Troutman Sanders LLP 301 S. College Street, Suite 3400 Charlotte, NC 28202

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Molly McIntosh Jagannathan

D 704.998.4074 F 704.998.4051 molly.jagannathan@troutmansanders.com

October 16, 2018

#### **VIA ELECTRONIC FILING**

M. Lynn Jarvis, Chief Clerk North Carolina Utilities Commission 4325 Mail Service Center Raleigh, North Carolina 27699-4300

Re: Application of Duke Energy Progress, LLC for Approval of Demand-Side Management and Energy Efficiency Cost Recovery Rider – Proof of Publication for Remaining Affidavits
Docket No. E-2, Sub 1174

Dear Ms. Jarvis:

I enclose the remaining Affidavits of Publication for the initial and also the additional Public Notices that Duke Energy Progress, LLC had not received when the majority of affidavits were filed on September 13, 2018 for the initial Public Notice and on October 5, 2018 for the additional Public Notice.

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

<u>Electronically submitted</u> s/ Molly McIntosh Jagannathan molly.jagannathan@troutmansanders.com

Enclosure

Copy: Parties of Record

#### AFFIDAVIT OF PUBLICATION

## STATE OF NORTH CAROLINA COUNTY OF NEW HANOVER

Before the undersigned, a Notary Public of Said County and State.

#### **Jarimy Springer**

Who, being duly sworn or affirmed, according to the law, says that he/she is

#### **Accounting Specialist**

of THE STARNEWS, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as STAR-NEWS in the City of Wilmington

STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH DOCKET NO. E-2, SUB 1174 BEFORE THE NORTH CAROLINA UTILITIES COMMISSION In the Matter of Application of Duke Energy P

was inserted in the aforesaid newspaper in space, and on dates as follows:

8/1, 8/8

And at the time of such publication Star-News was a newspaper meeting all the requirements and qualifications prescribed by Sec. No. 1-597 G.S. of N.C.

	qualifications prescribed by Sec. No. 1-597 G.S. of N.C.
JASON BUTTS otary Public - North Carolina Brunswick County ommission Expires May 26, 2021	Sworn or affirmed to, and subscribed before me this
	Notary Public
	My commission expires $\frac{\lambda}{\lambda}$ day of $\frac{M_{Ay}}{\lambda}$ , $\frac{202}{\lambda}$
• -	going affidavit with the advertisement thereto annexed it is adjudged by the Court that the said ly made and that the summons has been duly and legally served on the defendant(s).
Thisday of	
MAIL TO.	Clerk of Superior Court
MAIL TO:	

#### STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. E-2, SUB 1174

#### BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Duke Energy Progress, LLC,
for Approval of Demand-Side Management
and Energy Efficiency Cost Recovery Rider
Pursuant to G.S. 62-133.9 and

**PUBLIC NOTICE** 

Commission Rule R8-69

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission has scheduled a public hearing in the annual demand-side management (DSM) and energy efficiency (EE) cost recovery proceeding for Duke Energy Progress, LLC (DEP). The public hearing has been scheduled to begin immediately following the hearings in Docket Nos. E-2, Subs 1173 and 1175, which are scheduled to begin at 9:30 a.m., on Tuesday, September 18, 2018, in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. This proceeding is being held pursuant to the provisions of G.S. 62-133.9 and Commission Rule R8-69, for the purpose of determining whether an increment or decrement rider is required to allow DEP to recover all reasonable and prudent costs incurred for adoption and implementation of new DSM and new EE measures and appropriate incentives. Public witness testimony will be received in accordance with Commission Rule R1-21(g).

On June 20, 2018, Duke Energy Progress filed an application and testimony relative to the subject matter of the proceeding. By its application DEP requests a total annual revenue increase of approximately \$29.4 million, effective January 1, 2019, from the DSM/EE rider currently in effect. This request would result in an increase of 0.044 cents per kilowatt-hour (kWh) for residential customers. Non-residential General Service customers, depending upon their participation in DEP's DSM or EE programs, would see a DSM rider increase of 0.003 cents per kWh, and an EE rider increase of 0.225 cents per kWh. Lighting customers would see an EE rider decrease of 0.006 cents per kWh. Industrial and large commercial customers that have, under G.S. 62-133.9, opted out of and never participated in DEP's DSM and EE programs are not subject to the rider.

