



Lawrence B. Somers  
Deputy General Counsel

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OFFICIAL COPY

Feb 07 2019

February 7, 2019

**VIA ELECTRONIC FILING**

M. Lynn Jarvis  
Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4300

**Re: Duke Energy Carolinas, LLC Motion for Admission *Pro Hac Vice*  
Docket No. E-7, Sub 1190**

Dear Ms. Jarvis:

I enclose Duke Energy Carolinas, LLC's Motion for Admission *Pro Hac Vice* for Jack E. Jirak for filing in connection with this matter.

Thank you for your attention to this matter. If you have any questions, please let me know.

Sincerely,

Lawrence B. Somers

Enclosure

cc: Parties of Record

## BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-7, SUB 1190

In the Matter of:

Application of Duke Energy  
 Carolinas, LLC Pursuant to  
 G.S. 62-133.2 and NCUC Rule  
 R8-55 Relating to Fuel and Fuel-  
 Related Charge Adjustments for  
 Electric Utilities

)  
 )  
 ) **MOTION FOR ADMISSION**  
 ) **TO PRACTICE PURSUANT TO N.C.**  
 ) **GEN STAT. § 84-4.1**  
 )

Pursuant to North Carolina General Statutes ("N.C. Gen. Stat.") § 84-4.1 and Rule R1-22 of the North Carolina Utilities Commission (the "Commission") Rules of Practice and Procedure, Jack E. Jirak of Duke Energy Corporation respectfully requests the Commission to enter an order permitting him to practice *pro hac vice* before the Commission on behalf of Duke Energy Carolinas, LLC ("DE Carolinas" or the "Company") in the above-captioned matter. In support of this motion, Mr. Jirak alleges and shows the following.

1. The above-captioned matter is a regulatory proceeding before the Commission, governed by North Carolina public utility law.
2. DE Carolinas is a limited liability company, duly organized and existing under the laws of the State of North Carolina, and is a public utility under the laws of North Carolina with operations subject to the jurisdiction of this Commission.
3. Mr. Jirak is an attorney in good standing, licensed to practice law in the State of Georgia, and he will appear on behalf of DE Carolinas in the above-captioned proceeding.

4. Mr. Jirak's full name, address and bar identification number are:

Jack E. Jirak  
Duke Energy Corporation  
410 S. Wilmington Street, NCRH 20  
Raleigh, North Carolina 27601  
Telephone: 919.546.3257  
Fax: 919.546.2694  
Email: [jack.jirak@duke-energy.com](mailto:jack.jirak@duke-energy.com)  
Georgia Bar Registration No. 433151

5. Mr. Jirak will continue to represent DE Carolinas in the above-captioned proceeding until the final determination thereof, unless permitted to withdraw sooner by order of the Commission.

6. Mr. Jirak has agreed to be subject to the orders and is 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 he were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

7. The Bar of Georgia, in which Mr. Jirak is regularly admitted to practice, grants permission to members of the Bar of North Carolina in good standing to practice *pro hac vice* under circumstances similar to those authorized by N.C. Gen. Stat. § 84-4.1.

8. Mr. Jirak, who is Associate General Counsel in Duke Energy's Raleigh, North Carolina office, is associated for purposes of appearing before the Commission with Lawrence B. Somers, Deputy General Counsel at Duke Energy Corporation and a resident of this State 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. Jirak.

9. Mr. Jirak has not been disciplined by any court or lawyer regulatory organization, nor has he had *pro hac vice* privileges revoked.

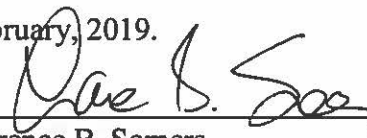
10. The Statements required by N.C. Gen. Stat. § 84-4.1 are attached to this motion.

11. Mr. Jirak has submitted his North Carolina Comity Application to the North Carolina Board of Law Examiners. Although N.C. Gen. Stat. § 84-4.1 requires that a lawyer seeking *pro hac vice* admission be “domiciled in another state,” Mr. Jirak is currently domiciled in the State of North Carolina. However, N.C. Gen. Stat. § 84-4.1 also states that courts have “discretionary power to allow to reject applications,” and the Commission has previously elected to exercise its discretion to allow for *pro hac vice* admission where a North Carolina-domiciled attorney has a pending North Carolina Comity Application with the North Carolina Board of Law Examiners.

12. Upon 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. Jirak will also file with the Commission a copy of the checks paid as filing fees.

WHEREFORE, Duke Energy Carolinas respectfully requests that this Motion be granted and that Jack E. Jirak be allowed to appear before the Commission in this matter.

Respectfully submitted, this 7<sup>th</sup> day of February, 2019.



