generation and investment in the natural gas industry; and
- d. the potential for new regulation of the venting and leakage from natural gas infrastructure and the costs associated with those regulations.

THEREFORE, NC WARN, The Climate Times and the NC Housing Coalition pray that they are allowed to intervene in this matter and fully participate in the Commission's deliberations.

Respectfully submitted, this the 26th day of May 2016.

/s/ John D. Runkle

John D. Runkle
Attorney at Law
2121 Damascus Church Rd.
Chapel Hill, N.C. 27516
919-942-0600
jrunkle@pricecreek.com

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing MOTION TO INTERVENE BY NC WARN, THE CLIMATE TIMES, AND NC HOUSING COALITION upon each of the parties of record in this proceeding or their attorneys of record by deposit in the U.S. Mail, postage prepaid, or by email transmission.

This is the 26th day of May 2016.

/s/ John D. Runkle

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VERIFICATION

I, James Warren, Executive Director of NC WARN, verify that the contents of the MOTION TO INTERVENE BY NC WARN, THE CLIMATE TIMES AND NC HOUSING COALITION filed in this docket 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.



James Warren

Date 5/26/16

Sworn to and subscribed before me
This the 26th day of May 2016



Notary Public

My commission expires: July 30, 2017

