

**Duke Energy Progress, LLC**  
**Docket No. E-2, Sub 1300**  
**Public Staff Data Request No. 1**  
**Date Requested: October 7, 2022**  
**Date Due: As soon as possible after filing**

**Public Staff Legal Contacts:**

**Robert Josey**  
**Phone #: (919) 733-0973**  
**Email: [robert.josey@psncuc.nc.gov](mailto:robert.josey@psncuc.nc.gov)**

**Nadia Luhr**  
**Phone #: (919) 733-0977**  
**Email: [nadia.luhr@psncuc.nc.gov](mailto:nadia.luhr@psncuc.nc.gov)**

**Topic: Instructions for responses to interrogatories, requests for production of documents, and other data requests (collectively, “Data Requests”), definitions, Data Requests from other parties, privilege logs, testimony, and exhibits in native format**

1. In this proceeding, the Public Staff will be serving Data Requests on Duke Energy Progress, LLC (DEP or the Company), in order to investigate its application for a base rate increase. For all Data Requests, the following instructions and definitions apply:
  - A. Instructions
    - (1) In responding to any of the questions in the Data Requests, please answer each question on a separate sheet of paper, restating the question in full. Please provide the name and title of the individual who has the responsibility for the subject matter addressed therein. Also include with each response or group of contemporaneous responses the identity of the person making the response by name, occupation, and job title.
    - (2) The Data Requests should be regarded by you as continuing and requiring further and supplemental responses as any additional information within their scope is generated or becomes available to you.
    - (3) With respect to any document related to any matter addressed in the Data Requests, if the document is not in your possession, but you know or believe that it exists, you are requested to identify and indicate to the best of your ability the present or last known location of the document and its custodian.

- (4) If, to your knowledge, no documents containing the exact information exist, but documents exist that contain portions thereof or that contain substantially similar information, then the definition of “documents” to be identified shall include such documents.
- (5) For any information that you claim is unavailable, state the reason why it is unavailable, and provide any information that is available which is similar to the requested information.
- (6) If any document or other information called for is withheld on a claim of privilege, identify the document or other information withheld, including its date and a description of the subject matter, and the full name, job title, and capacity of each and every person listed as an addressor, addressee, or indicated on blind copies; identify all persons to whom the document or other information was distributed, shown, or explained; and identify the nature and legal basis of the privilege asserted. Set forth the factual and legal predicates to any claim of privilege or other immunity from discovery in sufficient detail for the Public Staff to ascertain the Company’s right to such treatment, and provide redacted copies of requested materials or information. If any document or other information called for is to be produced with a claim of confidentiality, please identify such document or information and provide it pursuant to the terms of the Comprehensive Confidentiality Agreement executed between DEP and Public Staff.
- (7) If you intend to withhold documents or other information on the basis that such documents or other information are “voluminous,” or object on the basis that the request is “overly broad,” “unduly burdensome,” or on a similar basis, provide information sufficient to enable the Commission, the Public Staff, and other parties to assess the true nature of the objection. Without limiting the foregoing, this information should include a description of the documents, the approximate number of pages, number and thickness of volumes, and other such identifying information. If you do provide certain information subject to and notwithstanding such objections, you should describe any information you have withheld sufficiently to enable the Commission, the Public Staff, and other parties to assess the true nature of the objection.
- (8) If you assert that any document related to any matter addressed in any question in the Data Requests has been destroyed or transferred beyond your control, please state the following: (a) identify by full name, official title and address(es), any person who destroyed the document and any person involved in ordering the destruction of the document; (b) state the time, place and method of, and reasons for,

the document's destruction, including any and all documents relating to the order or act of such destruction; (c) if destroyed or disposed of by operation of a document destruction program or retention policy, identify and produce a copy of the guideline, policy, or manual describing the document destruction program or retention policy; (d) if transferred, identify the person authorizing transfer, and state the time, place, and method of, and reason for, its transfer, and identify and produce any and all documents relating to the transfer; (e) identify each and every person listed as an addressor or addressee or indicated on blind copies, or to whom it was distributed, shown or explained; and (f) state or identify the date, subject matter, number of pages, attachments and appendices of the document.

