

**BEFORE  
THE NORTH CAROLINA UTILITIES COMMISSION**

Docket No. E-7, SUB 1214

Docket No. E-2, SUB 1219

Docket No. E-2, SUB 1076

DOCKET NO. E-7, SUB 1214	:	
In the Matter of Application by Duke Energy Carolinas, LLC, for Adjustment of Rates and Charges Applicable to Electric Utility Service in North Carolina	:	
DOCKET NO. E-2, SUB 1219	:	
Application of Duke Energy Progress, LLC, for Adjustment of Rates and Charges Applicable to Electric Utility Service in North Carolina	:	
DOCKET NO. E-2, SUB 1076	:	
In the Matter of Notice of Duke Energy Progress Conversion to Limited Liability Company	:	
	:	<b>MOTION FOR ADMISSION TO PRACTICE PURSUANT TO N.C. GEN STAT. § 84-4.1</b>

Pursuant to North Carolina General Statutes ("N.C. Gen. Stat.") §§ 84-4.1 and Rule R1-22 of the North Carolina Utilities Commission's ("Commission") Rules of Practice and Procedure, Kurt J. Boehm and Jody Kyler Cohn of the law firm Boehm Kurtz & Lowry, respectfully request the Commission to enter an order admitting them to practice *pro hac vice* before the Commission on behalf of Sundance Power Systems, Inc, Southern Energy Management, Inc. and Yes Solar Solutions (collectively, the "North Carolina Rooftop Solar Installers") in the above captioned matters. In support of this Motion, Mr. Boehm and Ms. Cohn allege and show the Commission that:

1) The above-captioned matter is a regulatory proceeding before the Commission, governed by North Carolina public utility law.

2) Mr. Boehm is an attorney in good standing and licensed to practice in Ohio and Kentucky and he will appear on behalf of the North Carolina Rooftop Solar Installers in the above-captioned proceedings.

3) Ms. Cohn is an attorney in good standing and licensed to practice in Ohio and Kentucky and she will appear on behalf of the North Carolina Rooftop Solar Installers in the above-captioned proceeding.

4) Mr. Boehm and Ms. Cohn's full name, address, and bar membership numbers are:

Kurt J. Boehm, Esq. (OH #0076047 and KY #89327)  
Jody Kyler Cohn, Esq. (OH #0085402 and KY #94725)  
**BOEHM, KURTZ & LOWRY**  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Telephone: 513-421-2255  
E-mail: [KBoehm@BKLawfirm.com](mailto:KBoehm@BKLawfirm.com)  
[JKylerCohn@BKLawfirm.com](mailto:JKylerCohn@BKLawfirm.com)

5) Mr. Boehm and Ms. Cohn will continue to represent the North Carolina Rooftop Solar Installers in the above-captioned proceedings until the final determination thereof, unless permitted to withdraw sooner by order of the Commission.

6) Mr. Boehm and Ms. Cohn have agreed to be subject to the orders and amenable to the disciplinary action and civil jurisdiction of the General Court of Justice and the North Carolina State Bar in all respects as if they were regularly admitted and licensed members of the Bar of North Carolina in good standing.

7) The Bar of the State of Ohio, in which Mr. Boehm and Ms. Cohn are regularly admitted to practice, grants permission to members in good standing of the North Carolina State Bar to appear before courts and regulatory commissions under circumstances similar to those authorized by N.C. Gen. Stat. § 84-4.1.

8) Mr. Boehm and Ms. Cohn are associated for purposes of appearing before the Commission with C. Sanders McNew, Esq., who is duly and legally permitted to practice in the General Court of Justice of North Carolina, upon whom service may be had in all matters connected with the legal proceedings, or any disciplinary matter with the same effect as if personally made on Mr. Boehm and Ms. Cohn.

9) Mr. Boehm and Ms. Cohn have not been disciplined by any court or lawyer regulatory organization nor have they had any *pro hac vice* revoked.

10) The statements required by N.C. Gen. Stat. § 84-4.1 are attached to this motion.

11) Upon the Commission's issuance of an order granting this motion, the appropriate filings and fees will be made to the State Treasurer for support of the General Court of Justice and to the North Carolina State Bar as required by N.C. Gen. Stat. § 84-4.1. At that time, Mr. Boehm and Ms. Cohn will also file with the Commission a copy of the checks paid as filing fees.

WHEREFORE, Mr. Boehm and Ms. Cohn respectfully request the Commission to enter an order admitting them to practice before the Commission for the purpose of appearing on behalf of North Carolina Rooftop Solar Installers in the above-captioned proceeding.

