

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1272
DOCKET NO. E-2, SUB 1273
DOCKET NO. E-2, SUB 1274
DOCKET NO. E-2, SUB 1275
DOCKET NO. E-2, SUB 1276

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, SUB 1272

In the Matter of)
Application of Duke Energy Progress, LLC Pursuant to)
N.C.G.S. § 62-133.2 and Commission Rule R8-55)
Relating to Fuel and Fuel-Related Charge Adjustments)
for Electric Utilities)

DOCKET NO. E-2, SUB 1273

In the Matter of)
Application by Duke Energy Progress, LLC for)
Approval of Demand-Side Management and Energy)
Efficiency Cost Recovery Rider Pursuant to N.C. Gen.)
Stat. § 62-133.9 and Commission Rule R8-69)

ORDER CHANGING EXPERT
WITNESS HEARINGS TO BE
REMOTELY HELD AND
SETTING PROCEDURES

DOCKET NO. E-2, SUB 1274

In the Matter of)
Application by Duke Energy Progress, LLC Pursuant)
to N.C. Gen. Stat. § 62-133.14 and Commission)
Rule R8-70 for Approval for a Joint Agency Asset)
Rider for Recovery of Joint Agency Asset Costs)

DOCKET NO. E-2, SUB 1275

In the Matter of)
Application by Duke Energy Progress, LLC for)
Approval of CPRE Cost Recovery Rider Pursuant to)
N.C.G.S. § 62-110.8 and Commission Rule R8-71)

DOCKET NO. E-2, SUB 1276

In the Matter of)
Application of Duke Energy Progress, LLC, for)
Approval of Renewable Energy and Energy Efficiency)
Portfolio Standard Cost Recovery Rider Pursuant to)
N.C.G.S. § 62-133.8 and Commission Rule R8-67)

BY THE CHAIR: On July 7, 2021, the Commission issued Scheduling Orders in the above-captioned dockets that, among other things, scheduled the expert witness hearings in Duke Energy Progress, LLC's (DEP's) annual fuel, *et al.*, rider adjustment proceedings for in-person hearings starting at 10:00 a.m. on Tuesday, September 21, 2021.

Based on recent COVID pandemic developments and the records in these dockets, the Chair is of the opinion that good cause exists to change the expert witness hearings in these dockets from in-person hearings to remote hearings to be held on Webex. The date of the expert witness hearings shall remain as Tuesday, September 21, 2021, with the starting time being changed to 10:30 a.m. In addition, the parties shall be subject to and shall adhere to the conditions set forth in the Ordering Paragraphs below.

Finally, based on the completion of the initial publication of the public notices of the public witness hearings in these proceedings, and the impracticality of effectively republishing such notices prior to Tuesday, September 21, 2021, the Chair is of the opinion that good cause exists to maintain the public witness hearings as in-person hearings on the same schedule as initially established by the Scheduling Orders and public notices published by DEP.

Information on the remote hearing process including how to participate, how to submit an attorney appearance sheet, and how to request a technical check, can be found on the Commission's website under "Remote Expert Witness Process."

IT IS, THEREFORE, ORDERED as follows:

1. That the expert witness hearings in these dockets shall be, and are hereby, changed from in-person hearings to remote hearings to be held on Webex;
2. That the expert witness hearings shall be held on Webex on Tuesday, September 21, 2021, beginning at 10:30 a.m., and shall be called for hearing in chronological order according to the sub numbers of the dockets;
3. That the public witness hearings scheduled in these dockets shall be held in-person at the same location and on the same schedule as initially established by the Scheduling Orders and public notices published by DEP;
4. That the parties participating in the expert witness remote hearings will be subject to the following conditions. Other than the filing required by sub-paragraph number 4.(1) below, all filings shall be made separately in the appropriate docket.
 - (1) On or before Tuesday, September 7, 2021, all parties shall file a statement consenting to hold the hearings by remote means, or a statement objecting to the same;
 - (2) On or before Thursday, September 9, 2021, each party shall send the name, phone number, and email address of each attorney and witness that will participate in the hearings on the party's behalf directly to the Commission via email at ncucwebex@ncuc.net;
 - (3) On or before Wednesday, September 15, 2021, parties shall file a list of potential cross-examination exhibits and provide copies of the exhibits, labeled with the party's name and numbered sequentially, to the other parties and to the Commission via email at ncucexhibits@ncuc.net;

- (4) On or before Friday, September 17, 2021, parties shall file a list of potential redirect examination exhibits and provide copies of the exhibits, labeled with the party's name and numbered sequentially, to the other parties and the Commission via email at ncucexhibits@ncuc.net;
- (5) On or before Friday, September 17, 2021, the parties shall provide a copy of witness testimony summaries to the other parties and the Commission via email at ncucexhibits@ncuc.net;
- (6) Within two business days after the hearing, parties shall file their cross-examination and redirect exhibits used in the hearing marked as indicated during the hearing; and
- (7) Parties and witnesses are encouraged to do their best to avoid using confidential information during the hearings. If a party deems it necessary to discuss confidential information the party shall inform the Presiding Commissioner of this need, and the hearing will transfer to a secure telephone line so that the confidential information is disclosed only to the Commission, Public Staff, and the parties who have signed a confidentiality agreement.

5. That DEP shall arrange for a secure telephone line that can be used by the Commission and the parties during the hearings to present and receive expert witness testimony that involves information asserted to be confidential that has been filed under seal. DEP shall provide the phone number to other parties and to the Commission via email at ncucexhibits@ncuc.net.

ISSUED BY ORDER OF THE COMMISSION.

This the 31st day of August, 2021.

NORTH CAROLINA UTILITIES COMMISSION



Joann R. Snyder, Deputy Clerk