

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. G-5, SUB 661

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Public Service Company	)	ORDER SCHEDULING HEARING,
of North Carolina, Inc. for Annual Review	)	REQUIRING FILING OF TESTIMONY,
of Gas Costs Pursuant to N.C.G.S.	)	ESTABLISHING DISCOVERY
§ 62-133.4(c) and Commission	)	GUIDELINES AND REQUIRING
Rule R1-17(k)(6)	)	PUBLIC NOTICE

BY THE COMMISSION: Section 62-133.4 of the North Carolina General Statutes authorizes gas cost adjustment proceedings for natural gas local distribution companies. Further, N.C. Gen. Stat. § 62-133.4(c) provides that the North Carolina Utilities Commission shall conduct annual review proceedings to compare each natural gas utility's prudently incurred costs with costs recovered from all of the utility's customers served during the test period. Commission Rule R1-17(k)(6) prescribes the procedures for such annual reviews of natural gas costs.

On June 1, 2023, Public Service Company of North Carolina, Inc. (PSNC or Applicant), filed testimony in the above-captioned docket pursuant to N.C.G.S. § 62-133.4(c) and Commission Rule R1-17(k)(6) relating to an annual review proceeding. Pursuant to Commission Rule R1-17(k)(6)(b), the hearing in PSNC's annual review is to be held on the second Tuesday in August.

Based on the foregoing, the Commission finds good cause to issue an Order scheduling this matter for public hearing, establishing discovery guidelines, and providing for public notice of the hearing.

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

1. Any deposition shall be taken before the deadline for the filing of Public Staff and other intervenor testimony. Notice of deposition shall be served on all parties at least seven days prior to the taking of the deposition. Notice of deposition and all other discovery notices, requests and motions shall be served on the appropriate parties by hand delivery or facsimile, or by electronic delivery if the receiving party has agreed to receipt by electronic delivery.

2. Any motion for subpoena of a witness to appear at the expert witness hearing shall be filed with the Commission before the deadline for the filing of the Public Staff and intervenor testimony, shall be served on the person sought to be subpoenaed

at or before the time of filing with the Commission, and shall make a reasonable showing that the evidence of such person will be material and relevant to an issue in the proceeding. See N.C.G.S. § 62 62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within 2 business days after such a motion is filed.

3. Formal discovery requests related to the application and DEC's prefiled direct testimony shall be served on DEC later than 14 calendar days prior to the filing of Public Staff and other intervenor testimony. The party served 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 calendar days prior to the deadline for the filing of Public Staff and other intervenor testimony.

4. Formal discovery requests related to the prefiled direct testimony of the Public Staff or intervenors shall be served no later than five calendar days after the filing of that party's testimony. The party served shall have up to three business 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 nine calendar days after the filing of that party's testimony.

5. Formal discovery requests related to prefiled rebuttal testimony shall be served no later than three business days after such testimony is filed. The party served 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 three business days after 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 an objection, the party seeking discovery shall have two calendar days to file with the Commission a motion to compel, and the party objecting to discovery shall have one calendar day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected party at or before the time of filing with the Commission.

7. A party shall not be granted an extension of time to pursue discovery due to that party's late intervention or other delay in initiating discovery. The Commission recognizes that in the past most discovery has been conducted in an informal manner without the need for Commission involvement or enforcement, and that such has been generally successful. The above guidelines are without prejudice to the parties conducting informal discovery or exchanging information by agreement at any time with the understanding that such will not be enforceable by the Commission if outside the guidelines.

Further, the Commission finds good cause to require PSNC to file testimony and supporting schedules that enable the Public Staff and Commission to review the interest rate presently being applied to PSNC's deferred accounts, including deferred income tax accounts, and to determine whether a change in the interest rate is warranted.

Finally, the Commission finds good cause to require that PSNC, the Public Staff, and other parties who file supporting exhibits in Excel format shall provide electronic versions of the exhibits filed in native Excel format, including all supporting tabs/worksheets and formulas, to the Commission Staff within three business days of the filing of such exhibits.

IT IS, THEREFORE, ORDERED as follows:

1. That a public hearing shall be, and is hereby, scheduled for Tuesday, August 8, 2023, at 9:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, for the purpose of conducting the annual review of PSNC's gas costs;

2. That any person having an interest in this proceeding may file a petition to intervene stating such interest on or before Monday, July 24, 2023;

3. That the direct testimony and exhibits of the Public Staff and other intervenors shall be filed on or before Monday, July 24, 2023;

4. That PSNC shall file its rebuttal testimony and exhibits within 10 days of the actual receipt of the testimony of the party to whom the rebuttal testimony is addressed;

5. That all parties filing supporting exhibits in either PDF or Excel format shall provide the Commission Staff electronic versions of the exhibits filed in native Excel format via email at [NCUCexhibits@ncuc.net](mailto:NCUCexhibits@ncuc.net), including all of the supporting tabs and formulas, within three days of the filing of such exhibits (or within three business days of the issuance of this order if already filed with the Commission); and that Frontier and all other parties filing exhibits and workpapers that include tables of numbers and calculations shall provide the Public Staff and any other party upon request an electronic version of all such exhibits and workpapers, with formulas intact;

6. That PSNC shall publish the Public Notice attached hereto as Appendix A in a newspaper or newspapers having general circulation in its service area once a week for two successive weeks beginning at least 30 days prior to the hearing;

7. That PSNC shall file an affidavit of publication on or before the date of the hearing; and

8. That the parties shall comply with the discovery guidelines set forth in this Order.

ISSUED BY ORDER OF THE COMMISSION.

This the 6th day of June, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Tamika R. Conyers". The signature is written in a cursive style with a large, looped initial 'T'.

Tamika Conyers, Deputy Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. G-5, SUB 661

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of Public Service Company of )  
North Carolina, Inc., for Annual Review of ) PUBLIC NOTICE  
Gas Costs Pursuant to N.C.G.S. § 62-133.4(c) )  
and Commission Rule R1-17(k)(6) )

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission has scheduled a public hearing to conduct an annual review of the cost of natural gas supply, storage and transportation for Public Service Company of North Carolina, Inc. (PSNC). The public hearing will be held on Tuesday, August 8, 2023, at 9:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. The Commission will receive public witness testimony in accordance with Commission Rule R1-21(g).

PSNC filed testimony relating to the subject matter of this hearing on June 1, 2023. Further information may be obtained from the Office of the Chief Clerk, North Carolina Utilities Commission, Dobbs Building, 5th Floor, 430 North Salisbury Street, Raleigh, North Carolina, where a copy of PSNC's application and testimony are available for review by the public, or on the Commission's website at <http://www.ncuc.gov/>.

The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Correspondence regarding the annual review proceeding and the hearing thereon should be directed to the Public Staff and should include any information which the writer wishes to be considered by the Public Staff in its investigation of the matter. Such statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, Consumer Protection-Utilities, 9001 Mail Service Center Raleigh, North Carolina 27699-9001. Written statements may be emailed to [utilityAGO@ncdoj.gov](mailto:utilityAGO@ncdoj.gov).

Written statements are not evidence unless the writers appear at a public hearing and testify concerning the information contained in their written statements.

Persons desiring to intervene in this proceeding as formal parties should file a petition to intervene pursuant to Commission Rules R1-5 and R1-19 on or before

Monday, July 24, 2023. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. The direct testimony and exhibits of expert witnesses to be presented by intervenors should also be filed with the Commission on or before Monday, July 24, 2023.

This the 6th day of June, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Tamika H. Conyers". The signature is written in a cursive style with a large initial 'T' and 'C'.

Tamika Conyers, Deputy Clerk