

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-7, SUB 1307

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Duke Energy Carolinas, LLC,	)	ORDER SCHEDULING HEARING,
for Approval of Competitive Procurement of	)	ESTABLISHING PROCEDURAL
Renewable Energy Cost Recovery Rider	)	AND FILING REQUIREMENTS,
Pursuant to N.C. Gen. Stat. § 62-110.8 and	)	AND REQUIRING PUBLIC NOTICE
Commission Rule R8-71	)	

BY THE CHAIR: Section 62-110.8 of the North Carolina General Statutes requires Duke Energy Carolinas, LLC (DEC), and Duke Energy Progress, LLC (DEP) (together, Duke), to file for Commission approval a program for the competitive procurement of energy and capacity from renewable energy facilities with the purpose of adding renewable energy to the State's generation portfolio in a manner that allows the State's electric public utilities to continue to reliably and cost-effectively serve customers' future energy needs (CPRE Program). Further, N.C. Gen. Stat. § 62-110.8(h) permits Duke to recover its CPRE Program costs through an annual rider established pursuant to N.C.G.S. § 62-110.8(g).

Commission Rule R8-71(j) provides that the Commission will schedule an annual public hearing to review each public utility's application for recovery of costs reasonably and prudently incurred and anticipated to be incurred by the electric public utility to comply with the requirements of N.C.G.S. § 62-110.8 and will permit each electric public utility to charge an increment or decrement as a rider to its rates to recover in a timely manner those costs. Commission Rule R8-71(j)(3) requires that DEC use a test period of 12 months ending December 31. Further, Commission Rule R8-71 establishes, consistent with N.C.G.S. § 62-110.8, detailed requirements for calculation of costs incurred to comply with the CPRE Program including the limit in the annual increase in the aggregate amount of costs incurred to comply with the CPRE Program that was enacted at N.C.G.S. § 62-110.8(g).

On February 27, 2024, DEC filed its application for approval of the CPRE Program rider pursuant to N.C.G.S. § 62-110.8 and Commission Rule R8-71. By its application, DEC requests a CPRE Program rider effective for service rendered on and after September 1, 2024. If approved by the Commission, DEC's proposed changes in fuel rates would result in a decrease for residential customers of approximately \$0.09, including regulatory fee, per month for customers using 1,000 kWh of electricity.

The Commission finds good cause to issue the present Order scheduling this matter for public hearing, establishing procedural and filing requirements, and requiring public

notice. The guidelines regarding discovery in this docket, subject to modification for good cause shown, are as follows:

1. Any deposition shall be taken before the deadline for the filing of the Public Staff and other intervenor prefiled direct testimony. Notice of deposition shall be served on all parties at least 7 calendar days prior to the taking of the deposition. Notice of deposition and all other discovery notices, requests and motions shall be served on the appropriate parties by hand delivery or facsimile, or by electronic delivery if the receiving party has agreed to receipt by electronic delivery.

2. Any motion for subpoena of a witness to appear at the expert witness hearing shall be filed with the Commission before the deadline for the filing of the Public Staff and other intervenor testimony, shall be served on the person sought to be subpoenaed at or before the time of filing with the Commission, and shall make a reasonable showing that the evidence of such person will be material and relevant to an issue in the proceeding. See N.C.G.S. § 62-62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within 2 business days after such a motion is filed.

3. Formal discovery requests related to the application and DEC's prefiled direct and supplemental testimony shall be served on DEC not later than 14 calendar days prior to the filing of the Public Staff and other intervenor direct testimony. The party served shall have up to 10 calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than 10 calendar days prior to the deadline for the filing of the Public Staff and other intervenor direct testimony.

4. Formal discovery requests related to the Public Staff and other intervenors prefiled direct testimony shall be served no later than 5 calendar days after such testimony is filed. The party served shall have up to 3 business days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than 9 calendar days after the filing of the Public Staff or other intervenor direct testimony.

5. Formal discovery requests related to DEC's prefiled rebuttal testimony shall be served no later than 3 business days after such testimony is filed. The party served shall have up to 3 calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than 3 business days after the filing of DEC's rebuttal testimony. Discovery related to rebuttal testimony shall be limited to new material introduced in such rebuttal testimony and will be carefully scrutinized upon objection that such discovery should have been sought during the initial period of discovery.

6. Discovery requests need not be filed with the Commission when served; however, any party filing objections shall attach a copy of the relevant discovery request to the objections. Each discovery request, or part thereof, to which no objection is filed shall be answered by the time objections are due, subject to other agreement of the

affected parties or other order of the Commission. Upon the filing of objections, the party seeking discovery shall have 2 calendar days to file with the Commission a motion to compel, and the party objecting to discovery shall have 1 calendar day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected party at or before the time of filing with the Commission.

7. A party shall not be granted an extension of time to pursue discovery due to that party's late intervention or other delay in initiating discovery.

The Chair urges all parties to work in a cooperative manner and to attempt to accommodate discovery within the time available. The Commission recognizes that in the past, most discovery has been conducted in an informal manner without the need for Commission involvement or enforcement, and that such has been generally successful. The above guidelines are without prejudice to the parties conducting informal discovery or exchanging information by agreement at any time with the understanding that such will not be enforceable by the Commission if outside the guidelines.

