

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 160

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	ORDER ADOPTING
Petition to Revise Commission Rules)	AMENDMENTS TO
R8-55 and R8-69(e)(2) and Rider)	COMMISSION RULES
Procedural Orders)	R8-55 AND R8-69

BY THE COMMISSION: On September 6, 2018, the Public Staff filed a petition in the above-captioned docket requesting that the Commission revise Commission Rules R8-55 and R8-69(e)(2), and the Commission's procedural orders typically issued in the annual rider adjustment proceedings for Duke Energy Carolinas, LLC, Duke Energy Progress, LLC, and Dominion Energy North Carolina (DENC, collectively electric public utilities). The Public Staff attached to its petition exhibits showing its proposed rule changes.

In summary, the Public Staff requested to change the time periods for the filing of annual rider adjustment applications by the electric public utilities, petitions to intervene, intervenor and rebuttal testimony, the date for the annual rider adjustment hearings for DENC, and other time guidelines for DENC's rider proceedings. The Public Staff stated that it shared its proposal with the electric public utilities and was authorized to state that they do not object to the changes proposed.

On September 11, 2018, the Commission issued an Order Requesting Comments on the proposed rule changes.

On September 18, 2018, the Commission issued an order granting the petition to intervene filed by North Carolina Sustainable Energy Association (NCSEA).

On September 21, 2018, comments were filed by NCSEA and DENC. In summary, both parties stated that they support the rule changes proposed by the Public Staff. No other comments were filed.

Based on the foregoing and the record, the Commission finds good cause to approve the changes to Commission Rule R8-55(b), (f), (h), (i) and (j), and Rule R8-69(e)(2) proposed by the Public Staff. The amended rules are attached hereto as Attachment A, with the changes shown in strike-through and underline, and Attachment B as the final rules.

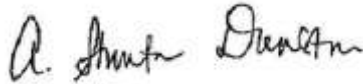
The final rules shall be effective on January 1, 2019.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 11th day of October, 2018.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "A. Shonta Dunston". The signature is fluid and cursive, with the first name "A." and last name "Dunston" clearly distinguishable.

A. Shonta Dunston, Acting Deputy Clerk

Proposed Changes to Rule R8-55:

...

(b) For each electric public utility generating electric power by means of fossil and/or nuclear fuel for the purpose of furnishing North Carolina retail electric service, the Commission shall schedule an annual public hearing pursuant to G.S. 62-133.2(b) in order to review changes in the electric public utility's cost of fuel and fuel-related costs. The annual cost of fuel and fuel-related cost adjustment hearing for Duke Energy Carolinas, LLC, will be scheduled for the first Tuesday of June each year; for Duke Energy Progress, Inc., the annual hearing will be scheduled for the third Tuesday of September each year; and for Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina ~~Power~~, the annual hearing will be scheduled for the ~~second~~-third Tuesday of November each year.

...

(f) The electric public utility shall file the information required under this rule, accompanied by workpapers and direct testimony and exhibits of expert witnesses supporting the information filed herein, and any changes in rates proposed by the electric public utility (if any), ~~according to the following schedule: Duke Energy Carolinas, LLC, and Duke Energy Progress, Inc., not less than 90~~98 days prior to the hearing; ~~Dominion North Carolina Power, not less than 75 days prior to the hearing.~~ Nothing in this rule shall be construed to require the electric public utility to propose a change in rates or to utilize any particular methodology to calculate any change in rates proposed by the utility in this proceeding.

...

(h) Persons having an interest in said hearing may file a petition to intervene setting forth such interest at least ~~45~~21 days prior to the date of the hearing. Petitions to intervene filed less than ~~45~~ 21 days prior to the date of the hearing may be allowed in the discretion of the Commission for good cause shown.

(i) The Public Staff and other intervenors shall file direct testimony and exhibits of expert witnesses at least ~~45~~21 days prior to the hearing date. If a petition to intervene is filed less than ~~45~~21 days prior to the hearing date, it shall be accompanied by any direct testimony and exhibits of expert witnesses the intervenor intends to offer at the hearing.

(j) The electric public utility may file rebuttal testimony and exhibits of expert witnesses no later than ~~5~~ 12 days prior to the hearing date.

Proposed Changes to Rule R8-69:

...

(e)(2) The annual rider hearing for each electric public utility will be scheduled as soon as practicable after the hearing held by the Commission for the electric public utility under Rule R8-55. Except as otherwise ordered by the Commission ~~Each~~ electric public utility shall file its application for recovery of costs and appropriate utility incentives at the same time that it files the information required by Rule R8-55.

Amended Rule R8-55(b), (f), (h), (i) and (j)

(b) For each electric public utility generating electric power by means of fossil and/or nuclear fuel for the purpose of furnishing North Carolina retail electric service, the Commission shall schedule an annual public hearing pursuant to G.S. 62-133.2(b) in order to review changes in the electric public utility's cost of fuel and fuel-related costs. The annual cost of fuel and fuel-related cost adjustment hearing for Duke Energy Carolinas, LLC, will be scheduled for the first Tuesday of June each year; for Duke Energy Progress, LLC., the annual hearing will be scheduled for the third Tuesday of September each year; and for Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina, the annual hearing will be scheduled for the third Tuesday of November each year.

(f) The electric public utility shall file the information required under this rule, accompanied by workpapers and direct testimony and exhibits of expert witnesses supporting the information filed herein, and any changes in rates proposed by the electric public utility, not less than 98 days prior to the hearing. Nothing in this rule shall be construed to require the electric public utility to propose a change in rates or to utilize any particular methodology to calculate any change in rates proposed by the utility in this proceeding.

(h) Persons having an interest in said hearing may file a petition to intervene setting forth such interest at least 21 days prior to the date of the hearing. Petitions to intervene filed less than 21 days prior to the date of the hearing may be allowed in the discretion of the Commission for good cause shown.

(i) The Public Staff and other intervenors shall file direct testimony and exhibits of expert witnesses at least 21 days prior to the hearing date. If a petition to intervene is filed less than 21 days prior to the hearing date, it shall be accompanied by any direct testimony and exhibits of expert witnesses the intervenor intends to offer at the hearing.

(j) The electric public utility may file rebuttal testimony and exhibits of expert witnesses no later than 12 days prior to the hearing date.

Amended Rule R8-69(e)(2)

The annual rider hearing for each electric public utility will be scheduled as soon as practicable after the hearing held by the Commission for the electric public utility under Rule R8-55. Except as otherwise ordered by the Commission, each electric public utility shall file its application for recovery of costs and appropriate utility incentives at the same time that it files the information required by Rule R8-55.