



The Commission recognizes that in the past most discovery has been conducted in an informal manner and acknowledges that the parties may come to an agreement that if a discovery deadline falls on a weekend or holiday, the relevant party may have until the first business day after the deadline to take the specified action.

IT IS, THEREFORE, ORDERED as follows:

1. That formal discovery requests related to the Application and Red Bird and Baytree's prefiled direct testimony shall be served on Red Bird or Baytree, or both, not later than October 12, 2023. The party served shall have up to 10 calendar days to file with the Commission objections to discovery requests on an item-by-item basis;

2. That formal discovery requests of the Public Staff or intervenors shall be served not later than 3 calendar days after such testimony is filed. The party served shall have up to 3 calendar days to file with the Commission objections to the discovery requests on an item-by-item basis;

3. That formal discovery requests related to prefiled rebuttal testimony shall be served on Red Bird or Baytree, or both, not later than 3 calendar days after such testimony is filed. The party served shall have up to 3 calendar days to file with the Commission objections to the discovery requests on an item-by-item basis. Discovery related to rebuttal testimony shall be limited to new material introduced in such rebuttal testimony and will be carefully scrutinized upon objection that such discovery should have been sought during the initial period of discovery;

4. That Baytree and Red Bird are required to file separate, verified reports addressing all customer service and service quality complaints expressed during the customer hearing held on Wednesday, October 18, 2023, within 14 days of the conclusion of the customer hearing. The Public Staff shall and other intervenors may file a verified response and any comments to Baytree's and Red Bird's reports on or before Wednesday, November 15, 2023. Because such verified response will not be filed until after the expert witness hearing has concluded, Baytree and Red Bird shall be allowed to file a verified reply regarding the Public Staff's response within 7 days of the date such verified response is filed;

5. That the Public Staff and other intervenors prefiled direct testimony and exhibits shall be filed on or before Monday, October 23, 2023;

6. That Red Bird and Baytree's prefiled rebuttal testimony and exhibits, if any, shall be filed on or before Monday, October 30, 2023; and

7. That Red Bird and Baytree shall consult with all other parties and file, no later than Wednesday, November 1, 2023, a list of witnesses to be called at the expert witness hearing, the order of witnesses, and each party's estimated time for cross-examination. If the parties cannot agree, the remaining parties shall, no later than noon on Friday, November 3, 2023, make a filing indicating their points of disagreement with Red Bird and Baytree's filing.

ISSUED BY ORDER OF THE COMMISSION.

This the 11th day of October, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "A. Shonta Dunston". The signature is written in a cursive style with a large, stylized "D" at the end.

A. Shonta Dunston, Chief Clerk