

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH
DOCKET NO. G-9, Sub 728
DOCKET NO. G-9, Sub 698
DOCKET NO. SP-13243, Sub 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

) MOTION TO WITHDRAW AS
) COUNSEL OF RECORD
) TO
) GESS RNG BIOGAS USA, LLC
) GESS INTERNATIONAL
) NORTH CAROLINA, INC.

Counsel for GESS RNG Biogas USA, LLC and GESS International North Carolina, Inc. (collectively, “GESS”), pursuant to Commission Rules R1-7, -22, and -23, hereby respectfully submit this Motion To Withdraw As Counsel in the above-referenced docket proceedings (DOCKET NO. G-9, Sub 728, DOCKET NO. G-9, Sub 698, DOCKET NO. SP-13243, Sub 0) and in any other proceedings before the North Carolina Utilities Commission to which GESS may be considered a party, and request that the Commission enter an order granting this request.

In support of this Motion, undersigned counsel state as follows:

1. Circumstances have developed pursuant to which counsel believe they should not continue to represent GESS before the Commission.
2. Counsel informed Mr. Shaun Lee, a principal of GESS, of these circumstances some months ago, including the need for undersigned counsel to withdraw from representation of GESS in proceedings before the Commission.

3. Upon information and belief, Mr. Lee is a principal of GESS, with email addresses of shaun.lee@gessinternational.com and Shaun.Lee@gessint.com and GESS has a principal office address of 6325 Falls of Neuse Rd Ste #35-401 Raleigh, NC 27615-6877, with an office phone number of 877-734-6304.
4. Undersigned counsel provided a draft copy of this Motion to GESS prior to filing and understand from communications with GESS that: (a) GESS does not object to this Motion and agrees to the withdrawal of undersigned counsel and their firm as counsel of record for GESS in all Commission proceedings; and (b) GESS intends to retain other counsel to represent it in proceedings before the Commission.

WHEREFORE, undersigned counsel respectfully request that the Commission grant this Motion and enter an order that counsel are withdrawn as counsel of record for GESS in all matters before the Commission to which GESS is a party.

Respectfully submitted, this the 20th day of May, 2022.

BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD, LLP

s/ Alexander Elkan

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was served this day by U.S. Mail, by depositing a copy of the same in a depository of the U.S. Postal Service in a pre-addressed and postage-prepaid envelop and addressed as shown below, or by providing electronic mail service or electronic filing service via the NCUC filing system to those shown below, which corresponds to the official service list for the above-referenced proceedings:

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This the 20th day of May, 2022.

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