This 9th day of March, 2022

/s/ Kurt J. Boehm

Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513-421-2255  
E-mail: [kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)  
[jkylercohn@BKLawfirm.com](mailto:jkylercohn@BKLawfirm.com)

/s/ C. Sanders McNew

C. Sanders McNew (NC Bar #45668)  
McNew P.A.  
P.O. Box 6  
Mars Hill, North Carolina 28754  
Telephone: 561-299-0257  
E-mail: [mcnew@mcnew.net](mailto:mcnew@mcnew.net)

**COUNSEL FOR NORTH CAROLINA  
ROOFTOP SOLAR INSTALLERS**

OFFICIAL COPY

Mar 10 2022

**BEFORE  
THE NORTH CAROLINA UTILITIES COMMISSION**

Docket No. E-7, SUB 1214  
Docket No. E-2, SUB 1219]  
Docket No. E-2, SUB 1076

DOCKET NO. E-7, SUB 1214	:	
	:	
In the Matter of Application by Duke Energy Carolinas, LLC, for Adjustment of Rates and Charges Applicable to Electric Utility Service in North Carolina	:	
	:	
	:	
DOCKET NO. E-2, SUB 1219	:	<b>STATEMENT REQUIRED BY</b>
	:	<b>N.C. GEN STAT. § 84-4.1</b>
Application of Duke Energy Progress, LLC, for Adjustment of Rates and Charges Applicable to Electric Utility Service in North Carolina	:	
	:	
	:	
DOCKET NO. E-2, SUB 1076	:	
	:	
In the Matter of Notice of Duke Energy Progress Conversion to Limited Liability Company	:	
	:	

I, Kurt J. Boehm, hereby state that:

1. I am an attorney at law regularly admitted to practice and in good standing in the State of Ohio and the Commonwealth of Kentucky.
2. I am Counsel for Sundance Power Systems, Inc, Southern Energy Management, Inc. and Yes Solar Solutions (collectively, the "North Carolina Rooftop Solar Installers") and desire to represent North Carolina Rooftop Solar Installers in the above-captioned proceeding, which is currently pending before the North Carolina Utilities Commission ("Commission").
3. I also represent Kroger Co. in the general rate case dockets (Docket No. E-7, SUB 1214 & Docket No. E-2, SUB 1219). My representation of North Carolina Rooftop Solar Installers is for the purpose of addressing net metering issues related to rooftop

solar and is separate from my representation of Kroger during the general rate cases that have concluded. Kroger and North Carolina Rooftop Solar Installers are aware and consent to the fact that I am representing both parties in these proceedings.

4. My full name, address, and bar identification numbers are: Kurt J. Boehm, Kentucky Bar #89327 and Ohio Bar #0076047, Boehm, Kurtz & Lowry, 36 E. Seventh St., Suite 1510, Cincinnati, Ohio 45202 (ph): (513) 421-2255 (fax): (513) 421-2764, e-mail: [KBoehm@BKLLawfirm.com](mailto:KBoehm@BKLLawfirm.com).

5. I will, unless permitted to withdraw sooner by order of the Commission, continue to represent North Carolina Rooftop Solar Installers in the above-captioned proceeding until the final determination thereof.

6. I agree, with reference to all matters incident to Commission proceedings, to be subject to the orders and amendable to the disciplinary action and the civil jurisdiction of the commission, the General Court of Justice, and the North Carolina State Bar in all respects as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

7. The State of Ohio and the Commonwealth of Kentucky, in which I am regularly admitted to practice, grants similar privileges to appear on a limited basis in judicial and regulatory proceedings being conducted in that jurisdiction to members of the Bar of North Carolina.

8. I have associated, for purposes of appearing and participating in Commission proceedings, with C. Sanders McNew of McNew P.A.; P.O Box 6, Mars Hill, North Carolina 28754 who is duly and legally admitted to practice in the General Court of Justice of North Carolina (NC Bar #45668), upon whom service may be had

in all matters connected with the above-captioned proceeding, or any disciplinary matter, with the same effect as if personally made on me within this State.

9. I have not been disciplined by any court or lawyer regulatory organization and have not had a revocation of any *pro hac vice* admission.

10. I will submit a check for \$25 to the North Carolina State Bar and a check for \$200 to the Administrative Office of the Courts when the Motion is granted.

