

**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)
Approximately 4.6 Miles of New 230 kV) ORDER CANCELLING HEARING
Transmission Line in the northeast area of)
Wilmington, New Hanover County, North)
Carolina)

BY THE COMMISSION: On October 11, 2019, Duke Energy Progress, LLC (DEP or Applicant) filed a Motion to Cancel the Public Hearing scheduled in this docket for Wednesday, October 23, 2019, at 7:00 p.m. at the New Hanover County Courthouse, 316 Princess Street, Wilmington, North Carolina.

In support of its motion, DEP stated that on August 13, 2019, it filed an application pursuant to N.C. Gen. Stat. § 62-100 et seq., for a certificate of environmental compatibility and public convenience and necessity (certificate) to construct approximately 4.6 miles of new 230 kV transmission line and a substation in New Hanover County, North Carolina.

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 public witness hearing on Wednesday, October 23, 2019, at 7:00 p.m. at the New Hanover County Courthouse, 316 Princess Street, Wilmington, North Carolina, 28401. Further, the Scheduling Order required DEP to publish a Public Notice containing a summary of its application, the details of the public witness hearing, and other information. The Scheduling Order and the Public Notice included the following statement: "However, the hearing may be canceled if no significant protests are filed with the Commission."

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 petition to intervene, but allowed his petition 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's petition, the Commission has not received any written complaints regarding the proposed transmission line.

Based upon the foregoing and the entire record herein, the Commission finds good cause to cancel the public hearing scheduled in this docket for Wednesday, October 23, 2019, at 7:00 p.m. at the New Hanover County Courthouse, 316 Princess Street, Wilmington, North Carolina.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th 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 style with a large initial 'K'.

Kimberley A. Campbell, Chief Clerk