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JUL 25 2016

July 25, 2016

Mrs. Gail L. Mount, Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27603

Re: Docket No. SP-100, Sub 31

Dear Mrs. Mount:

On behalf of Virginia Electric and Power Company, d/b/a Dominion North Carolina Power (“DNCP” or the “Company”), enclosed for filing with the North Carolina Utilities Commission is the Notice to Amend Appellant’s Proposed Record on Appeal.

Please do not hesitate to contact me if you have any questions. Thank you for your assistance in this matter.

Very truly yours,

s/ E. Brett Breitschwerdt

EBB:asm

Enclosures

cc: Parties of Record

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-100, SUB 31

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Request by NC WARN for a Determination)	NOTICE TO AMEND
That Its Proposed Activities Would Not)	APPELLANT’S PROPOSED
Cause It to be Regarded as a Public Utility)	RECORD ON APPEAL
Pursuant to G.S. 62-3(23))	

Now comes Appellee Virginia Electric and Power Company d/b/a Dominion North Carolina Power (“DNCP” or “the Company”), by and through undersigned counsel, and pursuant to Rules 9 and 18(d) of the North Carolina Rules of Appellate Procedure, herewith serves Notice of Amendments to the Proposed Record on Appeal to Appellant North Carolina Waste Awareness and Reduction Network (“NC WARN”). Appellee states as follows:

1. Appellant served upon the other parties to this docket by United States mail a proposed record on appeal on June 20, 2016. Under the provisions of Rule 27 of the North Carolina Rules of Appellate Procedure, Appellee’s deadline to either file a notice of approval of the Proposed Record on Appeal or objections, amendments, or a proposed alternative record on appeal is July 25, 2016. This Notice to Amend Appellant’s Proposed Record on Appeal is filed in compliance with that rule.

2. After thorough review of Appellant’s Proposed Record on Appeal, Appellee has identified additional pertinent documents filed in this docket that were omitted from the Proposed Record and submit that the addition of those documents to the

Record on Appeal is necessary for an understanding and appropriate presentation of all issues involved in this appeal.

3. Appellee moves to amend the Proposed Record on Appeal to include the following materials filed in the above-captioned docket, which are properly included in the Record on Appeal pursuant to Rules 9(a) and 18(c).

- a. NCEMC Comments [8 pages, filed 30 October 2015]
- b. NCIPL Initial Comments [31 pages, filed 30 October 2015]
- c. EFCA Opening Comments [25 pages, filed 30 October 2015]
- d. Comments of ElectriCities [10 pages, filed 30 October 2015]
- e. EFCA Reply Comments and Request for Oral Argument [21 pages, filed 20 November 2015]
- f. NCSEA Reply Comments [14 pages, filed 20 November 2015]
- g. Reply Comments of NCIPL [17 pages, filed 20 November 2015]
- h. Report of the Public Staff [3 pages, filed 16 June 2016]

4. Appellee moves to amend the “Statement of Organization of the North Carolina Utilities Commission” on page 2 to include the following additional procedural history:

The Commission found good cause to make Duke Energy Carolinas, LLC, Duke Energy Progress, LLC, ~~and~~ Virginia Electric and Power Company, d/b/a Dominion North Carolina Power and North Carolina Electric Membership Corporation parties to this docket without requiring them to file petitions to intervene.

On 8 October, 2015, Carolina Utility Customers Association, Inc. ("CUCA") filed a Petition to Intervene which was allowed by 12 October,

2015 Commission Order. On 15 October, 2016, North Carolina Interfaith Power & Light ("NCIPL") filed a Petition to Intervene which was allowed by 20 October, 2015 Commission Order. On 22 October, 2015, ElectriCities of North Carolina, Inc., North Carolina Eastern Municipal Power Agency, and North Carolina Municipal Power Agency Number 1 ("Power Agencies") filed a Petition to Intervene which was allowed by 26 October, 2015 Commission Order. On 30 October, 2015, North Carolina Sustainable Energy Association ("NCSEA") and Energy Freedom Coalition of America ("EFCA") filed Petitions to Intervene, which were allowed by 5 November, 2015 Commission Orders.

In response to the 30 September, 2015 Commission Order, Comments were filed by Duke Energy Carolinas, LLC, Duke Energy Progress, LLC, Virginia Electric and Power Company d/b/a Dominion North Carolina Power ("DNCP"), NCEMC, Public Staff, NC WARN, NCIPL, EFCA and Power Agencies on 30 October, 2015.

On 20 November, 2015, Reply Comments were filed by DNCP, NC WARN, EFCA, NCSEA, and NCIPL.

5. Appellee moves to amend the "Identification of Counsel for the Appeal" to include the following counsel for Appellee Virginia Electric and Power Company d/b/a Dominion North Carolina Power:

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6. Appellee has notified counsel for Appellant that this request would be filed and believes that the parties will be able to reach a settlement of the Proposed Record on Appeal without the need for a formal conference to settle the Record. Appellee will confer further with counsel for Appellant in an effort to reach a quick resolution.

WHEREFORE, Appellee Virginia Electric and Power Company d/b/a Dominion North Carolina Power respectfully requests that the Proposed Record on Appeal be amended by adding the above-captioned language and documents to the Record on Appeal to be docketed with the North Carolina Court of Appeals.

Respectfully submitted, this the 25th day of July 2016.

MCGUIREWOODS, LLP

By: E. Brett Breitschwerdt

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*Attorneys for Virginia Electric &
Power Company*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice to Amend Appellant's Proposed Record on Appeal, as filed in Docket No. SP-100, Sub 31, was served via U.S. mail, first-class, postage prepaid, upon the following parties of record:

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Antoinette R. Wike
Chief Counsel – Public Staff
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Raleigh, NC 27699-4300

This the 25th day of July 2016.

MCGUIREWOODS, LLP

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