

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-100, SUB 176

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	MOTION OF THE
Petition to Revise Commission)	PUBLIC STAFF FOR
Rules R8-63 and R8-64)	EXTENSION OF TIME

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and respectfully moves the North Carolina Utilities Commission (Commission) to extend the deadline for parties to file reply comments in the above-captioned docket. In support of this motion, the Public Staff respectfully shows the Commission the following:

1. On August 19, 2021, the Public Staff filed a Petition to Amend Commission Rules R8-63 and R8-64, which govern the application and review process for certificates of public convenience and necessity (CPCNs) sought by (1) merchant generators and (2) Competitive Procurement of Renewable Energy Program participants and qualifying facilities.

2. On September 20, 2021, the Commission issued its first *Order Requesting Comments*. Intervention was granted to the following parties: the Carolina Clean Energy Business Association (CCEBA); the North Carolina Sustainable Energy Association (NCSEA); the Carolina Industrial Group for Fair

Utility Rates I, II, and III (collectively, CIGFUR); and the Carolina Utility Customers Association, Inc. (CUCA).

3. On November 2, 2021, CCEBA and NCSEA filed initial comments.

4. On December 14, 2021, the Public Staff, CIGFUR, CCEBA, and NCSEA filed reply comments.

5. On April 1, 2024, the Commission issued a second *Order Requesting Comments*, setting forth the Commission's proposed revisions to Rules R8-63 and R8-64 as Attachments A and B, respectively. In its order, the Commission noted that its proposed revisions "reflect the Commission's review of the record in this proceeding as well as the Commission's experience gained in recent CPCN application proceedings" and are "intended to formalize application requirements, increase the efficiency of the application process, and, ultimately, provide the Commission with the evidence necessary for a determination of whether granting an application is the in [sic] public interest." The Commission required that parties file initial comments by May 1, 2024, and that parties file reply comments by May 15, 2024.

6. On April 29, 2024, SunEnergy1, LLC (SunEnergy), filed a petition seeking to intervene and a motion seeking to extend the deadline for filing initial comments from May 1, 2024, to May 15, 2024; and to extend the deadline for filing reply comments from May 15, 2024, to May 31, 2024. On May 1, 2024, the Commission allowed SunEnergy's intervention and its requested extensions.

7. On May 15, 2024, CCEBA, the North Carolina Electric Membership Corporation (NCEMC),¹ NCSEA, SunEnergy,² and the Public Staff filed initial comments in the above-captioned docket.

8. Because of the press of other ongoing dockets and deadlines, including testimony in the Carbon Plan Integrated Resource Plan docket, the Public Staff requires additional time to review the initial comments filed in this docket and provide thorough reply comments. A two-week extension would provide parties with sufficient time to review the initial comments filed in this docket and provide recommendations to the Commission.

9. The Public Staff therefore requests that the Commission extend the deadline for parties to file reply comments by two weeks, to June 14, 2024.

10. The Public Staff has contacted the parties and no parties have objected to this motion.

WHEREFORE, the Public Staff respectfully requests that the Commission issue an order extending the deadline for the reply comments in this docket to June 14, 2024.

Respectfully submitted, this, the 30th day of May, 2024.

PUBLIC STAFF
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Executive Director

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Electronically submitted
/s/ Anne M. Keyworth
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CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing Motion on all parties of record in accordance with Commission Rule R1-39, by United States mail, postage prepaid, first class; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This, the 30th day of May, 2024.

Electronically submitted
/s/ Anne M. Keyworth