STATE OF SOUTH CAROLINA

(Caption of Case)

Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity…

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2013 - 392 - E

(Please type or print)

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition** ☐ **Request for item to be placed on Commission's Agenda expeditiously**

☒ **Other: Routine**

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☒ Electric	☐ Affidavit	☐ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certificatio
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigatior
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☐ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certificate	☐ Petition for Rulemaking	☐ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discovery
☐ Sewer	☐ Complaint	☒ Petition to Intervene	☐ Return to Petition
☐ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☐ Discovery	☐ Prefiled Testimony	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☐ Water/Sewer	☐ Expedited Consideration	☐ Proposed Order	☐ Other:
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☐ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2013-392-E

IN RE: Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Construction and Operation of a 750 MW Combined Generating Plant Near Anderson, SC.	)	**PETITION TO INTERVENE**

INTRODUCTION

A Docket was opened in this matter before the Public Service Commission of South Carolina, (hereinafter, "Commission"), on October 25, 2013, and assigned the above-referenced Docket Number. Petitioner herein, is Invenergy Thermal Development LLC, (hereinafter as, "Petitioner", or "Invenergy"). Invenergy's Petition to Intervene, filed pursuant to R. 103-825, of this Commission's Rules and Regulations, follows:

PETITIONER

Invenergy Thermal Development LLC.

1. Invenergy is an independent power producer. Along with its affiliated companies, Invenergy is a clean energy generation leader and North America's largest independent wind power generation company. Invenergy's portfolio includes more than 2,200 MW of natural gas-fueled electric generating projects in operation, including greenfield projects initiated by the company, as well as facilities Invenergy acquired and developed.

2. Operating projects consist of the Cannon Falls Energy Center (Minnesota), Grays Harbor Energy Center (Washington), Hardee Power Station (Florida), Spindle Hill Energy Center (Colorado), and the St. Clair Energy Centre (Ontario, Canada). Invenergy has additional projects in various stages of development in the United States and Canada.

3. Petitioner participated in a Request for Proposals from Duke Energy Carolinas, LLC, (hereinafter as, "Duke"), which had a due date of November 27, 2012. Petitioner responded to subsequent requests for additional information and updated pricing throughout 2013. In October of 2013, Duke notified Petitioner that its proposed project was not selected as the winner of the RFP process and that Duke was selecting its own project to advance.

PETITION TO INTERVENE

4. On October 25, 2013, Duke Energy Carolinas, LLC, and North Carolina Electric Membership Corporation filed a Joint Application with the Commission, requesting a Certificate of Environmental Compatibility and Public Convenience and Necessity, for the Construction and Operation of a 750 MW Combined Generating Plant Near Anderson, South Carolina.

5. Given the state of the record in this Docket at this stage of the proceedings, Petitioner lacks sufficient information to set forth its position in this matter with finality at this time. Until such time as additional information is made available to Petitioner or in the record, Petitioner is unable to conduct a full and fair comparison of its proposed project to Duke's proposed project to ensure South Carolina ratepayers are receiving the lowest total cost purchase.

6. Petitioner is directly impacted by the Joint Application. Petitioner has been foreclosed from a viable business opportunity in South Carolina, because of Duke's rejection of Petitioner's proposed project. As stated above, the current record in this Docket prevents a full and fair analysis of the basis for this decision and prevents "least cost" assurance. Additionally, Duke's decision may also result in higher rates for South Carolina ratepayers, because Duke may not be subject to the same cost guarantees that Petitioner would have been subject to if selected to supply the generation capacity needed by Duke.

7. Petitioner's position is that it should be allowed to intervene in this Docket, with full rights of cross examination and participation.

8. The granting of Invenergy Thermal Development LLC's Petition to Intervene is in the public interest, is consistent with the policies of this Commission in encouraging maximum public participation in issues before it, and intervention should be allowed so that a full and complete record addressing all parties' views and concerns can be developed.

9. The Petitioner is represented by counsel in this proceeding:

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10. This Petition is timely filed within this Commission's established deadline for intervention. Petitioner is evaluating the time required for any presentation before the Commission at the Hearing to be held in this matter.

11. As required by the Commission, future Commission correspondence concerning this Petition to Intervene should be sent to Carrie Schurg at, CASchurg@AustinRogersPA.com.

WHEREFORE, Petitioner prays for the following relief:

(a) That this Petition to Intervene be accepted and that Petitioner be made a party of record;

(b) That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and

(c) For such other and further relief as is just and proper.

Respectfully Submitted,
/S/

Richard L. Whitt
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Attorney for Petitioner, Invenergy Thermal Development LLC

December 3, 2013
Columbia, South Carolina