

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-115, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Cherry Solar, LLC, for a)	
Certificate of Public Convenience and)	ORDER CANCELING
Necessity to Construct a 180-MW Solar)	PUBLIC WITNESS HEARING
Facility in Northampton County,)	
North Carolina)	

BY THE PRESIDING COMMISSIONER: On November 13, 2020, Cherry Solar, LLC, (Applicant), filed an amended application (application) pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-63 for a certificate of public convenience and necessity (CPCN) to construct a 180-MW_{AC} solar photovoltaic (PV) electric generating facility to be located in Northampton County, North Carolina, and to be operated as a merchant generating facility.

On November 24, 2020, the Public Staff – North Carolina Utilities Commission (Public Staff) filed a Notice of Completeness stating that the Public Staff has reviewed the application as required by Commission Rule R8-63(d) and that the Public Staff considers the application to be complete. In addition, the Public Staff requested that the Commission issue a procedural order setting the application for hearing, requiring public notice pursuant to N.C. Gen. Stat. § 62-82, and addressing any other procedural matters.

On December 18, 2020, the Commission issued an Order Scheduling Hearings, Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice (Scheduling Order). The Scheduling Order, among other things, scheduled a remote public hearing via Webex, on Wednesday, January 27, 2021, at 7:00 p.m., for the purpose of receiving public witness testimony regarding the application, required all parties to file a statement of consent to the remote public hearing, required the Applicant to publish public notice of the hearing in a newspaper having general circulation in Northampton County once a week for four consecutive weeks, and required members of the public who wanted to testify to register in advance of the hearing, no later than 5:00 p.m. on Friday, January 22, 2021, by contacting the Public Staff.

On January 13, 2021, both the Applicant and the Public Staff confirmed their consent to a remote public witness hearing.

On January 21, 2021, Cherry Solar, LLC, filed its Affidavit of Publication of the Notice of Public Witness Hearing, which evidenced that the public notice had been published in a newspaper having general circulation in Northampton County, in

the Roanoke-Chowan News-Herald, once a week for four successive weeks, on December 23 and 30, 2020, and on January 6 and 13, 2021.

On January 25, 2021, the State Clearinghouse filed its comments concerning the application.

No members of the public registered to testify at the remote public hearing on or before January 22, 2021, the Commission did not receive any written complaints regarding the facility on or before January 25, 2021, and the Commission has not received any written complaints regarding the proposed facility as of the date of this Order.

Based upon the foregoing and the entire record herein, the Presiding Commissioner finds good cause to cancel the remote public witness hearing scheduled in this docket for Wednesday, January 27, 2021. Therefore, the scheduled remote public witness hearing is hereby canceled, and the Commission will proceed as it deems appropriate in its consideration of the application.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 26th day of January, 2021.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Kimberley A. Campbell". The signature is written in a cursive, flowing style.

Kimberley A. Campbell, Chief Clerk