

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-35, SUB 51

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application of Western Carolina)	PUBLIC STAFF’S MOTION TO
University for an Adjustment of Rates)	CANCEL EVIDENTIARY
and Charges for Electric Service in)	HEARING
North Carolina)	

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (the “Public Staff”), by and through its Executive Director, Christopher J. Ayers, and submits its Motion to Cancel Evidentiary Hearing and in support thereof, states as follows:

1. On March 9, 2020, Western Carolina University (WCU) filed an Application for Adjustment of Rates and Charges.
2. The Commission entered an Order on July 17, 2020 scheduling a remote evidentiary hearing via WebEX for Monday, September 14, 2020 at 2:00 p.m.
3. The Public Staff and WCU have reached a settlement in this case. WCU and the Public Staff filed a Stipulation of Settlement on September 9, 2020. There are no issues left to resolve between the Parties.
4. Because of the Settlement, the Public Staff and WCU request the evidentiary hearing scheduled for Monday, September 14, 2020 at 2:00 p.m. be cancelled. The Public Staff has contacted counsel for WCU and they have no objection to cancelling the evidentiary hearing.

5. The Public Staff and WCU also request that if the evidentiary hearing is cancelled, the testimony and exhibits of WCU witness William R. O'Donnell and Public Staff witnesses Scott J. Saillor, Evan D. Lawrence, Benjamin P. Lozier, and Sonja Johnson be entered into the record.

6. A proposed order is attached to this Motion.

WHEREFORE, the Public Staff prays:

1. That the Commission grant the Public Staff's request to cancel the evidentiary hearing scheduled for Monday, September 14, 2020 at 2:00 p.m.

2. That the testimony and exhibits of WCU witness William R. O'Donnell and Public Staff witnesses Scott J. Saillor, Evan D. Lawrence, Benjamin P. Lozier, and Sonja Johnson be entered into the record.

3. For such other and further relief as the Commission may deem just and proper.

This the 9th day of September, 2020.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

Dianna W. Downey
Chief Counsel

Electronically submitted
/s/ John D. Little
Staff Attorney

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CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing Motion to Cancel Evidentiary Hearing on all parties of record in accordance with Commission Rule R1-39, by United States mail, postage prepaid, first class; by hand delivery; or by electronic delivery upon agreement of the receiving party.

This the 9th day of September, 2020.

Electronically submitted
/s/ John D. Little

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-35, SUB 51

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Western Carolina) ORDER CANCELLING
University for an Adjustment of Rates) EVIDENTIARY HEARING
and Charges for Electric Service in North)
Carolina)

BY THE COMMISSION: On March 9, 2020, Western Carolina University (WCU) filed an application with the Commission pursuant to G.S. 62-133, 62-134, and 116-35, seeking authority to increase its rates for electric service in its service area in Jackson County, North Carolina. An Order was entered on July 17, 2020 scheduling a remote evidentiary hearing via WebEx on Monday, September 14, 2020 at 2:00 p.m.

On September 9, 2020, the Public Staff filed a Motion to Cancel Evidentiary Hearing. This Motion states that the Public Staff and WCU have reached a settlement in this case. WCU and the Public Staff filed a Stipulation of Settlement on September 9, 2020. There are no issues left to resolve between the Parties.

The Motion also requests that if the evidentiary hearing is cancelled, the testimony and exhibits of WCU witness William R. O'Donnell and Public Staff witnesses Scott J. Saillor, Evan D. Lawrence, Benjamin P. Lozier, and Sonja Johnson be entered into the record. The Motion also states that the Public Staff

contacted counsel for WCU and they have no objection to cancelling the evidentiary hearing.

IT IS, THEREFORE, ORDERED as follows:

1. That the Public Staff's Motion to Cancel Evidentiary Hearing is hereby granted;

2. That the Evidentiary Hearing scheduled for Monday, September 14, 2020 at 2:00 p.m. is hereby cancelled;

3. That the that the testimony and exhibits of WCU witness William R. O'Donnell and Public Staff witnesses Scott J. Saillor, Evan D. Lawrence, Benjamin P. Lozier, and Sonja Johnson be entered into the record.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk