

Lawrence B. Somers
Deputy General Counsel

NCRH 20 / P.O. Box 1551 Raleigh, NC 27602

> o: 919.546.6722 c: 919.546.2694

bo.somers@duke-energy.com

April 16, 2021

# **VIA ELECTRONIC FILING**

Ms. Kimberley A. Campbell, Chief Clerk North Carolina Utilities Commission 4325 Mail Service Center Raleigh, North Carolina 27699-4325

RE: Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's Joint Motion for Extension of Time to File Reply Comments

Joint Motion for Extension of Time to The Reply Comment

Docket No. E-100, Sub 165

Dear Ms. Campbell:

I enclose Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's Joint Motion for Extension of Time to File Reply Comments.

Thank you for your attention to this matter. If you have any questions, please let me know.

Sincerely,

Lawrence B. Somers

Enclosure

cc: Parties of Record

# STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

## **DOCKET NO. E-100, SUB 165**

### BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)
	) DUKE ENERGY CAROLINAS,
2020 Biennial Integrated Resource	LLC AND DUKE ENERGY
Plan Reports And Related 2020 REPS	) PROGRESS, LLC'S JOINT
Compliance Plans	) MOTION FOR EXTENSION OF
	TIME TO FILE REPLY
	) COMMENTS
	)

NOW COME Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP") (collectively, "the Companies") pursuant to Commission Rule R1-7 and move the North Carolina Utilities Commission ("Commission") for a two-week extension of time through and including May 14, 2021, for all parties to file reply comments in this 2020 Integrated Resource Plan ("IRP") and REPS Compliance Plan docket. In support of this motion, DEC and DEP show the Commission as follows:

- 1. DEC and DEP filed their 2020 IRPs and REPS Compliance Plans on September 1, 2020, subsequently amended on September 16, 2020 and on November 6, 2020.
- 2. Pursuant to Commission Rule R8-60(k), the Public Staff or any other intervenor may file evaluations, alternative plans or initial comments within 150 days after September 1 or the filing of each utility's IRP. Additionally, within 60 days after the filing of initial comments, the parties may file reply comments.

- 3. On December 29, 2020, the Public Staff filed a motion requesting that the date for initial comments on IRPs be extended from January 29, 2021 to February 26, 2021 and that the date for reply comments be extended from March 30, 2021 to April 27, 2021. The Commission granted the motion on January 8, 2021.
- 4. On February 26, the Attorney General's Office filed a motion requesting that the date for initial comments on IRPs be extended to March 1, 2021 and that the date for reply comments be extended to April 30, 2021.
- 5. Pursuant to the Commission's February 26, 2021 *Order Granting Second Extension of Time*, intervenors' initial comments were due to be filed by March 1, 2021, and reply comments are due to be filed by April 30, 2021.
- 6. Collectively, substantive initial intervenor comments and exhibits totaling approximately 2600 pages were served on the undersigned counsel by the Public Staff, the North Carolina Sustainable Energy Association, the Carolinas Clean Energy Business Association, the Southern Alliance for Clean Energy, the Sierra Club, the Natural Resources Defense Council, the Attorney General's Office, the Tech Customers, Vote Solar, the City of Charlotte, and the City of Asheville jointly with Buncombe County. Notably, certain parties filed extensive technical studies, and alternative proposals as exhibits to their comments.
- 7. The Companies are working diligently to evaluate these extensive comments and supporting exhibits. However, as detailed above, parties to this proceeding have filed voluminous comments including multiple technical studies and alternative proposals that are complex and require significant evaluation and, in certain cases, investigation through serving discovery to appropriately respond.

- 8. The Companies have served discovery requests on several intervenors regarding their initial comments and need additional time to receive intervenor discovery responses and prepare reply comments accordingly. The Companies' ability to effectively respond to these parties' comments and filings would be significantly impaired if the Companies are required to respond within the current timeframe allowed for reply comments.
- 9. Furthermore, April 26, 2021 is the first day of the hearing in the IRP proceeding before the Public Service Commission of South Carolina, Docket Nos. 2019-224-E and 2019-225-E, and many of the DEC and DEP employees who support the IRP docket in North Carolina are currently involved in preparations for the South Carolina hearing.
- 10. The Companies submit that no party will be prejudiced by the requested extension, and the duration of time requested is reasonable and proportional to the recent filings made in this docket, especially when compared to the extensions of time previously allowed for parties to file initial comments in the docket.
- 11. The undersigned counsel has contacted counsel for all parties of record regarding this motion via electronic mail, and as of the time of this filing has received responses from counsel for all parties except for Buncombe County. No counsel for any party who has responded has indicated any objection to the Companies' motion.

WHEREFORE, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC respectfully request that the Commission grant their joint motion for a two-week extension of time through and including May 14, 2021 for all parties to file their reply comments, and grant such further relief as the Commission deems just and proper.

Respectfully submitted this the 16th day of April, 2021.

Lawrence B. Somers
Deputy General Counsel
Duke Energy Corporation
Post Office Box 1551/NCRH 20
Raleigh, North Carolina 27602

Telephone: 919.546.6722 bo.somers@duke-energy.com

Robert W. Kaylor Law Office of Robert W. Kaylor, P.A. 353 E. Six Forks Road, Suite 260 Raleigh, North Carolina 27609 Telephone: 919.828.5250 bkaylor@rwkaylorlaw.com

ATTORNEYS FOR DUKE ENERGY

#### CERTIFICATE OF SERVICE

I certify that Duke Energy Carolinas, LLC and Duke Energy Progress, LLC's Joint Motion for Extension of Time to File Reply Comments, in Docket No. E-100, Sub 165, has been served by electronic mail, hand delivery or by depositing a copy in the United States mail, postage prepaid to the following parties of record

Dianna Downey
Lucy Edmondson
Layla Cummings
Nadia Luhr
Robert Josey
Public Staff
North Carolina Utilities Commission
4326 Mail Service Center
Raleigh, NC 27699-4300
dianna.downey@psncuc.nc.gov
lucy.edmondson@psncuc.nc.gov
layla.cummings@psncuc.nc.gov
nadia.luhr@psncuc.nc.gov
robert.josey@psncuc.nc.gov

Brett Breitschwerdt
Mary Lynne Grigg
Andrea Kells
McGuire Woods, LLP
501 Fayetteville Street, 5<sup>th</sup> Floor
Raleigh, NC 27601
bbreitschwerdt@mcguirewoods.com
mgrigg@mcguirewoods.com
akells@mcguirewoods.com

Lauren Biskie
Paul Pfeffer
Dominion Energy
120 Tredegar St. RS-2
Richmond, VA 23219
lauren.w.biskie@dominionenergy.com
paul.e.pfeffer@dominionenergy.com

Molly Jagannathan Troutman Sanders LLP 301 S. College St., Suite 3400 Charlotte, NC 28202 molly.jagannathan@troutmansanders.com

Christopher M. Carmody NCCEBA 811 Ninth Street, Suite 120-158 Durham, NC 27705 director@ncceba.com Peter H. Ledford
Benjamin Smith
NC Sustainable Energy Association
4800 Six Forks Road, Ste. 300
Raleigh, NC 27609
peter@energync.org
ben@energync.org

Cal Cunningham
Vote Solar
2128 Clark Avenue #557
Raleigh, NC 27605
cal@calcunninghamnc.com

Christina Cress
Patrick Buffkin
Bailey & Dixon, LLP
PO Box 1351
Raleigh, NC 27602
ccress@bdixon.com
pbuffkin@bdixon.com

Karen Kemerait Fox Rothschild, LLP 434 Fayetteville St., Ste. 2800 Raleigh, NC 27601 kkemerait@foxrothschild.com

Matthew Quinn Lewis & Roberts, PLLC 3700 Glenwood Ave., Ste. 410 Raleigh, NC 27612 mdq@lewis-roberts.com

Jannice Walker City Attorney's Office 70 Court Plaza Asheville, NC 28801 jashley@ashevillenc.gov

M. Gray Styers, Jr.
Fox Rothschild LLP
434 Fayetteville Street, Ste. 2800
Raleigh, NC 27601
gstyers@foxrothschild.com

Jay Morrison
Kathy Moyer
ElectriCities of North Carolina, Inc.
1427 Meadow Wood Blvd.
Raleigh, NC 27604
jmorriso@electricities.org
kmoyer@electricities.org

Anchun Jean Sue
Howard Crystal
Center for Biological Diversity
1411 K Street, N.W, Ste. 1300
Washington, DC 20005
jsu@biologicaldiversity.org
hcrystal@biologicaldiversity.org

Marcus W. Trathen
Craig Schauer
Brooks, Pierce, McLendon, Humphrey &
Leonard,LLP
Wells Fargo Capitol Center
150 Fayetteville St., Suite 1600
Raleigh, NC 27601
mtrathen@brookspierce.com
cschauer@brookspierce.com

Curtis W. Euler Buncombe County 200 College Street, Ste. 100 Asheville, NC 28801 curt.euler@buncombecounty.org

Daniel Higgins
Burns Day and Presnell, P.A.
PO Box 10867
Raleigh, NC 27605
dhiggins@bdppa.com

Karen C. Weatherly Senior Assistant City Attorney 600 East Fourth Street Charlotte, NC 28202 <a href="mailto:kweatherly@ci.charlotte.nc.us">kweatherly@ci.charlotte.nc.us</a> Margaret Force
Teresa Townsend
Munashe Magarira
NC Dept. of Justice
P.O. Box 629
Raleigh, NC 27602-0629
pforce@ncdoj.gov
ttownsend@ncdoj.gov
mmagarira@ncdoj.gov

NC-RETS 2001 Gateway Place Suite 315W San Jose, CA 95110 NCRETS@apx.com

This the 16th day of April, 2021.

Gudrun Thompson
Nicholas Jimenez
Tirrill Moore
Southern Environmental Law Center
6001 West Rosemary St., Ste. 220
Chapel Hill, NC 27516
gthompson@selcnc.org
njimenez@selcnc.org
tmoore@selcnc.org

John Burns CCEBA 811 Ninth Street, Ste. 120-158 Durham, NC 27705 Counsel@CarolinasCEBA.com

Lawrence B. Somers
Deputy General Counsel
Duke Energy Corporation
P.O. Box 1551/NCRH 20
Raleigh, North Carolina 27602
Tel 919.546.6722
bo.somers@duke-energy.com