

April 10, 2018

Ms. M. Lynn Jarvis
Chief Clerk
North Carolina Utilities Commission
Fifth Floor, Room 5063
430 N. Salisbury Street
Raleigh, NC 27699-4325

Re: The Matter of Fresh Air II, LLC v. Duke Energy Carolinas, LLC
Docket No. E-7, Sub 1148

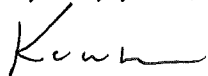
Dear Ms. Jarvis:

Fresh Air II, LLC and Duke Energy Carolinas, LLC have reached a settlement in the above-referenced matter. Fresh Air II, LLC is hereby electronically submitting a Dismissal with Prejudice.

If you have any questions or comments regarding this filing, please do not hesitate to call me.

Thank you in advance for your assistance in this matter.

Very truly yours,



Karen M. Kemerait, Esq.

cc: Parties of Record

STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. E-7, Sub 1148

In the matter of

Complaint by

FRESH AIR II, LLC
a California limited liability company,

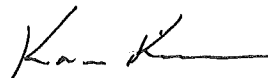
against

DUKE ENERGY CAROLINAS, LLC
a North Carolina limited liability company.

DISMISSAL WITH PREJUDICE

NOW COMES Fresh Air II, LLC, by and through the undersigned counsel, and hereby dismisses with prejudice, pursuant to Rule 41(a)(1) of the North Carolina Rules of Civil Procedure, the Complaint against Defendant Duke Energy Carolinas, LLC in the above-referenced matter.

Respectfully submitted this the 10th day of April, 2018.



Karen M. Kemerait
Smith Moore Leatherwood LLP
434 Fayetteville St., Suite 2800
Raleigh, NC 27601
Telephone: (919) 755-8764
E-mail:
karen.kemerait@smithmoorelaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of April, 2018, a true and exact copy of the DISMISSAL WITH PREJUDICE, filed on behalf of FRESH AIR II, LLC in NC Utilities Commission Docket No. E-7, SUB 1148, was duly served upon the following by electronic delivery.

Christopher J. Ayers, Esq.
Executive Director
North Carolina Public Staff
430 N. Salisbury Street
Raleigh, NC 27611
chris.ayers@psncuc.nc.gov

Molly McIntosh Jagannathan
Troutman Sanders LLP
Suite 3400
301 South College Street
Charlotte, NC 28202
E-mail: molly.mcintosh@troutmansanders.com

Kendrick C. Fentress
Assistant General Counsel
Duke Energy Corporation
Post Office Box 1551/ PEB20
Raleigh, NC 27602
Email: Kendrick.Fentress@duke-energy.com

Lawrence B. Somers
Deputy General Counsel
Duke Energy Corporation
Post Office Box 1551 / NCRH20
Raleigh, NC 27602
Email: bo.somers@Duke-Energy.com

Robert W. Kaylor
Law Office of Robert W. Kaylor
353 Six Forks Road, Suite 260
Raleigh, NC 27609-7882
E-mail: bkaylor@rwkaylorlaw.com

David Tsai
Progress Energy Carolinas
410 S. Wilmington Street
PEB 20
Raleigh, NC 27601
E-mail: David.Tsai@duke-energy.com

E. Brett Breitschwerdt
McGuireWoods LLP
434 Fayetteville Street, Suite 2600
Raleigh, NC 27601
Email: bbreitschwerdt@mcguirewoods.com

FRESH AIR II, LLC



Karen M. Kemerait
Smith Moore Leatherwood LLP
434 Fayetteville St., Suite 2800
Raleigh, NC 27601
Telephone: (919) 755-8764
E-mail:
karen.kemerait@smithmoorelaw.com