



State of North Carolina

ROY COOPER
ATTORNEY GENERAL

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Raleigh, North Carolina
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August 20, 2008

REPLY TO: PEGGY FORCE
UTILITIES UNIT
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FILED

AUG 20 2008

Clerk's Office
N.C. Utilities Commission

Renne Vance, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325

re: Docket No. G-5, Sub 495
Public Service Company of North Carolina, Inc., General Rate Case

Dear Ms. Vance:

By this letter, the Attorney General requests that the Commission allow the admission into evidence of the pre-filed direct testimony and exhibits of Roger D. Colton, witness for the Attorney General, without the need for him to appear in person at the hearing of this matter. I have conferred with the other parties in the case and am authorized to say that Public Service Company of North Carolina, Inc., and other parties do not wish to cross-examine Mr. Colton in light of their settlement of the case.

Should the Commission have questions for Mr. Colton, then he will appear. Mr. Colton's testimony primarily concerns the impact on low-income and elderly customers of increasing the portion of natural gas bills that is collected through fixed monthly customer charges as opposed to volumetric charges. Mr. Colton resides in Belmont, Massachusetts, and his appearance will entail substantial costs and travel. Therefore, unless the Commission has questions for him, we ask that Mr. Colton's testimony and exhibits be accepted without the need for him to appear.

Thank you for your attention to this request.

Very truly yours,

Margaret A. Force
Margaret A. Force
Assistant Attorney General

c: All Parties of Record

(ST)
7-Comm
Bennink
Kirby
Watson
Hawer
Kite
Hilburn
Seesom
Gilmore
Gruker
3-ps Legal
3-ps Acctg
2-ps Ec/Res
3-ps Gas