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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

FILED

JUN 08 2009

Clerk's Office
N.C. Utilities Commission

DOCKET NO. E-7, SUB 831

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application of Duke Energy Carolinas, LLC)
for Approval of Save-a-Watt Approach,)
Energy Efficiency Rider and Portfolio of)
Energy Efficiency Programs)
MOTION OF THE PUBLIC STAFF
FOR A FOURTH EXTENSION OF
TIME TO FILE INITIAL COMMENTS

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Robert P. Gruber, and respectively requests an extension of time to file comments on the March 31, 2009 filing by Duke Energy Carolinas, LLC (Duke). In support of this motion, the Public Staff shows as follows:

1. On February 26, 2009, the Commission entered an *Order Resolving Certain Issues, Requesting Information on Unsettled Matters, and Allowing Proposed Rider to Become Effective Subject to Refund and Errata Order* in this docket (*Orders*). The *Orders* directed Duke to provide supplemental information and calculations regarding the modified internal rates of return (MIRRs) that its proposed Save-A-Watt will produce under eight cost and incentive recovery scenarios. The Commission also ordered that the other parties to this docket be allowed to file initial comments on Duke's supplemental information by May 1, 2009, and that Duke be allowed to file reply comments by May 18, 2009.
2. Duke filed the supplemental information in response to the *Orders* and included an additional scenario, its proposed Scenario I, in its filing.
3. On April 29, 2009, the North Carolina Attorney General's Office (AGO) filed a motion requesting an extension of the comment deadline until May 22, 2009. On May 4, 2009, Duke filed an opposition to the AGO's motion.
4. On May 6, 2009, the Commission entered its order extending the initial comment filing deadline to May 22, 2009, and the reply comment filing deadline until June 12, 2009.
5. On May 21, 2009, the Southern Environmental Law Center, the Environmental Defense Fund, the Natural Resources Defense Council, and the Southern Alliance for Clean Energy (collectively, the environmental interveners) and the Public Staff filed a joint motion requesting an extension

Clark
AG
nComm
Bennett
Kirby

Watson
Hoover
Witt
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Jones
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of time from May 22, 2009 to May 29, 2009, for all parties to file comments regarding Duke's supplemental information and an extension of time from June 12, 2009 until June 19, 2009, for Duke to file its reply comments. By order issued May 22, 2009, the Commission allowed the request of the Public Staff and environmental interveners.

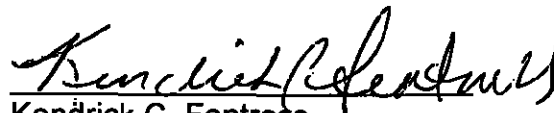
6. On May 28, 2009, the Public Staff and the environmental interveners filed a joint motion requesting an extension of time from May 29, 2009 until June 8, 2009 for all parties to file comments regarding Duke's supplemental information and an extension of time from June 12, 2009 until June 19, 2009 for Duke to file its reply comments. By order issued May 28, 2009, the Commission allowed the Public Staff's and environmental interveners' request.
7. As previously noted, the Public Staff has entered into discussions with Duke regarding potential settlement of the outstanding issues. The Public Staff believes that the requested additional time will allow the Public Staff to continue these discussions with Duke.
8. Therefore, the Public Staff respectfully requests that the time for filing initial comments for all parties be extended until June 12, 2009 and that the time for filing reply comments be extended until Monday, July 6, 2009.

WHEREFORE, pursuant to Commission Rule R1-7, the Public Staff respectfully requests the Commission to enter an order extending the time for all parties to file initial comments regarding Duke's supplemental information on or before Friday, June 12, 2009, and extending the date for filing reply comments to Monday, July 6, 2009.

Respectfully submitted, this the 8th day of June, 2009.

PUBLIC STAFF
Robert P. Gruber
Executive Director

Antoinette R. Wike
Chief Counsel


Kendrick C. Fentress
Staff Attorney

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CERTIFICATE OF SERVICE

I do hereby certify I have this day served a copy of the foregoing motion on each of the parties of record in this proceeding or their attorneys of record by causing a copy of the same to be deposited in the United States Mail, postage prepaid, properly addressed to each and/or by email.

This the 8th day of June, 2009.


Kendrick C. Fentress