

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1314
DOCKET NO. E-7, SUB 1289

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Petition of Duke Energy Progress, LLC,)	THE UNITED STATES DEPARTMENT
and Duke Energy Carolinas, LLC,)	OF DEFENSE AND ALL OTHER
Requesting Approval of Green Source)	FEDERAL EXECUTIVE AGENCIES'
Advantage Choice Program Rider GSAC)	MOTION TO INTERVENE

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 February 9, 2023 Order Requesting Comments. In support of this Motion, DoD/FEA states as follows:

I

DoD/FEA will be represented by, with all documents served upon and all communications referred to, its duly authorized representative pursuant to 40 U.S.C. § 501(c), United States Army Legal Services Agency employee:

Kyle J. Smith¹
General Attorney
U.S. Army Legal Services Agency
Environmental Law Division (JALS-ELD)

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.

9275 Gunston Road
Fort Belvoir, VA 22060-4446
Telephone: (703) 693 -1274
Email: kyle.j.smith124.civ@army.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 27, 2023, DEP filed a petition with the Commission for approval of its proposed Green Source Advantage Choice Program Rider. DoD/FEA has an interest in this program, as it may be utilized by DoD/FEA to meet its obligations under Section 203 of Executive Order 14057, *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* (December 8, 2021).

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, Marine Corps Base Camp Lejeune, Seymour Johnson Air Force Base, and Marine Corps Air Station Cherry Point.

IV

The interests of DoD/FEA are such that it cannot be adequately protected by any other party.

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.

VI

DoD/FEA has reviewed Public Staff's unopposed Motion for Extension of Time filed in this docket on March 24, 2023. To the extent that the Commission has not ruled on Public Staff's Motion for Extension of Time before the filing of this Motion to Intervene, DoD/FEA expresses support for Public Staff's Motion for Extension of Time.

WHEREFORE, The United States Department of Defense and all other Federal Executive Agencies petitions the Commission for leave to intervene in the captioned proceeding.

Dated this 28th day of March, 2023

Respectfully submitted,

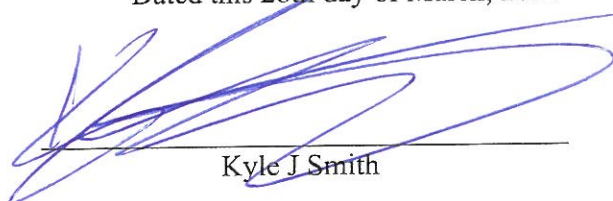
/s/ Kyle J Smith

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 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 28th day of March, 2023



Kyle J Smith

State of VIRGINIA

County of FAIRFAX

Sworn to and subscribed before me,

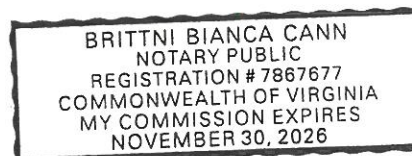
this the 28th day of March, 2023

[Affix SEAL OF NOTARY]



Notary Public

Brittani Bianca Cann
Printed Name of Notary Public
My Commission expires: 11/30/2026



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 email transmission with the party's consent.

Dated this 28th day of March, 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 .
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