Further information may be obtained from the Office of the Chief Clerk, North Carolina Utilities Commission, 430 North Salisbury Street, Raleigh, North Carolina, where a copy of DEP's application is available for review by the public. Also, documents may be viewed on the Commission's website at www.ncuc.net.

The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Written statements to the Public Staff should include any information that the writers wish to be considered by the Public Staff in its investigation of the matter. Such statements should be addressed to Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, c/o Consumer Protection-Utilities, 9001 Mail Service Center, Raleigh, North Carolina, 27699-9001.

Written statements are not evidence unless the writers appear at a public hearing and testify concerning the information contained in their written statements.

Persons desiring to intervene in this proceeding as formal parties should file a petition to intervene pursuant to Commission Rules R1-5 and R1-19 on or before Tuesday, September 4, 2018. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. The direct testimony and exhibits of expert witnesses to be presented by intervenors should also be filed with the Commission on or before Tuesday, September 4, 2018.

ISSUED BY ORDER OF THE COMMISSION.
This the 2nd day of July, 2018.

NORTH CAROLINA UTILITIES COMMISSION Linnetta Threatt, Deputy Clerk

WN 2095451

### AFFIDAVIT OF PUBLICATION

# STATE OF NORTH CAROLINA COUNTY OF NEW HANOVER

Before the undersigned, a Notary Public of Said County and State.

#### **Jarimy Springer**

Who, being duly sworn or affirmed, according to the law, says that he/she is

#### **Accounting Specialist**

of THE STARNEWS, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as STAR-NEWS in the City of Wilmington

STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH DOCKET NO. E-2, SUB 1174 BEFORE THE NORTH CAROLINA UTILITIES COMMISSION In the Matter of Application of Duke Energy P

was inserted in the aforesaid newspaper in space, and on dates as follows:

10/4,10/8

And at the time of such publication Star-News was a newspaper meeting all the requirements and qualifications prescribed by Sec. No. 1-597 G.S. of N.C.

	qualifications prescribed by Sec. No. 1-397 G.S. of N.C.
JASON BUTTS Notary Public - North Carolina Brunswick County My Commission Expires May 26, 2021	Title: Accounting Specialist  Sworn or affirmed to, and subscribed before me this Hham day of  October, A.D., 2018  In Testimony Whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.
my commission expires may 20, 2021	Notary Public
	My commission expires $\frac{2}{2}$ day of $\frac{M_{A-}}{2}$ , $\frac{202}{2}$
	going affidavit with the advertisement thereto annexed it is adjudged by the Court that the said y made and that the summons has been duly and legally served on the defendant(s).
Thisday of	
MAH TO	Clerk of Superior Court
MAIL TO:	

## STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. E-2, SUB 1174
BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

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

### PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the North Carolina Utilities Commission has scheduled an additional public hearing in the above-captioned docket on an application filed by Duke Energy Progress, LLC (DEP) for the recovery of doese. incurred by OEP in providing demand-side management (DSM) and energy efficiency (EE) measures pursuant to N.C. Gen. Stat. § 62-133.9, This statute provides for an annual DSM/EE rider for each electric public utility to recover all reasonable and prudent costs incurred for adoption and implementation of new DSM and new EE measures and appropriate incentives. The public hearing has been scheduled to begin immediately following the public hearing in Docket No. E-2, Sub 1176, which is scheduled at 2:00 p.m. on Monday, October 5, 2018. in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh North Carolina. Public witness testimony will be received in accordance with Commission Rule

On June 20, 2018, DEP filed its application to revise its DSMIEE rates. On July 2, 2018, the Commission issued a Scheduling Order that, among other things, scheduled a public hearing in this matter for Tuesday, September 18, 2018, in Releigh, North Carolina, Ir addition, pursuant to Commission Rule R9, 69 DEP was required to publish notice of the hearing date, time, and proposed change in DSMIEE rates.

