

Allocations from the Contingency & Emergency Account

Consultation with the Joint Legislative Commission
On Governmental Operations

Office of State Budget and Management

December 6-7, 2005

Requested Allocation from the Contingency & Emergency Account

Legal Services for State of North Carolina v. Tennessee Valley Authority ---- \$81,127.65

As provided under G.S. 147-17 and on the advice of the Department of Justice, the firms of the Ayres Group and the Resolution Law Group, P.C., two firms with specialized expertise, have been engaged to assist the Attorney General's Office.

The Attorney General's Office has concluded that pollution released into the air by power plants controlled by the Tennessee Valley Authority (TVA) is causing significant negative impacts on air quality in North Carolina. Litigation against TVA will likely be necessary to force a reduction of these emissions and protect the citizens of this State from the effects of this pollution. Because of the specialized nature of air quality litigation, TVA's resources, and the likelihood that multiple out-of-state lawsuits will be required, the Attorney General's Office has concluded that it is impracticable for their office to effectively represent the State in this litigation without the assistance of private legal counsel.

This request for \$81,127.65 is to pay for legal services provided as follows.

Ayres Law Group (7/1 through 9/30)	\$53,967.27
Resolution Law Group, P.C. (6/1 through 8/31)	<u>\$27,160.38</u>
Total Requested	\$81,127.65