



3. On October 12, 2023, the Commission held a technical conference for the purpose of receiving an oral presentation, with an opportunity for Commissioners to ask questions, on Duke's proposed CPIRP.

4. On November 20, 2023, in Docket No. E-100, Sub 191 (Rulemaking Proceeding Related to Biennial Consolidated Carbon Plan and Integrated Resource Plans of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC), the Commission issued an Order Adopting Commission Rule R8-60A and Amending Commission Rules R8-60, R8-67, and R8-71 (Order Adopting Rules). The Order Adopting Rules set out a procedural schedule for CPIRP proceedings, which results in the following schedule for the current proceeding:

- September 1, 2023 – Filing of CPIRP and testimony, and provision of complete modeling input and output data files to intervenors.
- February 28, 2024 – Filing of testimony and exhibits by the Public Staff and intervenors.
- April 15, 2024 – Filing of rebuttal testimony by the Companies.
- May 14, 2024 – Beginning of evidentiary hearing.

5. On November 30, 2023, the Companies filed the Supplemental Direct Testimony of Glen A. Snider. The Companies explained in the cover letter filed with the supplemental testimony that:

[T]he Companies' CPIRP relied on a Spring 2023 load forecast that was finalized in the first quarter of 2023. Since that time, the Carolinas have experienced continued strong and unprecedented economic development that is well above the Companies' historical experience. The pace and scope of this change warrants the need for this update to ensure that

the Commission, the Public Staff-North Carolina Utilities Commission (“Public Staff”), and all parties in this proceeding are fully apprised of these recent material changes impacting the Companies’ CIPRP.

In his supplemental direct testimony, witness Snider explains that “[t]he economic development that the Carolinas are experiencing has resulted in projected load growth across the Carolinas that substantially exceeds even the high load case included in the Companies’ CIPRP filing in August.” He further states that Duke is updating its load forecast and expects to finalize the updated load forecast the first week of December, at which point the Companies will make that revised load forecast available to other parties.

6. On December 18, 2023, Duke filed its Plans for Development of Supplemental Portfolio Analysis and Supporting Testimony and Request for Adjustment to Procedural Schedule. In its filing, Duke notified the Commission of its intent to perform limited supplemental modeling and to submit additional portfolio analysis and supporting testimony on January 31, 2024, based on the updated load forecast. Duke also proposed procedural modifications meant to provide parties with an opportunity to respond to the supplemental modeling and additional portfolio analysis. Specifically, Duke requested that the Commission: (1) extend the deadline for the Public Staff and intervenors to file direct testimony and exhibits to April 17, 2024; (2)

extend the deadline for Duke to file rebuttal testimony to May 30, 2024;<sup>1</sup> and (3) delay the start of the expert witness hearing to June 17, 2024.

7. On December 20, 2023, the Commission issued an Order Requesting Comments on Request for Development of Supplemental Portfolios and Adjustment to Procedural Schedule.

8. The Public Staff agrees with Duke that the significant changes to the load forecast underpinning the Companies' CPIRP necessitate updated modeling. The increased projections in load in the Updated 2023 Load Forecast will have significant impacts on the need for resources leading up to and beyond HB 951's interim compliance deadline, and spending the collective time and resources of the Commission and all parties to this proceeding on a CPIRP that is based on an outdated load forecast would distort the record and could render the resources selected and short-term actions approved in this proceeding inadequate. Therefore, the Public Staff believes that it is appropriate for Duke to file supplemental portfolios based on updated modeling and, taking into consideration the time needed for Duke to undertake this modeling, believes that it is appropriate for Duke to make this filing no later than January 31, 2024. In addition, the Public Staff believes that it is appropriate for Duke to also incorporate updates to certain other modeling inputs and assumptions (e.g., more recent information regarding resource cost). The Public Staff further

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<sup>1</sup> Duke and the Public Staff have agreed upon a proposed rebuttal testimony deadline of May 30, 2024. Duke has authorized the Public Staff to represent that the May 31, 2024 date in Duke's filing was a typographical error. Duke will confirm this correction in its responsive comments due January 9, 2024.

believes that Duke should specify in its January 31, 2024 filing the inputs and assumptions that have been updated from the original CPIRP modeling, and provide updated modeling input and output data files to intervenors at the time it makes its filing.

9. Given the significant changes to the underlying load forecast, as well as other updates made by Duke to its modeling inputs and assumptions, it is vital that intervenors and the Public Staff have sufficient time to review this new information and conduct discovery prior to filing direct testimony. It is also important that parties conducting their own modeling have adequate time to review Duke's supplemental modeling. Duke's proposed schedule modifications would: (1) provide intervenors and the Public Staff with a 49-day extension for the filing of direct testimony, with the new deadline falling 77 days after Duke's filing of updated modeling, supplemental portfolios, and supporting testimony; (2) provide Duke with 43 days to file rebuttal testimony following the filing of testimony by intervenors and the Public Staff; and (3) delay the beginning of the hearing by 34 days. The Public Staff believes these procedural modifications would appropriately balance the need of the parties to have adequate time to conduct their review and develop testimony with the need of the Commission to have sufficient time to conduct its decision making. Therefore, the Public Staff supports the modifications to the procedural schedule as proposed by Duke.

WHEREFORE, the Public Staff respectfully requests:

1. That the Commission allow the Companies to submit additional portfolio analysis and supporting testimony based on the updated load forecast on January 31, 2024;
2. That the Commission direct the Companies to provide parties with any updated modeling inputs and assumptions contemporaneously with its filing;
3. That the Commission extend the deadline for the filing of Public Staff and intervenor testimony to Wednesday, April 17, 2024;
4. That the Commission extend the deadline for the filing of the Companies' rebuttal testimony to Thursday, May 30, 2024;
5. That the Commission reschedule the evidentiary hearing to begin on Monday, June 17, 2024; and
6. For such other and further relief as the Commission may deem just and proper.

This the 3rd day of January, 2024.

PUBLIC STAFF  
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## CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing comments on all parties of record in accordance with Commission Rule R1-39, by United States mail, postage prepaid, first class; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 3rd day of January, 2024.

Electronically submitted  
/s/ Nadia L. Luhr