In its application and requited public notice, DEP stated an approximate revenue requirement increases and the increases per kilowatt-hour (kWhi for its proposed DSM/EE rates. On September 10, 2018, DEP filed additional testimony and exhibits in this clocket. In its additional testimony, DEP states that based on the Public Staff's audit of DEP's proposed rates and additional necessary adjustments, DEP requests a decrease in the residential rates initially included in DEP's application, and an increase in the general service rates initially included in DEP's application.

According to DEP's additional testimony and exhibits, DEP requests a total annual revenue increase of approximately \$29.2 million compared to the DSM/EE rates currently in effect. This request would result in an increase of 0.034 cents per kWh for residential customers. Non-residential General Service customers, depending upon their participation in DEP's DSM

or EE programs, would see a DSM rider increase of 0.004 cents per kWh, and an EE rider increase of 0.238 cents per kWh. Lighting customers would see an EE rider decrease of 0.306 cents per kWh. Industrial and large commercial customers that have, under N.C.G.S. 82-133.9, opted out of and never participated in DEP's DSM and EE programs are not subject to the rider.

The proposed DSM/EE rates for all customer classes would be effective for service rendered on and after January 1, 2019.

Further information may be obtained from the Office of the Chief Clerk, North Carolina Utilities Commission, 430 North Salisbury Street, Raleigh, North Carolina, where a copy of DEP's application is available for review by the public. Also, documents may be viewed on the Commission's website at www.north.net.

The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Correspondence concerning DEP's DSMEE proceeding and the additional hearing scheduled thereon should be directed to the Public Staff. Written statements to the Public Staff should include any information that the writers wish to be considered by the Public Staff in its investigation of the matter. Such statements should be addressed to Christopher J. Ayers. Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27693-4326.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Contmission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, c/o Consumer Protection – Utilities, 9001 Mail Service Center, Raleigh, North Carolina, 27699-9001.

Consumers may also file written statements of position with the Commission. However, written statements are not evidence unless the writers appear at a public hearing and testify concerning the information contained in their written statements.

ISSUED BY ORDER OF THE COMMISSION. This the 11th day of September, 2018.

NORTH CAROLINA UTILITIES COMMISSION Janice H. Fulmore, Deputy Clerk



P. O. Box 908 • 304 S. Chestnut Street • Henderson, NC 27536 • (252) 436-2700 • Fax: (252) 430-0125

#### CLIPPING OF LEGAL ADVERTISEMENT ATTACHED HERE

STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. E-2, SUB 1176 BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of cation of Duke Energy Progress, LLC, Pursuant to 62-133.14 and Commission Rule RB-70 for oval of a Joint Agency Asset Rider for Recovery of **Agency Asset Costs** 

PUBLIC NOTICE

CE IS HEREBY GIVEN that the North Carolina Utilities Commission has scheduled an additional public hearing in the e-captioned docket on an application filed by Duke Energy Progress, LLC (DEP) for the recovery of casts incurred EP for the acquisition and operation of electric generating assets acquired from North Carolina Eastern Manicipal in Agency. The public hearing has been scheduled to begin at 2:00 p.m. on Monday, October 8, 2018, in Commissioning Room 2115, Dobbs Building, 430 North Salisbury Street, Bateligh, North Carolina. This proceeding is being pursuant to the provisions of N.C. Gen Stat. § 82-133.14 and Commission Role R8-70 for the purpose of establishing the purpose of establishing. nt Agency Asset Rider (JAAR) to allow DEP to recover its acquisition and non-fuel operating costs. Public witness mony will be received in accordance with Commission Rule R1-21(g).

