

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. G-5, Sub 495

FILED

AUG 07 2008

Clerk's Office
N.C. Utilities Commission

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	Attorney General's
Application of Public Service Company)	Response to the Motion for
of North Carolina, Inc. for a General)	Extension to file Testimony
Increase In its Rates and Charges)	

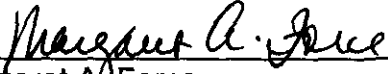
Attorney General Roy Cooper, by and through the undersigned attorney, responds to the Public Staff's Motion for Extension of Time to File Testimony filed today. In support of this Response, the Attorney General's Office (AGO) shows the following:

1. The Commission's Order Setting Investigation and Hearing, Suspending Proposed Rates, Establishing Intervention and Testimony Due Dates and Discovery Guidelines, and Requiring Public Notice in this matter required that testimony be filed by the Public Staff and Intervenors on or before August 6, 2008 and rebuttal testimony, if any, on or before August 18, 2008, from Public Service Company of North Carolina, Inc. (PSNC).
2. On July 30, 2008, the Public Staff filed a motion for extension of time until August 8 (today) for intervenor testimony and until August 20, 2008 for PSNC's filing of rebuttal testimony.
3. The AGO consented to the first request for extension of time but informed the attorney for the Public Staff that a longer extension of time would be problematic because the evidentiary hearing is soon and preparations for the hearing in the Piedmont Natural Gas Company, Inc., rate case in Docket No. G-9, Sub 550 are also consuming considerable time. (The Piedmont hearing will be heard only two weeks later.) Now the Public Staff has requested another extension of time until 13 August 2008 to file intervenor testimony. As the Public Staff indicated, the AGO did not indicate consent to the extension.
4. Although the Public Staff, the Carolina Utility Customers Association (CUCA), and PSNC (the "Stipulating Parties") state that they have reached a settlement agreement in this docket, the AGO is not a party to the stipulation and the AGO may contest certain aspects of the settlement. So far, only some of the details of the terms of the settlement and stipulation have been shared with the AGO. The information that has been shared indicates that the settlement will involve substantial changes to many aspects of PSNC's initial Petition, testimony, and exhibits in this case.

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5. The AGO understands the need to finalize stipulation documents and testimony but is concerned that the extension does not leave adequate time for the AGO to prepare for hearing.
6. Therefore, the AGO reluctantly consents to an extension of time for all intervenors to file testimony to and including 13 August 2008 but notes that it may need to request additional time to prepare for the case.

Respectfully submitted on this the 8th day of August, 2008.


 Margaret A. Force
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CERTIFICATE OF SERVICE

The undersigned certifies that she has served a copy of the foregoing Notice of Intervention upon the parties of record in this proceeding by email and facsimile or hand delivery this the 8th day of August, 2008.


 Margaret A. Force
 Assistant Attorney General