/s/ Kurt J. Boehm

Kurt J. Boehm, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: 513-421-2255

E-mail: [KBoehm@BKLawfirm.com](mailto:KBoehm@BKLawfirm.com)

**BEFORE  
THE NORTH CAROLINA UTILITIES COMMISSION**

Docket No. E-7, SUB 1214  
Docket No. E-2, SUB 1219  
Docket No. E-2, SUB 1076

DOCKET NO. E-7, SUB 1214	:	
	:	
In the Matter of Application by Duke	:	
Energy Carolinas, LLC, for Adjustment of	:	
Rates and Charges Applicable to Electric	:	
Utility Service in North Carolina	:	
	:	
DOCKET NO. E-2, SUB 1219	:	<b>STATEMENT REQUIRED BY</b>
	:	<b>N.C. GEN STAT. § 84-4.1</b>
Application of Duke Energy Progress, LLC,	:	
for Adjustment of Rates and Charges	:	
Applicable to Electric Utility Service in	:	
North Carolina	:	
	:	
DOCKET NO. E-2, SUB 1076	:	
	:	
In the Matter of Notice of Duke Energy	:	
Progress Conversion to Limited Liability	:	
Company	:	

I, Jody Kyler Cohn, hereby state that:

1. I am an attorney at law regularly admitted to practice and in good standing in the State of Ohio and the Commonwealth of Kentucky.
2. I am Counsel for Sundance Power Systems, Inc, Southern Energy Management, Inc. and Yes Solar Solutions (collectively, the "North Carolina Rooftop Solar Installers") and desire to represent North Carolina Rooftop Solar Installers in the above-captioned proceeding, which is currently pending before the North Carolina Utilities Commission ("Commission").
3. I also represent Kroger Co. in the general rate case dockets (Docket No. E-7, SUB 1214 & Docket No. E-2, SUB 1219). My representation of North Carolina Rooftop Solar Installers is for the purpose of addressing net metering issues related to rooftop



solar and is separate from my representation of Kroger during the general rate cases that have concluded. Kroger and North Carolina Rooftop Solar Installers are aware and consent to the fact that I am representing both parties in these proceedings.

1. My full name, address, and bar identification numbers are: Jody Kyler Cohn, Ohio Bar No. 0085402 and Kentucky Bar No. 94725, Boehm, Kurtz & Lowry, 36 E. Seventh St., Suite 1510, Cincinnati, Ohio 45202 (ph): (513) 421-2255 (fax): (513) 421-2764, e-mail: [JKylerCohn@BKLawfirm.com](mailto:JKylerCohn@BKLawfirm.com).

2. I will, unless permitted to withdraw sooner by order of the Commission, continue to represent North Carolina Rooftop Solar Installers in the above-captioned proceeding until the final determination thereof.

3. I agree, with reference to all matters incident to Commission proceedings, to be subject to the orders and amendable to the disciplinary action and the civil jurisdiction of the commission, the General Court of Justice, and the North Carolina State Bar in all respects as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

4. The State of Ohio and the Commonwealth of Kentucky, in which I am regularly admitted to practice, grants similar privileges to appear on a limited basis in judicial and regulatory proceedings being conducted in that jurisdiction to members of the Bar of North Carolina.

5. I have associated, for purposes of appearing and participating in Commission proceedings, with C. Sanders McNew of McNew P.A.; P.O Box 6, Mars Hill, North Carolina 28754 who is duly and legally admitted to practice in the General Court of Justice of North Carolina (NC Bar #45668), upon whom service may be had in all matters connected with the above-captioned proceeding, or any disciplinary

matter, with the same effect as if personally made on me within this State.

6. I have not been disciplined by any court or lawyer regulatory organization and have not had a revocation of any *pro hac vice* admission.

7. I will submit a check for \$25 to the North Carolina State Bar and a check for \$200 to the Administrative Office of the Courts when the Motion is granted.

/s/ Jody Kyler Cohn  
Jody Kyler Cohn, Esq.  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513-421-2255  
E-mail: [JKylerCohn@BKLawfirm.com](mailto:JKylerCohn@BKLawfirm.com)

**BEFORE  
THE NORTH CAROLINA UTILITIES COMMISSION**

Docket No. E-7, SUB 1214

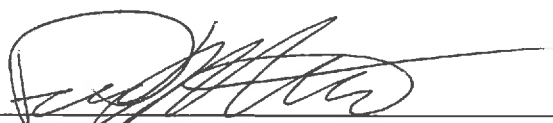
Docket No. E-2, SUB 1219

Docket No. E-2, SUB 1076

DOCKET NO. E-7, SUB 1214	:	
	:	
In the Matter of Application by Duke	:	
Energy Carolinas, LLC, for Adjustment of	:	
Rates and Charges Applicable to Electric	:	
Utility Service in North Carolina	:	
	:	
DOCKET NO. E-2, SUB 1219	:	<b>STATEMENT REQUIRED</b>
	:	<b>BY N.C. Gen. Stat. §84-4.1(2)</b>
	:	
Application of Duke Energy Progress, LLC,	:	
for Adjustment of Rates and Charges	:	
Applicable to Electric Utility Service in	:	
North Carolina	:	
	:	
DOCKET NO. E-2, SUB 1076	:	
	:	
In the Matter of Notice of Duke Energy	:	
Progress Conversion to Limited Liability	:	
Company	:	
	:	

