

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. G-41, SUB 56

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Toccoa Natural Gas for) ORDER EXCUSING EXPERT
Annual Review of Gas Costs Pursuant to) WITNESSES, ACCEPTING
N.C.G.S. § 62-133.4(c) and Commission) TESTIMONY AND EXHIBITS,
Rule R1-17(k)(6)) AND CANCELING EXPERT
) WITNESS HEARING

BY THE PRESIDING COMMISSIONER: On September 1, 2021, Toccoa Natural Gas (Toccoa), filed the testimony and exhibits (testimony), of Harry F. Scott, Jr., and Rai Trippe in the above-captioned docket relating to an annual review proceeding pursuant to N.C.G.S. § 62-133.4(c) and Commission Rule R1-17(k)(6). On September 2, 2021, Toccoa filed revised direct testimony of witness Trippe and Schedule 8 to the testimony.

On September 3, 2021, the Commission issued a Scheduling Order that, among other things, scheduled an in-person public hearing in this matter to be held on Wednesday, November 3, 2021, at 10:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina.

On October 14, 2021, the Commission issued an Order changing the expert witness portion of the hearing from an in-person hearing to a remote hearing to be held on Webex, to begin at 10:30 a.m. on November 3, 2021. In addition, the Order affirmed that the public witness hearing will be held in-person on November 3, 2021, at 10:00 a.m., as initially scheduled by the Commission's Scheduling Order and the public notice published by Toccoa.

On October 18, 2021, the Public Staff filed the testimony of Neha R. Patel and Iris Morgan, and on October 20, 2021, the Public Staff filed corrected testimony of its witnesses Patel and Morgan.

On October 20, 2021, Toccoa and the Public Staff (Movants), filed a joint motion requesting that Toccoa's and the Public Staff's expert witnesses be excused from attending the expert witness hearing on November 3, 2021. Movants stated that there are no other parties in this docket, and that there does not appear to be any matter in dispute between the Movants in this proceeding. Movants further stated that they have conferred with respect to the issues in this proceeding, have agreed to waive cross-examination of each other's witnesses, and that they consent to the introduction of the witnesses' prefiled testimony into evidence without the need for the witnesses to testify.

Based on the foregoing and the record, the Presiding Commissioner finds good cause to excuse all Toccoa and Public Staff witnesses from testifying at the expert witness hearing, to receive the witnesses' prefiled testimony and exhibits into evidence, and to cancel the expert witness hearing.

Further, the Presiding Commissioner finds good cause to require that the parties file proposed orders, or a joint proposed order, on or before December 6, 2021, and that the parties file briefs by the same date, if they desire to file briefs.

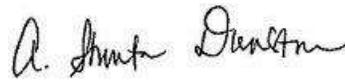
IT IS, THEREFORE, ORDERED as follows:

1. That Toccoa's and the Public Staff's witnesses are excused from testifying at the expert witness hearing on November 3, 2021, and the witnesses' prefiled testimony and exhibits are hereby admitted into evidence;
2. That the expert witness hearing scheduled on November 3, 2021, at 10:30 a.m., is hereby canceled; and
3. That on or before December 6, 2021, the parties shall file proposed orders, or a joint proposed order, and may file briefs if they so desire.

ISSUED BY ORDER OF THE COMMISSION.

This the 25th day of October, 2021.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Chief Clerk