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October 27, 2021

Ms. A. Shonta Dunston
Chief Clerk
North Carolina Utilities Commission
430 N. Salisbury Street
Raleigh, NC 27603

**RE: MOTION TO CANCEL PUBLIC WITNESS PUBLIC HEARING
In the matters of Macadamia Solar, LLC for a Certificate of Public
Convenience and Necessity and for a Certificate of Environmental
Compatibility and Public Convenience and Necessity
Consolidated Docket Nos. EMP-119 Subs 0 and 1**

Dear Ms. Dunston:

On behalf of Macadamia Solar, LLC, in the above referenced matters and dockets,
herewith provided for filing is Motion to Cancel the Public Witness Public Hearing
scheduled for November 2, 2021.

Should you have any questions concerning this filing, please do not hesitate to contact
me.

Sincerely,

/s/ Benjamin L. Snowden

Benjamin L. Snowden

pbb

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota
Nevada New Jersey New York North Carolina Pennsylvania South Carolina Texas Washington



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cc: Parties of Record
Zeke Creech, Public Staff
Reita Coxton, Public Staff
Heather Fennell, Commission Legal Staff
Erin Duffy, Commission Legal Staff

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Oct 27 2021

STATE OF NORTH CAROLINA UTILITIES COMMISSION
RALEIGH

DOCKET NOS. EMP-119 SUB 0 AND SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. EMP-119, Sub 0)
)
In the Matter of)
Application of Macadamia Solar,)
LLC for a Certificate of Public)
Convenience and Necessity to)
Construct a Merchant Plant Solar)
Energy Facility in Washington)
County, North Carolina)
)
DOCKET NO. EMP-119, Sub 1)
)
In the Matter of)
Application of Macadamia Solar,)
LLC for a Certificate of)
Environmental Compatibility and)
Public Convenience and Necessity to)
Construct Transmission Line in)
Washington County, North Carolina)

**MOTION TO CANCEL
HEARING**

Macadamia Solar LLC (“Macadamia” or the “Applicant”) by and through counsel, moves the Commission to cancel the public witness public hearing in these consolidated dockets scheduled for Tuesday, November 2, 2021, at 7:00 p.m. to be held remotely via WebEx. In support of its motion, Macadamia shows as follows:

1. On August 31, 2021, in docket EMP-119, Sub 0, Macadamia filed an application for Certificate of Public Convenience and Necessity for Electric Merchant Plant (“CPCN”) pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-63 to construct a 484-MWAC solar photovoltaic (“PV”) electric generating facility to be located in

Washington County, North Carolina, and to be operated as a merchant generating facility (“the Project”).

2. On September 9, 2021, 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.

3. On September 13, 2021, in docket EMP-119, Sub 1, Macadamia filed an application for Certificate of Environmental Compatibility and Public Convenience and Necessity (“CECPCN”) to construct approximately 6.53 miles of Transmission Line in Washington County, North Carolina.

4. On September 15, 2021, in docket EMP-119, Sub 1, the Commission issued an Order Scheduling Public Hearing, Requiring Public Notice, and Requiring Clearinghouse Review.

5. On September 24, 2021, in dockets EMP-119, Sub 0 and EMP-119, Sub 1, the Commission issued an Order Consolidating Dockets, Scheduling Hearings, Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice.

6. On October 14, 2021, in the consolidated dockets, the Commission issued an Order Amending the Public Notice, wherein it was stated “The Public Witness Hearing may be cancelled if no significant protests are filed with the Commission after the publication of Public Notice.”

7. The last publication date of the Amended Public Notice was October 20, 2021. As of today’s date, no complaints have been received regarding the proposed facility or transmission line.

8. On October 18, 2021, and on October 25, 2021, Affidavits of Publication of Public Notices were filed in the dockets certifying that the Public Notices had been published in accordance with the above referenced Orders. The Public Notices were published on September 22, September 29, October 6, October 13, and October 20, 2021, in compliance with the aforementioned Orders.

9. As established by the Commission in its October 14, 2021, Order Amending Public Notice, if no significant or protests otherwise have been received subsequent to the publication of the Public Notices, the November 2, 2021, Public Witness Public Hearing may be cancelled.

10. The Applicant has conferred with the Public Staff and the Public Staff consents to cancellation of the Public Witness Hearing.

Wherefore, Applicant respectfully requests that the Commission cancel the Public Witness Public Hearing scheduled for Tuesday, November 2, 2021.

Respectfully submitted, this the 27th day of October, 2021.

FOX ROTHSCHILD LLP

By: /s/ Benjamin L. Snowden
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Attorney for Macadamia Solar, LLC

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the foregoing MOTION TO CANCEL HEARING upon all parties of record by electronic mail and/or first-class United States mail.

This the 27th day of October, 2021.

/s/ Benjamin L. Snowden
Benjamin L. Snowden