I, Dave Hollister hereby certify that I am the owner of Sundance Power Systems, Inc., 11 Salem Hill Road, Weaverville, NC 28787 and representative for North Carolina Rooftop Solar Installers and have requested that Kurt J. Boehm, Esq. and Jody Kyler Cohn, Esq. represent North Carolina Rooftop Solar Installers in the above-captioned proceeding before the North Carolina Utilities Commission.

This 9<sup>th</sup> day of March, 2022.

  
 Sundance Power Systems, Inc.  
 Dave Hollister – Owner  
 11 Salem Hill Road  
 Weaverville, NC 28787

**BEFORE  
THE NORTH CAROLINA UTILITIES COMMISSION**

Docket No. E-7, SUB 1214  
Docket No. E-2, SUB 1219  
Docket No. E-2, SUB 1076

DOCKET NO. E-7, SUB 1214

In the Matter of Application by Duke  
Energy Carolinas, LLC, for Adjustment of  
Rates and Charges Applicable to Electric  
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DOCKET NO. E-2, SUB 1219

Application of Duke Energy Progress, LLC,  
for Adjustment of Rates and Charges  
Applicable to Electric Utility Service in  
North Carolina

DOCKET NO. E-2, SUB 1076

In the Matter of Notice of Duke Energy  
Progress Conversion to Limited Liability  
Company

**ORDER GRANTING MOTION  
FOR ADMISSION PRO HAC  
VICE**

BY THE CHAIRMAN: On March 9, 2022 Kurt. J. Boehm and Jody Kyler Cohn, attorneys admitted to practice in the State of Ohio and Kentucky, filed a motion with the Commission seeking authority to appear pro hac vice on behalf of the North Carolina Rooftop Solar Installers in the above-captioned dockets. Mr. Boehm and Ms. Cohn are associated with C. Sanders McNew of McNew, P.A., an attorney in good standing in the State of North Carolina, for the purpose of this limited representation.

The Chairman is of the opinion that good cause exists to grant the motion for admission pro hac vice.

IT IS, THEREFORE, ORDERED as follows:

1. That Mr. Boehm and Ms. Cohn's motion for admission pro hac vice in these proceedings shall be, and is hereby, allowed; and

2. That Mr. Boehm and Ms. Cohn's name and address is:

Kurt J. Boehm, Esq. (OH #0076047 and KY #89327)  
Jody Kyler Cohn, Esq. (OH #0085402 and KY #94725)  
**BOEHM, KURTZ & LOWRY**  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Telephone: 513-421-2255  
E-mail: [KBoehm@BKLawfirm.com](mailto:KBoehm@BKLawfirm.com)  
[JKylerCohn@BKLawfirm.com](mailto:JKylerCohn@BKLawfirm.com)

ISSUED BY ORDER OF THE COMMISSION.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

NORTH CAROLINA UTILITIES  
COMMISSION

Shonta Dunston, Chief Clerk

## CERTIFICATE OF SERVICE

I certify that a copy of North Carolina Rooftop Solar Installers' Motion for Admission *Pro Hac Vice* of Kurt J. Boehm and Jody Kyler Cohn, in Docket Nos. E-7, Sub 1214, E-2, Sub 1219, E-2, Sub 1076, has been served by electronic mail, hand delivery, or by depositing a copy in the United States Mail, 1st Class Postage Prepaid, properly addressed to parties of record.

This, the 9th day of March, 2022

/s/ Kurt J. Boehm  
Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Telephone: 513-421-2255  
E-mail: [kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)  
[jkyler@BKLawfirm.com](mailto:jkyler@BKLawfirm.com)

C. Sanders McNew (NC Bar #45668)  
McNew P.A.  
P.O. Box 6  
Mars Hill, North Carolina 28754  
Telephone: 561-299-0257  
E-mail: [mcnew@mcnew.net](mailto:mcnew@mcnew.net)

**COUNSEL FOR NORTH CAROLINA  
ROOFTOP SOLAR INSTALLERS**