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October 13, 2009

Via Hand Delivery

Ms. Renne Vance, Chief Clerk
North Carolina Utilities Commission
Dobbs Building, Fifth Floor
Raleigh, NC 27603

FILED
OCT 13 2009
Clerk's Office
N.C. Utilities Commission

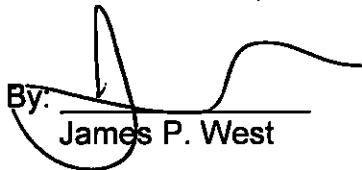
Re: Docket No. E-100, Sub 124

Dear Ms. Vance:

Enclosed for filing in the above-referenced matter on behalf of The Public Works Commission of Fayetteville are an original and 30 copies of our Petition to Intervene. Kindly date-stamp and return to us via our courier the additional enclosed copies. Please do not hesitate to telephone me with any questions concerning this matter.

Sincerely,

West Law Offices, P.C.

By: 
James P. West

Enclosures

cc: All Parties

Clerk-PS

<i>AL</i>	<i>Hoover</i>	<i>Ex Dir</i>
<i>7 Comm</i>	<i>Kite</i>	<i>3PS Legal</i>
<i>Bennink</i>	<i>Hilburn</i>	<i>3/3 Acctg</i>
<i>Kirby</i>	<i>Seaborn</i>	<i>3/3 Elec</i>
<i>Watson</i>	<i>Ericson</i>	<i>3/3 Elec</i>
	<i>Jones</i>	

OFFICIAL COPY

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-100, SUB 124

In the Matter of)	Petition to Intervene of the
Investigation of Integrated Resource)	Public Works Commission of
Planning in North Carolina - 2009)	the City of Fayetteville

FILED
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N.C. Clerk's Office
Utilities Commission

The Public Works Commission of the City of Fayetteville ("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 purchases electricity at wholesale from Carolina Power & Light Company d/b/a Progress Energy Carolinas ("Progress") and sells electricity in the wholesale market.

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

The Public Works Commission of the City of Fayetteville
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, Esq.
West Law Offices, P.C.
Suite 2325, Two Hannover Square
434 Fayetteville Street
Raleigh, NC 27601

Telephone (919) 856-8800
Facsimile (919) 856-8801
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Service by email is acceptable. Copies of all filings, communications, and orders should also be sent to:

Steve Blanchard, General Manager and
Public Works Commission
P. O. Box 1089
Fayetteville, NC 28302-1089
Email: steve.blanchard@faypwc.com

Dwight E. Davis
Booth & Associates, Inc.
1011 Schaub Drive
Raleigh, North Carolina 27606
Email: davisde@booth-assoc.com

4. FPWC is therefore directly affected by the adequacy of the capacity, reserve margins, and system planning of Progress as well as other utilities that purchase and sell power in wholesale market in North Carolina. 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 respectfully 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.

This the 13th day of October, 2009.

WEST LAW OFFICES, P.C.

By: 

James P. West
N.C. State Bar No. 18019
Suite 2325, Two Hannover Square
434 Fayetteville Street
Raleigh, NC 27601
(919) 856-8800

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the foregoing Petition to Intervene of the Public Works Commission of Fayetteville 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 13th day of October, 2009.

WESTLAW OFFICES, P.C.

By: 

James P. West

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

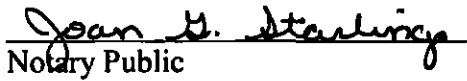
VERIFICATION

The undersigned, being duly sworn, deposes and says that he is the General Manager for The Public Works Commission of the City of Fayetteville, 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 12th day of October, 2009.


Steven K. Blanchard

SWORN to and subscribed before me, this the 12th day of October, 2009.


Notary Public

Notary Public Printed Name: Joan G. Starling
My Commission Expires: April 1, 2012

