

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1193
DOCKET NO. E-2, SUB 1219

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, SUB 1193)	
)	
In the Matter of)	
Application of Duke Energy Progress, LLC, for)	
an Accounting Order to Defer Incremental)	
Storm Damage Expenses Incurred as a Result)	
of Hurricanes Florence and Michael and Winter)	ORDER ALLOWING PUBLIC
Storm Diego)	STAFF MOTION REQUESTING
)	THAT THE COMMISSION TAKE
DOCKET NO. E-2, SUB 1219)	JUDICIAL NOTICE OF CERTAIN
)	EVIDENCE
In the Matter of)	
Application by Duke Energy Progress, LLC, for)	
Adjustment of Rates and Charges Applicable)	
to Electric Utility Service in North Carolina)	

BY THE PRESIDING COMMISSIONER: On November 23, 2020, the Public Staff filed with the Commission a Motion Requesting that the Commission Take Judicial Notice of Certain Evidence in the Duke Energy Progress, LLC (DEP), Proceeding.

In summary, the Public Staff requests that the Commission take judicial notice of the Corrective Action Plans submitted by DEP to the North Carolina Department of Environmental Quality (DEQ) on December 31, 2019, for the Mayo and Roxboro facilities. The Public Staff argued that the documents are relevant to issues regarding the Company's remediation and closure activities at its coal ash sites and provided web links for the filed plans. The Public Staff further represented that it had consulted with the other parties and – with the exception of the North Carolina Justice Center (NCJC) et al. and Harris Teeter which did not respond – all parties affirmatively stated that they did not object to the motion.

Based on these representations and the records in these dockets, the Presiding Commissioner finds good cause to allow the motion. The Commission takes judicial

notice of the Corrective Action Plans for the Mayo and Roxboro facilities, submitted by DEP to DEQ on December 31, 2019, and linked in the Public Staff's motion.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 1st day of December, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Kimberley A. Campbell". The signature is written in a cursive, flowing style.

Kimberley A. Campbell, Chief Clerk