

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-7, SUB 1214

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of Duke Energy Carolinas, LLC, for ) ORDER POSTPONING  
Adjustment of Rates and Charges Applicable to ) HEARING AND ADDRESSING  
Electric Utility Service in North Carolina ) PROCEDURAL MATTERS  
)

BY THE CHAIR: On September 30, 2019, Duke Energy Carolinas, LLC (DEC) filed its Application for General Rate Case in the above-captioned docket.

On October 29, 2019, the Commission issued an Order Establishing General Rate Case, Suspending Rates, Scheduling Hearings, and Requiring Public Notice (Scheduling Order). Among other things, the Scheduling Order suspended DEC's proposed rates for up to 270 days, pursuant to N.C.G.S. § 62-134, scheduled an expert witness hearing to begin on Monday, March 23, 2020, at 2:00 p.m., and required DEC to file no later than March 16, 2020, a list of witnesses to be called at the hearing, the order of witnesses, and the estimated time for cross-examination of each witness (witness schedule).

On March 16, 2020, DEC filed a motion requesting that the Commission postpone the expert witness hearing for up to sixty (60) days and suspend the procedural schedule, including discovery requests. In summary, DEC discussed the state of emergency declared by the Governor due to the COVID-19 pandemic, and the suspension of multiple activities throughout the state and country. Further, DEC stated that the hearing in this matter will require extensive travel by the parties and their witnesses, and will require the gathering of interested members of the public, parties, witnesses, and the Commission and its staff together during the hearing for several days. In addition, DEC stated that postponement of the hearing will be consistent with the steps being taken to protect the health and safety of the general public. DEC also stated that, subject to its right to implement temporary rates under N.C.G.S. § 62-135 and to seek appropriate accounting treatment relief, its motion included notice of its prospective waiver of its right to seek to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) in the event that the postponement of the hearing renders it infeasible for the Commission to issue an order prior to the rate suspension period under N.C.G.S. § 62-134. Finally, DEC named numerous parties who support the relief requested by DEC, and named several other parties, including the Public Staff, who do not oppose DEC's motion.

Based on the foregoing and the record, the Chair finds good cause to postpone the expert witness hearing scheduled to begin on Monday, March 23, 2020, at 2:00 p.m., until further order by the Commission. Further, the Chair finds good cause to relieve DEC of the requirement to file the witness schedule by March 16, 2020. Finally, the Chair finds good cause to accept DEC's prospective waiver of its right to seek to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) in the event that the postponement of the hearing renders it infeasible for the Commission to issue an order prior to the rate suspension period under N.C.G.S. § 62-134.

IT IS, THEREFORE, ORDERED as follows:

1. That the hearing scheduled to begin on Monday, March 23, 2020, at 2:00 p.m., shall be, and is hereby, postponed until further order by the Commission;
2. That DEC shall not be required to file the witness schedule by March 16, 2020; and
3. That the Commission accepts DEC's prospective waiver of its right to seek to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) in the event that the postponement of the hearing renders it infeasible for the Commission to issue an order prior to the rate suspension period under N.C.G.S. § 62-134.

ISSUED BY ORDER OF THE COMMISSION.

This the 16th day of March, 2020.

NORTH CAROLINA UTILITIES COMMISSION



Kimberley A. Campbell, Chief Clerk