



434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Tel (919) 755-8700 Fax (919) 755-8800
www.foxrothschild.com

M. GRAY STYERS
Direct No: 919.755.8741
Email: GStyers@FoxRothschild.com

January 18, 2023

Ms. A. Shonta Dunston
Chief Clerk
N.C. Utilities Commission
430 N. Salisbury Street, Room 5063
Raleigh, NC 27603

**Re: *New River Light & Power Company
Motion to Consolidate Dockets
Docket Nos. E-34, Subs 54 and 55***

Dear Ms. Dunston:

Attached hereto for filing in the above referenced docket, on behalf of New River Light & Power Company, is the Motion to Consolidate Dockets, specifically the above referenced docket.

If you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads 'M. Gray Styers, Jr.'.

M. Gray Styers, Jr.

pbb

Attachment

Ms. A. Shonta Dunston
Page Two
January 18, 2023

cc: Mr. David T. Drooz
Mr. Randall E. Halley
Mr. Edmond C. Miller
Mr. Zeke Creech, NC Utilities Commission Public Staff
Ms. Lucy Edmondson, NC Utilities Commission Public Staff
Mr. Thomas Felling, NC Utilities Commission Public Staff
Mr. William Freeman, NC Utilities Commission Public Staff
Ms. Jessica Heironimus, NC Utilities Commission Public Staff
Mr. Robert Josey, NC Utilities Commission Public Staff

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-34, SUB 54
DOCKET NO. E-34, SUB 55

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Docket E-34, Sub 54)
)
Application of Appalachian State)
University, d/b/a New River Light)
& Power for Adjustment of)
General Base Rates and)
Charges Applicable to Electric)
Service)
And)
)
Docket E-34, Sub 55)
)
Petition of Appalachian State)
University d/b/a New River Light)
& Power for an Accounting Order)
to Defer Certain Capital Costs)
and New Tax Expenses)

MOTION TO CONSOLIDATE
DOCKETS

On November 8, 2022, New River Light & Power Company (“NRLP”), filed a Petition of Appalachian State University d/b/a/ New River Light & Power Company for an Accounting Order to Defer Certain Costs and New Tax Expenses in Docket No. E-34, Sub 55, pursuant to NCUC Rules R1-5 and R8-27.

On December 22, 2022, NRLP filed an Application to Adjust Retail Base Rates in Docket No. E-34, Sub 54, pursuant to N.C. Gen. Stat. §§ 62-133 and 62-134 and NCUC Rules R1-5, R1-17, and R8-27.

NRLP hereby moves for consolidation of these two dockets. In support of this motion, NRLP shows the following:

1. In Docket No. E-34, Sub 55, NRLP requests deferral of certain costs and tax expenses that support, in part, NRLP's calculations for the request for an adjustment to its retail base rates in Docket No. E-34, Sub 54.
2. The parties in both dockets are the same and the counsel for the parties on both dockets are the same.
3. Efficiency and judicial economy will be served by consolidating the above-referenced dockets so that all issues may be resolved in one proceeding and coordination of the two dockets is facilitated.
4. The Public Staff has no objection to this motion for consolidation.

WHEREFORE, for the reasons stated herein and without objection by other parties, New River Light & Power respectfully requests that the Commission grant this request for a consolidation of the referenced dockets so that the costs described in its Docket No. E-34, Sub 55 Petition to be deferred to a regulatory asset for rate recovery be considered in the context of NRLP's general rate case in Docket No. E-34, Sub 54.

This the 18th day of January, 2023.

FOX ROTHSCHILD LLP

By: /s/ David T. Drooz

David T. Drooz
NC State Bar No. 10310
M. Gray Styers, Jr.
NC State Bar No. 16844
Fox Rothschild, LLP
434 Fayetteville Street
Suite 2800

Raleigh, NC 27601
Telephone: 919-719-1258
E-mail: DDrooz@foxrothschild.com

*Attorneys for New River Light
& Power Company*

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing **Motion to Consolidate Dockets** has been served on all parties and counsel of record in the referenced docket and on members of the NC Public Staff by either depositing same in a depository of the United States Postal Service, first-class postage prepaid and mailed to the address stated on the Commission's Service List, or via electronic delivery.

This the 18th day of January, 2023.

FOX ROTHSCHILD LLP

By: /s/ David T. Drooz

David T. Drooz
Fox Rothschild, LLP
434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
Telephone: 919-719-1258
E-mail: DDrooz@foxrothschild.com