



On September 15, 2023, the Commission issued an order excusing witnesses Cameron, Simril, Swez, Flanagan, Wallace, Johnson, and Brown from testifying at the September 19, 2023 expert witness hearing and directing counsel to move those witnesses' pre-filed testimony and exhibits into the record at the appropriate time during the evidentiary hearing.

On September 18, 2023, CIGFUR filed a motion requesting that the Commission excuse witness Collins from testifying at the September 19, 2023 hearing. In support of its motion, CIGFUR states that all parties have waived cross-examination of witness Collins and no party to this proceeding has objected to his excusal.

Also on September 18, 2023, DEP and the Public Staff filed a joint motion requesting that the Commission excuse their remaining witnesses, witnesses Harrington, Laurence, and Metz, from testifying at the September 19, 2023 expert witness hearing. In support of their motion, DEP and the Public Staff state that counsel for all parties agree to waive cross-examination of all witnesses.

Based on pending motions and the record, the Commission finds good cause to excuse witnesses Collins, Harrington, Laurence, and Metz from testifying at the expert witness hearing and further to receive the prefiled testimony and exhibits of DEP witnesses Cameron, Simril, Swez, Flanagan, Wallace, Johnson, and Harrington; Public Staff witnesses Brown, Laurence, and Metz; and CIGFUR witness Collins into the record.

The public witness hearing will be held as scheduled on September 19, 2023, and the record will remain open pending the public witness hearing.

Further, the Commission finds good cause to cancel the expert witness hearing and to require that DEP and the Public Staff file proposed orders, or a joint proposed order, on or before October 19, 2023, and briefs by the same date, if they desire to file briefs. Other parties may also file proposed orders and briefs by October 19, 2023.

IT IS, THEREFORE, ORDERED as follows:

1. That all expert witnesses are excused from appearing and testifying at the hearing on September 19, 2023, their testimony and exhibits are hereby accepted into evidence, and the expert witness hearing is canceled;
2. That the public witness hearing will be held as scheduled on September 19, 2023, and the record will remain open pending the public witness hearing; and

3. That on or before October 19, 2023, DEP and the Public Staff shall file proposed orders, or a joint proposed order, and the other parties may file briefs and/or proposed orders by the same date, if they desire to file briefs or proposed orders.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th day of September, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Tamika D. Conyers". The signature is written in black ink and is positioned above the printed name.

Tamika D. Conyers, Deputy Clerk