

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1113

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Duke Energy Progress, LLC,	)
for a Certificate of Environmental Compatibility	)
and Public Convenience and Necessity to	)
Construct Approximately 6.91 Miles of New	)
230-kV Transmission Line in Carteret County,	)
North Carolina	)
	ORDER EXTENDING TIME PERIOD FOR DECISION

BY THE CHAIRMAN: On August 3, 2017, Duke Energy Progress, LLC (DEP) filed an application, including direct testimony and exhibits, in the above-captioned docket to obtain a Certificate of Environmental Compatibility and Public Convenience and Necessity (CPCN) to construct approximately 6.91 miles of new 230-kilovolt (kV) transmission line in Carteret County, North Carolina.

On August 9, 2017, the Commission issued an Order Scheduling Hearings, Requiring Filing of Testimony, Establishing Discovery Guidelines and Requiring Public Notice.

On September 14, 2017, the State Environmental Review Clearinghouse (Clearinghouse) filed with the Commission its comments, in which it requested that DEP provide for its further review and comment supplemental information in response to inquiries of the North Carolina Department of Natural and Cultural Resources (DNCR) regarding certain historical sites potentially affected by construction of the proposed transmission line.

On November 15, 2017, the Public Staff - North Carolina Utilities Commission (Public Staff) filed with the Commission a letter stating that it investigated DEP's application, and subsequently determined that the Proposed Route meets the requirements of G.S. 62-105. Therefore, the Public Staff recommends issuance of the CPCN after such time as the Commission first receives confirmation from the Clearinghouse that no further review action by the Commission is required for compliance with the North Carolina Environmental Policy Act.

On November 15, 2017, DEP filed a Motion to Cancel Hearings, asserting as follows: that DEP and the Public Staff are the only parties to this proceeding, that no party opposes the granting of the CPCN, and that so long as the Commission itself does not require DEP's expert witnesses to provide live testimony, there appears no need to conduct either the public or the evidentiary hearings in this proceeding. The Public Staff did not object to DEP's Motion to Cancel Hearings.

DEP was the only party to file testimony in this proceeding. The Commission did not receive any petitions to intervene or protests in this proceeding.

On November 17, 2017, the Commission issued an Order canceling the public witness and evidentiary hearings, and accepting into the record the direct testimony, exhibits, and affidavits filed by DEP in this proceeding.

On December 18, 2017, DEP represented to the Commission, through its Proposed Order Granting Certificate of Environmental Compatibility and Public Convenience and Necessity, that the State Historical Preservation Officer approved DEP's survey methods for certain historical sites referenced in DNCR's inquiry letter, but that DEP has not yet conducted the requested surveys.

As of the date of this Order, the Commission has not received confirmation from the Clearinghouse that the surveys requested of DEP have been completed, nor has it received final notice from the Clearinghouse that all review required for compliance with the North Carolina Environmental Policy Act is complete.

The Chairman is mindful of the Commission's obligation, pursuant to G.S. 62-104(c), to issue orders regarding transmission line CPCN applications within 60 days of the conclusion of the hearing, or, in this case, the day the hearing would have concluded if it had been held as scheduled. On the other hand, the Chairman agrees with the Public Staff that in order to ensure compliance with the North Carolina Environmental Policy Act, it is necessary for the Commission to receive and review final comments from the Clearinghouse before issuing its decision in this proceeding.

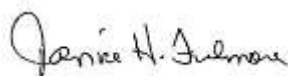
Therefore, after careful consideration of the foregoing and the entire record, the Chairman finds substantial cause, pursuant to G.S. 62-104(c), to extend the deadline for the Commission to issue its final decision in this proceeding until thirty (30) days following the date upon which the Commission receives confirmation from the Clearinghouse that no further review action by the Commission is required for compliance with the North Carolina Environmental Policy Act.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 29<sup>th</sup> day of January, 2018.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Janice H. Fulmore". The signature is written in a cursive, flowing style.

Janice H. Fulmore, Deputy Clerk