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October 16, 2020

VIA ELECTRONIC FILING
The Honorable Jocelyn G. Boyd
Chief Clerk and Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Re: Duke Energy Progress, LLC's Establishment of Net Energy Metering Tariff in Compliance with H. 3659; and Duke Energy Carolinas, LLC's Establishment of Net Energy Metering Tariff in Compliance with H. 3659 Docket Numbers: 2019-169-E and 2019-170-E

Dear Ms. Boyd:

I am writing on behalf of Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP" and, together with DEC, the "Companies") in response to the Notice of Hearing and Prefile Testimony Deadlines issued by the Clerk's Office in the above-referenced dockets on October 7, 2020 (the "Notice").

The Notice establishes a joint hearing date of January 20, 2021, and requires the parties to provide certain information related to the hearing (such as order of witnesses, use of panels, and any objections to taking direct and rebuttal or surrebuttal together during the hearing) no later than January 6, 2021. However, the deadline for surrebuttal testimony is January 11, 2021,—which means the Companies would have no opportunity to review any surrebuttal testimony prior to being required to make any objections related to it, or to construct its own hearing plan prior to receiving all prefiled testimony—a hearing plan that would need to be informed by surrebuttal filings. The other parties of record, however, would have the Companies' hearing plan in-hand when preparing such testimony.

The Companies understand that providing the Public Service Commission of South Carolina (the "Commission") with advance notice on these topics is a critical part of conducting a successful hearing. However, the Companies believe that the current deadline of January 6th creates an unnecessary procedural disadvantage to the Companies, and puts an unreasonable burden on the Companies to provide a hearing plan or to lodge objections against presentation of testimony before its even filed. As such, the Companies respectfully request that the Clerk's Office[1] extend the January 6th deadline by one week. A one-week extension

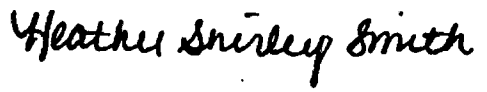
[1] The Companies note that the January 6th deadline was not included in the Commission Orders establishing the procedural schedule. *See* Order No. 2020-621; Order No. 2020-640.

to January 13th would provide the Companies with an opportunity to review surrebuttal testimony when developing a hearing plan, while still providing such information to the Commission a week in advance of the hearing.

Additionally, given that the application and testimony to be filed in these dockets relate to the Companies proposed new "solar choice metering tariffs" under S.C. Act No. 62 of 2019 ("Act 62"), the Companies respectfully reiterate[2] their request that the Clerk's Office establish two new dockets (for DEC and DEP, respectively) or one new consolidated docket (including both DEC and DEP) for consideration of the Companies' solar choice tariffs,[3] with an intervention deadline no later than November 9th. This approach would not only create a definite timeline[4] for intervenors with interests specific to the solar choice tariffs, but would also mirror the Commission's approach to Dominion Energy South Carolina, Inc.'s ("DESC") tariff, which the Commission will consider in Docket No. 2020-229-E.

The Companies appreciate your consideration of these matters .

Sincerely,



Heather Shirley Smith

cc: Parties of record (via email)

[2] The Companies proposed this procedural approach in Docket No. 2019-182-E on August 17, 2020, and August 31, 2020.

[3] Docket Nos. 2019-169-E and 2019-170-E were established for updates to existing net metering tariffs stemming from Act 236 as provided for in Act 62—these dockets were not created as the Solar Choice tariff dockets which will be filed on November 2, 2020.

[4] Currently, no deadline for intervention is set in either Docket No. 2019-169-E or Docket No. 2019-170-E.

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