

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-2, SUB 1215

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) ORDER CANCELLING HEARING,
Approximately 4.6 Miles of New 230 kV) ACCEPTING EVIDENCE, AND
Transmission Line in the northeast area of) REQUIRING FILING OF
Wilmington, New Hanover County, North) PROPOSED ORDER
Carolina)

BY THE COMMISSION: On October 18, 2019, Duke Energy Progress, LLC (DEP) filed a Motion to Cancel Evidentiary Hearing, in the above-captioned docket, scheduled on Thursday, October 24, 2019, at 11:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina.

In support thereof, DEP stated that on August 15, 2019, 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 hearing solely for the purpose of receiving expert witness testimony of the parties regarding DEP's application on Thursday, October 24, 2019, at 11:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. The Scheduling Order included the following statement: "However, the expert witness hearing may be cancelled if no significant protests are filed with the Commission." DEP indicated that the Public Staff has authorized the Company to represent that the Public Staff does not oppose this motion.

On October 3, 2019, the Applicant filed an affidavit of publication, evidencing that the Applicant caused to be published notice of the hearing in the Pender-Topsail Post & Voice as required by the Scheduling Order.

On October 9, 2019, 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 September 25, 2019, Oliver Canady filed a petition to intervene in the above-captioned docket. On October 14, 2019, the Commission denied Mr. Canady's motion to

intervene, but allowed his motion to be treated as a consumer statement of position and further allowed Mr. Canady the opportunity to file any additional information as a consumer statement of position on or before October 21, 2019. Other than Mr. Canady, the Commission has not received any written complaints regarding the proposed facility.

In response to DEP's motion to cancel the public witness hearing, on October 18, 2019, the Commission issued an Order cancelling the public witness hearing that was scheduled for Wednesday, October 23, 2019, in Wilmington.

On October 21, 2019, the Clearinghouse Coordinator of the Office of Policy and Planning of the Department of Administration filed final comments with the Commission stating that because of the nature of the comments no further review is needed by the Commission for compliance with the North Carolina Environmental Policy Act.

Based on the foregoing and the record, the Commission finds good cause to cancel the expert witness hearing scheduled for Thursday, October 24, 2019, at 11:00 a.m. in Raleigh, and to accept into evidence DEP's application, testimony, and exhibits. Further, the Commission finds good cause to order that DEP file a proposed order on or before Monday, November 25, 2019.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 22nd day of October, 2019.

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