- (9) In responding to each question in the Data Requests, please provide all information available to you or in your possession, including information possessed by any agent, consultant, or employee.
- (10) If a response to any of the Data Requests requires any calculations, analyses, assumptions or studies, please identify and provide copies of such calculations, analyses, assumptions or studies, and include all workpapers relating thereto.
- (11) Whenever specific information, such as a date or figure, is requested and you are unable to provide the exact information, provide your best estimate thereof and indicate that it is an estimate.
- (12) To the extent DEP asserts that any requested information is not relevant or not material to any issue in the above-captioned matter (such as an assertion that the Company is only providing information pertinent to North Carolina), DEP, in its written response, should indicate a specific basis for said assertion in the context of any issues arising in this proceeding, and provide information sufficient to enable the Commission, the Public Staff, and other parties to assess the true nature of the objection. Without limiting the foregoing, this information should include a description of the documents deemed not relevant or not material.
- (13) Please provide notification via electronic mail to the following when each response to a Data Request has been uploaded by the Company to the Public Staff's FTP site:

Robert Josey

[robert.josey@psncuc.nc.gov](mailto:robert.josey@psncuc.nc.gov)

Nadia Luhr

[nadia.luhr@psncuc.nc.gov](mailto:nadia.luhr@psncuc.nc.gov)

B. Definitions

- (1) “You” and “your” refers to the Company or any of its affiliates, employees, agents, consultants or experts.
- (2) “DEP” or “Company” refers to Duke Energy Progress, LLC.
- (3) When capitalized, “Commission” refers to the North Carolina Utilities Commission.
- (4) “Document” includes any written, recorded or graphic matter, however produced or reproduced, including, but not limited to, correspondence, telegrams, contracts, agreements, notes in any form, memoranda, charts, diaries, reports, books, ledgers, diaries, voice recording tapes, microfilms, microfiche, pictures, data processing cards or discs, computer tapes and other computer-generated and stored information or data base, workpapers, calendars, minutes of meetings or any other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession.
- (5) “Identify,” “identity,” or “identification,” when used in reference to an individual person, means to state that person’s full name, business position, and business address, including zip code and phone number, if known, and, if not known, the last known business position, duties and business address, if known.
- (6) “Identify,” “identity,” or “identification,” when used in reference to a business organization, means to state the corporate name or other names under which said organization does business, and the location of its principal place of business.
- (7) “Identify,” “identity,” or “identification,” when used in reference to a document, means to state the type of document (e.g., computer-stored information, microfilm, letter, memorandum, policy circular, minute book, telegram, chart, etc.), or some other means of identifying it, and its present location and custodian. If any document was, but is no longer, in your possession or subject to your control, state what disposition was made of it, and, if destroyed or disposed of by operation of a retention policy, state the retention policy. For any Data Requests that request identification of documents, you

may, in lieu of identification, provide copies of the requested documents. Each document so produced shall be identified by the number of the data request to which it is purportedly responsive.

- (8) The terms “describe,” “describe in detail,” “explain,” and “explain in detail” mean describe and explain in detail each and every basis for the position taken or statement made and identify each and every statement, study, and document relied on by you and provide a copy of all such identified studies and documents.
2. The Public Staff adopts as its own all of the Data Requests (individually or collectively) of all other parties, whether written or oral, formal or informal, propounded to the Company in this proceeding. All such requests should be treated by the Company as being independently asked by the Public Staff as of the date such requests are received by the Company, and the Company’s initial and revised responses to such formal or informal Data Requests should be provided accordingly. This request applies to any Data Requests that have been propounded to the Company since the commencement of this proceeding as well as going forward.
3. Please provide copies of all Data Requests from other parties in this proceeding when they are received by the Company.
4. Please provide copies of all the Company’s responses to Data Requests from other parties in this proceeding as soon as they are transmitted by the Company to the party making the request.
5. Please provide all Data Requests issued by DEP to other parties in this proceeding as soon as they are submitted to the party.
6. Please provide all responses received by DEP to Data Requests issued by the Company to other parties as soon as the responses are received by DEP.
7. Please provide the Company’s rate case filings (including testimony, exhibits, and G-1) in native format (Word, Excel (with formulae intact and working macros)). Please consider this an ongoing request, and applicable to any revised, additional, supplemental, rebuttal, etc., rate case filings.
8. Please identify and provide copies of all documents and workpapers (including all related Excel files with working formulas and links intact) supporting and/or underlying all testimony, exhibits (including initial, revised, additional, supplemental, updated, rebuttal, etc.) filed by the Company in this proceeding. Please consider this request ongoing.