

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. G-9, SUB 722
DOCKET NO. G-9, SUB 781
DOCKET NO. G-9, SUB 786

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. G-9, SUB 722)
)
In the Matter of)
Consolidated Natural Gas Construction and)
Redelivery Services Agreement Between)
Piedmont Natural Gas Company, Inc., and)
Duke Energy Carolinas, LLC)
)
DOCKET NO. G-9, SUB 781)
)
In the Matter of)
Application of Piedmont Natural Gas)
Company, Inc., for an Adjustment of Rates,)
Charges, and Tariffs Applicable to Service)
in North Carolina)
)
DOCKET NO. G-9, SUB 786)
)
In the Matter of)
Application of Piedmont Natural Gas)
Company, Inc., for Modification to Existing)
Energy Efficiency Program and Approval of)
New Energy Efficiency Programs)

ORDER DENYING MOTION FOR
SPECIAL ACCOMMODATIONS
FOR CIGFUR IV WITNESS
NICHOLAS PHILLIPS, JR.

BY THE CHAIR: On March 22, 2021, Piedmont Natural Gas Company, Inc. (Piedmont), filed an application for a general rate case in Docket No. G-9, Sub 781. By various orders the Commission consolidated the additional proceedings referenced above with Piedmont's general rate case proceeding.

On April 9, 2021, the Commission issued an order allowing the intervention of the Carolina Industrial Group for Fair Utility Rates IV (CIGFUR IV).

On June 8, 2021, the Commission issued an order scheduling an expert witness to be held in person in Raleigh, North Carolina, beginning on September 7, 2021

On August 11, 2021, CIGFUR IV filed the Direct Testimony of Nicholas Phillips, Jr.

On August 20, 2021, CIGFUR IV filed a CIGFUR IV Motion for Special Accommodations for Witness Phillips (Motion) which requests that Witness Phillips be permitted to testify remotely on the basis that he will be required to travel by plane from his home in St. Louis, Missouri, in order to attend the expert witness hearing. CIGFUR IV's unverified motion further states that Witness Phillips is at a "significantly increased risk for severe illness or death should he be exposed to and become infected by COVID-19" due to his age, that Witness Phillips is the caregiver for his wife who is also at an "increased risk of severe disease or death from COVID-19" due to her age and "pre-existing medical conditions[,] and that Witness Phillips' "medical doctor has advised him that, because of his age, it is not safe for him to fly and/or to be in an airport while the COVID-19 Pandemic is ongoing." Finally, CIGFUR IV's motion states that Witness Phillips "has received a first and second booster vaccination against COVID-19[.]"

The Commission is actively taking precautions to ensure that the expert witness hearing can proceed safely in person. Because in-person hearings are significantly more efficient than remote proceedings, the Commission has a strong preference for in-person proceedings. The Commission will consider special accommodations for in-person hearing participants on a case-by-case basis and will grant such relief where it is shown to be warranted by substantiated, well-documented, and verified circumstances.

The Chair notes that as of the date of this order, the CDC is not recommending any age-related travel restrictions and it further states that "[p]eople who are fully vaccinated with an FDA-authorized vaccine or a vaccine authorized for emergency use by the World Health Organization can travel safely within the United States."¹ Based upon the record and the Motion, the Chair does not find that CIGFUR IV has presented adequate evidence that special accommodations are warranted and therefore denies CIGFUR IV's Motion.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 30th day of August, 2021.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, appearing to read "Joann R. Snyder".

Joann R. Snyder, Deputy Clerk

¹ Available at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-during-covid19.html> [Accessed on August 24, 2021].