

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1300

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Duke Energy Progress,)	VERIFIED MOTION FOR LIMITED
LLC, for Adjustment of Rates and)	PRACTICE
Charges Applicable to Electric)	
Service in North Carolina and)	
Performance Based Regulation)	

Pursuant to North Carolina General Statute § 84-4.1 and Rule RI-22 of the North Carolina Utilities Commission's Rules of Practice and Procedure, Kyle J. Smith; an employee of The United States Army Legal Services Agency and designated representative for The United States Department of Defense and all other Federal Executive Agencies ("DoD/FEA") pursuant to 40 U.S.C. § 501(c), respectfully requests the Commission to enter an order admitting him to practice before the Commission for the purpose of appearing on behalf of DoD/FEA in the instant matter. In compliance with the requirements of North Carolina General Statute § 84-4.1, Kyle J. Smith hereby state's:

1. Kyle Jameson Smith is in good standing in all jurisdictions within which he is admitted to practice. His business address, contact information, and bar membership numbers' are:

Kyle J. Smith
General Attorney
U.S. Army Legal Services Agency
Environmental Law Division (JALS-ELD)
9275 Gunston Road
Fort Belvoir, VA 22060-4446
Telephone: (703) 693 – 1274
Email: kyle.j.smith124.civ@army.mil
Florida Bar No. 12646
District of Columbia Bar No. 980021

2. Kyle J Smith is an employee of and in-house-counsel with the United States Army-an agency within the United States Department of Defense-and is duly authorized to represent DoD/FEA in this proceeding.

3. Unless permitted to withdraw sooner by order of the North Carolina Utilities Commission, Kyle J. Smith will continue to represent DoD/FEA in this proceeding until its final determination, and with reference to all matters incident to this proceeding, agrees to be subject to the orders and amenable to the disciplinary action and the civil jurisdiction of the General Court of Justice of the North Carolina State Bar in all respects as if Mr. Smith were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

4. The State of Florida and the District of Columbia in which Kyle J. Smith is in good standing and regularly admitted to practice grants permission to members in good standing of the North Carolina State Bar to appear before courts and regulatory commissions under circumstances similar to those authorized by North Carolina General Statute § 84-4.1.

5. Kyle J. Smith has associated and is personally appearing in the proceeding with Paul A. Raaf, who is a resident of North Carolina and a member of the North Carolina State Bar, in good standing, with a North Carolina Bar Number of 24060, who has agreed to be responsible for filing a registration statement with the North Carolina State Bar and is duly and legally admitted to practice in the General Court of Justice of North Carolina upon whom service may be had in all matters connected with the legal proceedings, or any disciplinary matter, with the same effect as if personally made on Mr. Smith within this state.

Paul A. Raaf's contact information is:

Office of the Forscom SJA
4700 Knox St.
Fort Bragg, NC 28310-001
Telephone: (910) 570 - 5909
Email: paul.a.raaf.civ@army.mil

6. Kyle J Smith has no prior disciplinary actions against him in either Florida or the District of Columbia, and has never had a *pro hac vice* admission revoked in any jurisdiction.

WHEREFORE, Kyle J. Smith respectfully requests the Commission to enter an order admitting him to practice before the Commission for the purpose of appearing on behalf of The United States Department of Defense and all other Federal Executive Agencies in the instant matter.

Dated this 30th day of January, 2023

Respectfully submitted,

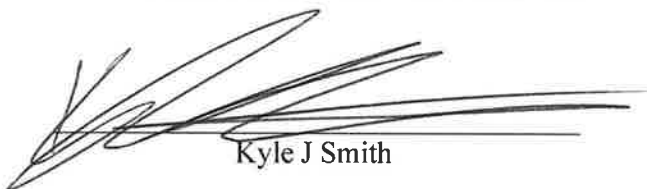
/s/ Kyle J Smith

Kyle J Smith
General Attorney
Environmental Law Division (JALS-ELD)
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 for Limited Practice 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 appear in this matter on behalf of The United States Department of Defense and all other Federal Executive Agencies.

Dated this 30th day of January, 2023

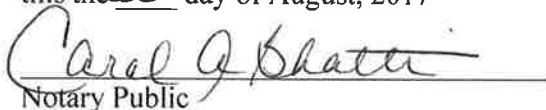


Kyle J Smith

State of VIRGINIA
County of FAIRFAX

Sworn to and subscribed before me,

this the 30 day of August, 2017



Notary Public

[Affix SEAL OF NOTARY]

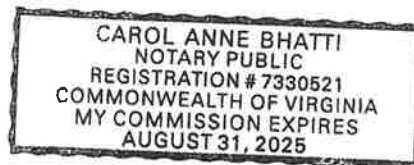


Carol A Bhatti

Printed Name of Notary Public

My Commission expires: 8/31/2025

7330521




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 for Limited Practice by mail deposited in the U.S. mail, postage prepaid, or by email transmission with the party's consent.

