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Oct 15 2021

October 15, 2021

**VIA Electronic Filing**

Ms. Shonta Dunston, Chief Clerk  
North Carolina Utilities Commission  
Dobbs Building  
430 North Salisbury Street  
Raleigh, North Carolina 27603

*Re: Joint Motion to Excuse Witnesses  
Docket Nos. G-5, Sub 632 and G-5, Sub 634*

Dear Ms. Dunston:

Enclosed for filing in the above-referenced proceedings is the Joint Motion to Excuse Witnesses on behalf of Public Service Company of North Carolina, Inc. d/b/a Dominion Energy North Carolina, the Public Staff – North Carolina Utilities Commission, Carolina Utility Customers Association, Inc., and Evergreen Packaging, LLC.

Thank you for your assistance with this matter. If you have any questions regarding this filing, you may reach me at the number shown above.

Sincerely,

/s/Mary Lynne Grigg

MLG:sjg

Enclosure

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. G-5, SUB 632  
DOCKET NO. G-5, SUB 634

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. G-5, SUB 632	)	
	)	
In the Matter of	)	
Application of Public Service Company of	)	
North Carolina, Inc., for a General Increase in	)	
Rates and Charges	)	JOINT MOTION TO EXCUSE
	)	WITNESSES
DOCKET NO. G-5, SUB 634	)	
	)	
In the Matter of	)	
Application for Approval to Modify Existing	)	
Conservation Programs and Implement New	)	
Conservation Programs	)	

NOW COME Public Service Company of North Carolina, Inc., d/b/a Dominion Energy North Carolina (“PSNC” or the “Company”), the Public Staff – North Carolina Utilities Commission (“Public Staff”), Carolina Utility Customers Association, Inc. (“CUCA”), and Evergreen Packaging, LLC (“Evergreen”) (collectively, the “Joint Movants”) by and through counsel and pursuant to Rule R1-7 of the Rules of Practice and Procedure of the North Carolina Utilities Commission (“Commission”), and hereby move the Commission to issue an order in the above-captioned dockets excusing certain of the Company’s witnesses from appearing at the evidentiary hearing scheduled in this proceeding.

In support this Motion, Joint Movants show the following:

1. On April 1, 2021, PSNC filed an application with the Commission pursuant to N.C. Gen. Stat. §§ 62-133 and 62-134 requesting authority to adjust and increase its

retail natural gas rates and charges in North Carolina, effective May 1, 2021 (“Application”). The Company’s Application was supported by the direct testimonies of D. Russell Harris, M. Shaun Randall, Michael B. Phibbs, Jennifer E. Nelson, John D. Taylor, John J. Spanos, James Herndon, Byron W. Hinson, and James A. Spaulding.

2. By Order dated April 27, 2021, the Commission declared the proceeding to be a general rate case and suspended rates for up to 270 days.

3. On April 5, 2021, CUCA filed a petition to intervene, which petition was granted by the Commission on April 15, 2021

4. By Order dated June 11, 2021, the Commission scheduled an in person evidentiary hearing “for the purpose of receiving expert witness testimony and evidence presented by the Company, the Public Staff, and other intervenors to resume in Raleigh on Monday, October 18, 2021, at 2:00 p.m. in Commission Hearing Room 2115, unless the Commission later determines it is necessary to conduct the hearing by remote means or unless it is otherwise ordered.”

5. On July 8, 2021, Evergreen filed a petition to intervene, which petition was granted by the Commission on July 14, 2021.

6. On September 17, 2021, PSNC filed a motion to hold the hearing remotely. On that same day, the Attorney General’s Office filed a notice of intervention pursuant to N.C. Gen. Stat. § 62-2.

7. On September 23, 2021, the Public Staff filed the testimonies of Mary A. Coleman, Lynn L. Feasel, Roxie McCullar, Jack L. Floyd, John R. Hinton, Neha R. Patel, Julie G. Perry, Sonja R. Johnson, and joint testimony of James M. Singer and David M.

