

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-7, SUB 1297

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Duke Energy Carolinas,)
LLC, for a Certificate of Public)
Convenience and Necessity to)
construct an 850 MW Natural Gas-)
Fired Combustion Turbine Electric)
Generating Facility in Catawba)
County, North Carolina)

**PUBLIC STAFF MOTION FOR
LEAVE TO FILE PUBLIC
TESTIMONY OUT OF TIME**

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and respectfully moves the North Carolina Utilities Commission (Commission) pursuant to Commission Rule R1-7 for leave to file out of time the public joint testimony of Evan D. Lawrence and Dustin R. Metz in this proceeding. In support of this motion, the Public Staff shows unto the Commission:

1. On March 14, 2024, Duke Energy Carolinas, LLC (DEC), filed an Application for a Certificate of Public Convenience and Necessary (CPCN) to construction two advanced class simple cycle combustion turbine units that would be approximately 425 megawatts (MW) each at the site of its existing Marshall Steam Station in Catawba County, North Carolina (Marshall CPCN Application). On April 10, 2024, the Commission issued an Order Scheduling Hearings, Establishing Procedural and Filing Requirements, and Requiring Public Notice

(Scheduling Order), which among other things, set forth the dates for parties to file testimony and exhibits.

2. On June 6, 2024, the Commission issued an Order Amending Procedural Schedule to Allow Additional Time for Testimony that directed the Public Staff and other intervenors to file testimony on or before June 20, 2024, and directed DEC to file rebuttal testimony on or before July 16, 2024.

3. On June 20, 2024, the Public Staff filed a Motion for Extension of Time requesting that the deadlines for intervenor and rebuttal testimony be extended by two business days. The Commission granted this motion by Order issued the same day, extending the deadline for intervenor testimony to Monday, June 24, 2024, and the deadline for DEC's rebuttal testimony in the above-captioned docket to Thursday, July 18, 2024.

4. On June 24, 2024, the Public Staff filed the public versions of the joint testimony of Evan D. Lawrence and Dustin R. Metz at 4:20 p.m. Due to an inadvertent error, the cover letter accompanying the public version of the testimony did not contain the docket number of this proceeding.

5. On June 24, 2024, at 5:37 p.m., the Public Staff received notice that the public (redacted) version of the "filing has been rejected because the Docket number is not on the first page of the document."

6. The public version of the joint testimony is hereby being submitted with a cover letter with today's date which contains the docket number. There are no other changes to the filing made yesterday.

7. The Public Staff's omission was inadvertent and the Public Staff has moved to quickly correct the matter. The Public Staff believes no prejudice will attach to any party.

WHEREFORE, the Public Staff respectfully requests that the Commission accept the attached joint testimony of Evan D. Lawrence and Dustin R. Metz and consider it as being timely filed due to good cause shown for its late submission.

Respectfully submitted this the 25th day of June, 2024.

PUBLIC STAFF

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Lucy E. Edmondson
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/s/ William Freeman, by electronic filing
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CERTIFICATE OF SERVICE

I certify that I have caused to be served a copy of the foregoing on all the parties of record on the date set forth below in the manner set forth below on the person(s) set forth below and in accordance with the applicable jurisprudence, especially Commission Rule R1-39.

Served on June 20, 2024, via email electronic delivery by agreement of the receiving party, upon those persons identified in the filed documents or in the Commission's online docket's service list at the following addresses:

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