

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-61, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application for Certificate of Public)
Convenience and Necessity for a)
Merchant Plant and Registration as)
a New Renewable Energy Facility)
	ORDER GRANTING PETITION
	TO INTERVENE

BY THE CHAIRMAN: On April 29, 2014, the Seymour Support Council, Inc., d/b/a Friends of Seymour Johnson AFB (FSJAFB), filed a petition with the Commission seeking to intervene in the above-captioned docket. On May 2, 2014, Pantego Wind Energy LLC (Pantego Wind) filed a Response in Opposition to FSJAFB's Motion to Intervene. On May 9, 2014, FSJAFB filed a Response to Pantego Wind Energy LLC's Motion in Opposition to Intervention and Request to Hold CPCN Renewal in Abeyance.

Intervention under Rule R1-19 is generous and FSJAFB has shown an interest in the subject matter of this proceeding sufficient to support intervention.

Pantego Wind states that FSJAFB's intervention should be denied because it seeks to broaden the issues before the Commission and is based upon inaccurate information. Without ruling on the accuracy of FSJAFB's assertions, the Chairman finds that FSJAFB has asserted that it is not requesting an evidentiary hearing in this matter and is only requesting the intervention to ensure that FSJAFB is served with any future pleadings and orders related to the project and to allow FSJAFB to participate in any additional proceedings that the Commission deems appropriate. Under these circumstances, the Chairman finds that good cause exists to allow the requested intervention by FSJAFB for these limited purposes.

FSJAFB has further requested that the Commission hold Pantego Wind's application for renewal of its CPCN in abeyance until the North Carolina Department of Environment and Natural Resources (DENR) makes a determination under N.C.G.S. 143-215.120. The Chairman disagrees. This proceeding involves reviewing an application for the renewal of a CPCN which contains language that the CPCN shall be subject to revocation if any of the federal, state, or local licenses or permits required for construction and operation of the generating facility is not obtained or, having been obtained, is revoked pursuant to a final, non-appealable order. FSJAFB further asserts that the approval of the application for renewal of the CPCN prior to DENR's determination could be represented in any future federal Defense Base Closure and Realignment Commission (BRAC) process as a State-level approval of encroachment into critical MTR assets in eastern North Carolina. The executed Pantego Wind Energy

Project Agreement filed as Exhibit A to Pantego Wind's motion to renew its CPCN indicates that the Department of Defense and the United States Air Force "confirm that construction and operation of the Project, consistent with the terms of this agreement, does not result in a significant adverse impact on the mission, training, or operations of any major DoD installation or DoD component in North Carolina" Based upon the filings of the parties and the language of the CPCN, the Chairman concludes that FSJAFB has not shown good cause to hold this proceeding in abeyance.

IT IS, THEREFORE, ORDERED as follows:

1. That FSJAFB be, and the same is hereby, allowed to intervene in this proceeding;

2. That this proceeding will not be held in abeyance until the North Carolina Department of Environment and Natural Resources (DENR) makes a determination under N.C.G.S.143-215.120; and

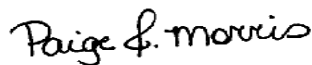
3. That the name and address of the attorney for FSJAFB is as follows:

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ISSUED BY ORDER OF THE COMMISSION.

This the 16th day of May, 2014.

NORTH CAROLINA UTILITIES COMMISSION



Paige J. Morris, Deputy Clerk