

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1204

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Duke Energy Progress, LLC,	) ORDER GRANTING
Pursuant to N.C.G.S. § 62-133.2 and Commission	) MOTION TO RECEIVE
Rule R8-55 Regarding Fuel and Fuel-Related Cost	) TESTIMONY INTO EVIDENCE
Adjustments for Electric Utilities	) AND AMEND TRANSCRIPT

BY THE CHAIR: On June 20, 2019, the Commission issued an Order scheduling the above-captioned matter for hearing on Monday, September 9, 2019.

On September 6, 2019, the Commission issued an Order Granting Motions to Excuse Several Witnesses (Witness Order) from attending the September 9, 2019, hearing. Among the witnesses excused was Kelvin Henderson, a witness for Duke Energy Progress, LLC (DEP). Witness Henderson had prefiled direct and rebuttal testimony on behalf of DEP. The Witness Order stated that the Commission would receive into evidence the testimony and exhibits of the excused witnesses.

At the hearing on September 9, 2019, counsel for DEP moved "the testimony of Regis Repko, Kenneth D. Church, and Kelvin Henderson, along with the relevant exhibits, into evidence." Tr. Vol. 1, p. 13. Counsel's motion was granted by the Chair. However, because DEP's counsel did not specify that witness Henderson had prefiled direct and rebuttal testimony, witness Henderson's rebuttal testimony was not included in the transcript.

On November 20, 2019, DEP filed a motion requesting that the Commission issue an order receiving into evidence the prefiled rebuttal testimony of witness Henderson and amending the transcript to include said testimony. DEP stated that neither the Public Staff nor any other party opposes its motion.

Based on the foregoing and the record, the Chair finds good cause to receive into evidence the prefiled rebuttal testimony of Kelvin Henderson, and to direct that the Commission's court reporter amend Volume 1 of the transcript to include said testimony in the transcript as the last seventeen (17) pages of Volume 1.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 21<sup>st</sup> day of November, 2019.

NORTH CAROLINA UTILITIES COMMISSION



Kimberley A. Campbell, Chief Clerk