



for petitions to intervene and the filing of testimony, establish appropriate discovery rules, and require public notice. Further, the Commission finds and concludes that the application satisfies the requirements of the M-100, Sub 129 Order.

The guidelines regarding discovery in this docket, subject to modification for good cause shown, are as follows:

1. Any deposition that a party desires to take shall be taken before the deadline for the filing of Public Staff and other intervenor testimony. A notice of deposition shall be served on all parties at least seven calendar days prior to the taking of the deposition.

2. Any motion for a subpoena of a witness to appear at the evidentiary hearing shall be filed with the Commission before the deadline for the filing of Public Staff and other intervenor testimony. The motion shall be served in any manner allowed under Commission Rule R1-39 on the person sought to be subpoenaed at or before the time of filing with the Commission. The movant shall make a reasonable showing that the evidence of such person will be material and relevant to an issue in the proceeding as provided by G.S. 62-2. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within one business day of the filing of the motion.

3. Formal discovery requests related to the application and the Applicants' prefiled direct testimony shall be served on the Applicants in any manner allowed under Commission Rule R1-39, no later than 14 calendar days prior to the filing of Public Staff or other intervenor testimony. The Applicants shall have up to ten calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than ten days prior to the deadline for the filing of Public Staff and other intervenor testimony.

4. Formal discovery requests of the Public Staff and other intervenors shall be served in any manner allowed under Commission Rule R1-39, no later than five calendar days after such testimony is filed. The party served shall have up to two calendar days to file with the Commission objections to the discovery request on an item-by-item basis, but in no event shall objections be filed later than eight calendar days after that party's testimony was filed.

5. Formal discovery requests related to the Applicants' prefiled rebuttal testimony shall be served on the Applicants in any manner allowed under Commission Rule R1-39, no later than two calendar days after such testimony was filed. The Applicants shall have up to three calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than five calendar days after the rebuttal testimony was filed. 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.

6. Discovery requests need not be filed with the Commission when served; however, any party filing objections shall attach a copy of the relevant discovery request to the objections. Each discovery request, or part thereof, to which no objection is filed shall be answered by the time objections are due, subject to other agreement of the affected parties or other order of the Commission. Upon the filing of objections, the party seeking discovery shall have two days to file a motion to compel with the Commission, and the party objecting to discovery shall have one day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected party in any manner allowed under Commission Rule R1-39 at or before the time of filing with the Commission.

7. A party shall not be granted an extension of time to pursue discovery because of that party's late intervention or other delay in initiating discovery.

The Commission urges all parties to work in a cooperative manner to accommodate discovery within the time available. The Commission recognizes that in the past most discovery has been conducted informally without the need for Commission involvement or enforcement and that such discovery has been generally successful. The above guidelines do not preclude the parties from conducting informal discovery or exchanging information at any time with the understanding that such will not be enforceable by the Commission if outside the guidelines.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Dominion Energy and SCANA for authority to engage in a business combination transaction is scheduled for hearing to begin on Wednesday October 10, 2018, at 10:00 a.m. in Commission Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, for the taking of public witness testimony and the testimony of Dominion Energy, SCANA, the Public Staff, and other intervenors. The hearing will continue as necessary until the conclusion of the case.

2. That the application satisfies the requirements of the M-100, Sub 129 Order.

3. That the Applicants shall file their testimony in support of the application not later than June 22, 2018.

4. That petitions to intervene in the proceeding shall be filed pursuant to Commission Rules R1-5 and R1-19 not later than August 31, 2018.

5. That the Public Staff and other intervenors shall file their testimony not later than September 19, 2018.

6. That rebuttal testimony of the Applicants shall be filed not later than October 3, 2018.

7. That the parties shall comply with the discovery guidelines established in this Order.

8. That the Applicants shall consult with all other parties and file, not later than October 5, 2018 a joint list and order of witnesses to be called to testify at the hearing and estimated times for cross-examination of those witnesses.

