

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. E-2, SUB 1219

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application of Duke Energy Progress, LLC, for Adjustment of Rates and Charges Applicable to Electric Utility Service in North Carolina))))	JOINT STIPULATION OF LIVE TESTIMONY AND EXHIBITS OF CERTAIN RATE DESIGN AND COST ALLOCATION WITNESSES
---------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------	----------------------------------------------------------------------------------------------------------------

NOW COME the Public Staff – North Carolina Utilities Commission (the “Public Staff”); the Carolina Industrial Group for Fair Utility Rates II (“CIGFUR II” or “CIGFUR”); Duke Energy Progress, LLC (“DE Progress” or “Company”); Harris Teeter; Vote Solar; the North Carolina Sustainable Energy Association (“NCSEA”); The North Carolina Justice Center, North Carolina Housing Coalition, Natural Resources Defense Council, and Southern Alliance for Clean Energy (“NCJC et al.”); Carolina Utility Customers Association (“CUCA”); and the Commercial Group (collectively referred to herein as the “Stipulating Parties” or any party individually as “Stipulating Party”), through counsel, and hereby stipulate that the following Live Testimony¹ elicited during the Duke Energy Carolinas, LLC (“DE Carolinas”) expert testimony hearing in Docket No. E-7, Sub 1214, be entered into the DE Progress record as if those same questions were asked and those same answers were given orally from the stand at the DE Progress expert testimony hearing (“Joint Stipulation”):

¹ “Live Testimony” is defined as any live testimony elicited on the witness stand at the expert testimony hearing. Live testimony does not include any pre-filed testimony entered into the record.

1. DE Carolinas witnesses Hager, Huber, and Pirro, whose applicable Live Testimony is located at Tr. Vol. 12, pp. 178-183 and 296-306; and Tr. Vol. 13, pp. 16-132;
2. NCSEA witness Barnes, whose applicable Live Testimony is located at Tr. Vol. 17, pp. 606-608 and 659-671; and Tr. Vol. 18, pp. 14-22;
3. Public Staff witnesses Floyd and McLawhorn, whose applicable Live Testimony is located at Tr. Vol, 18, pp. 208-211, 258, 261-264, and 346-349; and Tr. Vol. 19, pp. 11-108;
4. CIGFUR witness Phillips, whose applicable Live Testimony is located at Tr. Vol. 22, pp. 89-93 and 134-158; and
5. CUCA witness Kevin O'Donnell, whose applicable Live Testimony is located at Tr. Vol. 20, pp. 19-22 and 156-164.

Furthermore, the Stipulating Parties agree to waive cross-examination at the DE Progress hearing for the witnesses whose Live Testimony is covered by this Joint Stipulation, except that no Stipulating Party is prohibited from eliciting additional testimony that (1) is DEP-specific in substance; (2) is relevant to evidence in the DEP case that was not expressly covered by the Live Testimony; or (3) is otherwise not redundant or duplicative in nature.

Recognizing that the Commission clarified in the DE Carolinas hearing that it is not necessary to ask the Commission to take judicial notice of Commission orders, the Stipulating Parties further request that the Commission take judicial notice of the following items, as noticed by the Commission during the Live Testimony covered by this Joint Stipulation:

1. Public Staff witness Floyd's testimony filed on September 24, 2012, in Docket No. E-22, Sub 479. Tr. Vol 13, pp. 84-85; and
2. Public Staff witness Floyd's testimony filed on January 23, 2018, in Docket No. E-7, Sub 1146. Tr. Vol. 19, pp. 17-18.

The Stipulating Parties further stipulate that the following exhibits be entered into the record during the DE Carolinas expert testimony hearing in Docket No. E-7, Sub 1214 likewise be entered into the DE Progress record in this docket.

1. RAP Cost Allocation Manual, pre-filed as Public Staff 41, which was introduced as Public Staff Pirro Hager Cross-Examination Exhibit 1.
2. Report of the Public Staff on the Minimum System Methodology of North Carolina Electric Public Utilities, Docket No. E-100, Sub 162 (March 28, 2019) pre-filed as DEC Exhibit 32, which was introduced as Hager DEC Redirect Exhibit 1.

WHEREFORE, the Stipulating Parties request that:

1. The Commission issue an order at its earliest convenience accepting this Joint Stipulation;
2. The Commission move the aforementioned exhibits and Live Testimony into the DEP record as if given orally from the stand;
3. The Commission take judicial notice of the items noticed in the DE Carolinas expert testimony hearing, as set forth herein; and
4. For such other and further relief as the Commission may deem just and proper.

Respectfully submitted, this the 24th day of September, 2020.

CIGFUR II
Electronically submitted

/s/ Christina D. Cress
Of Counsel
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, NC 27602
919-828-0731
ccress@bdixon.com

PUBLIC STAFF
Christopher J. Ayers
Executive Director

/s/ Lucy E. Edmondson
Staff Attorney
4326 Mail Service Center
Raleigh, NC 27699-4300
919-733-6110
Lucy.edmondson@psncuc.nc.gov

DE PROGRESS

/s/ Molly M. Jagganathan
Partner
Troutman Pepper Hamilton Sanders
301 S. College Street, Suite 3400
Charlotte, NC 28202
704-998-4074
Molly.jagannathan@troutman.com

HARRIS TEETER

/s/ Kurt J. Boehm
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
513-421-2255
kboehm@BKLawfirm.com

VOTE SOLAR

/s/ Thad Culley
Regional Director
1911 Ephesus Church Road
Chapel Hill, NC 27517
504-616-0181
thad@votesolar.org

NCSEA

/s/ Peter H. Ledford
General Counsel
4800 Six Forks Road, Suite 300
Raleigh, NC 27609
919-832-7601, ext. 107
peter@energync.org

NCJC, et al.

/s/ David Neal
Southern Environmental Law Center
601 West Rosemary Street, Suite 220
Chapel Hill, NC 27516
919-967-1450
dneal@selcnc.org

COMMERCIAL GROUP

/s/ Alan R. Jenkins
Jenkins at Law, LLC
2950 Yellowtail Ave.
Marathon, FL 33050
404-729-2037
aj@jenkinsatlaw.com

CUCA

/s/ Robert F. Page
Crisp & Page, PLLC
4010 Barrett Drive, Suite 205
Raleigh, NC 27609
919-791-0009
rpage@crisppage.com

CERTIFICATE OF SERVICE

The undersigned attorney for CIGFUR hereby certifies that she caused the foregoing *Joint Stipulation of Live Testimony and Exhibits* to be served upon the parties of record in this proceeding by electronic mail.

This the 24th day of September, 2020.

/s/ Lucy E. Edmondson
Staff Attorney
4326 Mail Service Center
Raleigh, NC 27699-4300
919-733-6110
Lucy.edmondson@psncuc.nc.gov