

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-7, SUB 1213
DOCKET NO. E-7, SUB 1214
DOCKET NO. E-7, SUB 1187
DOCKET NO. E-2, SUB 1219

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-7, SUB 1213)
)
In the Matter of)
Petition of Duke Energy Carolinas, LLC, for)
Approval of Prepaid Advantage Program)
)
DOCKET NO. E-7, SUB 1214)
)
In the Matter of)
Application by Duke Energy Carolinas, LLC,)
for Adjustment of Rates and Charges)
Applicable to Electric Utility Service in)
North Carolina)
)
DOCKET NO. E-7, SUB 1187)
)
In the Matter of)
Application of Duke Energy Carolinas, LLC,)
for an Accounting Order to Defer Incremental)
Storm Damage Expenses Incurred as a)
Result of Hurricanes Florence and Michael)
and Winter Storm Diego)
)
DOCKET NO. E-2, SUB 1219)
)
In the Matter of)
Application by Duke Energy Progress, LLC,)
for Adjustment of Rates and Charges)
Applicable to Electric Utility Service in)
North Carolina)

ORDER PROVIDING ADDITIONAL
CLARIFICATION FOR
CONSOLIDATED, REMOTE
EXPERT WITNESS HEARING

BY THE PRESIDING COMMISSIONERS: On June 17, 2020, in the above-captioned dockets, the Commission issued an Order Adopting Procedures for Expert Witness Hearings (Expert Witness Hearing Order) involving the rate case applications of Duke Energy Carolinas, LLC (DEC), and Duke Energy Progress, LLC (DEP; together with

DEC, Duke). The Expert Witness Hearing Order set out requirements for the consolidated, remote phase of the Duke rate case hearings, which included the filing of potential cross-examination and redirect exhibits. A prehearing meeting was held remotely via WebEx with the parties on July 22, 2020.

In preparation for the consolidated, remote phase of the hearings the Presiding Commissioners find good cause to issue this Order clarifying the procedures for the remote hearing.

- Except as provided below, prefiled testimony and exhibits originally filed in the separate dockets should be moved into the record during the separate hearing for each company. In other words, testimony and exhibits prefiled in the DEC dockets should be moved into evidence during the DEC hearing, and testimony and exhibits prefiled in the DEP docket should be moved into evidence during the DEP hearing. This applies even to the testimony of witnesses waived from appearing at the hearings.
- Prefiled testimony and exhibits of witnesses whose testimony is related only to issues in the consolidated hearing should be moved into evidence during the consolidated proceeding.
- Prefiled testimony and exhibits of witnesses whose testimony is related to issues in both the consolidated proceeding and the separate DEC and DEP proceedings should be moved into evidence during the separate proceedings. If a witness is appearing in the consolidated proceeding and only one of the separate proceedings, such witnesses' testimony should be moved into evidence in the separate proceeding in which that witness has been proffered.
- All witnesses appearing at the consolidated, remote hearing are expected to have access to all documents prefiled in the dockets, including the testimony and exhibits of the other parties. All parties may cross-examine any witness appearing at the consolidated, remote hearing using exhibits that have been prefiled as an exhibit by any witness in these dockets.
- As is the practice with a live hearing, parties may not use the potential cross-examination exhibits of any other party until after that exhibit has been introduced by the party that listed the potential cross-examination exhibit on its July 22, 2020 filing unless that exhibit was prefiled as an exhibit by a witness in these dockets. Potential cross-examination exhibits other than those prefiled with a witness's testimony would have been unknown by other parties if this hearing were not being conducted remotely.
- The testimony of any witness elicited on cross-examination by any party during the consolidated, remote hearing may be cited in the proposed order for either the DEC or DEP rate cases. Thus, for purposes of the record and the use of

such testimony, it makes no difference whether the cross-examination was conducted by a party that has intervened in both or only one of the rate cases.

To the greatest extent possible, the hearing will proceed in all other respects as if it were being conducted in the Commission's main hearing room in the Dobbs Building.

Lastly, the Presiding Commissioners note that this hearing is being conducted remotely due to the State of Emergency in North Carolina declared by Governor Roy Cooper to coordinate response and provide protective actions to prevent the spread of COVID-19. The remote nature of the hearing presents unique challenge for the Commission. The parties have all been given multiple opportunities to test their abilities to access the remote hearing technology of the Commission. The inability of an attorney or witness for any party to timely access the remote hearing will be treated as if that attorney or witness has failed to appear in the hearing room and will not be grounds for delay of the proceedings.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 22nd day of July, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Kimberley A. Campbell". The signature is written in a cursive, slightly slanted style.

Kimberley A. Campbell, Chief Clerk