

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-2, SUB 1177
DOCKET NO. E-7, SUB 1172

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

Docket No. E-2, Sub 1177)
)
In the Matter of)
Cube Yadkin Generation, LLC,)
Complainant)
)
v.)
Duke Energy Progress, LLC)
Respondent)
)
Docket No. E-7, Sub 1172)
)
In the Matter of)
Cube Yadkin Generation, LLC,)
Complainant)
)
v.)
Duke Energy Carolinas, LLC)
Respondent)

**JOINT SECOND MOTION FOR
EXTENSION OF PROCEDURAL
SCHEDULE**

COME NOW Cube Yadkin Generation, LLC (“Cube Yadkin”), Duke Energy Progress, LLC, and Duke Energy Carolinas, LLC (collectively, “the Parties”), by and through counsel, and jointly file this Motion that the Commission extend all milestones on the procedural schedule in this matter by approximately thirty (30) days. In support of their motion, the Parties show as follows:

1. On May 28, 2020, the Commission issued an *Order Scheduling Hearing and Establishing Procedural Schedule on Remand* (“Procedural Order”), which established new deadlines for discovery, prefiled testimony, and a hearing in this case.

2. On September 1, 2020, the Commission issued an *Order Granting Extension of Time to File Testimony* (“Extension Order”), which extended the deadlines for discovery, prefiled testimony, and a hearing in this case.

3. The Parties have been diligently engaging in discovery and preparing for the submittal of testimony and a hearing in this case. However, accessibility and personnel issues related to COVID-19, as well as the press of other matters and availability of witnesses, have impacted the taking of depositions and preparation of the Parties’ cases.

4. Accordingly, the Parties jointly request that all procedural deadlines in this matter be extended by approximately thirty (30) days. Under the revised schedule as proposed, any depositions would have to be taken by January 15, 2020; the direct testimony and exhibits of Complainant would be due for filing on or before December 10, 2020; the direct testimony and exhibits of Respondents would be due for filing on or before January 11, 2021; and Complainant’s rebuttal testimony and exhibits would be due for filing no later than February 12, 2021. A hearing would be held at the Commission’s convenience, preferably after March 1, 2021.

WHEREFORE, the Parties respectfully request that the Commission issue an order extending all deadlines established in the September 1, 2020 Extension Order by 30 days, as set forth herein, and such other relief as the Commission deems just and proper.

Respectfully submitted this 10th day of September, 2020.

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing *Joint Second Motion for Extension of Procedural Schedule* has been served by electronic mail, hand delivery, or by depositing a copy in the United States Mail, 1st Class Postage Prepaid, properly addressed to parties of record.

This the 10th day of September, 2020.

/s
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