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AN ASSOCIATION INCLUDING A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

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FILED
SEP 24 2008

Clerk's Office
N.C. Utilities Commission

VIA FEDERAL EXPRESS

September 23, 2008

Ms. Renne C. Vance, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4325

RE: Docket No. E-7, Sub 856

Dear Ms. Vance:

Enclosed for filing in the above-referenced dockets are the original and twenty-seven (27) copies of each of the following pleadings:

1. Petition To Intervene Of Wal-Mart Stores East, LP; and
2. Motion For Limited Admission To Practice.

Please file these pleadings and return file-stamped copies to me in the enclosed envelope.

Sincerely,


RICK D. CHAMBERLAIN

Enclosures

cc: Parties of Record (w/ encl.)

MH
Full Dist.

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-7, SUB 856

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Application of Duke Energy Carolinas, LLC)	
For Approval of Solar Photovoltaic)	PETITION TO INTERVENE OF
Distributed Generation Program)	WAL-MART STORES EAST, LP,
And for Approval of Proposed Method of)	AND SAM'S EAST, INC.
Recovery of Associated Costs)	

Wal-Mart Stores East, LP, ("Wal-Mart"), and Sam's East, Inc. ("Sam's"), through counsel and pursuant to Rule R1-19 of the Rules and Regulations of the North Carolina Utilities Commission ("Commission"), respectfully request the Commission to enter an order permitting them to intervene and participate in the above-captioned proceeding. In support of this Petition to Intervene Wal-Mart and Sam's state as follows:

1) On June 6, 2008, Duke Energy Carolinas, LLC, filed an application herein seeking approval of a solar photovoltaic distributed generation program and recovery of the corresponding investment estimated at approximately \$100 million. Wal-Mart and Sam's are interested in the subject matter of this docket and desire to intervene together and participate as a full party of record.

2) Wal-Mart is a Delaware Limited Partnership authorized to do business in North Carolina. Wal-Mart's business address is: Sam M. Walton Development Complex, 2001 SE 10th Street, Bentonville, AR 72716-0550. Sam's is an Arkansas corporation authorized to do business in North Carolina. Sam's business address is: 2001 SE 10th Street, Bentonville, AR 72716-0550.

3) Collectively, Wal-Mart and Sam's currently own and operate approximately 103 Supercenters, 26 Discount Stores, 22 Sam's Clubs, and 5 Distribution Centers within the State of North Carolina. Wal-Mart and Sam's are large consumers of electric energy in the State of North Carolina, collectively consuming over

700 million kilowatt hours of electricity on an annual basis.

4) As retail electric consumers, Wal-Mart and Sam's have an interest in this proceeding. The relief being requested herein, if granted in whole or in part, could impact Wal-Mart's and Sam's use and cost of electricity. Wal-Mart and Sam's seek to intervene in this proceeding to protect their interests. The interests of Wal-Mart and Sam's cannot be represented adequately by any other party. Intervention by Wal-Mart and Sam's will not prejudice any other party or unduly delay this proceeding.

5) Wal-Mart and Sam's requests that all communications and filings related to this docket be sent to the following:

Rick D. Chamberlain, JD, CPA
Behrens, Taylor, Wheeler, & Chamberlain
6 NE 63rd, Suite 400
Oklahoma City, OK 73105
405-848-1014
rdc_law@swbell.net

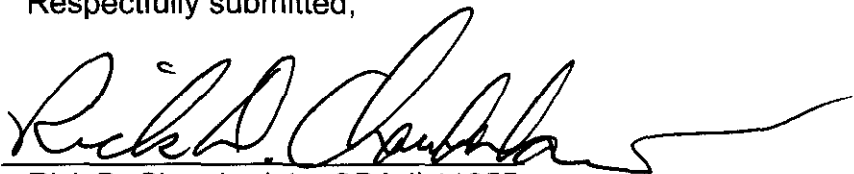
7) Wal-Mart and Sam's have a vital interest in this matter and should be allowed to intervene and actively participate in the proceeding.

8) Pursuant to Rule R1-39, Wal-Mart and Sam's agree to electronic service of all pleadings and other papers in these dockets.

**PETITION TO INTERVENE OF
WAL-MART STORES EAST, LP,
AND SAM'S EAST, INC.
Docket No. E-7, Sub 856**

WHEREFORE, Wal-Mart Stores East, LP, and Sam's East, Inc., request that the Commission grant them intervenor status as a full party of record and allow them to fully participate in this Cause including, without limitation, filing and presenting comments and/or testimony, cross examination of witnesses, participation in all formal and informal conferences and hearings, and filings of briefs and any other pleading, to the extent they deems necessary for their full participation herein.

Respectfully submitted,

By 

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-and-

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ATTORNEYS FOR INTERVENOR,
WAL-MART STORES EAST, LP,
AND SAM'S EAST, INC.

PETITION TO INTERVENE OF
WAL-MART STORES EAST, LP,
AND SAM'S EAST, INC.
Docket No. E-7, Sub 856

VERIFICATION

Rick D. Chamberlain, first being duly sworn, deposes and says that he is the attorney for Wal-Mart Stores East, LP ("Wal-Mart") and Sam's East, Inc. ("Sam's"); that he has read the foregoing Petition To Intervene Of Wal-Mart Stores East, LP, and Sam's East, Inc., and the same is true of his personal knowledge, except as to any matters and things therein state 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 Wal-Mart and Sam's.



Rick D. Chamberlain

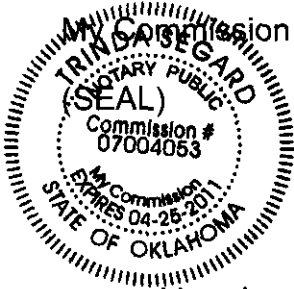
Subscribed and sworn to before me this 23 day of September, 2008, by Rick D. Chamberlain.



Notary Public

My Commission No.: 07004053

My Commission Expires: 4/25/11



CERTIFICATE OF SERVICE

I hereby certify that a copy of the Petition To Intervene Of Wal-Mart Stores East, LP and Sam's East, Inc., in Docket No. E-7, Sub 856, has been served by electronic mail (e-mail), hand delivery or by depositing a copy in the United States mail, postage prepaid, addressed to the parties of record.



Rick D. Chamberlain