

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-7, SUB 1033

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application of Duke Energy Carolinas, LLC	)	ORDER SCHEDULING HEARING,
Pursuant to G.S. 62-133.2 and NCUC Rule	)	REQUIRING FILING OF
R8-55 Relating to Fuel and Fuel-Related	)	TESTIMONY, ESTABLISHING
Charge Adjustments for Electric Utilities	)	DISCOVERY GUIDELINES, AND
	)	REQUIRING PUBLIC NOTICE

BY THE COMMISSION: G.S. 62-133.2 provides for annual fuel charge adjustment proceedings for electric utilities engaged in the generation or production of electricity by fossil or nuclear fuels. Commission Rule R8-55 provides that the fuel charge adjustment proceeding for Duke Energy Carolinas, LLC (Duke or Applicant), will be held the first Tuesday of June each year and that Duke shall file its direct testimony and exhibits and shall publish notice prior to the hearing.

On March 6, 2013, Duke filed an application in the above-captioned proceeding. The Commission is of the opinion that good cause exists to schedule a hearing on the application.

The guidelines regarding discovery in this docket, subject to modification for good cause shown, are as follows:

1. Any deposition which a party desires to take shall be taken before the deadline for filing of Public Staff and intervenor testimony. Notice of deposition shall be served on all parties at least seven days prior to the taking of the deposition.

2. Any motion for subpoena of a witness to appear at the evidentiary hearing shall be filed with the Commission before the deadline for filing of Public Staff and intervenor testimony, shall be served by hand delivery or facsimile to the person sought to be subpoenaed at or before the time of filing with the Commission, and shall make a reasonable showing that the evidence of such person will be material and relevant to an issue in the proceeding. See G.S. 62-62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within 24 hours after such motion is filed.

3. Formal discovery requests related to the application and the Applicant's prefiled direct testimony shall be served on the Applicant by hand delivery or facsimile not later than fourteen days prior to the deadline for filing of Public Staff and intervenor testimony. The party served shall have up to ten calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no

event shall objections be filed later than ten days prior to the deadline for filing of Public Staff and intervenor testimony.

4. Formal discovery requests of the Public Staff or intervenors shall be served by hand delivery or facsimile not later than three days after such testimony is filed. The party served shall have up to three calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than five days after that party's testimony was filed.

5. Formal discovery requests related to the Applicant's prefiled rebuttal testimony shall be served on the Applicant by hand delivery or facsimile not later than two days after such testimony is filed. The party served shall have up to two calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than three days after the rebuttal testimony was filed. Discovery related to rebuttal testimony shall be limited to new material introduced in such rebuttal testimony and will be carefully scrutinized upon objection that such discovery should have been sought during the initial period of discovery from the Applicant.

6. Discovery requests need not be filed with the Commission when served; however, any party filing objections shall attach a copy of the relevant discovery request to the objections. Each discovery request, or part thereof, to which no objection is filed shall be answered by the time objections are due, subject to other agreement of the affected parties or other order of the Commission. Upon the filing of objections, the party seeking discovery shall have two days to file a motion to compel with the Commission, and the party objecting to discovery shall have one day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected party by hand delivery or facsimile at or before the time of filing with the Commission.

7. A party shall not be granted an extension of time to pursue discovery because of that party's late intervention or other delay in initiating discovery.

The Commission recognizes that in the past most discovery has been conducted in an informal manner without the need for Commission involvement or enforcement, and that such has been generally successful. The above guidelines are without prejudice to the parties conducting informal discovery or exchanging information by agreement at any time with the understanding that such will not be enforceable by the Commission if outside the guidelines.

IT IS, THEREFORE, ORDERED as follows:

1. That a public hearing shall be, and is hereby, scheduled for Tuesday, June 4, 2013, at 9:30 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, for the purpose of considering the annual fuel charge adjustment proceeding for Duke;

2. That any person having an interest in this proceeding may file a petition to intervene stating such interest on or before Friday, May 17, 2013;

3. That the direct testimony and exhibits of the Public Staff and other intervenors shall be filed on or before Friday, May 17, 2013;

4. That Duke may file rebuttal testimony and exhibits no later than Friday, May 24, 2013;

5. That Duke shall publish the Public Notice attached hereto as Appendix A in a newspaper or newspapers having general circulation in its service area once a week for two successive weeks beginning at least 45 days prior to the hearing;

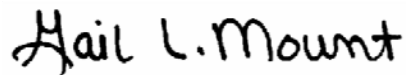
6. That Duke shall file affidavits of publication on or before the date of the hearing; and

7. That the parties shall comply with the discovery guidelines established herein.

ISSUED BY ORDER OF THE COMMISSION.

This the 13<sup>th</sup> day of March, 2013.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Gail L. Mount". The signature is written in a cursive, slightly stylized font.

Gail L. Mount, Chief Clerk

**STATE OF NORTH CAROLINA  
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DOCKET NO. E-7, SUB 1033

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

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

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission has scheduled a hearing on an annual fuel and fuel-related charge adjustment proceeding for Duke Energy Carolinas, LLC (Duke). The public hearing has been scheduled to begin Tuesday, June 4, 2013, at 9:30 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. The proceeding is being held pursuant to the provisions of G.S. 62-133.2 and Commission Rule R8-55 for the purpose of determining whether an increment or decrement rider is required in order to reflect changes in fuel and fuel-related costs over or under the base fuel rate established for Duke in its last general rate case.

Duke filed an application and testimony relative to the subject matter of the proceeding on March 6, 2013. By its application, effective for service rendered on and after September 1, 2013, Duke requests no change in its total annual revenue from the fuel and fuel-related charges currently in effect. Therefore, Duke's request would not increase or decrease the bills of Duke's customers. Specific information may be obtained from the Office of the Chief Clerk, North Carolina Utilities Commission, Raleigh, North Carolina, where a copy of Duke's application is available for review by the public, and on the Commission's website at [www.ncuc.net](http://www.ncuc.net).

The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Correspondence concerning the fuel adjustment proceeding and the hearing scheduled thereon should be directed to the Public Staff. Written statements to the Public Staff should include any information which the writers wish to be considered by the Public Staff in its investigation of the matter. Such statements should be addressed to Mr. Robert P. Gruber, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4326.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Roy Cooper, Attorney General, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001.

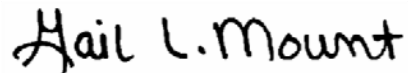
Written statements are not evidence unless the writers appear at a public hearing and testify concerning the information contained in their written statements.

Persons desiring to intervene as formal parties should file a petition under North Carolina Utilities Commission Rules R1-5 and R1-19 on or before Friday, May 17, 2013. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325. The direct testimony and exhibits of expert witnesses to be presented by intervenors should also be filed with the Commission on or before Friday, May 17, 2013.

ISSUED BY ORDER OF THE COMMISSION.

This the 13<sup>th</sup> day of March, 2013.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Gail L. Mount". The signature is written in a cursive, flowing style.

Gail L. Mount, Chief Clerk