

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. E-100, SUB 158

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Biennial Determination of Avoided Cost )  
Rates for Electric Utility Purchases )  
from Qualifying Facilities – 2018 )

**MOTION FOR EXTENSION  
FOR PROPOSED ORDERS  
AND POST-HEARING BRIEFS**

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission, by and through its Executive Director, Christopher J. Ayers, and respectfully requests that the Commission issue an order granting an extension of time for all interested parties to file proposed orders and post-hearing briefs in the above-captioned docket.

In support of this motion, the Public Staff shows the following:

1. On April 24, 2019, following an extended period of filings and comments by parties in this docket, the Commission issued an *Order Scheduling Evidentiary Hearing and Establishing Procedural Schedule*, scheduling an evidentiary hearing to begin July 15, 2019, identifying issues in dispute, requiring direct testimony of Duke Energy Carolinas, LLC (DEC), Duke Energy Progress, LLC (DEP), Virginia Electric and Power Company d/b/a Dominion Energy North Carolina (DENC), Western Carolina University (WCU), and Appalachian State University d/b/a New River Light and Power Company (New River) (collectively, the Utilities) by May 21, 2019; testimony of the Public Staff and other intervenors by June 21, 2019, and requiring rebuttal testimony by July 3, 2019.

2. On June 14, 2019, the Commission issued an *Order Requiring Supplemental Testimony and Allowing Responsive Testimony*, requiring direct testimony of the Utilities by June 25, 2019, supplemental testimony of the Public Staff and intervenors by July 3, 2019, and supplemental rebuttal testimony by July 11, 2019; and requiring that parties in their testimony address specific questions related to the avoided cost rate schedules and terms and conditions applicable to a qualifying facility (QF) that seeks to add battery storage to a facility at varying stages of development.

3. On July 15, 2019, the evidentiary hearing began as scheduled, and continued through July 19, 2019. At the conclusion of the hearing, Chair Mitchell requested that the parties submit proposed orders and briefs no later than 30 days from the release of the transcripts. The last volume of the transcript from the proceeding was made available on July 30, 2019, establishing Thursday, August 29, 2019, as the deadline for all parties to submit their filings to the Commission.

4. The Public Staff and other parties have been diligently working on the proposed order, but due to the press of business and the complexity of the proceeding, the Public Staff requests additional time for parties to complete their proposed orders and post-hearing briefs.

5. Accordingly, the Public Staff respectfully requests a three (3) business day extension of time, from Thursday, August 29, 2019, to Wednesday, September 4, 2019, for all parties to submit their filings to the Commission.

6. The Public Staff contacted counsel for parties to this proceeding, and the following parties indicated that they had no objection to the proposed extension: Carolina Utility Customers Association, Inc. (CUCA); Cube Yadkin Generation LLC; DEC and DEP; DENC; Ecoplexus, Inc.; the North Carolina Attorney General's Office; the North Carolina Clean Energy Business Alliance (NCCEBA); the North Carolina Small Hydro Group; the North Carolina Sustainable Energy Association (NCSEA); NC WARN, Inc.; and the Southern Alliance for Clean Energy (SACE).

**WHEREFORE**, the Public Staff respectfully requests that the Commission extend the deadline for the submission of proposed orders and post-hearing briefs from August 29, 2019, to September 4, 2019; and for such further relief as the Commission may deem just and proper.

This the 28<sup>th</sup> day of August, 2019.

PUBLIC STAFF  
Christopher J. Ayers  
Executive Director

David T. Drooz  
Chief Counsel

Electronically submitted  
/s/ Tim R. Dodge  
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**CERTIFICATE OF SERVICE**

I certify that a copy of this Motion for Extension has been served on all parties of record or their attorneys, or both, by United States mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 28<sup>th</sup> day of August, 2019.

Electronically submitted  
/s/ Tim R. Dodge