STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. EMP-101, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Edgecombe Solar, LLC for a)	
Certificate of Public Convenience and Necessity)	ORDER CANCELLING HEARING
to Construct a 75-MW Solar Facility in)	
Edgecombe County, North Carolina)	

BY THE CHAIRMAN: On October 5, 2018, Edgecombe Solar, LLC (Applicant) filed an application pursuant to N.C.G.S. § 62-110.1 and Commission Rule R8-63 for a certificate of public convenience and necessity (CPCN) to construct a 75-MW_{AC} solar photovoltaic (PV) electric generating facility in Edgecombe County, North Carolina. The Applicant also filed a registration statement pursuant to Commission Rule R8-66, seeking registration of the facility as a new renewable energy facility.

On October 16, 2018, the 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.G.S. § 62-82, and addressing other procedural matters.

On November 8, 2018, the Commission issued an Order Scheduling Hearing, Requiring Testimony, Establishing Procedural Guidelines and Requiring Public Notice (Scheduling Order). The Scheduling Order, among other things, scheduled a public witness hearing shall be held on Wednesday, January 9, 2019, at 7:00 p.m. at the Edgecombe County Courthouse, 301 St. Andrews Street, Tarboro, North Carolina, and an expert witness hearing on Tuesday, January 15, 2019, at 10:00 a.m., in the Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, for the purpose of receiving testimony regarding the application.

On December 18, 2018, the Applicant filed an affidavit of publication, evidencing that the Applicant cause to be published notice of the hearing in the Rocky Mount Telegram as required by the Scheduling Order.

On January 2, 2019, based upon no complaints having been filed in this docket, the Commission issued an Order cancelling the public hearing scheduled for January 9, 2019.

On January 3, 2019, the Applicant filed a motion requesting that the Commission also cancel the expert witness portion of the hearing. In support of its motion, the Applicant

states that no petitions to intervene have been filed in this docket, and, as such, the Applicant and the Public Staff are the only parties to this proceeding. In addition, the Applicant states that the Public Staff filed the affidavit of Evan D. Lawrence, an Engineer with the Public Staff-Electric Division, who recommended that the Commission issue the requested CPCN, subject to certain conditions. Further, the Applicant notes that, on December 28, 2018, the Clearinghouse Coordinator of the Office of Policy and Planning of the Department of Administration, filed comments from the State Historic Preservation Office of the North Carolina Department of Natural and Cultural Resources (NCDNCR). These comments reflect that the proposed site of the Applicant's facility is located in an area that has a "high probability for containing precolonial American Indian archeological sites" and that "archeological sites associated with the plantation of General William Ruffiin Cox are likely present in the parcel." Therefore, NCDNCR recommends that prior to the initiation of any ground disturbing activities within the project area, a comprehensive archaeological survey of the project area be conducted by an experienced archeologist. Finally, the Applicant further states that the Public Staff has authorized the Applicant to state that it supports the cancellation of the expert witness portion of the hearing.

Based upon the foregoing and the entire record herein, the Chairman finds good cause to grant the Applicant's motion to cancel the expert witness hearing scheduled in this docket for Tuesday, January 15, 2019, at 10:00 a.m., in the Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. 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 8th day of January, 2019.

NORTH CAROLINA UTILITIES COMMISSION

Janice H. Fulmore, Deputy Clerk