

1 PLACE: Dobbs Building, Raleigh, North Carolina
2 DATE: Tuesday, September 19, 2023
3 TIME: 9:13 a.m. - 9:17 a.m.
4 DOCKET: E-2, Sub 1324
5 BEFORE: Commissioner Floyd B. McKissick, Jr.
6 Chair Charlotte A. Mitchell
7 Commissioner ToNola D. Brown-Bland
8 Commissioner Daniel G. Clodfelter
9 Commissioner Kimberly W. Duffley
10 Commissioner Jeffrey A. Hughes
11 Commissioner Karen M. Kemerait

12
13
14
15
16
17
18
19
20
21
22
23
24

IN THE MATTER OF:

Application of Duke Energy Progress, LLC,
for Approval of Joint Agency Asset Rider
for Recovery of Joint Agency Asset Costs Pursuant
to N.C.G.S. § 62-133.14 and Commission Rule R8-70

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

A P P E A R A N C E S:
FOR DUKE ENERGY PROGRESS, LLC:
Robert W. Kaylor, Esq.
Law Office of Robert W. Kaylor, P.A.
353 East Six Forks Road, Suite 260
Raleigh, North Carolina 27609

FOR CAROLINA INDUSTRIAL GROUP FOR FAIR UTILITY
RATES II:
Douglas D.C. Conant, Esq., Associate
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
Raleigh, North Carolina 27601

FOR CAROLINA UTILITY CUSTOMERS ASSOCIATION:
Amanda Hawkins, Esq.
Brooks Pierce McLendon Humphrey & Leonard, LLP
1700 Wells Fargo Capitol Center
Raleigh, North Carolina 27601

1 A P P E A R A N C E S Cont'd.:
2 FOR THE USING AND CONSUMING PUBLIC:
3 Anne M. Keyworth, Esq.
4 Nadia L. Luhr, Esq.
5 Public Staff - North Carolina Utilities Commission
6 4326 Mail Service Center
7 Raleigh, North Carolina 27699-4300

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

T A B L E O F C O N T E N T S
E X A M I N A T I O N S

PAGE

No witnesses of record.

E X H I B I T S

IDENTIFIED / ADMITTED

No exhibits of record.

P R O C E E D I N G S

1
2 COMMISSIONER McKISSICK: Good morning.
3 Let's come to order and proceed with Docket Number
4 E-2, Sub 1324. I'm Commissioner Floyd B. McKissick,
5 Jr., with the North Carolina Utilities Commission and
6 I am the presiding Commissioner for this hearing.
7 With me this morning are Chair Charlotte A. Mitchell;
8 Commissioners ToNola D. Brown-Bland, Daniel G.
9 Clodfelter, Kimberly A. Duffley, Jeffrey A. Hughes,
10 and Karen M. Kemerait.

11 I now call for hearing Docket E-2, Sub 1324,
12 In The Matter of Application of Duke Energy Progress,
13 LLC, for Approval of Joint Agency Asset Cost Recovery
14 Rider Pursuant to North Carolina General Statute
15 § 62-133.14 and Commission Rule R8-70.

16 On June 13th, DEP filed its annual
17 Application for approval of Joint Agency Asset Cost
18 Recovery including prefiled testimony of Bryan L.
19 Sykes.

20 On August 28th, 2023, the Public Staff filed
21 the Affidavit of Meredith Strickland.

22 The only other parties to this docket are
23 Carolina Industrial Group for Fair Utility Rates II
24 and Carolina Utility Customers Association, Inc.

NORTH CAROLINA UTILITIES COMMISSION

1 On September 11th, 2023, DEP and the Public
2 Staff filed a Joint Motion requesting that their
3 witnesses be excused from attending today's hearing
4 and that the witnesses' prefiled testimony be entered
5 into evidence.

6 On September 13th, 2023, the Commission
7 issued an Order Granting the Joint Motion and
8 Canceling the Expert Witness Hearing.

9 In compliance with the requirements of
10 Chapter 138A of the State Government Ethics Act, I
11 remind the members of the Commission of our
12 responsibility to avoid conflicts of interest, and I
13 inquire whether any member has a known conflict of
14 interest with respect to the matter before us this
15 morning?

16 (No response)

17 Let the record reflect that I have no such
18 conflict and that my fellow Commissioners have not
19 identified any such conflict.

20 I now call for appearances of counsel,
21 beginning with DEP.

22 MR. KAYLOR: Good morning, Commissioner
23 McKissick and Members of the Commission. Robert
24 Kaylor on behalf of Duke Energy Progress.

1 MS. KEYWORTH: Good morning, Commissioners.
2 This is Anne Keyworth on behalf of the Public Staff
3 with Nadia Luhr.

4 MR. CONANT: Good morning. This is D.C.
5 Conant on behalf of CIGFUR II.

6 MS. HAWKINS: Good morning. Amanda Hawkins
7 on behalf of CUCA.

8 COMMISSIONER McKISSICK: Let me first ask if
9 there are any preliminary matters that need to be
10 addressed prior to beginning of the hearing?

11 MR. KAYLOR: Commissioner, I believe we need
12 to have the Affidavits that we filed yesterday entered
13 into the record in this docket.

14 COMMISSIONER McKISSICK: All right. We do
15 have Affidavits which need to be admitted into the
16 public record, those being the Affidavits -- identify
17 those parties, Mr. Kaylor.

18 MR. KAYLOR: This was the Affidavits of
19 Publication of Public Notice.

20 COMMISSIONER McKISSICK: Publication?

21 MR. KAYLOR: Yes.

22 COMMISSIONER McKISSICK: So it's now duly
23 noted the Application (sic) of Publication is duly
24 incorporated into the record unless there are

1 objections.

2 Seeing no objections, let that become a part
3 of the official record in this particular proceeding.

4 I'll now look to Public Staff to see if
5 there are witnesses which you have identified that
6 would like to testify today.

7 MS. KEYWORTH: Thank you, Commissioner.
8 None that we're aware of.

9 COMMISSIONER McKISSICK: And I will now look
10 to the audience and see if there is anybody here to
11 speak in connection with the matter before us this
12 morning.

13 (No response)

14 Let the record reflect that there's no one
15 here in the hearing room which has identified
16 themselves as wanting to -- seeking to testify as
17 public witnesses this morning.

18 That being the case, there are no further
19 matters between us and this hearing is hereby
20 adjourned.

21 (The proceedings were adjourned)

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C E R T I F I C A T E

I, KIM T. MITCHELL, do hereby certify that the Proceedings in the above-captioned matter were taken before me, that I did report in stenographic shorthand the Proceedings set forth herein, and the foregoing pages are a true and correct transcription to the best of my ability.

Kim T. Mitchell

Kim T. Mitchell