

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-7, SUB 1213
DOCKET NO. E-7, SUB 1214
DOCKET NO. E-7, SUB 1187

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-7, SUB 1213)	
)	
In the Matter of)	
Petition of Duke Energy Carolinas, LLC, for)	
Approval of Prepaid Advantage Program)	
)	
DOCKET NO. E-7, SUB 1214)	ORDER GRANTING MOTION OF
)	CAROLINA INDUSTRIAL GROUP
In the Matter of)	FOR FAIR UTILITY RATES
Application by Duke Energy Carolinas, LLC, for)	FOR JUDICIAL NOTICE OF
Adjustment of Rates and Charges Applicable to)	TESTIMONY PRESENTED BY
Electric Utility Service in)	WITNESS NICHOLAS PHILLIPS
North Carolina)	DURING DUKE ENERGY
)	PROGRESS, LLC, HEARING
)	
DOCKET NO. E-7, SUB 1187)	
)	
In the Matter of)	
Application of Duke Energy Carolinas, LLC for)	
an Accounting Order to Defer Incremental Storm)	
Damage Expenses Incurred as a Result of)	
Hurricanes Florence and Michael and Winter)	
Storm Diego)	

BY THE CHAIR: On October 13, 2020, in response to a motion by Duke Energy Carolinas, LLC (DEC), the Commission issued an order in the above-captioned dockets (DEC dockets) that, among other things, established guidelines for the parties to request that the Commission take judicial notice of information pursuant to N.C. Gen. Stat. § 62-65.

On October 21, 2020, in response to a motion by DEC, the Commission issued an order in the DEC dockets taking judicial notice of testimony and an exhibit presented by witnesses Marcia Williams and James Wells (Williams/Wells Testimony), during the expert witness hearing in the rate case application of Duke Energy Progress, LLC (DEP), in Docket No. E-2, Sub 1219 (DEP hearing). Among other things, the order directed the Court Reporter to file an addendum to Volume 29 of the DEC transcript in the DEC dockets to include the Williams/Wells Testimony. Further, the order directed the Court

Reporter to wait until October 27, 2020, to file the addendum to Volume 29 of the DEC hearing transcript.

On October 23, 2020, Carolina Industrial Group for Fair Utility Rates III (CIGFUR), filed a motion requesting that the Commission take judicial notice of the testimony of CIGFUR witness Nicholas Phillips, Jr. (Phillips Testimony), provided in the DEP hearing and located in the DEP hearing transcript (Tr.), at Tr. Vol. 14, p. 357, line 1 through p. 367, line 6, and include said testimony in the evidence in the DEC dockets. According to CIGFUR, the testimony includes answers provided in response to questions on direct and cross-examination, and generally addresses issues of rate design, cost allocation, and the proposed flowback method of excess deferred income taxes (EDIT), on a uniform cents-per-kilowatt hour basis as proposed in CIGFUR III's settlement with DEC and CIGFUR II's settlement with DEP, respectively. In addition, CIGFUR stated that the evidence presents information generally applicable to both the DEC and DEP hearings and dockets. Finally, CIGFUR stated that it consulted with the other parties to this proceeding and all parties indicated that they do not object to CIGFUR's motion.

Based on the foregoing and the record, the Chair finds good cause to take judicial notice of the Phillips Testimony, as described above, to direct the Court Reporter to include the above described testimony in the aforesaid addendum to Volume 29 of the DEC hearing transcript, and to direct that that the Court Reporter wait until October 27, 2020, to file the addendum to Volume 29 of the DEC hearing transcript.

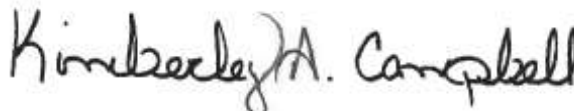
IT IS, THEREFORE, ORDERED as follows:

1. That the Commission hereby takes judicial notice of the above described Phillips Testimony, and said testimony is hereby admitted into evidence in the DEC dockets;
2. That the Court Reporter shall file an addendum to Volume 29 of the DEC transcript in the DEC dockets to include the Phillips Testimony from the DEP hearing located at Tr. Vol. 14, p. 357, line 1 through p. 367, line 6; and
3. That the Court Reporter shall wait until October 27, 2020, to file the addendum to Volume 29 of the DEC hearing transcript to include the Phillips Testimony.

ISSUED BY ORDER OF THE COMMISSION.

This the 26th day of October, 2020.

NORTH CAROLINA UTILITIES COMMISSION



Kimberley A. Campbell, Chief Clerk