

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-7, SUB 1276

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:	)	
	)	
Application of Duke Energy	)	<b>MOTION FOR EXTENSION OF TIME TO FILE NOTICE OF APPEAL</b>
Carolinas, LLC for Adjustment of	)	
Rates and Charges Applicable to	)	
Electric Service in North Carolina and	)	
Performance Based Regulation	)	

Carolina Industrial Group for Fair Utility Rates III (“CIGFUR III”), along with Blue Ridge Electric Membership Corporation, Haywood Electric Membership Corporation, Piedmont Electric Membership Corporation, and Rutherford Electric Membership Corporation (collective, the “EMCs”), move the Commission pursuant N.C.G.S. § 62-90 and Commission Rule R1-7 for an extension of time for all parties to file a notice of appeal and exceptions to the Commission’s December 15, 2023, *Order Accepting Stipulations, Granting Partial Rate Increase, Requiring Public Notice, and Modifying Lincoln CT CPNC Conditions*.

In support of this motion, CIGFUR III and the EMCs show the Commission as follows:

1. Under N.C.G.S. § 62-90(a), any party to a proceeding may appeal from a final order of the Commission within 30 days after the entry of such order, or within such time thereafter as may be fixed by the Commission, not to exceed 30 additional days.

2. The current deadline for filing a notice of appeal and exceptions from the Order pursuant to G.S. § 62-90(a) is January 15, 2024.<sup>1</sup> CIGFUR III and the EMCs request an additional 30 days to complete their review of the Order and, if necessary, develop exceptions to be included in a notice of appeal, to be filed no later than February 13, 2024.

3. CIGFUR III and the EMCs reasonably require more time so that they may fully evaluate the Order, its impact on CIGFUR III's members and their business operations, its impact on the EMCs, and CIGFUR III's and the EMCs' legal options. They therefore request an additional 30 days from the deadline to file notice of appeal so CIGFUR III, the EMCs, and any other party has adequate time to file notice of appeal and exceptions.

4. Undersigned counsel has contacted counsel for all other parties about this motion. The North Carolina League of Municipalities did not immediately respond to counsel's inquiry. However, all other parties did, and no other party objects to the relief requested in this motion.

WHEREFORE, for the reasons set forth, CIGFUR III respectfully requests that the Commission extend the time to file notice of appeal and exceptions for all parties to and including February 13, 2024.

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<sup>1</sup> The 30-day appeal period runs on January 14, 2024, which is a Sunday.

Respectfully submitted this the 22nd of December, 2023.

**WARD AND SMITH, P.A.**

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**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this day served the foregoing MOTION FOR EXTENSION OF TIME TO SERVE PROPOSED RECORD ON APPEAL upon all parties of record by email transmission with the parties' consent.

This the 22nd of December, 2023.

/s/ Chris Edwards  
Christopher S. Edwards

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