

WEST LAW OFFICES, P.C.

Email
jpwest@westlawpc.com

Suite 2325
Two Hannover Square
434 Fayetteville Street
Raleigh, NC 27601

Mailing Address
P.O. Box 1568
Raleigh, NC 27602

Telephone (919) 856-8800
Facsimile (919) 856-8801

May 27, 2010

FILED
MAY 27 2010
Clerk's Office
N.C. Utilities Commission

Via Hand Delivery

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

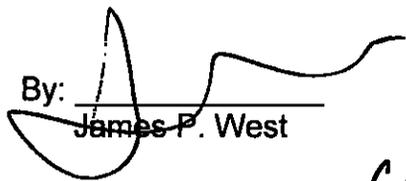
Re: Docket No. E-100, Sub 127

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

JPW/kdl

Enclosures

cc: All Parties

Clerk-AS
AL
7 Comm
Bennink
Kirby
Watson
Hoover
Kite
Hilburn
Sessoms
Ericson
Jones
Ex Dir
3/3 Legal
3/3 Acctg
3/3 Elec
3/3 Elec

MAY 27 2010

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

Clerk's Office
N.C. Utilities Commission

DOCKET NO. E-100, SUB 127

In the Matter of)	Petition to Intervene of the
Biennial Determination of Avoided Cost)	Public Works Commission of
Rates for Electric Utility Purchases from)	the City of Fayetteville
Qualifying Facilities - 2010)	

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
Email: jpwest@westlawpc.com

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

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

David Trego, Chief Operations Officer - Electrical Systems
Public Works Commission
P. O. Box 1089
Fayetteville, NC 28302-1089
Email: david.trego@faypwc.com

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

4. FPWC is directly affected by the avoided cost of Progress for capacity and energy purchases. 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 27th day of May, 2010.

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

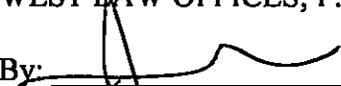
(919) 856-8800

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 27th day of May, 2010.

WEST LAW OFFICES, P.C.

By: 

James P. West

