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September 14, 2023

**VIA ELECTRONIC FILING**

Ms. A. Shonta Dunston, Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4300

**RE: Duke Energy Progress, LLC and the Public Staff's Joint Motion to  
Excuse Certain Witnesses from Evidentiary Hearing  
Docket No. E-2, Sub 1321**

Dear Ms. Dunston:

Enclosed for filing is Duke Energy Progress, LLC and the Public Staff's Joint Motion to Excuse Certain Witnesses from Appearance at Hearing, for filing in connection with the above-referenced matter.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,

Ladawn S. Toon

Enclosure

cc: Parties of Record

OFFICIAL COPY

Sep 14 2023

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1321

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:	)	
	)	
Application of Duke Energy Progress, LLC	)	<b>DUKE ENERGY PROGRESS,</b>
Pursuant to G.S. 62-133.2 and NCUC Rule	)	<b>LLC AND THE PUBLIC</b>
R8-55 Relating to Fuel and Fuel-Related	)	<b>STAFF’S JOINT MOTION TO</b>
Charge Adjustments for Electric Utilities	)	<b>EXCUSE CERTAIN WITNESSES</b>
	)	<b>FROM APPEARANCE AT</b>
	)	<b>HEARING</b>

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NOW COME Duke Energy Progress, LLC (“DEP” or “Company”) and Public Staff – North Carolina Utilities Commission (“Public Staff”) and request that the North Carolina Utilities Commission (“Commission”) issue an order excusing certain witnesses from testifying at the September 19, 2023 Evidentiary Hearing in the above-captioned matter. In support of this motion, DEP and the Public Staff show the following:

1. On June 13, 2023, DEP pre-filed the testimony and exhibits of witnesses Dana M. Harrington, Matthew L. Cameron, Tom Simril, John D. Swez, Jeffrey Flanagan, David B. Johnson, and Nadene N. Wallace in this docket.
2. On June 23, 2023, Carolina Industrial Group for Fair Utility Rates II (“CIGFUR II”) filed petition to intervene with the Commission.
3. On June 27, 2023, Carolina Industrial Group for Fair Utility Rates II (“CIGFUR II”) was allowed to intervene by order of the Commission.
4. On June 30, 2023, the Commission issued its *Order Scheduling Hearing, Requiring Filing of Testimony, Establishing Discovery Guidelines, and Requiring Public*

*Notice*, setting the date and time for an Evidentiary Hearing in this docket to begin on September 19, 2023, at 9:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina immediately following the hearings in Docket No. E-2, Sub 1320.

5. On July 3, 2023, Carolina Utility Customers Association, Inc. (“CUCA”) filed petition to intervene with the Commission.

6. On July 11, 2023, Carolina Utility Customers Association, Inc. (“CUCA”) was allowed to intervene by order of the Commission.

7. On August 28, 2023, the Public Staff filed a Motion for an Extension of Time.

8. On August 28, 2023, DEP filed Supplemental Testimony, Revised Exhibits and Workpapers of Dana M. Harrington.

9. On August 29, 2023, Commission issued its Order Granting Extension of Time.

10. On September 1, 2023, the Public Staff filed testimony of Darrell Brown, Public Utility Regulatory Analyst with the Accounting Division.

11. Also on September 1, 2023, the Public Staff filed Joint Testimony of Evan D. Lawrence and Dustin R. Metz, Engineers with the Energy Division.

12. On September 1, 2023, CIGFUR II filed testimony of Brian C. Collins (“witness Collins”).

13. On September 8, 2023, DEP filed Rebuttal Testimony of Dana M. Harrington.

14. Counsel for DEP and the Public Staff agree to waive cross-examination of the Company's witnesses and Public Staff's witnesses, as there are no issues in controversy by and between DEP and the Public Staff.

15. Public Staff and DEP agree that the rates proposed, and the methodology used to calculate the proposed rates are appropriate for this proceeding.

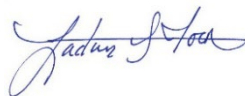
16. Counsel for DEP and Public Staff do not object to the introduction of pre-filed testimony and exhibits of the Company's witnesses or pre-filed testimony and exhibits of Public Staff's witnesses into the record.

17. DEP and the Public Staff move to excuse the following witnesses: (1) Matthew L. Cameron; (2) Tom Simril; (3) John D. Swez; (4) Jeffrey Flanagan; (5) Nadene N. Wallace; David Johnson; and (6) Darrell Brown.

18. CUCA and CIGFUR do not oppose excusing the witnesses specified in paragraph 17 of this motion or the relief set forth immediately below.

Accordingly, DEP and the Public Staff request that DEP witnesses Matthew L. Cameron, Tom Simril, John D. Swez, Jeffrey Flanagan, Nadene N. Wallace, David B. Johnson and Public Staff witness Darrell Brown be excused from appearing at the September 19, 2023 hearing in this docket and that the testimony and exhibits of the respective witnesses be received into the record and for such other and further relief as may be just and proper.

Respectfully submitted, this the 14<sup>th</sup> day of September, 2023.



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/s/ William S. F. Freeman  
Electronically submitted  
s/ William S. F. Freeman, Staff Attorney  
s/ William E. H. Creech, Staff Attorney

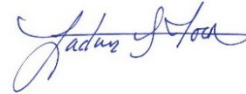
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*ATTORNEYS FOR PUBLIC STAFF–NORTH CAROLINA  
UTILITIES COMMISSION*

## CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Progress, LLC and Public Staff's Joint Motion to Excuse Certain Witnesses from Appearance at Evidentiary Hearing, in Docket No. E-2, Sub 1321, has been served by electronic mail, hand delivery or by depositing a copy in the United States mail, postage prepaid to parties of record.

This the 14<sup>th</sup> day of September, 2023.



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