



Jack E. Jirak
Deputy General Counsel

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OFFICIAL COPY

Apr 14 2022

April 14, 2022

VIA ELECTRONIC FILING

Ms. A. Shonta Dunston
Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

**RE: Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's
Motion for Admission *Pro Hac Vice*
Docket Nos. E-100, Sub 173 and M-100, Sub 163**

Dear Ms. Dunston:

Enclosed for filing in the above-referenced docket, please find Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's Motion for Admission *Pro Hac Vice* for Jason Higginbotham.

If you have any questions, please do not hesitate to contact me. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Jirak", written in a cursive style.

Jack E. Jirak

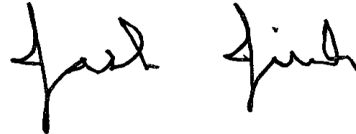
Enclosure

cc: Parties of Record

CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's Admission for *Pro Hac Vice*, in Docket Nos. E-100, Sub 173 and M-100, Sub 163, has been served by electronic mail, hand delivery or by depositing a copy in the United States mail, postage prepaid, to parties of record.

This the 14th day of April, 2022.

A handwritten signature in black ink, appearing to read "Jack Jirak", written in a cursive style.

Jack E. Jirak
Deputy General Counsel
Duke Energy Corporation
P.O. Box 1551/NCRH 20
Raleigh, North Carolina 27602
(919) 546-3257
jack.jirak@duke-energy.com

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 173
DOCKET NO. M-100, SUB 163

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:

In the Matter of Investigation
Regarding the Ability of North
Carolina Electricity, Natural Gas,
Water and Wastewater Systems to
Operate Reliably During Extreme
Cold Weather

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**MOTION FOR ADMISSION TO
PRACTICE PURSUANT TO N.C. GEN
STAT. § 84-4.1**

Pursuant to North Carolina General Statutes (“N.C. Gen. Stat.”) § 84-4.1 and Rule R1-22 of the North Carolina Utilities Commission (the “Commission”) Rules of Practice and Procedure, Jason A. Higginbotham of Duke Energy Corporation respectfully requests the Commission to enter an order permitting him to practice *pro hac vice* before the Commission on behalf of Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP” or the “Companies”) in the above-captioned matter. In support of this motion, Mr. Higginbotham alleges and shows the following:

1. The above-captioned matter is a regulatory proceeding before the Commission, governed by North Carolina public utility law.
2. Duke Energy Corporation is a limited liability company, duly organized and existing under the laws of the State of North Carolina, and is a public utility under the laws of North Carolina with operations subject to the jurisdiction of this Commission.

3. Mr. Higginbotham is an attorney in good standing, licensed to practice law in the State of Texas, and he will appear on behalf of the Companies in the above-captioned proceeding.

4. Mr. Higginbotham's full name, address and bar identification number are:

Jason A. Higginbotham
Duke Energy Corporation
P.O. Box 1551/NCRH 20
Raleigh, NC 27602
Email: jason.higginbotham@duke-energy.com
Texas Bar Registration No. 24099049

5. Mr. Higginbotham will continue to represent the Companies in the above-captioned proceeding until the final determination thereof, unless permitted to withdraw sooner by order of the Commission.

6. Mr. Higginbotham has agreed to be subject to the orders and is amenable to the disciplinary action and civil jurisdiction of the General Court of Justice and the North Carolina State Bar in all respects as if he were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

7. The Bar of Texas, in which Mr. Higginbotham is regularly admitted to practice, grants permission to members of the Bar of North Carolina in good standing to practice *pro hac vice* under circumstances similar to those authorized by N.C. Gen. Stat. § 84-4.1.

8. Mr. Higginbotham, who is Associate General Counsel in Duke Energy's Charlotte, North Carolina office, is associated for purposes of appearing before the Commission with Jack E. Jirak, Deputy General Counsel at Duke Energy Corporation and a resident of this State who is duly and legally permitted 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. Higginbotham.

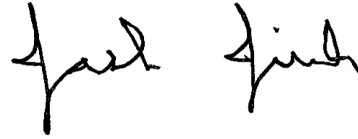
9. Mr. Higginbotham has not been disciplined by any court or lawyer regulatory organization, nor has he had *pro hac vice* privileges revoked.

10. The Statements required by N.C. Gen. Stat. § 84-4.1 are attached to this motion.

11. Upon issuance of an order granting this motion, the appropriate filings and fees will be made to the North Carolina Utilities Commission.

WHEREFORE, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC respectfully request that this Motion be granted and that Jason A. Higginbotham be allowed to appear before the Commission in these matters.

Respectfully submitted, this the 14th day of April, 2022.



Jack E. Jirak
Deputy General Counsel
Duke Energy Corporation
Post Office Box 1551/NCRH 20
Raleigh, North Carolina 27602
Telephone: 919.546.3257
Email: jack.jirak@duke-energy.com

Jason A. Higginbotham
Associate General Counsel
Duke Energy Corporation
Post Office Box 1551/NCRH 20
Raleigh, North Carolina 27602
Telephone: 704.731.4015
Email: jason.higginbotham@duke-energy.com

*Attorneys for Duke Energy Carolinas, LLC
and Duke Energy Progress, LLC*

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-100, SUB 173
DOCKET NO. M-100, SUB 163

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Investigation)	
Regarding the Ability of North)	
Carolina Electricity, Natural Gas,)	Statement Required by N.C.
Water and Wastewater Systems to)	Gen. Stat. § 84-4.1
Operate Reliably During Extreme)	
Cold Weather)	
)	

I, Jason A. Higginbotham, hereby state that:

1. I am an attorney at law regularly admitted to practice and in good standing in the State of Texas.

2. I am counsel for Duke Energy Corporation and desire to represent its wholly owned subsidiaries, Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP” or the “Companies”) in the above-captioned proceeding, which is currently pending before the North Carolina Utilities Commission (the “Commission”).