Williamson. CUCA filed the testimony of Kevin W. O'Donnell and Evergreen filed the testimony of Brian C. Collins.

8. By Order dated September 24, 2021, the Commission set the procedures for the hearing to be held remotely.

9. On October 7, 2021, PSNC filed the rebuttal testimonies of Phibbs, Nelson, Spanos, Taylor, Hinson, Spaulding, and Regina J. Elbert.

10. On October 14, 2021 PSNC filed a motion to delay the evidentiary hearing to and until Wednesday, October 20, 2021. On that same date, PSNC filed a list of cross-examination times indicating that only the Attorney General Office's intended to cross-examine any witnesses, specifically, PSNC witnesses Phibbs and Hinson.

11. PSNC intends to file a Stipulation of Settlement ("Stipulation") among PSNC, the Public Staff, CUCA and Evergreen as well as supporting testimony and exhibits of PSNC witnesses Hinson, Spaulding, and Nelson. The Public Staff also intends to file the settlement testimony of witnesses Perry and Johnson.

12. No other parties have intervened in this proceeding.

13. As detailed in the Stipulation, Joint Movants have reached agreement on all issues in this proceeding. As such, Joint Movants have agreed to waive cross-examination of each other's witnesses. However, for purposes of the evidentiary hearing, PSNC and the Public Staff intend to put on the stand its witnesses supporting the Stipulation, those being PSNC witnesses Hinson, Spaulding, and Nelson and Public Staff witnesses Perry and Johnson.

14. Joint Movants therefore request that PSNC witnesses Harris, Randall, Phibbs, Taylor, Spanos, Herndon, and Elbert, Public Staff witnesses Coleman, Feasel,

McCullar, Floyd, Hinton, Patel, Singer and Williamson, CUCA witness O'Donnell, and Evergreen witness Collins be excused from appearing at the evidentiary hearing, unless the Commission has questions for these witnesses.

15. Joint Movants further requests that the pre-filed testimonies and exhibits of PSNC witnesses Harris, Randall, Phibbs, Taylor, Spanos, Herndon, and Elbert, Public Staff witnesses Coleman, Feasel, McCullar, Floyd, Hinton, Patel, Singer and Williamson, CUCA witness O'Donnell, and Evergreen witness Collins be received into evidence and made part of the record in this matter.

16. Counsel for Joint Movants has consulted counsel for the Attorney General's Office and has been authorized to state that the Attorney General's Office does not object to this Motion. In addition, the Attorney General's Office has agreed to cross-examine PSNC witness Nelson rather than PSNC witness Phibbs.

WHEREFORE, Public Service Company of North Carolina Inc., d/b/a Dominion Energy North Carolina, respectfully moves the Commission to: (1) excuse PSNC witnesses D. Russell Harris, Michael B. Phibbs, M. Shaun Randall, John D. Taylor, John J. Spanos, James Herndon, and Regina J. Elbert, Public Staff witnesses Mary A. Coleman, Lynn L. Feasel, Roxie McCullar, Jack L. Floyd, John R. Hinton, Neha R. Patel, James M. Singer and David M. Williamson , CUCA witness Kevin W. O'Donnell, and Evergreen witness Brian C. Collins from appearing at the evidentiary hearing, unless the Commission has questions for any of these witnesses; (2) receive into evidence the pre-filed testimony and exhibits of the aforementioned witnesses; and (3) grant such other and further relief as the Commission deems just and proper.

Respectfully submitted, this the 15<sup>th</sup> day of October, 2021.

/s/Mary Lynne Grigg  
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*Attorney for Public Service Company of  
North Carolina, Inc., d/b/a Dominion  
Energy North Carolina*

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing *Joint Motion to Excuse Witnesses*, as filed in Docket Nos. G-5, Sub 632 and G-5, Sub 634, were served electronically or via U.S. mail, first-class, postage prepaid, upon all parties of record.

This, the 15<sup>th</sup> day of October, 2021.

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