

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

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DOCKET NO. E-2, SUB 1170
DOCKET NO. E-7, SUB 1169

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Petition of Duke Energy Progress, LLC,)	DOD/FEA MOTION FOR LEAVE TO
and Duke Energy Carolinas, LLC,)	INTERVENE
Requesting Approval of Green Source)	
Advantage Program and Rider GSA to)	
Implement G.S. 62-159.2)	

The Secretary of Defense, though duly authorized counsel and on behalf of the consumer interests of The United States Department of Defense and all other Federal Executive Agencies (“DoD/FEA”), hereby petitions the State of North Carolina Utilities Commission Raleigh (“Commission”) for leave to intervene in the above-captioned proceeding. DoD/FEA has a direct and significant interest in this proceeding. This application to Intervene is filed pursuant to R1-5, R1-7, and R1-9 of the Commission’s Rules of Practice and Procedure and the Commission’s January 26, 2018 Order Establishing Proceeding to Review Proposed Green Source Rider Advantage Program and Rider GSA. In support of this Motion, DoD/FEA states as follows:

I

DoD/FEA will be represented by, withal documents served upon and all communications referred to, its duly authorized attorney, United States Army Legal Services Agency employee:

Kyle J. Smith¹
General Attorney
U.S. Army Legal Services Agency
Regulatory Law Office (JALS-RL/IP)
9275 Gunston Road
Fort Belvoir, VA 22060-4446
Telephone: (703) 693 – 1274
Facsimile: (703) 806 - 0123
Email: kyle.j.smith124.civ@mail.mil

Pursuant to Commission Rule R1-39, DoD/FEA agrees to electronic service of all pleadings and other filings in this matter.

II

DoD/FEA maintains certain military installations and civilian agency activities within the State of North Carolina, a number of which obtain electric service from Duke Energy Progress, LLC (“DEP”). On January 22, 2018, Duke Energy Progress, LLC (“DEP”) and Duke Energy Carolinas, LLC (“DEC”) jointly filed a proposed Green Source Rider advantage program and rider GSA, consistent with requirements of Section 3.(b) of House Bill 589.

III

DoD/FEA purchases large quantities of electric service from DEP in North Carolina. DoD/FEA installations served by DEP include, but are not limited to, Fort Bragg and Marine Corps Base Camp Lejeune. DoD/FEA is a customer with a significant economic interest in this proceeding and will be affected by its outcome. The proposed rider explicitly provides options for DoD/FEA to purchase renewable energy in North Carolina.

IV

The interests of DoD/FEA are such that it cannot be adequately protected by any other party. The load factor, characteristics, and rate schedules upon which these facilities buy power

¹ Kyle J Smith is filing a Motion for Admittance *Pro Hac Vice* in this matter contemporaneously with this Motion, associating with local counsel, and paying all fees required by G.S. § 84-41.

make their usage distinct from other large customers. DoD/FEA will present evidence that will be of value to the Commission in its determination of the issues.

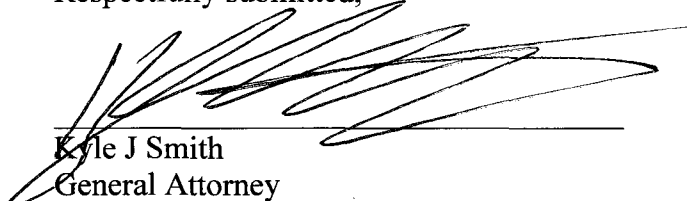
V

DoD/FEA's intervention and participation herein will not unreasonably broaden the issues, burden the record, unduly affect the rights of participating parties, or unreasonably delay the proceedings.

WHEREFORE, The United States Department of Defense and all other Federal Executive Agencies petitions the Commission for leave to intervene in the captioned proceeding as a party with full rights to participate in the proceeding, including the right to discovery, to examine witnesses, to file testimony and briefs, and to be heard at oral argument.

Dated this 22 day of February, 2018

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kyle J. Smith", is written over a horizontal line.

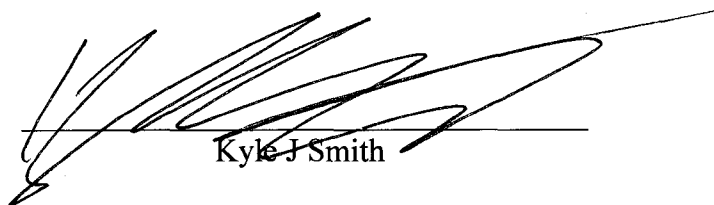
Kyle J Smith
General Attorney
Regulatory Law Office (JALS-RL/IP)
Office of the Judge Advocate General
U. S. Army Legal Services Agency
9275 Gunston Road
Fort Belvoir, VA 22060-5546 .

For
The United States Department of Defense
and
all other Federal Executive Agencies

VERIFICATION

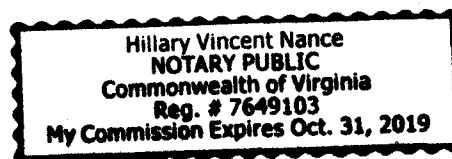
Kyle J. Smith, first being duly sworn, deposes and says that he is the attorney with and for The United States Army Legal Services Agency; that he has read the foregoing Motion to Intervene and that the same is true of his personal knowledge, except as to any matters and things therein stated on information and belief, and as to those, he believes them to be true; and that he is authorized to sign this verification on behalf of The United States Department of Defense and all other Federal Executive Agencies.

Dated this 22 day of February, 2018



Kyle J Smith

State of VIRGINIA
County of FAIRFAX



Sworn to and subscribed before me,

this the 22nd day of August, 2017

[Affix SEAL OF NOTARY]



Notary Public

Hillary Nance

Printed Name of Notary Public
My Commission expires: October 31, 2019

CERTIFICATE OF SERVICE

I, Kyle J Smith, hereby certify that all persons on the docket service list have been served true and accurate copies of the foregoing Motion to Intervene by first class mail deposited in the U.S. mail, postage prepaid, or by email transmission with the party's consent

Dated this 22 day of February, 2018



Kyle J Smith

General Attorney

Regulatory Law Office (JALS-RL/IP)

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