Lawrence B. Somers  
Deputy General Counsel  
Duke Energy Corporation  
Post Office Box 1551/NCRH 20  
Raleigh, North Carolina 27602  
Telephone: 919.546.6722  
Email: [bo.somers@duke-energy.com](mailto:bo.somers@duke-energy.com)

Jack E. Jirak  
Associate General Counsel  
Duke Energy Corporation  
Post Office Box 1551/NCRH 20  
Raleigh, North Carolina 27602  
Telephone: 919.546.3257  
Email: [jack.jirak@duke-energy.com](mailto:jack.jirak@duke-energy.com)

ATTORNEYS FOR DUKE ENERGY  
CAROLINAS, LLC



**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

**DOCKET NO. E-7, SUB 1190**

In the Matter of:

Application of Duke Energy  
Carolinas, LLC Pursuant to  
G.S. 62-133.2 and NCUC Rule  
R8-55 Relating to Fuel and Fuel-  
Related Charge Adjustments for  
Electric Utilities

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**Statement Required by N.C.  
Gen. Stat. § 84-4.1**

I, Jack E. Jirak, hereby state that:

1. I am an attorney at law regularly admitted to practice and in good standing in the State of Georgia.

2. I am counsel for Duke Energy Corporation and desire to represent its wholly owned subsidiary, Duke Energy Carolinas, LLC ("DE Carolinas") in the above-captioned proceeding, which is currently pending before the North Carolina Utilities Commission (the "Commission").

3. My full name, address and bar identification number are:

Jack E. Jirak  
Duke Energy Corporation  
Post Office Box 1551/NCRH 20  
Raleigh, North Carolina 27602  
Telephone: 919.546.3257  
Fax: 919.546.2694  
Email: [jack.jirak@duke-energy.com](mailto:jack.jirak@duke-energy.com)  
Georgia Bar Registration No. 433151


4. I will, unless permitted to withdraw sooner by order of the Commission, continue to represent the Company in the above-captioned proceeding until the final determination thereof.

5. I agree, with reference to all matters incident to Commission proceedings, to be subject to the orders and amenable 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.

6. The State of Georgia, 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.

7. I have associated, for purposes of appearing and practicing in Commission proceedings, with Lawrence B. Somers, Deputy General Counsel of Duke Energy Corporation, 410 S. Wilmington Street, Raleigh, North Carolina 27601, an attorney who is a resident of the State of North Carolina and who is duly and legally permitted to practice in the General Court of Justice in North Carolina, 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.

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

  
\_\_\_\_\_  
Jack E. Jirak

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION****DOCKET NO. E-7, SUB 1190**

In the Matter of:

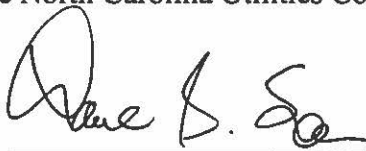
Application of Duke Energy Carolinas, )  
LLC Pursuant to )  
G.S. 62-133.2 and NCUC Rule )  
R8-55 Relating to Fuel and Fuel- )  
Related Charge Adjustments for )  
Electric Utilities )

**Statement Required by N.C.  
Gen. Stat. § 84-4.1(2)**

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I, Lawrence B. Somers, hereby certify that I am Deputy General Counsel for Duke Energy Corporation, 410 S. Wilmington Street, Raleigh, North Carolina 27601; and that Duke Energy Carolinas, LLC has requested that Jack E. Jirak represent the Company in the above-captioned proceeding before the North Carolina Utilities Commission.

This the 7<sup>th</sup> day of February, 2019.



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Lawrence B. Somers  
Deputy General Counsel  
Duke Energy Corporation  
Post Office Box 1551/NCRH 20  
Raleigh, North Carolina 27602  
Telephone: 919.546.6722  
[bo.somers@duke-energy.com](mailto:bo.somers@duke-energy.com)

ATTORNEY FOR DUKE ENERGY  
CAROLINAS, LLC



**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-7, SUB 1190

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:

Application of Duke Energy  
Carolinas, LLC Pursuant to  
G.S. 62-133.2 and NCUC Rule  
R8-55 Relating to Fuel and Fuel-  
Related Charge Adjustments for  
Electric Utilities

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

BY THE CHAIRMAN: On February \_\_\_, 2019, Jack E. Jirak, an attorney admitted to practice in the State of Georgia, filed a motion with the Commission seeking authority to appear pro hac vice on behalf of Duke Energy Carolinas, LLC in the above-captioned docket. Mr. Jirak is associated with Lawrence B. Somers, Deputy General Counsel of Duke Energy Corporation, 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. Jirak's motion for admission pro hac vice in this proceeding shall be, and is hereby, allowed; and
2. That Mr. Jirak's name and address is:

Jack E. Jirak  
Georgia State Bar No. 433151  
Duke Energy Corporation  
PO Box 1551, NCRH 20  
Raleigh, NC 27602  
Telephone: 919.546.3257  
Fax: 919.546.2694  
[Jack.Jirak@duke-energy.com](mailto:Jack.Jirak@duke-energy.com)

ISSUED BY ORDER OF THE COMMISSION.

This the \_\_\_\_ day of \_\_\_\_\_, 2019.

NORTH CAROLINA UTILITIES COMMISSION

M. Lynn Jarvis, Chief Clerk

OFFICIAL COPY

Feb 07 2019

## CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Carolinas, LLC's Motion for Admission Pro Hac Vice, in Docket No. E-7, Sub 1190, has been served by electronic mail, hand delivery or by depositing a copy in the United States mail, postage prepaid to the following parties of record:

David Drooz  
Public Staff  
North Carolina Utilities Commission  
4326 Mail Service Center  
Raleigh, NC 27699-4326  
[david.drooz@psncuc.nc.gov](mailto:david.drooz@psncuc.nc.gov)

This the 7<sup>th</sup> day of February, 2019.



Lawrence B. Somers  
Deputy General Counsel  
Duke Energy Corporation  
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Raleigh, North Carolina 27602  
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[bo.somers@duke-energy.com](mailto:bo.somers@duke-energy.com)