Dated this 30th day of January, 2023

/s/ Kyle J Smith

Kyle J Smith
General Attorney
Environmental Law Division (JALS-ELD)
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
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North Carolina

Utilities Commission

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Jan 30 2023

Service List

<u>Address</u>	<u>Party Type</u>	<u>Date Added</u>	<u>Party of Record</u>
JODY KYLER COHN, ESQ. 36 EAST SEVENTH STREET SUITE 1510 CINCINNATI, OH 45202 Telephone 1: +1(513)421-2255 E-Mail: jkylar@BKLlawfirm.com		11/14/2022	Yes
Duke Energy Progress, LLC PO Box 1551 Raleigh, NC 27602 E-Mail: jack.jirak@duke-energy.com	Applicant		Yes
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BEN M. ROYSTER ROYSTER AND ROYSTER, PLLC 851 MARSHALL STREET MOUNT AIRY, NC 27030 Fax: +1(336)789-6650 Primary: +1(336)786-5127 E-Mail: benroyster@roysterlaw.com		11/14/2022	Yes
Melissa O Butler Troutman Pepper Hamilton Sanders LLP 600 Peachtree Street NE Suite 3000 Atlanta, GA 30308 E-Mail: melissa.butler@troutman.com	Intervener	6/15/2022	Yes
David T. Drooz Attorney Fox Rothschild, LLC 434 Fayetteville Street - Suite 2800 Raleigh, NC 27601 Telephone 1: +1(919)-7-55 x 8700 E-Mail: ddrooz@foxrothschild.com	Intervener	7/11/2022	Yes
Jack E. Jirak Associate General Counsel Duke Energy Corporation 410 S. Wilmington Street NCRH 20 Raleigh, NC 27601 Telephone 1: +1(919)546-2694 Telephone 1: +1(919)546-3267 E-Mail: jack.jirak@duke-energy.com		6/8/2022	Yes
Schauer, Craig D. Brooks, Pierce, McLendon, Humprey & Leonard LLP Suite 1700 Wells Fargo Capitol Center 150 Fayetteville Street P.O. Box 1800 (zip 27602) Raleigh, NC 27601 E-Mail: cschauer@brookspierce.com	Intervener	6/16/2022	Yes

<u>Address</u>	<u>Party Type</u>	<u>Date Added</u>	<u>Party of Record</u>
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Munashe Magarira Southern Environmental Law Center 601 West Rosemary St Ste 220 Chapel Hill, NC 27516 E-Mail: mmagarira@selcnc.org	Intervener	7/5/2022	Yes
Justin T Somelofske , E-Mail: justin.somelofske@sierraclub.org		1/10/2023	Yes
Michael D. Youth Government and Regulatory Affairs Counsel NC Electric Membership Corporation 3400 Sumner Blvd. Raleigh, NC 27616 Telephone 1: +1(919)875-3060 E-Mail: michael.youth@ncemcs.com	Other	6/30/2022	Yes

<u>Address</u>	<u>Party Type</u>	<u>Date Added</u>	<u>Party of Record</u>
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Brian O Beverly 3101 Glenwood ave St: 200 Raleigh, NC 27612 Telephone 1: +1(919)782-6860 E-Mail: brian.beverly@youngmoorelaw.com		11/15/2022	Yes
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Timothy R Dodge Regulatory Counsel North Carolina Electric Membership Corporation 3400 Sumner Blvd. Raleigh, NC 27616 Telephone 1: +1(919)875-3111 E-Mail: tim.dodge@ncemcs.com	Other	6/30/2022	Yes
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Tirrill E Moore Assistant Attorney General N.C Departmart of Justice P.O Box 629 Raleigh , NC 27602 Telephone 1: +1(919)716-0141 E-Mail: temoore@ncdoj.gov		6/29/2022	No

<u>Address</u>	<u>Party Type</u>	<u>Date Added</u>	<u>Party of Record</u>
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Anne Keyworth , E-Mail: Anne.Keyworth@psncuc.nc.gov		11/10/2022	Yes
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Andrea C Bonvecchio 127 W. Hargett Street, Ste. 600 Raleigh, NC 27601 E-Mail: andrea@attybryanbrice.com		1/10/2023	Yes
NEAL, DAVID ATTORNEY SOUTHERN ENVIRONMENTAL LAW CENTER 601 WEST ROSEMARY ST., STE. 220 CHAPEL HILL, NC 27516 Telephone 1: +1(919)967-1450 E-Mail: dneal@selcnc.org	Intervener	7/5/2022	Yes
Jones, Catherine Cralle Appalachian Voices 127 W. Hargett Street Suite 600 Raleigh, NC 27601 Telephone 1: +1(919)754-1600 E-Mail: cathy@attybryanbrice.com		1/10/2023	Yes