



On October 28, 2021, DENC filed a Petition to Modify Test Period (Petition). In summary, the Petition requested that the Commission allow the Company to include in its recovery request the deferral balance of the months of July, August, and September 2021 to help mitigate a projected significant under-recovery for the 2022 fuel factor adjustment proceeding due to the recent rise in commodity fuel prices. The Petition also requested that the Commission schedule an additional public hearing following the expert witness hearing.

Also on October 28, 2021, DENC filed the supplemental testimony and exhibits of witnesses Ronnie T. Campbell, Dale E. Hinson, Jeffrey D. Matzen, and Timothy P. Stuller.

On October 29, 2021, DENC filed the revised supplemental testimony and supplemental exhibit of witness Dale E. Hinson.

On November 5, 2021, the Public Staff filed the testimony and exhibits of witnesses Evan D. Lawrence, Michael C. Maness, and June Chiu. No other party filed testimony.

On November 8, 2021, the Commission issued an Order Scheduling Additional Public Hearing and Requiring Public Notice that, among other things, scheduled an additional public hearing in this matter to be held on Thursday, December 16, 2021, beginning at 10:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina.

On November 12, 2021, DENC filed a letter in lieu of rebuttal testimony.

On November 15, 2021, DENC and the Public Staff (Movants) filed a Joint Motion to Conduct Evidentiary Hearing by Remote Means and to Excuse Witnesses (Joint Motion). Among other things, Movants stated that there are no contested issues in this proceeding regarding DENC's proposed change in fuel and fuel related costs. Further, Movants stated that CUCA and Nucor have also agreed to waive cross-examination of DENC's and the Public Staff's witnesses. In addition, Movants requested that the expert witness hearing be held remotely rather than in person.

On November 17, 2021, DENC filed a letter correcting a statement in the Joint Motion regarding the parties' consent. DENC clarified that CUCA, Nucor, and CIGFUR each waived cross-examination of all parties' witnesses and consented to the hearing being held remotely.

Based on the foregoing and the record, the Chair finds good cause to excuse all DENC and Public Staff witnesses from testifying at the expert witness hearing, to receive the witnesses' prefiled testimony and exhibits into evidence, and to cancel the expert witness hearing. The Chair notes that the evidentiary record remains open pending, and to consider any evidence elicited at, the additional public witness hearing. Further, the Chair finds good cause to require that DENC and the Public Staff file proposed orders, or a joint proposed order, on or before December 20, 2021, and to allow the other parties to file briefs and proposed orders by the same date, if they desire to file briefs or proposed orders.

IT IS, THEREFORE, ORDERED as follows:

1. That DENC's and the Public Staff's witnesses are excused from testifying at the expert witness hearing on Monday, November 22, 2021, and the witnesses' prefiled testimony and exhibits are hereby admitted into evidence;

2. That the expert witness hearing scheduled in this docket for Monday, November 22, 2021, at 1:30 p.m., is hereby canceled; and

3. That on or before December 20, 2021, DENC and the Public Staff shall file proposed orders, or a joint proposed order, and the other parties may file briefs and proposed orders.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th day of November, 2021.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Erica N. Green".

Erica N. Green, Deputy Clerk