

STATE OF NORTH CAROLINA  
COUNTY OF PERQUIMANS

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
15 EHR 07012

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| <p>Stephen E Owens and Jillanne G Badawi<br/>Petitioner,</p> <p>v.</p> <p>North Carolina Department Of<br/>Environment And Natural Resources,<br/>Division of Energy Mineral and Land<br/>Resources<br/>Respondent.</p> <p>And</p> <p>Pasquotank County</p> <p>Respondent-Intervenor</p> | <p><b>ORDER GRANTING MOTION TO<br/>INTERVENE BY PASQUOTANK<br/>COUNTY</b></p> |
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Pursuant to Rule 24, N.C. Gen. Stat. § 150B-23, 26 NCAC 3 .0117, and upon consideration of the Motion to Intervene in the above-captioned case by Pasquotank County (“the County”), without objection by Respondent, with limited consent of Petitioner regarding the subject issue, and for good cause shown, the undersigned hereby:

1. **GRANTS** the County’s Motion to Intervene as a permissive intervenor under Rule 24(b) of the North Carolina Rules of Civil Procedure and 26 NCAC 03 .0117. The issue raised by the County relates to the proper construction of Session Law 2013-51, and as such, is identical to the issue between Petitioners and Respondent. Pursuant to N.C. Gen. Stat. § 150B-23(d) and 26 NCAC 03 .0117, the undersigned hereby limits the scope of the County’s intervention to submitting a written brief explaining its interpretation of the proper construction of Session Law 2013-51, Section 2, and its applicability to this contested case. The County shall file such brief with the Office of Administrative Hearings seven business days before the first day of hearing of this case, April 12, 2016.

2. The County will be held to the deadlines contained in the January 14, 2016 Amended Scheduling Order.

3. The caption of this case shall be amended to reflect the County as a Respondent-Intervenor.

This the 11th day of March, 2016.



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Melissa Owens Lassiter  
Administrative Law Judge

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **ORDER ALLOWING INTERVENTION** is DEEMED SERVED upon the following persons the date it is enclosed in a wrapper and placed in an official depository of the United States Postal Service, as evidenced by the postmark date of the wrapper, addressed as follows:

Elliot Engstrom  
Attorney At Law  
100 South Harrington Street  
Raleigh NC 27603  
Attorney For Petitioner

David W Schnare  
722 12Th Street, Nw  
Washington DC 20005  
Attorney For Petitioner

Asher P Spiller  
Assistant Attorney General  
NC Department of Justice  
9001 Mail Service Center  
Raleigh NC 27699  
Attorney For Respondent

This the 11th day of March, 2016.



Lisa J Garner  
North Carolina Certified Paralegal  
Office of Administrative Hearings  
6714 Mail Service Center  
Raleigh NC 27699-6700  
Telephone: 919-431-3000