

STATE OF NORTH CAROLINA
MECKLENBURG COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
13 CVS 14661

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 Waterkeeper Alliance, Western North Carolina Alliance, Appalachian Voices and Yadkin Riverkeeper, Inc. By a separate petition dated March 20, 2014, additional Petitioners, the Dan River Basin Association, the Roanoke River Basin Association, the Southern Alliance for Clean Energy (and the Waterkeeper Alliance), also seeks intervention. 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 Petitions to Intervene, certain Petitioners assert an interest in these six plants, delineated as follows:

Coal Ash Storage Facility Sites	Intervening Party(s)
G.G. Allen Steam Station	Waterkeeper Alliance
Marshall Steam Station	Waterkeeper Alliance
Belews Creek Steam Station	Appalachian Voices
Buck Steam Station	Yadkin Riverkeeper, Waterkeeper Alliance
Cliffside Steam Station	Western North Carolina Alliance
Dan River Combined Cycle Station	Dan River Basin Association, Roanoke River Basin Association, Southern Alliance for Clean Energy, Waterkeeper Alliance

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 3rd day of May, 2014.



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 3rd day of May, 2014.


