

STATE OF NORTH CAROLINA  
 COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
 SUPERIOR COURT DIVISION  
 13 CVS 11032

STATE OF NORTH CAROLINA *ex. rel.* )  
 NORTH CAROLINA DEPARTMENT )  
 OF ENVIRONMENT AND NATURAL )  
 RESOURCES, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 DUKE ENERGY CAROLINAS, LLC, )  
 )  
 Defendant. )  
 )

ORDER GRANTING  
 MOTION TO INTERVENE

THIS MATTER comes before the undersigned pursuant to Rule 24 of the North Carolina Rules of Civil Procedure upon the Petition for Intervention dated January 15, 2014 of Cape Fear River Watch, the Neuse Riverkeeper Foundation, the Winyah Rivers Foundation, and Waterkeeper Alliance. Upon consideration of the arguments of counsel, the pleadings, and the record proper, permissive intervention of the Petitioners is ALLOWED as further set out below.

The above-captioned matter involves coal ash storage facilities at six (6) of the Defendant’s plants. In their Petition to Intervene, certain Petitioners assert an interest in three (3) of these six plants, delineated as follows:

<b>Coal Ash Storage Facility Sites</b>	<b>Intervening Party(s)</b>
Cape Fear Steam Electric Generating Plant	Cape Fear River Watch, Waterkeeper Alliance
H.F. Lee Steam Electric Plant	Neuse Riverkeeper Foundation, Waterkeeper Alliance
Weatherspoon Steam Electric Plant	Winyah Rivers Foundation

With respect to matters arising in this litigation that pertain, either specifically or generally, to these sites, the corresponding Petitioner(s), as delineated in the table above, shall be afforded full rights of participation as a party. With respect to matters pertaining solely to sites not corresponding to a given Petitioner, the Petitioners' participation, including the conducting of discovery, shall be permitted only with further leave of the Court with good cause shown. The Court reserves unto itself the authority to further limit or expand the scope of the permissive intervention allowed herein.

So ordered, this the 3<sup>rd</sup> day of May, 2014.

A handwritten signature in black ink, appearing to read "Paul C. Ridgeway". The signature is stylized and somewhat cursive, with a large initial "P" and "R".

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Paul C. Ridgeway, Superior Court Judge

*Certificate of Service*

The undersigned certifies that the foregoing was served upon all parties on the date set out below by e-mail:

Katheryn Jones Cooper  
Special Deputy Attorney General  
Mary Lucasse  
Special Deputy Attorney General  
Donald W. Layton  
Assistant Attorney General  
Anita LeVeaux  
Assistant Attorney General  
Jane L. Oliver  
Assistant Attorney General  
NC Department of Justice  
Environmental Division

Amelia Y. Burnette  
Austin D. Gerken, Jr.  
J. Patrick Hunter  
Frank S. Holleman, III  
Nicholas S. Torrey  
Southern Environmental Law Center

Frank E. Emory, Jr.  
Brent A. Rosser  
Charles D. Case  
Matt Hanchey  
Hunton & Williams, LLP

William Clarke  
Roberts & Stephens

James Cooney  
Womble Carlyle Sandridge & Rice

This the 3<sup>rd</sup> day of May, 2014.



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