

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

Docket No. E-7, Sub 1172  
Docket No. E-2, Sub 1177

CUBE YADKIN GENERATION LLC,	)	
	)	
Complainant,	)	
	)	
v.	)	<b>CUBE YADKIN GENERATION LLC’S</b>
	)	<b>MOTION FOR EXTENSION OF TIME</b>
	)	<b>TO FILE NOTICE OF APPEAL AND</b>
DUKE ENERGY CAROLINAS, LLC, and	)	<b>EXCEPTIONS</b>
DUKE ENERGY PROGRESS, LLC	)	
	)	
Respondents.	)	

Cube Yadkin Generation LLC (“Cube”), through its undersigned attorney, moves pursuant to N.C. Gen. Stat. § 62-90 and Commission Rule R1-7 for an extension of time to file notice of appeal and exceptions to the Commission’s July 16, 2018 Order Granting Motion to Dismiss (the “Order”) issued in the above-captioned proceeding. In support thereof, Cube states the following:

1. Pursuant to 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 August 15, 2018. Cube hereby requests an additional 30 days to complete its review of the Order and develop exceptions to be included in a Notice of Appeal, to be filed no later than September 14, 2018.
3. As acknowledged by the Commission in the Order, the case presents a “novel issue” not previously addressed by the Commission. Order, at 6. Cube requests

more time so that it may fully evaluate the Order, its impact on Cube’s business operations, and its legal and business options.

WHEREFORE, for the reasons set forth, Cube Yadkin Generation LLC respectfully requests that the Commission extend the time to file Notice of Appeal and exceptions to and including September 14, 2018.

Respectfully submitted, this 1st day of August, 2018.

          \s\ Jim Phillips

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**Certificate of Service**

I hereby certify that a copy of the foregoing *Motion for Extension of Time to File Notice of Appeal and Exceptions* has been served this day upon counsel of record by electronic mail.

This the 1<sup>st</sup> day of August, 2018.

BROOKS, PIERCE, MCLENDON,  
HUMPHREY & LEONARD, LLP

By:           \s\ Marcus Trathen