

Kiran H. Mehta

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November 19, 2020

VIA ELECTRONIC FILING

Ms. Kimberley A. Campbell, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

RE: Duke Energy Progress LLC's Motion Requesting That the Commission Take
Judicial Notice of Certain Evidence Introduced in the Duke Energy Carolinas LLC
Specific Hearing
Docket No. E-2, Sub 1219
Docket No. E-2, Sub 1193

Dear Ms. Campbell:

Enclosed for electronic filing is Duke Energy Progress LLC's *Motion Requesting That the Commission Take Judicial Notice of Certain Evidence Introduced in the Duke Energy Carolinas, LLC Specific Hearing*.

Please do not hesitate to contact me should you have any questions. Thank you for your assistance in this matter.

Sincerely,

/s/ Kiran H. Mehta

Kiran H. Mehta

Enclosure

cc: Parties of Record

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, SUB 1219

DOCKET NO. E-2, SUB 1193

DOCKET NO. E-2, SUB 1219)	
)	
In the Matter of)	
Application of Duke Energy Progress,)	
LLC)	
For Adjustment of Rates and Charges)	DUKE ENERGY PROGRESS, LLC'S
Applicable to Electric Service in North)	MOTION REQUESTING THAT THE
Carolina)	COMMISSION TAKE JUDICIAL NOTICE
)	OF CERTAIN EVIDENCE INTRODUCED
DOCKET NO E-2, SUB 1193)	IN THE DUKE ENERGY CAROLINAS,
)	LLC SPECIFIC HEARING
In the Matter of)	
Application by Duke Energy Progress,)	
LLC, for an Accounting Order to Defer)	
Incremental Storm Damage Expenses)	
Incurred as a Result of Hurricanes)	
Florence and Michael and Winter)	
Storm Diego)	
)	

NOW COMES Duke Energy Progress, LLC (DEP or Company), by and through its legal counsel and pursuant to Rules R1-7 and R1-24 of the Rules and Regulations of the North Carolina Utilities Commission (Commission), as well as the Commission's Order Establishing Procedures and Dates for Filing Motions Requesting Judicial Notice in the above-referenced proceeding (Judicial Notice Order), and respectfully moves that the Commission take judicial notice of additional evidence introduced during the Duke Energy Carolinas, LLP (DEC) expert testimony hearings in Docket No. E-7, Sub 1214 (DEC Hearings).

On October 13, 2020, this Commission issued, in both this Docket and the DEC Docket, E-7, Sub 1214, the Judicial Notice Order. The Judicial Notice Order provided guidelines with respect to when and how parties in each Docket should request judicial notice of testimony taken in the other docket. Pursuant to the Judicial Notice Order, the Company Submits this Motion requesting that the Commission take judicial notice of certain evidence presented in the DEC Hearing.

The Company requests that the Commission take judicial notice of certain evidence presented by witnesses David Doss and John Spanos (testifying as a panel), Sean Riley, and Steven Fetter. The chart below lists the specific evidence covered by this Motion and identifies the corresponding transcript volumes and page numbers for this evidence.

Witness	Volume	Page Numbers	Description
Doss / Spanos	23	23, l. 8 through 34, l. 22	Testimony on cross examination applicable to both DEC and DEP, responding to several broad accounting topics applicable to DEC and DEP including witness Maness' recommendations, ARO accounting classifications.
Doss / Spanos	23	57, l. 14 through 60, l. 21	Testimony on cross examination applicable to both DEC and DEP, responding to several broad accounting topics applicable to DEC and DEP including witness Maness' recommendations, ARO accounting classifications.
Doss / Spanos	23	75, l. 20 through 85, l. 8	Redirect testimony applicable to DEC and DEP responding to several broad accounting topics applicable to DEC and DEP including witness Maness' recommendations, ARO accounting classifications.
Fetter	26	90, l. 1 through 96, l. 10	Testimony on cross examination applicable to DEC and DEP distinguishing legal concepts of culpability from the prudence standard and the principle that prudently-incurred costs should be recovered in rates.
Fetter	26	106, l. 19 through 107, l. 8	Testimony on cross examination applicable to DEC and DEP addressing investor concerns and expectations regarding cost recovery issues.
Fetter	26	121, l. 8 through 123, l. 17	Testimony on cross examination applicable to DEC and DEP addressing the recoverability of prudently-incurred costs associated with service to customers.
Fetter	26	131, l. 9 through 155, l. 12	Redirect testimony and testimony in response to Commissioner questions applicable to DEC and DEP regarding the consequences of denying a return on financing costs associated with deferred prudently-incurred costs.
Riley	24	37, l. 1 through 39, l. 11	Redirect testimony applicable to both DEC and DEP, including ARO accounting impact on ratemaking

Witness	Volume	Page Numbers	Description
			and GAAP classifications and requirements. ¹

The above-referenced evidence presents information generally applicable to both the DEC and DEP Dockets.

The Company has consulted with the other parties to this proceeding and is authorized to represent to the Commission that no party objects to the relief sought by this Motion.

WHEREFORE, the Company requests that:

1. The Commission take judicial notice of the aforementioned testimony excerpts from the DEC Hearings.
2. For such other and further relief as may be just and proper.

Respectfully submitted, this the 19th day of November 2020.

DUKE ENERGY PROGRESS, LLC

/s/ Kiran H. Mehta

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¹ This portion of witness Riley's testimony was inadvertently left out of the stipulated testimony which is the subject of the Amended Joint Stipulation regarding certain coal ash and coal ash accounting-related testimony and exhibits admitted into evidence during the DEC-specific hearings, filed September 28, 2020.

CERTIFICATE OF SERVICE

DOCKET NO. E-2, SUB 1219

DOCKET NO. E-2, SUB 1193

I hereby certify that a copy of the foregoing **DUKE ENERGY PROGRESS, LLC'S MOTION REQUESTING THAT THE COMMISSION TAKE JUDICIAL NOTICE OF CERTAIN EVIDENCE INTRODUCED IN THE DUKE ENERGY CAROLINAS, LLC SPECIFIC HEARING** was served electronically or by depositing a copy in United States Mail, first class postage prepaid, properly addressed to the parties of record.

This the 19th day of November 2020.

/s/ Kiran H. Mehta

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