

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. E-7, SUB 1230

In the Matter of:)
Application of Duke Energy Carolinas,) **MOTION FOR EXTENSION OF**
LLC for Approval of Demand-Side) **TIME TO FILE TESTIMONY**
Management and Energy Efficiency)
Cost Recovery Rider Pursuant to N.C.)
Gen. Stat. § 62-133.9 and Commission)
Rule R8-69)

The North Carolina Justice Center, the North Carolina Housing Coalition, and the Southern Alliance for Clean Energy (collectively, “Intervenors”), through counsel, file this motion to extend the time to file testimony and to participate remotely in the public hearing in this docket. In support of this motion, Intervenors state as follows:

1. On February 25, 2020, Duke Energy Carolinas, LLC (“DEC”) filed its application for approval of its demand-side management and energy efficiency cost recovery rider.
2. Intervenors filed a petition to intervene in the above-captioned docket on April 17, 2020, which was granted by the Commission on April 21, 2020.
3. Pursuant to the Commission’s March 17, 2020 Order Scheduling Hearing, Requiring Filing of Testimony, Establishing Discovery Guidelines and Requiring Public Notice, Intervenors’ deadline to file testimony is currently May 18, 2020 and DEC’s deadline to file rebuttal testimony is May 28, 2020.
4. On May 11, 2020, DEC filed the Supplemental Testimony and Supplemental Exhibits of witness Carolyn Miller and Supplemental Exhibits of witness

Robert Evans. These Supplemental Exhibits adjusted the calculation of the proposed rates at issue in this proceeding.

5. An extension of five days would allow Intervenors sufficient time to analyze the updated filings by DEC, review recently produced responses to data requests, and to finalize and file testimony.

6. For all of these reasons, Petitioners respectfully request an extension of the deadline to file testimony until May 22, 2020 and a corresponding extension of the time for DEC to file testimony in rebuttal to Intervenors' testimony until June 1, 2020.

7. The ongoing COVID-19 pandemic will create a challenge for the scheduled hearing in this docket. As a result of the pandemic, North Carolina Governor Roy Cooper implemented a "Stay At Home" executive order on March 27, 2020. Governor Cooper issued an executive order on April 23, 2020 modifying the "Stay At Home" order to allow limited social interactions while maintaining public health and safety. This modified "Stay At Home" order remains in place as of this filing. Under the modified "Stay At Home" order, gatherings must be limited to 10 persons and all non-essential travel should be avoided when possible. It is unclear whether the "Stay At Home" order will be further modified prior to the scheduled June 9, 2020 public hearing. Though not binding on the Commission, Chief Justice Cheri Beasley of the North Carolina Supreme Court has ordered most judicial proceedings be delayed or handled using "remote audio and video transmissions, notwithstanding any other provision of law."

8. Intervenors' witness is from outside of North Carolina and would be required to travel extensively in order to appear in person. Between the Commissioners,

Commission Staff, counsel and witnesses from the Public Staff, counsel and witnesses for DEC, counsel for intervenors, and potentially other members of the public, there would necessarily be more than ten individuals in the hearing room for any in-person hearing for this docket. In the interest of public health and safety, Intervenor request that both counsel and witnesses in this proceeding be allowed to appear remotely with audio or video technology at the June 9, 2020 public hearing.

9. Intervenor have reached out to counsel for all other parties to this docket. DEC does not object to the request for an extension of time and has taken no position on the request to hold a virtual hearing. The Public Staff supports the request for an extension to file testimony and takes no position on the request for virtual appearances. As of the time of filing this Motion, no other party has raised an objection to either request.

WHEREFORE, the Intervenor pray that they be granted an extension of time until May 22, 2020, to submit pre-filed testimony in this docket, which would also allow DEC until June 1, 2020 to file rebuttal testimony, and that counsel and witnesses be allowed to appear virtually for the public hearing.

Respectfully submitted this the 14th day of May, 2020.

s/ David L. Neal _____

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CERTIFICATE OF SERVICE

I certify that all parties of record on the service list have been served with the foregoing *Motion for Extension of Time to File Testimony* either by electronic mail or by deposit in the U.S. Mail, postage prepaid.

This the 14th day of May, 2020.

s/ David L. Neal
David L. Neal