

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-100, SUB 178

In the Matter of:)
)
Rulemaking Proceeding to Implement) Petition to Intervene of the
Performance-Based Regulation of) Fayetteville Public Works
Electric Utilities) Commission

The Fayetteville Public Works Commission (“FPWC”), by and through its legal counsel, hereby files this petition pursuant to G.S. 62-72 and Rule R1-19 of the Rules and Regulations of the North Carolina Utilities Commission (“Commission”) to permit FPWC to intervene and participate in the above-captioned proceeding. In support of this petition, FPWC states as follows:

1. FPWC owns and operates a municipal electric system that provides retail electric service to customers in the City of Fayetteville and surrounding areas. The electric system includes generation, transmission, and distribution facilities to provide electric service to the public. FPWC is also a retail customer of Duke Energy Progress, LLC (DEP).

2. FPWC’s correct name and post office address are:

Fayetteville Public Works Commission
955 Old Wilmington Road
Post Office Box 1089
Fayetteville, North Carolina 28302

3. FPWC’s attorney, to whom all communications and pleadings should be addressed, is:

James P. West, Chief Legal Officer
Fayetteville Public Works Commission
Post Office Box 1089
Fayetteville, North Carolina 28302-1089
Telephone (910) 223-4909

Facsimile (910) 223-4455
Email: james.west@faypwc.com

Service by email is acceptable. Copies of all filings, communications, and orders should also be sent to each of the following:

Elaina L. Ball, CEO/General Manager
Fayetteville Public Works Commission
P. O. Box 1089
Fayetteville, NC 28302-1089
Email: elaina.ball@faypwc.com

Jonathan Rynne, COO - Electrical Systems
Fayetteville Public Works Commission
P. O. Box 1089
Fayetteville, NC 28302-1089
Email: jonathan.rynne@faypwc.com

4. This proceeding may impact the rates, terms, and conditions applicable to electric service by DEP, which may have a material or prejudicial effect on FPWC's interests.

5. No other party is capable of adequately representing or protecting FPWC's interests in this proceeding. As a result, FPWC has a vital interest in the matters at issue in this proceeding and should be permitted to intervene and participate.

WHEREFORE, FPWC requests that the Commission enter an order allowing FPWC to intervene and participate in this proceeding and to otherwise exercise all statutory rights provided to intervenors under North Carolina law.

Respectfully submitted this the 9th day of November, 2021.

FAYETTEVILLE PUBLIC WORKS COMMISSION
By: /s/ James P. West
James P. West, Chief Legal Officer
N.C. State Bar No. 18019
P. O. Box 1089
Fayetteville, NC 28302-1089
910-223-4909

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the foregoing Petition to Intervene of the Fayetteville Public Works Commission was served on all parties of record by either hand delivery, email, or depositing the same in the United States mail, postage prepaid.

This the 9th day of November, 2021.

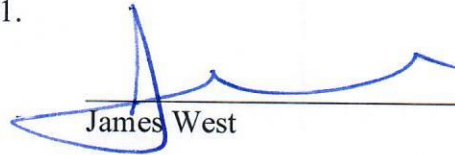
By: /s/ James P. West
James P. West

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

VERIFICATION

The undersigned, being duly sworn, deposes and says that he is the Chief Legal Officer and General Counsel for Fayetteville Public Works Commission, the intervenor herein; that he has read the foregoing Petition to Intervene, and knows the contents thereof, and that the same is true of his own knowledge, except as to those matters therein stated upon information and belief, and as to those, he believes them to be true; and that he consents that this verified petition be used as an affidavit.

This the 9th day of November, 2021.


James West

SWORN to and subscribed before me, this the 9th day of November, 2021.

Ellen King
Notary Public

Notary Public Printed Name: Ellen King
My Commission Expires: 04-16-2024

