

**STATE OF NORTH  
CAROLINA UTILITIES  
COMMISSION RALEIGH  
DOCKET NO. E-2, SUB 1219  
DOCKET NO. E-2, SUB 1193**

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, SUB 1219	)	ATTORNEY GENERAL'S
	)	OFFICE MOTION
In the Matter of	)	REQUESTING THAT THE
Application of Duke Energy Progress, LLC, for	)	COMMISSION TAKE
Adjustment of Rates and Charges Applicable to	)	JUDICIAL NOTICE OF
Electric Service in North Carolina	)	ADDITIONAL EVIDENCE
	)	INTRODUCED IN THE
DOCKET NO. E-2, SUB 1193	)	DUKE ENERGY
	)	CAROLINAS, LLC
In the Matter of	)	SPECIFIC HEARING
Application by 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	)	
Storm Diego	)	

The North Carolina Attorney General's Office ("AGO"), respectfully requests that the Commission take judicial notice in the Duke Energy Progress, LLC (DEP) proceedings captioned above of additional evidence introduced during the Duke Energy Carolinas, LLC (DEC) expert testimony hearings in Docket No. E-7, Sub 1214 (DEC Hearings).

1. On November 19, 2020, DEP filed a motion requesting that the Commission take judicial notice of certain evidence introduced in the DEC Hearings.<sup>1</sup> Beforehand, DEP circulated an email to inquire whether any other party to the case would object to the request. The AGO reviewed DEP's request and

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<sup>1</sup> The procedures for requesting judicial notice were established in the Commission's October 13, 2020, in these Dockets.

responded that the AGO did not object to DEP's request but suggested that additional testimony be included from the same transcript from the DEC Hearings to provide more context. DEP filed its request without including the additional pages suggested by the AGO.

2. DEP's request includes the following two items:

Witness: Doss/Spanos Vol. 23, page 23, line 8 through page 34, line 22, and  
Vol. 23, page 57, line 14 through page 60, line 21.

DEP describes the evidence as "Testimony on cross examination applicable to both DC and DEP, responding to several broad accounting topics applicable to DEC and DEP including witness Maness' recommendations, ARO accounting classifications."

3. The AGO requests that additional testimony be included from the same section of the DEC transcript, so that the judicial notice would be as follows:

Witness: Doss/Spanos Vol. 23, page 23, line 8 through page 67, line 22.

4. The AGO does not request any other additions.

5. DEP's counsel indicated that it did not object to the request to include additional testimony but indicated that the AGO would need to file a separate request.

6. The AGO served all parties with the suggestion that the added testimony be included and has not received any response from any other parties.

WHEREFORE, the AGO requests:

1. That the Commission take judicial notice of the aforementioned testimony excerpt from the DEC Hearing; and
2. For such other and further relief as may be just and proper.

Respectfully submitted this the 20<sup>th</sup> day of November, 2020.

/s/

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CERTIFICATE OF SERVICE

The undersigned certifies that she has served a copy of the foregoing Attorney General's Office Motion Requesting that the Commission Take Judicial Notice of Additional Evidence Introduced in the Duke Energy Carolinas, LLC Specific Hearing upon the parties of record in this proceeding by email, this the 20<sup>th</sup> day of November, 2020.

/s/

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Margaret A. Force  
Assistant Attorney General