

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, Sub 1288

|   |   |                                      |
|---|---|--------------------------------------|
| In the Matter of:                                     | ) |                                      |
|   | ) |                                      |
| Application of Duke Energy Progress, LLC for          | ) | <b>MOTION TO CANCEL<br/>HEARINGS</b> |
| a Certificate of Environmental Compatibility          | ) |                                      |
| and Public Convenience and Necessity                  | ) |                                      |
| Pursuant to N.C. Gen. Stat. §§ 62-100 <u>et. seq.</u> | ) |                                      |
| to Construct Approximately 1.3 Miles of New           | ) |                                      |
| 230 kV Transmission line in Chatham County,           | ) |                                      |
| North Carolina  | ) |                                      |

NOW COMES Duke Energy Progress, LLC ("DEP"), by and through its counsel, and respectfully requests, pursuant to Commission Rule R8-62(o) and the *Order Scheduling Hearing and Requiring Public Notice* issued by the North Carolina Utilities Commission ("Commission") on February 21, 2022, that the Commission cancel the public witness hearing scheduled on Tuesday, June 7, 2022 at 7:00 p.m., at the Historic Chatham County Courthouse and the evidentiary hearing scheduled on Tuesday, June 21, 2022, in Raleigh, NC. In support of this request, DEP shows the following:

1. On February 7, 2022, DEP filed an Application for Certificate of Environmental Compatibility and Public Convenience and Necessity ("CPCN") to construct approximately 1.3 miles of new 230 kV Transmission in Chatham County, North Carolina.

2. On February 21, 2022, the Commission issued an *Order Scheduling Hearings and Requiring Public Notice* that stated the public witness hearing and the evidentiary hearing may be cancelled if no significant protests are filed with the Commission by May

18, 2022. This Order also required DEP to publish a public notice in the manner required by N.C. Gen. Stat. § 62-102 and Commission Rule R8-62(g) in newspapers having general circulation Chatham County.

3. On April 20, 2022, DEP filed Affidavits of Publication, confirming that the public notice had been published for four successive weeks in Chatham County beginning on February 24, 2022. The Public Notice provided the time and location of the public hearing and stated that the hearing may be cancelled if no significant protests are received subsequent to the public notice.

4. On May 18, 2022, the Public Staff filed its Letter in Lieu of Testimony, recommending that the Commission issue the certificate requested in this proceeding and recommending that the public and evidentiary hearings be cancelled.

4. As of the date of this filing, no significant protests have been received from any person.

5. The Public Staff has expressed that its recommendation that the public and evidentiary hearings in its May 18, 2022 Letter in Lieu of Testimony and does not oppose this motion.

WHEREFORE, DEP respectfully requests that the Commission enter an order cancelling the public witness hearing scheduled on Tuesday, June 7, 2022, at 7:00 p.m., at the Historic Chatham County Courthouse and cancelling the evidentiary hearing scheduled on Tuesday, June 21, 2022, in Raleigh, NC, and accept into evidence DEP's application, testimony and exhibits, and order that DEP file a proposed order on or before thirty days from the date of its order on this motion.

Respectfully submitted this 27th day of May 2022.



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ATTORNEYS FOR DUKE ENERGY PROGRESS, LLC

**CERTIFICATE OF SERVICE**

I certify that I have this day served a copy of the foregoing Motion to Cancel Hearings on the below parties of record in this proceeding or their attorneys of record and to the petitioners by causing a copy to be deposited in the United State Mail, postage prepaid, properly addressed to each or by electronic delivery upon agreement from the parties.

William "Zeke" Creech  
Public Staff – North Carolina Utilities Commission  
Staff Attorney  
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