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PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2021-349-E ORDER NO. 2021-153-H

DECEMBER 13, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:
Joint Petition of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC to Request the Commission to Hold a Joint Hearing with the North Carolina Utilities Commission to Develop Carbon Plan

MATTER UNDER CONSIDERATION:
Petition to Intervene of Carolina Industrial Group for Fair Utility Rates II (CIGFUR II) and Carolina Industrial Group for Fair Utility Rates III (CIGFUR III)

CHIEF HEARING OFFICER'S ACTION:
This matter comes before the Chief Hearing Officer on the Petition to Intervene of CIGFUR II and CIGFUR III in this Docket. The Petition is timely filed, and no objections to the intervention have been filed.

CIGFUR II is an unincorporated association of large, high-load factor industrial customers with facilities located in the North Carolina jurisdictional service territory of Duke Energy Progress, LLC (hereinafter, "DEP"). CIGFUR III is an unincorporated association of large, high-load factor industrial customers with facilities located in the North Carolina jurisdictional service territory of Duke Energy Carolinas, LLC (hereinafter, "DEC"). As direct purchasers of electric power from DEP, the CIGFUR II member companies state that they have direct, substantial, and pecuniary interests in the outcome of this proceeding. As direct purchasers of electric power from DEC, the CIGFUR III member companies have direct, substantial, and pecuniary interests in the outcome of this proceeding. CIGFUR's asserts that its participation in this docket will bring to this proceeding the important perspective and critical knowledge and insight of some of DEP's and/or DEC's largest North Carolina ratepayers. Moreover, CIGFUR notes that it was an active participant in the legislative stakeholder process that culminated in the introduction of House Bill 951 (S.L. 2021-165), which serves as the basis for the petition filed in the above-captioned proceeding. CIGFUR asserts that no other party is capable of adequately representing or protecting CIGFUR's unique interests in this proceeding.

After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party or parties have clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires

that parties filing a Petition to Intervene in a matter pending before the SC Public Service Commission must set forth clearly and concisely:
(a) The facts from which the nature of the petitioner's alleged right or interest can be determined;
(b) The grounds of the proposed intervention;
(c) The position of the petitioner in the proceeding.

From these facts, this Hearing Officer holds that CIGFUR II and CIGFUR III have successfully satisfied the three criteria for intervention stated in the Regulation. The Petitioners' interest in these matters can clearly be discerned, as can the grounds for the intervention, and their position in the Docket.

Further, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of CIGFUR II and CIGFUR III is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.

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