Aug 27 2020

STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. E-2, SUB 1177 DOCKET NO. E-7, SUB 1172

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

Docket No. E-2, Sub 1177)
In the Matter of Cube Yadkin Generation, LLC,)
Complainant)
V. Duka Enargy Program LLC)
Duke Energy Progress, LLC Respondent	
	 JOINT MOTION FOR EXTENSION OF PROCEDURAL
Docket No. E-7, Sub 1172) SCHEDULE)
In the Matter of)
Cube Yadkin Generation, LLC,)
Complainant)
)
V.)
Duke Energy Carolinas, LLC)
Respondent)

COME NOW Cube Yadkin Generation, LLC ("Cube Yadkin"), Duke Energy Progress, LLC, and Duke Energy Carolinas, LLC (collectively, "the Parties"), by and through counsel, and jointly file this Motion that the Commission extend all milestones on the procedural schedule in this matter by approximately sixty (60) days. In support of their motion, the Parties show as follows:

1. On May 28, 2020, the Commission issued an *Order Scheduling Hearing and Establishing Procedural Schedule on Remand* ("Procedural Order"), which established new deadlines for discovery, prefiled testimony, and a hearing in this case. 2. The parties have been diligently engaging in informal discovery and preparing for the submittal of testimony and a hearing in this case. However, accessibility and personnel issues related to COVID-19, as well as the press of other matters, have materially slowed down the collection and production of documents and other discovery responses, as well as the parties' preparation of their cases.

3. Accordingly, the parties jointly request that all procedural deadlines in this matter be extended by approximately sixty (60) days. Under the revised schedule as proposed, any depositions would have to be taken by December 14, 2020; the direct testimony and exhibits of Complainant would be due for filing on or before November 10, 2020; the direct testimony and exhibits of Respondents would be due for filing on or before December 10, 2020; and Complainant's rebuttal testimony and exhibits would be due for filing no later than January 12, 2021. A hearing would be held at the Commission's convenience, preferably after January 26, 2021.

WHEREFORE, the Parties respectfully request that the Commission issue an order extending all deadlines established in the May 28, 2020, Procedural Order by 60 days, as set forth herein, and such other relief as the Commission deems just and proper.

Respectfully submitted this 27th day of August, 2020.

KILPATRICK TOWNSEND & STOCKTON LLP

By: /s___

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing *Joint Motion for Extension of Procedural Schedule*

has been served by electronic mail, hand delivery, or by depositing a copy in the United States

Mail, 1st Class Postage Prepaid, properly addressed to parties of record.

This the 27th day of August, 2020.

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