one 20, 2018, DEP filed its application to revise its JAAR rates. On July 2, 2018, the Commission Issued a Schedul-Irder that, among other things, scheduled a public hearing in this matter for Tuesday, September 18, 2018, in Igh, North Carolina, in addition, pursuant to Commission Rule R8-70(f) DEP was required to publish notice of the ing date, time, and proposed change in JAAR rates.

i application and required public notice, DEP stated specific per kilowati-hour (kWh) or kilowati (kW) amounts, as leable, for its proposed JAAR rates. On August 31, 2018, DEP filed additional testimony and exhibits in this docket. I additional testimony, DEP states that based on the Public Staff's audit of DEP's proposed rates and recommended stments; and other factors, DEP requests an increase in the residential and three classes of non-residential rates. illy proposed in DEP's application.

irding to DEP's additional testimony and exhibits, the proposed JAAR for residential service is 0.441 cents per kilo-hour (kWh), including regulatory (se, which would be a decrease of 0.035 cents per kWh over the JAAR presently in ct, and would decrease the morthly bill of a residential customer using 1,000 kilowatt hours per month by \$0.35. The losed JAAR per kWh for other non-demand rate class customers, including regulatory fee, is: 0.498 cents for Small eral Service; 0.372 cents for Medium General Service; 0.449 cents for Seasonal and Intermittent Service; 0.237 is for Traffic Signal Service; and no charge for Outdoor Lighting Service. The proposed JAAR per kilowatt for demand class customers, including regulatory fee, is: \$1.17 for Medium General Service and \$1.36 for Large General Service, proposed JAAR rates for all customer classes would be affective for service reindered on and after December 1; 8, through November 30, 2019.

her information may be obtained from the Office of the Chief Clerk, North Carolina Utilities Commission, 430 North sbury Street, Raleigh, North Carolina, where a copy of DEP's application is available for review by the public. Also, aments may be viewed on the Commission's website at www.ncuc.net.

Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Correspondence perning DEP's JAAR proceeding and the additional hearing scheduled thereon should be directed to the Public Staff. ten statements to the Public Staff should include any Information that the writers wish to be considered by the Public If in its investigation of the matter, Such statements should be addressed to Christopher J. Ayers, Executive Director, Ilc Staff, 4326 Mall Service Center, Raleigh, North Carolina 27699-4326.

Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. tements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, c/o Consumer lection - Utilities, 9001 Mail Service Center, Raleigh, North Carolina, 27699-9001.

isomers may also file written statements of position with the Commission. However, written statements are not tence unless the writers appear at a public hearing and testify concerning the Information contained in their written

ued by order of the commission s the 5th day of September, 2018.

NORTH CAROLINA UTILITIES COMMISSION Linnette Threatt, Deputy Clerk NORTH CAROLINA VANCE COUNTY

### AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared DESIREE BROOKS, who being first duly sworn, deposes and says: that she is Advertising Director (Owner, partner, publisher, or other officer or employee authorized to make this affidavit) of Henderson Newspapers, Inc., engaged in the publication of a newspaper known as The Daily Dispatch, published, issued, and entered as second class mail in the City of Henderson, in said County and State; that she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in The Daily Dispatch on the following dates:

#### Sept 11 & 18, 2018

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

Sworn to and subscribed before me,

Sworn to and subscribed before m
this 16th Day of October, 2018

NOTARY THE PUBLIC OF THE THE PUB

www.hendersondispatch.com

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of Duke Energy Progress, LLC's Remaining Affidavits of Publication, in Docket No. E-2, Sub 1174, has been served by electronic mail (e-mail), hand delivery or by depositing a copy in the United States Mail, first class postage prepaid, properly addressed to parties of record.

This, the 16<sup>th</sup> day of October 2018.

Electronically signed s/ Molly McIntosh Jagannathan

Molly McIntosh Jagannathan Troutman Sanders LLP 301 S. College Street, Suite 3400 Charlotte, NC 28202 Telephone: (704) 998-4074 molly.jagannathan@troutmansanders.com North Carolina State Bar No. 36931

ATTORNEY FOR DUKE ENERGY PROGRESS, LLC