

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-22, Sub 562

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application of Virginia Electric and Power Company, d/b/a Dominion Energy North Carolina for Adjustments of Rates and Charges Applicable to Electric Utility Service in North Carolina)))))))	MOTION TO EXCUSE WITNESSES OF NUCOR-STEEL HERTFORD
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NOW COMES Nucor Steel-Hertford (“Nucor”), through its undersigned attorneys of record in this cause, and pursuant to Rule R1-24 of the Rules of the North Carolina Utilities Commission (“the Commission”), respectfully moves the Commission for an Order in the above-captioned docket excusing Nucor Steel – Hertford (“Nucor”) witnesses Jacob M. Thomas, P.E., and Paul J. Wielgus (“Nucor’s Witnesses”) from having to attend the evidentiary hearing scheduled to begin September 23, 2019, in order to adopt the pre-filed testimony previously filed in this proceeding.

In support of this motion, Nucor shows the Commission as follows:

1. On February 27, 2019, Dominion Energy North Carolina (“DENC”) filed a Notice of Intent to File a General Rate Case Application.
2. On March 29, 2019, DENC filed an application in Docket E-22, Sub 562, for a general rate increase, pursuant to N.C. Gen. Stat. §§ 62-133 and 62-134 and Commission Rule R1-17, along with direct testimony and exhibits of its witnesses.
3. On March 25, 2019 Nucor filed a Petition to Intervene, and that Petition was allowed by this Commission’s Order in this docket dated March 29, 2019.

4. On May 30, 2019, the Commission issued an Order Scheduling Investigation and Hearings, Establishing Intervention and Testimony Due Dates and Discovery Deadlines and Requiring Public Notice.
5. On August 23, 2019, Nucor caused to be filed the direct testimony and exhibits of Nucor's Witnesses (Jacob M. Thomas, P.E. and Paul J. Wielgus).
6. On September 16, 2019, DENC filed a witness list with estimates for cross-examination time for each witness ("Witness List"). Since the filing of time estimates, Nucor has been advised that no party now intends to cross-examine either of Nucor's Witnesses with regard to their pre-filed testimony and exhibits.
7. Nucor intends to proffer the pre-filed testimony of Nucor's Witnesses for receipt into the record with the consent of, or without any objection from, the remaining parties in this docket, without having those witnesses appear to adopt that pre-filed testimony and be examined regarding same.
8. Nucor has been authorized to represent to the Commission that it has contacted the other parties in this cause, and is authorized to represent that the pre-filed testimony of Nucor's Witnesses, when timely proffered by Nucor at the hearing, may be admitted into the evidentiary record as filed without requiring either of Nucor's Witnesses to appear at the hearing to adopt that testimony or to be cross-examined, all without objection from DENC, the Public Staff, the Attorney General or CIGFUR.
9. Nucor's Witnesses are not resident in North Carolina.

Wherefore, Nucor Steel-Hertford respectfully moves:

1. That the pre-filed testimony and exhibits of Nucor's Witnesses, when proffered, be admitted into the evidentiary record at the hearing in these proceedings without requiring the attendance of those witnesses to adopt such testimony or be examined about same;
2. That the Commission excuse Jacob M. Thomas, P.E. and Paul J. Wielgus from any obligation to appear at the hearing beginning on September 23, 2019, unless one or more members of the Commission has questions for one or more of those witnesses; and
3. That if one of more members of the Commission has questions for either of both Nucor's Witnesses, said witness(es) be authorized to appear by telephone to respond to questions.

Respectfully submitted, this the 19th day of September, 2019.

/s/ Joseph W. Eason

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CERTIFICATE OF SERVICE

The undersigned attorney for Nucor Steel-Hertford hereby certifies that he served the foregoing upon the parties of record in this proceeding by electronic mail and/or depositing copies in the United States mail, postage prepaid.

This 19th day of September, 2019.

/s/ Joseph W. Eason

Joseph W. Eason