IT IS, THEREFORE, ORDERED as follows:

1. That a public hearing for the purpose of considering the annual CPRE Program cost recovery rider adjustment proceeding for DEC shall be, and is hereby, scheduled to begin immediately following the hearings in Docket No. E-7, Subs 1304, 1305, and 1306, which are scheduled to begin at 2:00 p.m. on Monday, June 10, 2024, in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina;

2. That any person having an interest in this proceeding may file a petition to intervene stating such interest on or before Monday, May 20, 2024;

3. That the direct testimony and exhibits of the Public Staff and other intervenors shall be filed on or before Monday, May 20, 2024;

4. That DEC may file rebuttal testimony and exhibits on or before Wednesday, May 29, 2024;

5. That all parties filing supporting exhibits in either PDF or Excel format shall provide the Commission Staff electronic versions of the exhibits filed in native Excel format via email at [NCUCexhibits@ncuc.gov](mailto:NCUCexhibits@ncuc.gov), including all of the supporting worksheets and formulas, within three days of the filing of such exhibits (or within three business days of the issuance of this order if already filed with the Commission), and that DEC and all other parties filing exhibits and workpapers that include tables of numbers and calculations shall provide the Public Staff and any other party upon request an electronic version of all such exhibits and workpapers, with formulas intact;

6. That DEC shall publish the Notice attached hereto as Appendix A in a newspaper or newspapers having general circulation in its service area once a week for two successive weeks beginning at least 30 days prior to the hearing;

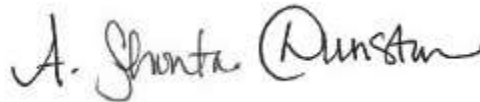
7. That DEC shall file affidavits of publication on or before the date of the hearing; and

8. That the parties shall comply with the discovery guidelines established herein.

ISSUED BY ORDER OF THE COMMISSION.

This the 15th day of March, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "A. Shonta Dunston". The signature is written in a cursive, flowing style.

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-7, SUB 1307

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of Duke Energy Carolinas, LLC,       )  
for Approval of Competitive Procurement of       )  
Renewable Energy Cost Recovery Rider       )       PUBLIC NOTICE  
Pursuant to N.C. Gen. Stat. § 62 110.8 and       )  
Commission Rule R8 71       )

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission has scheduled a public hearing in the annual Competitive Procurement of Renewable Energy (CPRE) Program cost recovery proceeding for Duke Energy Carolinas, LLC (DEC). The public hearing is scheduled to begin immediately following the hearings in Docket No. E-7, Subs 1304, 1305, and 1306 which are scheduled to begin at 2:00 p.m. on Monday, June 10, 2024, in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. Public witness testimony will be received in accordance with Commission Rule R1-21(g).

This proceeding is being held pursuant to the provisions of N.C. Gen. Stat. § 62-110.8 and Commission Rule R8-71 for the purpose of determining whether an increment or decrement rider is required to allow DEC to recover all reasonable and prudent costs incurred for adoption and implementation of the CPRE Program.

On February 27, 2024, DEC filed its application for approval of the CPRE Program rider pursuant to N.C.G.S. § 62-110.8 and Commission Rule R8-71. By its application, DEC requests a CPRE Program rider effective for service rendered on and after September 1, 2024. If approved by the Commission, DEC's proposed changes in fuel rates would result in a decrease for residential customers of approximately \$0.09, including regulatory fee, per month for customers using 1,000 kWh of electricity.

By its application, DEC requests to refund to its North Carolina retail customers (\$20,687,106) related to the actual CPRE Program costs incurred and other credits for the test period, and further, to collect \$25,000,608 for CPRE Program costs projected to be incurred during the period from September 1, 2024 through August 31, 2025. DEC proposes a net CPRE Program rider decrease, including regulatory fee, of 0.0094 cents per kilowatt hour for residential customers; a net CPRE Program rider decrease, including regulatory fee, of 0.0101 cents per kilowatt hour for general service customers; and a net CPRE Program rider increase, including regulatory fee, 0.0001 cents per kilowatt hour for industrial customers. If approved, the net effect of DEC's request would be to decrease the monthly bill of a residential customer using 1,000 kWh of electricity by \$0.09 per month.

Rider CPRE will be in effect for the twelve-month period September 1, 2024, through August 31, 2025.

Further information may be obtained from the Office of the Chief Clerk, North Carolina Utilities Commission, Dobbs Building, 5th Floor, 430 North Salisbury Street, Raleigh, North Carolina, where a copy of DEC's application and testimony is available for review by the public, or on the Commission's website at [www.ncuc.gov](http://www.ncuc.gov).

The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Written statements to the Public Staff should include any information that the writers wish to be considered by the Public Staff in its investigation of the matter. Such statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, c/o Consumer Protection-Utilities, 9001 Mail Service Center, Raleigh, North Carolina, 27699-9001. Written statements may be emailed to [utilityAGO@ncdoj.gov](mailto:utilityAGO@ncdoj.gov).

Written statements are not evidence unless persons appear at a public hearing and testify concerning the information contained in their written statements.

Any person desiring to intervene in the proceeding as a formal party of record should file a petition under North Carolina Utilities Commission Rules R1-5 and R1-19 on or before Monday, May 20, 2024. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. The direct testimony and exhibits of expert witnesses to be presented by intervenors should also be filed with the Commission on or before Monday, May 20, 2024.

ISSUED BY ORDER OF THE COMMISSION.

This the 15th day of March, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "A. Shonta Dunston". The signature is written in a cursive, flowing style.

A. Shonta Dunston, Chief Clerk