

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-7, Sub 1148

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the matter of

FRESH AIR II, LLC

Complainant

DUKE ENERGY CAROLINA, LLC

Respondent

MOTION FOR EXTENSION OF TIME

NOW COME Complainant Fresh Air II, LLC, (“Complainant”), by and through its attorney, Karen M. Kemerait, and hereby requests an additional extension of time to file its direct testimony in this proceeding on the grounds that (1) one of the owners of Complainant who will be filing testimony in this docket is out of the country, and (2) both parties are close to reaching a settlement of these claims and need one additional day for those discussions.

Deputy General Counsel for Respondent has consented to this request for extension on behalf of Respondent.

Complainant requests a one (1)-day extension of time until Thursday, February 8, 2018, for Complainant to file its direct testimony.

WHEREFORE, Complainant respectfully request that the Commission grant the requested one-day extension of time.

Respectfully submitted this the 7th day of February, 2018.

OFFICIAL COPY

Feb 07 2018

SMITH MOORE LEATHERWOOD LLP

/s/Karen M. Kemerait

434 Fayetteville Street, Suite 2800

Raleigh, North Carolina 27601

(919) 755-8764

karen.kemerait@smithmoorelaw.com

Attorney for Complainant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION FOR EXTENSION OF TIME as filed in Fresh Air, II, LLC, NCUC Docket No. E-7, Sub 1148, was served via electronic delivery or mailed, first-class, postage prepaid, to the parties of record as follow:

E. Brett Breitschwerdt
McGuireWoods LLP
434 Fayetteville Street, Suite 2600
Raleigh, NC 27601
bbreitschwerdt@mcguirewoods.com

B. Lawrence Somers
Deputy General Counsel
Duke Energy Corporation
PO Box 1551/NCRH20
Raleigh NC 27602
Bo.somers@duke-energy.com

Christopher J. Ayers, Esq.
Executive Director – NC Public Staff
4326 Mail Service Center
Raleigh, NC 27699
E-Mail: Chris.Ayers@psncuc.nc.gov

Kendrick C. Fentress
Asst. General Counsel
Duke Energy Corporation
PO Box 1551/PEB 20
Raleigh NC 27602
Kendrick.fentress@duke-energy.com

David Tsai
Regulatory Affairs
Progress Energy Carolinas
410 S. Wilmington Street, Peb 20
Raleigh, NC 27601
E-Mail: David.Tsai@Pgnmail.Com

This, the 7th day of February, 2018.

Attorney for Fresh Air, II, LLC,

/S/ Karen Kemerait