9. That the Applicants shall, at their expense, publish in newspapers having general coverage in their North Carolina service territory the Notice attached hereto as Appendix A once a week for two consecutive weeks, with the first publication occurring not later than the week of July 2, 2018. The published notice shall cover no less than one fourth of a page. Dominion Energy and SCANA shall file affidavits of publication with the Commission prior to the scheduled hearing.

10. That the Applicants shall mail the attached notice to their customers, as a bill insert or by separate mail, in conjunction with their next billing cycles and shall file certificates of service prior to the scheduled hearing.

ISSUED BY ORDER OF THE COMMISSION.

This the 19<sup>th</sup> day of June, 2018.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, appearing to read "Janice H. Fulmore".

Janice H. Fulmore, Deputy Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-22, SUB 551  
DOCKET NO. G-5, SUB 585

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Joint Application of Dominion Energy, Inc., and ) NOTICE OF HEARING ON  
SCANA Corporation to Engage in a Business ) APPLICATION TO ENTER INTO  
Combination Transaction ) A BUSINESS COMBINATION

NOTICE IS HEREBY GIVEN that on January 24, 2018, Dominion Energy, Inc. (Dominion Energy), and SCANA Corporation (SCANA) (collectively, the Applicants) filed an application pursuant to G.S. 62-111(a) for authorization to engage in a business combination transaction (Merger). SCANA is the parent company of Public Service Company of North Carolina, Inc. (PSNC). As provided by the Agreement and Plan of Merger (Merger Agreement), upon consummation of the Merger, each issued and outstanding share of common stock of SCANA (other than the cancelled shares as defined in Section 2.01(b) of the Merger Agreement) will be converted into the right to receive 0.6690 validly issued, fully paid and non-assessable shares of common stock of Dominion Energy. Under the proposal, SCANA will become a direct, wholly-owned subsidiary of Dominion Energy and PSNC will remain a direct, wholly-owned subsidiary of SCANA that will continue to exist as a separate legal entity.

Details of the application may be obtained from the Office of the Chief Clerk of the North Carolina Utilities Commission, which is located on the fifth floor of the Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, where a copy of the application is available for review by any interested person. The application, as well as prefiled testimony and exhibits of the parties, hearing transcripts, post-hearing briefs and proposed orders, may be viewed as they become available on the Commission's website at [www.ncuc.net](http://www.ncuc.net), by clicking on "Docket Search" and typing in the docket and sub docket numbers.

The Commission has instituted an investigation into the application, and a hearing has been scheduled to begin on Wednesday, October 10, 2018, at 10:00 a.m. in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, for the taking of public witness testimony and the testimony of Dominion Energy, SCANA, the Public Staff, and other intervenors. The hearing will continue as necessary until the conclusion of the case.

Persons having an interest in this matter and desiring to intervene as formal parties of record may file their motions to intervene not later than August 31, 2018, and in accordance with Rules R1-5 and R1-19 of the Commission's Rules and Regulations.

These motions should reference Docket Nos. E-22, Sub 551 and G-5, Sub 585, and should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. All intervenors who wish to present testimony in the proceeding must prefile their testimony not later than September 19, 2018. Persons desiring to send written statements to inform the Commission of their views in the matter should address their statements to the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. Written statements, however, cannot be considered competent evidence unless the authors of those statements appear at the hearing and testify concerning the information contained in their statements.

The Public Staff is authorized by statute to represent the using and consuming public in proceedings before the Commission. Written statements to the Public Staff should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff – North Carolina Utilities Commission, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

The Attorney General is also authorized by statute to represent the using and consuming public in proceedings before the Commission. Written statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001.

This the 19<sup>th</sup> day of June, 2018.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in blue ink, appearing to read "Janice H. Fulmore".

Janice H. Fulmore, Deputy Clerk

NOTE TO THE PRINTER: Dominion Energy and SCANA shall pay advertising costs. It is required that the affidavit of publication be filed with the Commission by Dominion Energy and SCANA.