

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1131
DOCKET NO. E-2, SUB 1142
DOCKET NO. E-2, SUB 1103
DOCKET NO. E-2, SUB 1153
DOCKET NO. E-7, SUB 1146
DOCKET NO. E-7, SUB 819
DOCKET NO. E-7, SUB 1152
DOCKET NO. E-7, SUB 1110

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Applications by Duke Energy Carolinas, LLC,) ORDER GRANTING INFORMED
and Duke Energy Progress, LLC, for) CONSENT FOR
Adjustment of Rates and Charges Applicable) REPRESENTATION
to Electric Utility Service in North Carolina)

BY THE CHAIR: On December 18, 2020, as supplemented on December 21, 2020, Christina D. Cress, an attorney with Bailey & Dixon, LLP, representing the Carolina Industrial Group for Fair Utility Rates II and III (CIGFUR), filed a request for informed consent of the Commission to appear on behalf of CIGFUR in the above-captioned dockets. Ms. Cress states that she formerly worked as a Staff Attorney to the Commission on various electric utility matters, including to varying extents the Duke Energy Progress, LLC (DEP), and Duke Energy Carolinas, LLC (DEC), rates cases in these dockets that are now on remand to the Commission from the North Carolina Supreme Court.

Ms. Cress notes that pursuant to Rule 1.11 of the North Carolina Rules of Professional Conduct, Special Conflicts of Interest for Former and Current Government Officers and Employees, she is disqualified from representing CIGFUR's interests in these proceedings "unless the [Commission] gives its informed consent, confirmed in writing, to the representation." To that end, Ms. Cress respectfully requests that the Commission provide such consent.

In support of her request, Ms. Cress represents to the Commission and other parties in this docket that her prior involvement in the underlying DEP and DEC rate cases while she served on the Commission staff will not in any way confer an unfair advantage to CIGFUR. She further states that she has not and will not share with CIGFUR confidential information obtained during her time serving on the Commission staff, whether in these dockets or any other dockets in which she has represented parties before the Commission. In addition, Ms. Cress indicates that she provided everyone on the respective Service Lists for these dockets with a copy of her letter by electronic correspondence, that she has conferred with counsel for numerous parties to these proceedings, including DEP, DEC,

the Public Staff, the Tech Customers, the Commercial Group, the North Carolina League of Municipalities, the Department of Defense and Federal Executive Agencies, and NC WARN, and that none object to her request.

Based on the foregoing, the Chair finds good cause to grant the requested informed consent to allow Ms. Cress to represent CIGFUR during further proceedings in these rate cases. The Chair particularly notes Ms. Cress's representation that in compliance with the Rules of Professional Conduct she will not share any confidential information she may have obtained while on the Commission staff or use such information on behalf of her clients.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 23rd day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "Janice H. Fulmore". The signature is written in a cursive style with a large initial "J" and "F".

Janice H. Fulmore, Deputy Clerk