

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-7, SUB 1213  
DOCKET NO. E-7, SUB 1214  
DOCKET NO. E-7, SUB 1187

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-7, SUB 1213	)	
	)	
In the Matter of	)	
Petition of Duke Energy Carolinas, LLC, for	)	ORDER GRANTING MOTION
Approval of Prepaid Advantage Program	)	TO TAKE JUDICIAL NOTICE
	)	OF TESTIMONY AND EXHIBIT
DOCKET NO. E-7, SUB 1214	)	PRESENTED BY WITNESSES
	)	WILLIAMS AND WELLS IN
In the Matter of	)	DUKE ENERGY PROGRESS,
Application by Duke Energy Carolinas, LLC,	)	LLC, HEARING
for Adjustment of Rates and Charges	)	
Applicable to Electric Utility Service in	)	
North Carolina	)	
	)	
DOCKET NO. E-7, SUB 1187	)	
	)	
In the Matter of	)	
Application of Duke Energy Carolinas, LLC	)	
for an Accounting Order to Defer	)	
Incremental Storm Damage Expenses	)	
Incurred as a Result of Hurricanes Florence	)	
and Michael and Winter Storm Diego	)	

BY THE CHAIR: On October 13, 2020, in response to a motion by Duke Energy Carolinas, LLC (DEC), the Commission issued an order in the above-captioned dockets (DEC dockets) that, among other things, established guidelines for the parties to request that the Commission take judicial notice of information pursuant to N.C.G.S. § 62-65 (Judicial Notice Order). In addition, the Judicial Notice Order allowed DEC to file on or before October 23, 2020, an amended motion requesting judicial notice.

On October 14, 2020, in response to an earlier motion for judicial notice filed by DEC the Commission issued an Order Granting Motion to Accept into Evidence Prefiled Supplemental Rebuttal Testimony of Witness Jay Oliver and Live Testimony of Witness Jay Oliver in Duke Energy Progress, LLC, Hearing (Oliver Testimony Order), in the DEC dockets. In summary, the Oliver Testimony Order accepted into evidence prefiled testimony by DEC witness Jay Oliver in the DEC dockets, and live testimony presented

by witness Oliver during the expert witness hearing in the rate case application of Duke Energy Progress, LLC (DEP), in Docket No. E-2, Sub 1219 (DEP hearing). In addition, the Oliver Testimony Order directed the Court Reporter to include witness Oliver's prefiled and live testimony in an addendum to Volume 29 of the DEC dockets transcript.

On October 19, 2020, DEC filed an amended motion requesting that the Commission take judicial notice in the DEC dockets of certain evidence presented by witnesses Marcia Williams and James Wells during the DEP hearing. Specifically, DEC requested that the Commission take judicial notice of the testimony of DEP witnesses Wells and Williams on October 6, 2020, testifying as a panel during the DEP hearing, on questions in response to Commission questions, along with Williams Rebuttal Exhibit 2 referenced during that testimony. DEC stated that said testimony is recorded in the DEP transcript at Volume 20, p. 19, line 8 through p. 33 line 11 (Williams/Wells evidence). Further, DEC stated that the Williams/Wells evidence generally describes (1) efforts witness Wells made to bring himself up to speed regarding DEC's historical coal ash disposal practices, and (2) compliance with historical industry and environmental standards for coal ash management. In addition, DEC opined that the Williams/Wells evidence presents information generally applicable to both the DEC and DEP general rate case applications. Finally, DEC stated that it consulted with the other parties to the DEC dockets and was authorized to represent to the Commission that the other parties do not object to DEC's amended motion.

Based on the foregoing and the record, the Chair finds good cause to take judicial notice of the Williams/Wells evidence, to direct the Court Reporter to include the Williams/Wells evidence in the aforesaid addendum to Volume 29 of the DEC hearing transcript, and to direct the Court Reporter to file an addendum to Volume 29 of the Official Exhibits in the DEC dockets to include Williams Rebuttal Exhibit 2 referenced during the Williams/Wells testimony. Finally, the Chair finds good cause to direct that the Court Reporter wait until October 27, 2020, to file the addendum to Volume 29 of the DEC hearing transcript that includes the testimony accepted in the Oliver Testimony Order and the Williams/Wells evidence, and to wait until the same date to file the addendum to Volume 29 of the Official Exhibits to include Williams Rebuttal Exhibit 2.

IT IS, THEREFORE, ORDERED as follows:

1. That the Commission hereby takes judicial notice of the testimony of DEP witnesses Williams and Wells during the DEP hearing that is recorded in the DEP transcript at Volume 20, p. 19, line 8 through p. 33 line 11, and judicial notice of Williams Rebuttal Exhibit 2 referenced during said testimony. Such testimony and exhibit are hereby admitted into evidence in the DEC dockets;

2. That the Court Reporter shall file an addendum to Volume 29 of the DEC transcript and an addendum to Volume 29 of the Official Exhibits in the DEC dockets to include the testimony and exhibit described in Ordering Paragraph No. 1 above;

3. That the Court Reporter shall wait until October 27, 2020, to file the addendums to Volume 29 of the DEC hearing transcript and Vol. 29 of the Official Exhibits described in Ordering Paragraph No. 2 above;

4. That the Court Reporter shall also wait until October 27, 2020, to file the addendum to Volume 29 of the DEC hearing transcript to include the testimony previously accepted into evidence in the Oliver Testimony Order for inclusion in the addendum to Volume 29 of the DEC hearing transcript.

ISSUED BY ORDER OF THE COMMISSION.

This the 21st day of October, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Kimberley A. Campbell". The signature is written in a cursive style with a large initial 'K'.

Kimberley A. Campbell, Chief Clerk