

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-100, SUB 118
DOCKET NO. E-100, SUB 124
DOCKET NO. E-100, SUB 125

FILED

JAN 13 2010

Clerk's Office
N.C. Utilities Commission

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-100, SUB 118)	
)	
In the Matter of)	
Investigation of Integrated Resource)	
Planning in North Carolina – 2008)	PUBLIC STAFF'S SECOND MOTION
)	FOR EXTENSION OF TIME TO FILE
)	COMMENTS
DOCKET NO. E-100, SUB 124)	
)	
In the Matter of)	
Investigation of Integrated Resource)	
Planning in North Carolina – 2009)	
)	
)	
DOCKET NO. E-100, SUB 125)	
)	
2009 REPS Compliance Plans)	

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Robert P. Gruber, and respectively requests the Commission to issue an order extending the time for filing initial comments on the 2009 integrated resource plans and Renewable Energy and Energy Efficiency Portfolio Standards (REPS) compliance plans filed in Docket No. E-100, Sub 124 or Docket No. E-100, Sub 125 on or about September 1, 2009.

In support, the Public Staff shows the following:

1. Under Commission Rule R8-60(h), each of the electric power suppliers listed in subsection (b) of Rule R8-60 shall file with the Commission its then current integrated resource plan (IRP), along with all of the information required by subsection (i) of the rule, every two years (biennial report), starting September 1, 2008. By September 1 of each year in which the biennial report is not required to be filed, an annual report shall be filed containing an updated forecast and significant amendments or revisions to the most recently filed biennial report.

(25)

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2. In addition, Commission Rule R8-67(b) provides that "[a]ny electric power supplier subject to Rule R8-60 shall file its REPS compliance plan as part of its integrated resource plan filing, and the REPS compliance plan will be reviewed and approved pursuant to R8-60."

3. On or about September 1, 2009, the following utilities filed annual reports (2009 IRPs) in Docket No. E-100, Sub 124: Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. (PEC), Duke Energy Carolinas, LLC (Duke), and Virginia Electric and Power Company d/b/a Dominion North Carolina Power (DNCP) (collectively, the investor-owned utilities); the North Carolina Electric Membership Corporation (NCEMC); and four independent electric membership corporations (EMCs): Piedmont EMC, Rutherford EMC, Haywood EMC, and EnergyUnited EMC (EnergyUnited). EnergyUnited filed a revised 2009 IRP on November 30, 2009. The 2009 IRPs updated the 2008 biennial reports filed in Docket No. E-100, Sub 118.

4. Also on or about September 1, 2009, the investor-owned utilities, GreenCo Solutions, Inc. (GreenCo), Halifax EMC, Rutherford EMC, and EnergyUnited filed their REPS compliance plans.

5. REPS compliance plans have been filed in Docket No. E-100, Sub 125 by the Public Works Commission of the City of Fayetteville, the Murphy Electric Power Board, North Carolina Eastern Municipal Power Agency, North Carolina Municipal Power Agency Number 1, Mountain Electric Cooperative, Inc., Tri-State EMC, Blue Ridge Mountain EMC, the Cities of Concord and Kings Mountain, and the Towns of Black Creek, Dallas, Enfield, Forest City, Highlands, Lucama, Oak City, Pinetops, Sharpsburg, Stantonsburg, Waynesville and Winterville.

6. The following parties have intervened in Docket No. E-100, Sub 124: the North Carolina Attorney General, the Carolina Industrial Group for Fair Utility Rates, the North Carolina Waste Awareness and Reduction Network, Inc., the Carolina Utility Customers Association, Inc., Nucor Steel-Hertford, and the City of Fayetteville.

7. On October 15, 2009, the Public Staff filed a motion for extension of time until January 15, 2010 for it and other interveners to file alternative IRP reports, evaluations of, or comments on the 2009 IRPs and REPS compliance plans.

8. On October 19, 2009, the Commission issued its *Order Scheduling Hearings on 2009 Integrated Resource Plans and REPS Compliance Plans and Consolidating Dockets for Decision*, in Docket Nos. E-100, Sub 118 and Sub 124. In this order, the Commission directed that the 2009 IRPs and REPS compliance plans filed by the investor-owned utilities were subject to an evidentiary hearing, scheduled to commence on March 16, 2010. The 2009 IRPs and REPS compliance plans filed by NCEMC, GreenCo, the other, independent EMCs, and the Power Agencies and municipalities, however, remained subject to the normal comments process set forth in Commission Rule R8-60. The Commission also allowed the Public Staff's motion for extension of time and directed that comments on 2009 IRPs and REPS compliance

plans filed by NCEMC, GreenCo, the other independent EMCs, and the Power Agencies and municipalities, should be filed by January 15, 2010.

9. The Public Staff has been diligently reviewing the 2009 IRPs and REPS compliance plans. Due to the press of other business, however, the Public Staff has been unable to complete its investigation sufficiently to meet the January 15, 2010 filing deadline. The Public Staff anticipates that can complete its investigation and its comments by February 8, 2010.

10. The Public Staff does not seek an extension of the filing deadlines for testimony related the 2009 IRPs and REPS compliance plans filed by the investor-owned utilities at this time.

11. The Public Staff notified the parties to Docket No. E-100, Sub 124 on January 12-13, 2010, of its intent to seek the aforementioned extension, and none has objected.

Therefore, the Public Staff moves:


1. For an extension of time until February 8, 2010, for all parties to file their initial comments on the 2009 IRPs and REPS compliance plans filed by NCEMC, GreenCo, the other, independent EMCs, and the Power Agencies and municipalities; and

2. For such further and other relief as the Commission may deem just and proper.

Respectfully submitted this the 13th day of January, 2010.

PUBLIC STAFF
Robert P. Gruber
Executive Director

Antoinette R. Wike
Chief Counsel

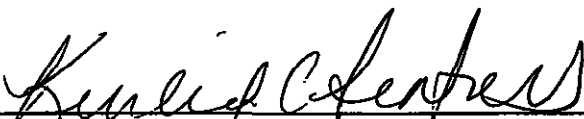

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CERTIFICATE OF SERVICE

I do hereby certify I have this day served a copy of the foregoing motion on each of the parties of record in this proceeding or their attorneys of record by causing a copy of the same to be deposited in the United States Mail, postage prepaid, properly addressed to each and/or by email.

This the 13th day of January, 2010.


Kendrick C. Fentress