

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-22, SUB 562
DOCKET NO. E-22, SUB 566

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:
Application of Virginia Electric and Power
Company d/b/a Dominion Energy North Carolina
for Adjustments of Rates and Charges Applicable
to Electric Utility Service in North Carolina

**CIGFUR I'S MOTION TO EXCUSE
WITNESS NICHOLAS PHILLIPS, JR.**

NOW COMES the Carolina Industrial Group for Fair Utility Rates I (“CIGFUR”) and respectfully requests that the Commission issue an order in the above-captioned docket excusing CIGFUR’s witness Nicholas Phillips, Jr., from testifying at the evidentiary hearing in this proceeding scheduled to begin on September 23, 2019.

In support of this motion, CIGFUR shows the following:

1. On February 27, 2019, Virginia Electric and Power Company d/b/a Dominion Energy North Carolina (“DENC”) filed a Notice of Intent to File a General Rate Application.
2. On March 29, 2019, DENC filed an application in Docket No. E-22, Sub 562, for a general rate increase.
3. On March 1, 2019, CIGFUR filed a petition to intervene in Docket No. E-22, Sub 562, which was granted by the Commission on March 7, 2019.

4. On May 30, 2019, the Commission issued an Order Scheduling Investigation and Hearings, Establishing Intervention and Testimony Due Dates and Discovery Deadlines and Requiring Public Notice.

5. On August 23, 2019, CIGFUR filed the Direct Testimony and Exhibit of Nicholas Phillips, Jr.

6. On September 16, 2019, DENC filed a witness list with estimates for cross-examination time for each witness (“Witness List”).

7. Consistent with the estimated cross-examination times presented in the Witness List, no parties in this proceeding have indicated that they anticipate cross-examination of Mr. Phillips.

8. Undersigned counsel has consulted with counsel of record for DENC, the Public Staff – North Carolina Utilities Commission, Nucor Steel-Hertford, and the Attorney General’s Office, who have all indicated that they do not oppose CIGFUR’s motion.

Therefore, CIGFUR respectfully moves:

1. That the Commission excuse Nicholas Phillips, Jr., from appearing at the hearing beginning on September 23, 2019, unless the Commission has questions for Mr. Phillips.

2. That the Commission grant such other and further relief as the Commission deems just and proper.

This the 19th day of September, 2019.

BAILEY & DIXON, LLP

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that she served the foregoing document upon the parties of record in this proceeding by electronic mail

September 19, 2019.

/s/ Warren Hicks
Warren K. Hicks
Counsel for CIGFUR I