

1 PLACE: Dobbs Building, Raleigh, North Carolina  
2 DATE: Wednesday, November 1, 2023  
3 TIME: 9:30 a.m. - 9:35 a.m.  
4 DOCKET: G-41, Sub 59  
5 BEFORE: Commissioner Floyd B. McKissick, Jr.  
6 Commissioner Karen M. Kemerait

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IN THE MATTER OF:  
Application of Toccoa Natural Gas  
for Annual Review of Gas Costs Pursuant to  
N.C. Gen. Stat. § 62-133.4(c) and  
Commission Rule R1-17(k)(6)

VOLUME 1

1 A P P E A R A N C E S:

2 FOR TOCCOA NATURAL GAS:

3 Jack Taggart, Esq.

4 Fox Rothschild LLP

5 434 Fayetteville Street, Suite 2800

6 Raleigh, North Carolina 27601

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8 FOR THE USING AND CONSUMING PUBLIC:

9 Elizabeth D. Culpepper, Esq.

10 Public Staff - North Carolina Utilities Commission

11 4326 Mail Service Center

12 Raleigh, North Carolina 27699-4326

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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. Let  
3 us come to order and go on the record. I'm  
4 Commissioner Floyd B. McKissick, Jr., of the North  
5 Carolina Utilities Commission, the presiding  
6 Commissioner for this hearing. With me this morning  
7 is Commissioner Karen M. Kemerait.

8 I now call for hearing Docket Number G-41,  
9 Sub 59, In the Matter of an Application of Toccoa  
10 Natural Gas for Annual Review of Gas Costs Pursuant to  
11 North Carolina General Statute § 62-133.4(c) and  
12 Commission Rule R1-17(k) (6).

13 In compliance with the requirements of  
14 Chapter 163A of the North Carolina Government Ethics  
15 Act, I remind the members of the Commission of our  
16 responsibility to avoid conflicts of interest, and I  
17 inquire whether any member has a known conflict of  
18 interest with respect to the matter before us this  
19 morning?

20 (No response)

21 Let the record reflect that I have no such  
22 conflict and no such conflicts have been identified.

23 North Carolina General Statute § 62 133.4  
24 authorizes gas costs adjustment proceedings for

NORTH CAROLINA UTILITIES COMMISSION

1 natural gas distribution companies and provides that  
2 the Commission shall conduct annual review proceedings  
3 to compare each natural gas utility's prudently  
4 incurred costs with costs recovered from the utility's  
5 customers served during the test period.

6 Commission Rule R1-17(k)(6) prescribes the  
7 procedure for such annual reviews of natural gas  
8 costs.

9 On August 29th, 2023, Toccoa Natural Gas,  
10 hereinafter referred to at times as Toccoa, filed the  
11 direct testimony and exhibits of Harry Franklin Scott  
12 Jr., and Rai Trippe relating to this annual review  
13 proceeding, some of which are confidential.

14 On September 8th, 2023, the Commission  
15 issued an Order Scheduling Hearing, Requiring Filing  
16 of Testimony, Establishing Discovery Guidelines, and  
17 Requiring Public Notice. That Order scheduled this  
18 hearing for today, November 1st, at 9:31 a.m.

19 On September 29th, 2023, Toccoa filed a  
20 Motion for Partial Suspension of Hearing Schedule.

21 On October 5th, 2023, the Commission granted  
22 Toccoa's Motion and continued the expert witness  
23 portion of the November 1st, 2023, hearing pending  
24 further Order of the Commission.

1           The public witness portion of the hearing is  
2 being convened now as scheduled.

3           On October 9th, 2023, Toccoa filed an  
4 Affidavit of Publication of Public Notice.

5           No Petitions to Intervene were filed in this  
6 docket.

7           The intervention and participation of the  
8 Public Staff is recognized pursuant to North Carolina  
9 General Statute § 62-15(d) and Commission Rule  
10 R1-19(e).

11           I now call for appearances of counsel,  
12 beginning with Toccoa.

13           MR. TAGGART: Yes, Commissioner, Jack  
14 Taggart from Fox Rothschild on behalf of Toccoa  
15 Natural Gas.

16           COMMISSIONER McKISSICK: And I will now  
17 recognize the Public Staff.

18           MS. CULPEPPER: Good morning. Elizabeth  
19 Culpepper with the Public Staff appearing on behalf of  
20 the Using and Consuming Public.

21           COMMISSIONER McKISSICK: Okay. Have you  
22 identified any public witnesses present to testify in  
23 this docket?

24           MS. CULPEPPER: There are none.

1           COMMISSIONER McKISSICK: All right. And I  
2 will look into the audience to see if there are any in  
3 the room that have not identified themselves as  
4 signing up to participate in this hearing. There are  
5 none, and let the record reflect that for the purposes  
6 of this hearing.

7           Let me go ahead and proceed to see if  
8 there's any other matters that need to come before us  
9 today. Are there any procedural matters?

10          MR. TAGGART: Yes. We would like to resume  
11 the scheduling hearing for -- to reschedule the  
12 hearing for the expert witnesses.

13          COMMISSIONER McKISSICK: It's my  
14 understanding that at this time there's -- they've  
15 tentatively set a date of Tuesday, November 30th,  
16 2024, at 10:00 a.m.

17          MR. TAGGART: Is that January?

18          MS. CULPEPPER: January.

19          COMMISSIONER McKISSICK: Excuse me, January.  
20 I apologize. Let me restate that for the record.  
21 Tentatively set it for Tuesday, January 30th, 2024, at  
22 10:00 a.m.

23          MS. CULPEPPER: Yes, sir.

24          MR. TAGGART: Yes.

1                   COMMISSIONER McKISSICK: Is that your  
2 understanding as well?

3                   MR. TAGGART: Yes.

4                   MS. CULPEPPER: Yes.

5                   COMMISSIONER McKISSICK: With that said, if  
6 there are no other matters to come before us today,  
7 then we will now officially adjourn this hearing at  
8 this time. Thank you.

9                   (The proceedings were adjourned)

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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