

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-7, SUB 856

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application of Duke Energy Carolinas, LLC, For	) ORDER ALLOWING
Approval of a Solar Photovoltaic Distributed	) PETITION TO INTERVENE
Generation Program and for Approval of the	) AND GRANTING
Proposed Method of Recovery of Associated	) MOTION FOR ADMISSION
Costs	) PRO HAC VICE

BY THE PRESIDING COMMISSIONER: On July 25, 2008, the Kroger Co. (Kroger), filed a petition to intervene in the above-captioned proceeding. The petition states that Kroger is a retail electric customer of Duke Energy Carolinas, LLC (Duke) and that Kroger operates numerous grocery stores in the state of North Carolina that purchase their electric supply from Duke. Kroger asserts that if Duke's application is granted, then the cost for electric power service to Kroger could be substantially impacted. The Presiding Commissioner is of the opinion that good cause exists to allow the intervention by Kroger.

On July 25, 2008, Kroger filed a motion with the Commission seeking authority for the out-of-state-attorneys hereinafter listed to practice pro hac vice in the above-captioned docket. The Presiding Commissioner is of the opinion that good cause exists to grant the motion for admission pro hac vice.

IT IS, THEREFORE, ORDERED as follows:

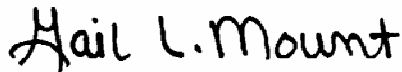
1. That Kroger should be, and hereby is, allowed to intervene in the above-captioned docket; and
2. That Kroger's motion for admission pro hac vice in the above-captioned docket should be and hereby is allowed; and
3. That the name and address of the attorneys for Kroger are as follows:

Michael L. Kurtz  
Kurt J. Boehm  
Boehm, Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202

ISSUED BY ORDER OF THE PRESIDING COMMISSIONER.

This the 29<sup>th</sup> day of July, 2008.

NORTH CAROLINA UTILITIES COMMISSION



Gail L. Mount, Deputy Clerk