

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-7, SUB 1304

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Duke Energy Carolinas, LLC,)
Relating to Fuel and Fuel-Related Charge)
Adjustments for Electric Utilities Pursuant to)
N.C.G.S. § 62-133.2 and Commission)
Rule R8-55)
)

ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO PREFILE
REBUTTAL TESTIMONY AND
EXHIBITS

BY THE PRESIDING COMMISSIONER: On February 27, 2024, Duke Energy Carolinas, LLC (DEC), filed its initial application for approval of the Fuel Program rider (Application) pursuant to N.C. Gen. Stat. § 62-133.2 and Commission Rule R8-55. In its Application, DEC initially requested Commission approval for a temporary increase in its fuel and fuel-related costs currently in effect, with the changes being effective for service rendered on and after September 1, 2024.

The Commission granted the interventions of the Carolina Utility Customers Association, Inc. (CUCA), and the Carolina Industrial Group for Fair Utility Rates III (CIGFUR) by respective orders dated March 7, 2024. The intervention of the Public Staff – North Carolina Utilities Commission is recognized as of right pursuant to N.C.G.S. § 62-15(d)(3).

On March 15, 2024, the Commission issued its Order Scheduling Hearing, Establishing Procedural and Filing Requirements, and Requiring Public Notice (Scheduling Order), which scheduled a public hearing on DEC’s Application for June 10, 2024; established deadlines for the submission of petitions to intervene by interested persons and the filing of testimony by intervenors and rebuttal testimony by DEC; and further required public notice to customers and mandated compliance with certain discovery guidelines. Specifically, Ordering Paragraph No. 3 of the Scheduling Order established a due date of Monday, May 20, 2024, for intervenors to file direct testimony and exhibits, and Ordering Paragraph No. 4 of the Scheduling Order established a due date of Wednesday, May 29, 2024, for DEC to file rebuttal testimony and exhibits.

On May 8, 2024, DEC filed the Supplemental Testimony and Exhibits of Sigourney Clark (Supplemental Filing). In pertinent part, DEC’s Supplemental Filing requests “a new EMF increment factor” to recover a cumulative net under-recovery originally resulting from the 2022 test period fuel balance. See Supplemental Testimony of Sigourney Clark at 5.

On May 14, 2024, the Public Staff filed a Motion for Oral Argument and Leave to File Supporting Briefs (Motion for Leave). The Public Staff’s Motion for Leave requested that the Commission permit the parties to file prehearing legal briefs on the limited issue

of the legality of DEC's proposed new EMF factor and schedule the issue for oral argument.

On May 17, 2024, CUCA filed a Motion for Extension of Time to File Intervenor Testimony seeking an extension until Thursday, May 23, 2024, to prefile direct testimony and exhibits.

On May 20, 2024, the Commission issued an Order Granting Extension of Time to File Expert Witness Testimony and Permitting Prehearing Legal Briefs (May 20, 2024 Order), which (1) granted intervening parties an extension of time to and including Thursday, May 23, 2024, to prefile their direct testimony and exhibits; (2) permits the parties to file legal briefs limited to the legality of DEC's proposed new EMF factor by no later than Wednesday, May 29, 2024; and (3) took the Public Staff's request for oral arguments under advisement pending the Commission's review of the prehearing legal briefs. Further, the May 20, 2024 Order stated "[s]hould DEC determine that it requires a reciprocal extension of time to prepare its rebuttal testimony, it may petition the Commission for a reasonable extension at the appropriate time."

On May 22, 2024, DEC filed a Motion for Extension of Time to File Rebuttal Testimony requesting a three-day extension of time through and including Monday, June 3, 2024, to file rebuttal testimony. In support of the Motion, DEC states that it is diligently developing its rebuttal testimony; however, that in light of the prehearing briefs permitted by the Commission's May 20, 2024 Order and the extended deadline for Public Staff and Intervenor testimony, it requires additional time to complete rebuttal testimony.

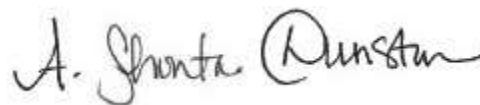
Based on the foregoing and the entire record herein, the Presiding Commissioner finds good cause to grant DEC's requested extension of time.

IT IS, THEREFORE, ORDERED that DEC may prefile rebuttal testimony and exhibits on or before Monday, June 3, 2024.

ISSUED BY ORDER OF THE COMMISSION.

This the 24th day of May, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "A. Shonta Dunston". The signature is written in a cursive, flowing style.

A. Shonta Dunston, Chief Clerk