STATE OF SOUTH CAROLINA

(Caption of Case)
Application of Duke Energy Carolina, LLC for Approval of Decision to Incur Nuclear Generation Pre-Construction Costs

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2007-440-E

(Please type or print)
Submitted by: Scott Elliott
Address: 721 Olive Street
Columbia, SC 29205

SC Bar Number: 1872
Telephone: 803-771-0555
Fax: 803-771-8010
Email: selliott@elliottlaw.us

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:

INDUSTRY (Check one) ✗ Electric ☐ Electric/Gas ☐ Electric/Telecommunications ☐ Electric/Water ☐ Electric/Water/Telecom. ☐ Electric/Water/Sewer ☐ Gas ☐ Railroad ☐ Sewer ☐ Telecommunications ☐ Transportation ☐ Water ☐ Water/Sewer ☐ Administrative Matter ☐ Other:

NATURE OF ACTION (Check all that apply)

☐ Affidavit ☐ Agreement ☐ Answer ☐ Appellate Review ☐ Application ☐ Brief ☐ Certificate ☐ Comments ☐ Complaint ☐ Consent Order ☐ Discovery ☐ Exhibit ☐ Expedited Consideration ☐ Interconnection Agreement ☐ Interconnection Amendment ☐ Late-Filed Exhibit ☐ Letter ☐ Memorandum ☐ Motion ☐ Objection ☐ Petition ☐ Petition for Reconsideration ☐ Petition for Rulemaking ☐ Petition for Rule to Show Cause ☐ Petition to Intervene ☐ Petition to Intervene Out of Time ☐ Prefiled Testimony ☐ Promotion ☐ Proposed Order ☐ Protest ☐ Publisher’s Affidavit ☐ Report ☐ Request ☐ Request for Certification ☐ Request for Investigation ☐ Resale Agreement ☐ Resale Amendment ☐ Reservation Letter ☐ Response ☐ Response to Discovery ☐ Return to Motion ☐ Stipulation ☐ Subpoena ☐ Tariff ☐ Other: Extension Request by Consent
January 31, 2008

Mr. Charles L.A. Terreni  
Chief Clerk of the Commission  
SC Public Service Commission  
P. O. Drawer 11649  
Columbia, SC 29211

RE: Application of Duke Energy Carolinas, LLC for Approval  
Decision to Incur Nuclear Generation Pre-Construction Costs  
DOCKET NO.: 2007-440-E

Dear Mr. Terreni:

Enclosed please find for filing an original and ten (10) copies of the Petition to Intervene of the South Carolina Energy Users Committee ("SCEUC") in the above-captioned matter. By copy of this letter, I am serving all parties of record and requesting that each serve me with all outstanding motions or other pleadings, together with all discovery responses served to date and to be served.

I have enclosed an extra copy of this petition which I would ask you to date stamp and return to me in the stamped self-addressed envelope enclosed for your convenience. If you have questions, please do not hesitate to contact me.

Sincerely,

ELLIOTT & ELLIOTT, P.A.

Scott Elliott

SE/jcl

Enclosure

cc: All parties of record w/enc.
STATE OF SOUTH CAROLINA

BEFORE THE PUBLIC SERVICE COMMISSION

DOCKET NO. 2007-440-E

IN THE MATTER OF:

Application of Duke Energy Carolinas, LLC for Approval of Decision to Incur Nuclear Generation Pre-Construction Costs for the Lee Nuclear Station in Cherokee County

PETITION TO INTERVENE

The South Carolina Energy Users Committee ("SCEUC") hereby petitions the South Carolina Public Service Commission ("Commission") pursuant to R.103-825 of the Commission's rules and regulations to intervene and be made a party of record in the above-captioned docket. In support of this Petition, SCEUC would allege as follows:

1. That Duke Energy Carolinas, LLC ("Duke") has filed an Application with the Commission pursuant to S.C. Code Ann. Section 58-33-225 requesting approval of Duke's decision to incur pre-construction costs of up to $230 million through December 31, 2009, for its proposed William States Lee, III Nuclear Station in Cherokee County, South Carolina (Lee Nuclear Station).

2. That SCEUC is an association organized in the State of South Carolina, consisting of large consumers of energy which are engaged in various manufacturing enterprises throughout the State.

3. That a number of members of SCEUC purchase and consume substantial amounts of electricity from Duke.
4. That SCEUC and its members have a direct and material interest in the issues to be addressed and resolved by the Commission in this docket and the interests of its members are not adequately represented by the current parties to this proceeding.

5. That given the state of the record at this stage of the proceedings, SCEUC lacks sufficient information to fully develop and state its position in this proceeding at this time.

6. That granting SCEUC’s request to be made a party of record in this proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing its views and concerns can be developed.

7. That the Petitioner is represented by the following counsel in this proceeding:

Scott Elliott, Esquire
Elliott & Elliott, P.A.
721 Olive Street
Columbia, South Carolina 29205
Telephone: 803-771-0555
Fax: 803-771-8010
sellott@elliotlaw.us

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
For such other and further relief as is just and proper.

Scott Elliott, Esquire
ELLIOTT & ELLIOTT, P.A.
721 Olive Street
Columbia, SC 29205
(803) 771-0555
(803) 771-8010
selliott@elliottlaw.us

Attorney for the South Carolina Energy Users Committee

Columbia, South Carolina
January 31, 2008
CERTIFICATE OF SERVICE

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that (s)he has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Application of Duke Energy Carolinas, LLC for Approval of Decision to Incur Nuclear Generation Pre-Construction Costs

DOCKET NO.: 2007-440-E

PARTIES SERVED:

Bonnie D. Shealy, Esquire
Robinson, McFadden & Moore, P.C.
P. O. Box 944
Columbia, SC 29202

C. Lessie Hammonds, Esquire
Office of Regulatory Staff
P. O. Box 11263
Columbia, SC 29211

Frank R. Ellerbee, III, Esquire
Robinson, McFadden & Moore, P.C.
P. O. Box 944
Columbia, SC 29202

Kodwo Gharney-Tagoe, Esquire
Duke Energy Carolinas, LLC
P. O. Box 1006, EC03T
Charlotte, NC 28201-1066

Nanette S. Edwards, Esquire
Office of Regulatory Staff
P. O. Box 11263
Columbia, SC 29211

PLEADING:

PETITION TO INTERVENE BY SOUTH CAROLINA ENERGY USERS COMMITTEE

January 31, 2008

Jackie C. Livingston, Paralegal