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Oct 06 2020

October 6, 2020

**VIA ELECTRONIC FILING**

Ms. Kimberley A. Campbell, Chief Clerk  
North Carolina Utilities Commission  
Dobbs Building  
430 North Salisbury Street  
Raleigh, North Carolina 27603

Re: *Duke Energy Carolinas, LLC's Motion to Admit the Supplemental Rebuttal  
Testimony of Jay W. Oliver  
Docket No. E-7, Sub 1214*

Dear

Enclosed for filing in the above-referenced docket is *Duke Energy Carolinas, LLC's Motion to Admit the Supplemental Rebuttal Testimony of Jay W. Oliver.*

Please feel free to contact me with any questions. Thank you for your assistance in this matter.

Very truly yours,

*/s/James H. Jeffries, IV*

JHJ:sjg

Enclosure

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

**DOCKET NO. E-7, SUB 1214**

In the Matter of	)	
Application of Duke Energy Carolinas,	)	<b>DUKE ENERGY CAROLINAS,</b>
LLC For Adjustment of Rates and	)	<b>LLC’S MOTION TO ADMIT THE</b>
Charges Applicable to Electric Service	)	<b>SUPPLEMENTAL REBUTTAL</b>
in North Carolina	)	<b>TESTIMONY OF JAY W. OLIVER</b>
	)	

NOW COMES Duke Energy Carolinas, LLC (“DE Carolinas” or the “Company”), through counsel and pursuant to Rule R1-7 of the Rules and Regulations of the North Carolina Utilities Commission (“Commission”), and hereby moves the Commission to admit the Supplemental Rebuttal Testimony of Jay W. Oliver into evidence and into the record in this proceeding. In support of this Motion, DE Carolinas respectfully shows the Commission the following:

1. On September 30, 2019, DE Carolinas filed the direct testimony and exhibits of Jay W. Oliver, General Manager, Grid Strategy and Asset Management Governance. Mr. Oliver testified in support of DE Carolina’s transmission and distribution system and the Company’s Grid Improvement Plan.

2. On March 4, 2020, DE Carolinas filed the rebuttal testimony and exhibits of Jay W. Oliver to respond, in part, to the testimony offered by Public Staff witnesses on the Company’s Grid Improvement Plan proposals.

3. On September 8, 2020, the Public Staff filed the Supplemental Testimony of Jeff T. Thomas relating to the Public Staff’s further investigation into transmission and distribution assets placed in service from February 1, 2020 through May 31, 2020 for DE Carolinas.

4. The Public Staff's Supplemental Testimony of Jeff T. Thomas was filed pursuant to the Commission's *Order Granting Public Staff's Motion to Conduct Discovery and File Testimony, and Allowing Duke Energy Carolinas, LLC. and Duke Energy Progress, LLC. to File Rebuttal Testimony* ("Order") entered on September 4, 2020. This Commission Order granted DE Carolinas leave to file rebuttal testimony within five business days after the Public Staff or other intervenor testimony was filed pursuant to the Order.

5. On September 15, 2020, DE Carolinas timely filed the Supplemental Rebuttal Testimony of Jay W. Oliver to respond to the Supplemental Testimony of Jeff T. Thomas. Mr. Oliver's Supplemental Rebuttal testimony consisted of four pages and was limited to issues related to Self-Optimizing Grid enablement.

6. Because at the time of filing of Mr. Oliver's Supplemental Rebuttal testimony in this docket he had already completed his Grid Improvement Plan testimony in Phase I of the hearings and because he did not appear in Phase II of the hearings,<sup>1</sup> the Company was unable to follow the normal process to admit Mr. Oliver's Supplemental Rebuttal testimony in Docket No. E-7, Sub 1214 into the record of this case.<sup>2</sup>

7. DE Carolinas now seeks to ensure that the record of Mr. Oliver's testimony in the DE Carolinas case is complete and requests that his September 15, 2020 Supplemental Rebuttal testimony be entered into the record as if given orally from the stand.

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<sup>1</sup> He was neither scheduled to appear in Phase II nor called for cross-examination by any party.

<sup>2</sup> Mr. Oliver's Supplemental Rebuttal as it related to DE Progress' SOG enablement was admitted in the normal course of Phase III of the hearings because he was called to the stand in that hearing for cross-examination by CUCA.

8. DE Carolinas respectfully submits that admission of Mr. Oliver's Supplemental Rebuttal into the record of this case is justified as a result of the timing of such testimony and the procedures adopted to address specific issues by phase and will not prejudice any party to this proceeding.

9. DE Carolinas attests that it has conferred with intervenors to this docket regarding this motion and has received no objections to the relief sought herein from any party.<sup>3</sup>

10. In discussions with CUCA, counsel for CUCA requested that as a condition of CUCA's consent, that Mr. Oliver's live testimony in Phase III of the proceedings, which involved cross-examination by CUCA's counsel and related testimony on the similar DE Progress' Oliver Supplemental Rebuttal testimony also be copied into the DE Carolinas record. DE Carolinas has no objection to this request.

WHEREFORE, DE Carolinas respectfully requests that the Commission grant its motion to admit Jay W. Oliver's Supplemental Rebuttal Testimony into evidence and into the record in this docket.

Respectfully submitted, this the 6<sup>th</sup> day of October, 2020.

/s/ James H. Jeffries IV

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<sup>3</sup> The Company has received feedback from all parties to this docket except NCEBA.

/s/ Lawrence B. Somers

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/s/ Brian S. Heslin

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*Attorneys for Duke Energy Carolinas, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing is Duke Energy Carolinas, LLC's Motion to Admit the Supplemental Rebuttal Testimony of Jay W. Oliver., as filed in Docket No. E-7, Sub 1214, were served via electronic delivery or mailed, first-class, postage prepaid, upon all parties of record.

This, the 6<sup>th</sup> day of October, 2020.

/s/James H. Jeffries, IV

James H. Jeffries, IV

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