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June 30, 2023

Ms. A. Shonta Dunston  
Chief Clerk  
N.C. Utilities Commission  
430 N. Salisbury Street, Room 5063  
Raleigh, NC 27603

**Re: *New River Light and Power Company  
Motion to File Witness Lists at Later Dates  
Docket No. E-34, Subs 54 and 55***

Dear Ms. Dunston:

Attached hereto, on behalf of New River Light and Power Company, is a Motion to File Witness Lists at Later Dates to be filed in the above-referenced dockets.

If you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,

*/s/ David T. Drooz*

David T. Drooz

pbb

Attachment



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cc: Parties and Counsel of Record  
NC Commission Staff  
NC Public Staff

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JUN 30 2023



STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. E-34, SUB 54  
DOCKET NO. E-34, SUB 55

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Docket E-34, Sub 54	)	
	)	
Application of Appalachian State	)	
University, d/b/a New River Light	)	
and Power Company for	)	
Adjustment of General Base	)	
Rates and Charges Applicable to	)	
Electric Service	)	MOTION TO FILE WITNESS LISTS
	)	AT LATER DATES
<u>And</u>	)	
	)	
Docket E-34, Sub 55	)	
	)	
Petition of Appalachian State	)	
University d/b/a New River Light	)	
& Power for an Accounting Order	)	
to Defer Certain Capital Costs	)	
and New Tax Expenses	)	

New River Light & Power (NRLP) hereby moves for a change in the filing dates for the witness list and any disagreements with the witness list. In support of this motion, NRLP shows the following:

1. The March 20, 2023, scheduling order in the above-captioned dockets provides in part:

That NRLP shall consult with all other parties and file, not later than Monday, July 3, 2023, a list of witnesses to be called at the expert witness hearing, the order of witnesses, and each party's estimated time for cross-examination of each witness. If the parties cannot reach agreement, the remaining parties shall, not later than Thursday, July 6, 2023, make a filing indicating their points of

- disagreement with NRLP's filing.
2. NRLP has shared a draft witness list with the other parties to this docket, Appalachian Voices (AV), Nancy LaPlaca, and the Public Staff of the North Carolina Utilities Commission (Public Staff). However, the Public Staff is preparing revised accounting schedules, and engaging in discussions with NRLP's accounting witness on the basis for such revisions. Such revisions would likely contain a revised revenue requirement recommendation from the currently filed testimony of the Public Staff.
  3. Given the likelihood of a revised revenue requirement recommendation from the Public Staff, any estimated cross-examination times that are filed on July 3 could be subject to change.
  4. In light of the evolving accounting analysis, NRLP requests that the deadline for it to file a witness list be extended to July 6, 2023, and that any parties who wish to file a different witness list have until July 7, 2023. While that leaves fewer days to review the list before the July 10, 2023, hearing, the current schedule could result in the filing of a more inaccurate estimation of cross-examination time.
  5. The Public Staff, Appalachian Voices, and Ms. LaPlaca have no objection to this motion.

WHEREFORE, for the reasons stated herein and without objection by other parties, New River Light & Power respectfully requests that the Commission grant this request that the date for NRLP to file a witness list be extended to July 6, 2023, and that other parties have until July 7, 2023, to file their recommended witness

lists if they disagree with the one filed by NRLP.

This the 30<sup>th</sup> day of June, 2023.

FOX ROTHSCHILD LLP

By: /s/ David T. Drooz

David T. Drooz

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*Attorneys for New River Light  
and Power Company*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing **Motion to File Witness Lists at Later Dates** has been served on all parties and counsel of record in the referenced docket and on members of the NC Public Staff by either depositing same in a depository of the United States Postal Service, first-class postage prepaid and mailed to the address stated on the Commission's Service List, or via electronic delivery.

This the 30<sup>th</sup> day of June, 2023.

FOX ROTHSCHILD LLP

By: /s/ David T. Drooz

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