

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1321

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Duke Energy Progress, LLC)	
Pursuant to N.C.G.S. § 62-133.2 and)	PUBLIC STAFF'S
Commission Rule R8-55 Relating to Fuel)	MOTION FOR AN
and Fuel-Related Charge Adjustments for)	EXTENSION OF TIME
Electric Utilities)	

NOW COMES the Public Staff of the North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and respectfully moves the North Carolina Utilities Commission (Commission) to extend certain deadlines in Docket No. E-2, Sub 1321. This motion is made in accordance with the applicable jurisprudence. In support of this motion, the Public Staff respectfully shows the Commission the following:

1. On June 13, 2023, Duke Energy Progress, LLC (DEP or the Company) filed its application in the above-captioned docket. By its application, DEP requests changes in its fuel charges effective for service rendered on and after December 1, 2023. The proposed changes in fuel rates would result in increases of the current fuel rates of all customer classes, with the amount of the increase varying for different customer classes.

2. On June 23, 2023, the Carolina Industrial Group for Fair Utility Rates II (CIGFUR) filed a petition to intervene in this docket, which petition was granted on June 27, 2023.

3. On June 30, 2023, the Commission issued an Order Scheduling Hearing, Requiring Filing of Testimony, Establishing Discovery Deadlines, and Requiring Public Notice (the Scheduling Order).

4. On July 3, 2023, the Carolina Utility Customers Association, Inc. (CUCA) filed a petition to intervene in this docket, which petition was granted on July 11, 2023.

5. The Scheduling Order provides that the direct testimony and exhibits of the Public Staff and other intervenors shall be filed on or before Tuesday, August 29, 2023; that DEP may file rebuttal testimony and exhibits on or before Thursday, September 7, 2023; and that this matter be set for hearing on September 19, 2023 (Scheduling Order, page 3).

6. The Public Staff respectfully requests and moves that (a) the deadline for the Public Staff and other intervenors to file testimony and exhibits be moved only three days – that is, from August 29, 2023, to September 1, 2023; and (b) the deadline for DEP to file rebuttal testimony and exhibits be moved from September 7, 2023, to September 8, 2023. The Public Staff does not seek to move any other deadlines.

7. Several independent reasons impact the Public Staff's request for an extension of time, any one of which could support moving the Scheduling Order's deadlines:

a. The Public Staff and the Company have been diligently and assiduously working through several matters, including the methodology for weather normalization and also replacement power costs. These activities have resolved many issues between the Public Staff and the Company. In fact, the Company will be filing supplemental testimony on August 28, 2023, that addresses many issues between the Public Staff and DEP. The beneficial discussions regarding these matters have, nonetheless, taken time away from final drafting of Public Staff testimony and exhibits.

b. DEP's supplemental filing will contain some new information. The Public Staff requests additional time to review the testimony filed August 28, 2023, to ensure that the Public Staff's and other intervenor testimony and exhibits may reflect the new information.

c. The additional time should allow the Public Staff and DEP time to finalize their settlement.

d. Many of the persons involved in this case are also involved in the rate case proceeding in E-7, Sub 1276.

e. Related to same, the time of the Public Staff has been consumed by the recent press of work, including, without limitation, the rate case brought in E-7, Sub 1276.

8. DEP supports the Public Staff's request for an extension; CUCA consents to the Public Staff's request for an extension; and CIGFUR opposes the request.

9. The request for an extension should not prejudice or harm any other intervenors – in fact, it will both (a) give all intervenors additional time to file testimony and exhibits; and (b) provide all intervenors with a chance to study and review the supplemental testimony of DEP that is anticipated to be filed on August 28, 2023.

WHEREFORE, the Public Staff respectfully moves and requests (a) that the deadline for the Public Staff and intervenors to file direct testimony and exhibits be moved to September 1, 2023; (b) that the deadline for the Company to file rebuttal testimony and exhibits be moved to September 8, 2023; and (c) for such other and further relief as may be just and proper.

Respectfully submitted this 28th day of August, 2023.

PUBLIC STAFF

Christopher J. Ayers
Executive Director

Lucy E. Edmondson
Chief Counsel

/s/ William Freeman, by electronic filling
William S. F. Freeman
William E. H. Creech
Staff Attorneys

4326 Mail Service Center
Raleigh, North Carolina 27699
telephone: (919) 733-6110
email: William.Freeman@psncuc.nc.gov
Zeke.Creech@psncuc.nc.gov

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion has been served on all parties of record or their attorneys, or both, in accordance with Commission Rule R1-39, by United States Mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 28th day August, 2023.

Electronically submitted
/s/ William S. F. Freeman
Staff Attorney