

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. EMP-105, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application of Friesian Holdings, LLC,)	MOTION FOR ADMISSION
for a Certificate of Public Convenience)	PRO HAC VICE
and Necessity to Construct a 70-MW Solar)	
Facility in Scotland County, North)	
Carolina)	

NOW COMES the Movant, Friesian Holdings, LLC (“Friesian”), through its undersigned attorneys of record in this cause, and pursuant to N.C. Gen. Stat. § 84-4.1, respectfully moves the North Carolina Utilities Commission (“the Commission”) for an Order granting privileges to practice *pro hac vice* to the attorney hereinafter listed. In support of this Motion, the Movant respectfully shows unto the Commission the following:

1. The full name and address of the counsel requesting privileges to practice *pro hac vice* are as follows:

Steven M. Shparber, Esq.
NELSON MULLINS RILEY & SCARBOROUGH LLP
101 Constitution Avenue, NW
Suite 900
Washington, D.C. 20007
Telephone: (202) 689-2994
Facsimile: (202) 689-2860
steven.shparber@nelsonmullins.com

2. The aforementioned attorney is licensed to practice in the District of Columbia (the “District”), is engaged in the active practice of law within the District, and is a member in good

standing of the Bar of the District of Columbia. Mr. Shparber is also licensed, engaged, and a member in good standing of the Bar of the State of New York.

3. The undersigned attorney certifies that Mr. Steve M. Shparber, and the law firm of Nelson Mullins Riley & Scarborough LLP have been retained to represent Friesian in the above-captioned proceeding before the Commission, together with the undersigned member of the North Carolina State Bar, attorney Weston Adams, III of the law firm of Nelson, Mullins, Riley & Scarborough, LLP of Columbia, South Carolina.

4. Attached hereto as Exhibit A is an Affidavit signed by the attorney for whom admission is sought stating that he is regularly admitted and in good standing to practice in the courts of record in the District of Columbia, and that unless permitted to withdraw sooner by order of the Commission, will continue to represent Friesian in the above-captioned proceeding until the final determination thereof, and that with reference to all matters incident to the proceeding, he agrees to be subject to the orders and amenable to the disciplinary action and civil jurisdiction of the General Court of Justice, the Commission, and the North Carolina State Bar in all respects as if he were a regularly admitted and licensed member of the Bar of North Carolina in good standing. Movant adopts by reference and incorporates herein the contents of Exhibit A.

5. The undersigned is informed and believes that the Bar of the District of Columbia grants like privileges to practice *pro hac vice* to members of the Bar of North Carolina in good standing, as recited in Exhibit A.


6. Attached hereto as Exhibit B is a letter from Mr. Brian Bednar affirming that Friesian has retained Mr. Shparber to represent its interests in this matter.

7. The undersigned is a licensed attorney in the State of North Carolina, and has been associated with the foregoing attorney seeking *pro hac vice* admission, and will be personally

appearing in the above-captioned proceeding before the Commission. The undersigned attorney resides in the State of South Carolina and is duly and legally admitted to practice in the General Court of Justice of North Carolina. Service on the undersigned resident attorney may be had in all matters connected with these legal proceedings, or any disciplinary matter, with the same effect as if personally made in this State on the foreign attorneys seeking to practice before this Commission *pro hac vice*.

WHEREFORE, Friesian and the undersigned attorney respectfully request that Steve M. Shparber of Nelson Mullins Riley & Scarborough LLP be permitted to appear *pro hac vice* before the North Carolina Utilities Commission in the above-captioned proceeding and that the Commission enter an order granting such relief.

This the 21st day of August, 2019.



