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N.C. Utilities Commission

DOCKET NO. E-100, SUB 127

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	
Biennial Determination of Avoided Cost	)	MOTION FOR
Rates for Electric Utility Purchases from	)	EXTENSIONS
Qualifying Facilities - 2008	)	OF TIME

NOW COMES THE PUBLIC STAFF - North Carolina Utilities Commission, by and through its Executive Director, Robert P. Gruber, and requests that the due dates for comments, reply comments, and proposed orders in the above-captioned docket be extended by approximately six weeks, as discussed below. In support of this motion, the Public Staff alleges as follows:

1. By Order dated May 5, 2010, the Commission established this biennial proceeding, requiring the utilities subject to the Order to file avoided cost rates, the details of the derivation of these rates, and proposed standard form(s) of contract no later than November 1, 2010. The comments and exhibits of all other parties were made due on or before January 10, 2011, reply comments were made due on or before February 16, 2011, and proposed orders on or before March 16, 2011.

2. At the time the Commission's procedural order was issued in this docket, the general rate case application of Virginia Electric and Power Company, d/b/a Dominion North Carolina Power (DNCP), was pending in Docket No. E-22, Sub 459, the hearing on which was held October 12 and 14, 2010. Duke Energy Carolinas, LLC (Duke), Carolina Power & Light, d/b/a Progress Energy Carolinas, Inc. (PEC), DNCP, North Carolina Electric Membership Corporation, and the independent electric membership corporations filed their biennial reports on their 2010 integrated resource plans (IRP) in Docket No. E-100, Sub 128, pursuant to Commission Rule R8-60, in late August, on September 1, 2010, and on September 13, 2010. In addition, Renewable Energy and Energy Efficiency Portfolio Standard compliance plans) were filed by Duke, PEC, DNCP, GreenCo Solutions, Inc., Halifax EMC, and EnergyUnited. The Public Staff's evaluation of, or comments on, the IRPs are due on February 10, 2011.

3. All of the members of the Public Staff involved in the biennial avoided cost docket were involved in DNCP's general rate case and also are involved in the IRP docket, as well as numerous other pending dockets. In addition, as a result of the Christmas and New Year holidays and the fact that the utilities requested additional time to respond to the Public Staff's data requests in the above-captioned docket, additional time is needed for the Public staff to analyze the responses. Because of this heavy workload, additional time is needed for the Public Staff to file its comments and exhibits in this proceeding. Accordingly, the Public Staff proposes that the due date for all intervenor comments be extended by approximately six weeks to February 22, 2011, and that the due dates for reply comments and proposed orders be extended by a commensurate amount.

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4. Counsel for Duke, PEC, and DNCP have been contacted about these proposed extensions. They have authorized the undersigned to state that they either support or do not object to the proposed new due dates.

WHEREFORE, the Public Staff respectfully requests that the Commission issue an order extending the due date for the comments and exhibits of all parties other than the utilities to February 22, 2011, the due date for reply comments to March 30, 2011, and the due date for proposed orders to April 27, 2011.

Respectfully submitted, this the 7<sup>th</sup> day of January, 2011.

PUBLIC STAFF  
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Executive Director

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Chief Counsel




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#### CERTIFICATE OF SERVICE

I do hereby certify that I have this day caused a copy of the foregoing to be served upon each of the parties of record in this proceeding or their attorneys of record by emailing them an electronic copy or by causing a paper copy of the same to be hand-delivered or deposited in the United States Mail, postage prepaid, properly addressed to each.

This the 7<sup>th</sup> day of January, 2011.



Gisele L. Rankin