3. My full name, address and bar identification number are:

Jason A. Higginbotham
Duke Energy Corporation
Post Office Box 1551/NCRH 20
Raleigh, North Carolina 27602
Telephone: 704.731.4015
Email: jason.higginbotham@duke-energy.com
Texas Bar Registration No. 24099049

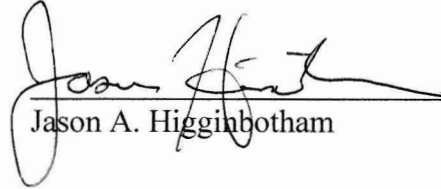
4. I will, unless permitted to withdraw sooner by order of the Commission, continue to represent the Companies in the above-captioned proceeding until the final determination thereof.

5. I agree, with reference to all matters incident to Commission proceedings, to be subject to the orders and amenable to the disciplinary action and the civil jurisdiction of the Commission, the General Court of Justice, and the North Carolina State Bar in all respects as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

6. The State of Texas, in which I am regularly admitted to practice, grants similar privileges to appear on a limited basis in judicial and regulatory proceedings being conducted in that jurisdiction to members of the Bar of North Carolina.

7. I have associated, for purposes of appearing and practicing in Commission proceedings, with Jack E. Jirak, Deputy General Counsel of Duke Energy Corporation, 410 S. Wilmington Street, Raleigh, North Carolina 27601, an attorney who is a resident of the State of North Carolina and who is duly and legally permitted to practice in the General Court of Justice in North Carolina, upon whom service may be had in all matters connected with the above-captioned proceedings or any disciplinary matter, with the same effect as if personally made on me within this State.

8. I have not been disciplined by any court or lawyer regulatory organization and have not had a revocation of any *pro hac vice* admission.


Jason A. Higginbotham

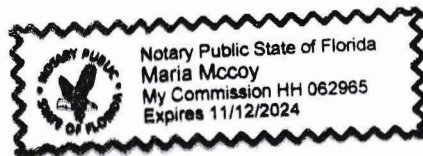
STATE OF FLORIDA

COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 14 day of April, 2022, by Jason A. Higginbotham.


Notary Public

My commission expires: 11-12-2024



**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 173

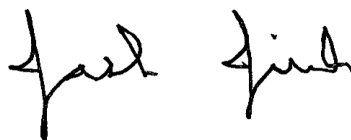
DOCKET NO. M-100, SUB 163

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Investigation)	
Regarding the Ability of North)	
Carolina Electricity, Natural Gas,)	Statement Required by N.C.
Water and Wastewater Systems to)	Gen. Stat. § 84-4.1(2)
Operate Reliably During Extreme)	
Cold Weather)	

I, Jack E. Jirak, hereby certify that I am Deputy General Counsel for Duke Energy Corporation, 410 S. Wilmington Street, Raleigh, North Carolina 27601; and that Duke Energy Carolinas, LLC and Duke Energy Progress, LLC have requested that Jason A. Higginbotham represent the Companies in the above-captioned proceedings before the North Carolina Utilities Commission.

This the 14th day of April, 2022.



Jack E. Jirak
Deputy General Counsel
Duke Energy Corporation
Post Office Box 1551/NCRH 20
Raleigh, North Carolina 27602
Telephone: 919.546.3257
jack.jirak@duke-energy.com

*ATTORNEY FOR DUKE ENERGY
CAROLINAS, LLC AND DUKE ENERGY
PROGRESS, LLC*

STATE OF NORTH CAROLINA
COUNTY OF WAKE

The foregoing instrument was acknowledged before me this 14th day of April,
2022, by Jack E. Jirak.

Peggy Holton
Notary Public

My commission expires: 12/22/2026



**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 173
DOCKET NO. M-100, SUB 163

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:

In the Matter of Investigation
Regarding the Ability of North
Carolina Electricity, Natural Gas,
Water and Wastewater Systems to
Operate Reliably During Extreme
Cold Weather

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**ORDER GRANTING MOTION FOR
ADMISSION PRO HAC VICE**

BY THE CHAIRMAN: On April 14, 2022, Jason A. Higginbotham, an attorney admitted to practice in the State of Texas, filed a motion with the Commission seeking authority to appear pro hac vice on behalf of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC in the above-captioned docket. Mr. Higginbotham is associated with Jack E. Jirak, Deputy General Counsel of Duke Energy Corporation, an attorney in good standing in the State of North Carolina, for the purpose of this limited representation.

The Chairman 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 Mr. Higginbotham's motion for admission pro hac vice in these proceedings shall be, and is hereby, allowed; and

2. That Mr. Higginbotham's name and address is:

Jason A. Higginbotham
Texas State Bar No. 24099049
Duke Energy Corporation
PO Box 1551, NCRH 20
Raleigh, NC 27602
Telephone: 704.731.4015
jason.higginbotham@duke-energy.com

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

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Apr 14 2022