

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1324

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

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| In the Matter of |) | |
| Application of Duke Energy Progress, LLC, |) | ORDER CANCELING EXPERT |
| Pursuant to N.C. Gen. Stat. § 62-133.14 |) | WITNESS HEARING AND |
| and Commission Rule R8-70 for Approval |) | RECEIVING PREFILED |
| of Joint Agency Asset Rider for Recovery |) | TESTIMONY AND AFFIDAVIT |
| of Joint Agency Asset Costs |) | INTO EVIDENCE |

BY THE PRESIDING COMMISSIONER: On June 30, 2023, the Commission issued a Scheduling Order in the above-captioned docket scheduling the application of Duke Energy Progress, LLC (DEP), for approval of a Joint Agency Asset cost recovery rider for a public hearing on September 19, 2023. Testimony and exhibits (testimony), have been filed herein for DEP by Bryan K. Sykes, and for the Public Staff by Affidavit of Meredith Strickland. The other parties to the docket are Carolina Industrial Group for Fair Utility Rates II (CIGFUR), and Carolina Utility Customers Association, Inc. (CUCA). CIGFUR and CUCA did not file testimony or an affidavit.

On September 11, 2023, DEP and the Public Staff (Movants), filed a joint motion requesting that the Commission excuse their witnesses from attending the hearing, and accept their testimony and affidavit into evidence. Movants stated, among other things, that all parties have agreed to waive cross-examination of the witnesses and have no objection to the introduction of the witnesses' testimony into evidence.

Based on the foregoing and the record, the Presiding Commissioner finds good cause to excuse all of Movants' witnesses from testifying at the expert witness hearing on September 19, 2023, to receive the witnesses' testimony, exhibits and affidavit into evidence, and to cancel the expert witness hearing.

The public witness hearing scheduled for September 19, 2023, will be held as scheduled, and the record will be held open pending the public witness hearing. Finally, the Presiding Commissioner finds good cause to require that DEP and the Public Staff file proposed orders, or a joint proposed order, on or before October 19, 2023. CIGFUR and CUCA may file briefs and/or proposed orders by the same date if they desire to do so.

IT IS, THEREFORE, ORDERED as follows:

1. That DEP's and the Public Staff's expert witnesses are excused from appearing and testifying at the hearing on September 19, 2023, their testimony, exhibits and affidavit are hereby accepted into evidence, and the expert witness hearing is canceled;

2. That the public witness hearing scheduled for September 19, 2023, shall be held as scheduled, and the record shall be held open pending said public witness hearing; and

3. That on or before October 19, 2023, DEP and the Public Staff shall file proposed orders, or a joint proposed order, and CIGFUR and CUCA may file briefs and/or proposed orders by the same date if they desire to do so.

ISSUED BY ORDER OF THE COMMISSION.

This the 13th day of September, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Tamika D. Conyers". The signature is written in a cursive, flowing style.

Tamika D. Conyers, Deputy Clerk