Weston Adams, III
N.C. Bar. No. 18659
NELSON MULLINS RILEY & SCARBOROUGH LLP
Post Office Box 11070
Columbia, SC 29211
weston.adams@nelsonmullins.com

ATTORNEYS FOR FRIESIAN HOLDINGS, LLC

Exhibit A

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-22, Sub 459

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)
Application of Friesian Holdings, LLC,)
for a Certificate of Public Convenience)
and Necessity to Construct a 70-MW Solar)
Facility in Scotland County, North)
Carolina)

AFFIDAVIT OF STEVEN M. SHPARBER

I, Steven M. Shparber, being first duly sworn, do hereby state as follows:

1. My name is Steven Michael Shparber, and my mailing address is Nelson Mullins Riley & Scarborough LLP, 101 Constitution Avenue NW, Suite 900, Washington, D.C. 20001. I am regularly admitted to practice law before the courts of record in the District of Columbia, and I am a member in good standing of the District of Columbia Bar (No. 1016286). I am also a member in good standing of the New York State Bar (No. 4926416).

2. I have been retained by Friesian Holdings, LLC ("Friesian") to represent it in connection with the proceeding referenced above pending before the North Carolina Utilities Commission ("the Commission").


3. Unless permitted to withdraw sooner by Order of the Commission, I will if granted leave to practice *pro hac vice*, represent Friesian in the aforementioned proceeding until the final determination thereof. With reference to all matters incident to such proceedings, I agree that I shall be subject to the Orders and amenable to the disciplinary action and civil jurisdiction of the Commission, the General Court of Justice of North Carolina and the North Carolina State Bar in

all respects as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

4. The District of Columbia Bar grants privileges to practice *pro hac vice* such as those that I am requesting to members of the Bar of North Carolina in good standing.

5. I am associated with local attorney Weston Adams III, who will personally appear with me in the above-referenced proceedings. Said attorney is a resident of the State of South Carolina and is duly and legally admitted to practice in the General Court of Justice of North Carolina, and is a member in good standing of the North Carolina State Bar. Service may be made upon Weston Adams, III of Nelson Mullins Riley & Scarborough LLP at Post Office Box 11070, Columbia, South Carolina 29211, in all matters connected with the above-referenced proceeding, or any disciplinary matter, with the same effect as if personally made on me within the State of North Carolina.


This the 21st day of August, 2019.


Steven M. Shparber

District of Columbia) ss

Personally appeared before me this day, Steven M. Shparber, who being first duly sworn, deposed and said that he had read the foregoing Affidavit and knows the contents thereof; that the contents of same are true of his own knowledge except as to those matters and things stated therein upon information and belief, and as to those he believes them to be true.

Witness my hand and notarial seal this 21st day of August 2019.



Notary Public
My Commission Expires: 10/31/2021

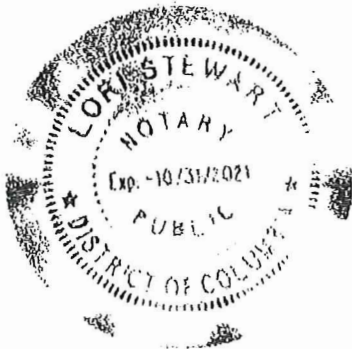


Exhibit B



Chief Clerk, NC Utilities Commission
430 N. Salisbury Street
Raleigh, NC 27603

Re: Docket No. EMP-105, SUB 0

I, Brian C. Bednar, President of Birdseye Renewable Energy, LLC ("Birdseye"), the parent company of Friesian Holdings, LLC ("Friesian") am authorized to submit this statement on behalf of Friesian, and state that Friesian has retained the law firm of Nelson Mullins Riley & Scarborough LLP, particularly attorney Steven M. Shparber to represent Friesian in the above-captioned matter. Mr. Shparber will appear in association with Weston Adams, III of the law firm of Nelson Mullins Riley & Scarborough LLP, Friesian's current counsel in this matter.

This the 20th day of August, 2019.



Brian C. Bednar
President

CERTIFICATE OF SERVICE

The undersigned attorney for Friesian Holdings, LLC hereby certifies that he served the foregoing Motion for Admission Pro Hac Vice upon the parties of record via electronic mail and/or First Class Mail in this proceeding as follows:

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chris.ayers@psncuc.nc.gov

This 21st day of August, 2019.



Weston Adams, III