

LAW OFFICE OF  
**ROBERT W. KAYLOR, P.A.**  
353 EAST SIX FORKS ROAD, SUITE 260  
RALEIGH, NORTH CAROLINA 27609  
(919) 828-5250  
FACSIMILE (919) 828-5240

November 15, 2017

**VIA ELECTRONIC FILING**

Ms. M. Lynn Jarvis  
Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, NC 27699-4300

Re: Docket No. E-2, Sub 1113

Dear Ms. Jarvis:

Enclosed for filing in the above-referenced docket is Duke Energy Progress, LLC's Motion to Cancel Hearings.

Sincerely,

  
Robert W. Kaylor

Enclosure

cc: Parties of Record

OFFICIAL COPY

Nov 15 2017

## BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, SUB 1113

In the Matter of	)	
Application of Duke Energy Progress, LLC	)	
For A Certificate of Public Convenience and	)	<b>MOTION TO CANCEL HEARINGS</b>
Necessity to Construct Approximately 6.91	)	
miles of New 230-kV Transmission Line in	)	
Carteret County, North Carolina	)	

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Now comes Duke Energy Progress, LLC (“Company” or “DEP”), and moves the Commission for an order canceling the public witness hearing scheduled for November 30, 2017 in Carteret County and the evidentiary hearing scheduled for December 5, 2017 in this docket. In support of this motion, DEP shows the following:

1. DEP’s application pursuant to N.C. Gen. Stat. § 62-100 et seq. and Commission Rule R8-62 for a certificate of public convenience and necessity (“CPCN Application”) to construct approximately 6.91 miles of new 230-kV transmission line in Carteret County, North Carolina, was filed on August 3, 2017. The application included the pre-filed testimony of Timothy J. Same, Mark Byrd and a Routing Study and Environmental Report.
2. On September 4, 2017, the State Environmental Review Clearinghouse (“State Clearinghouse”) provided a letter with attached comments, stating, in part: “...this office requests that a supplemental document providing the additional information requested by the Department of Natural and

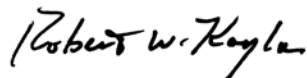
Cultural Resources be submitted to the Clearinghouse for further review and comment.”

3. On November 15, 2017, the Public Staff filed a letter wherein it recommended that the Commission issue the certificate requested by DEP “once the Commission receives a letter from the State Clearinghouse stating no further State Clearinghouse review action by the Commission is required for compliance with the North Carolina Environmental Act.”
4. DEP and the Public Staff are the only parties to this proceeding and no party has opposed approval of the CPCN Application. The Commission’s August 9, 2017 *Order Scheduling Hearings* stated that the public hearing scheduled for November 30, 2017 in Carteret County could be canceled if no significant protests are filed with the Commission. Further, unless the Commission requires DEP witnesses Same and Byrd to testify in person, there appears to be no necessity to conduct the expert witness hearing currently scheduled for December 5, 2017. The Public Staff does not object to this motion to cancel the public and expert witness hearings, and DEP will prepare a Proposed Order Granting Certificate which can be filed as soon as the Commission orders.

WHEREFORE, for the reasons set forth above, Duke Energy Progress, LLC requests that the Commission accept into the record DEP’s CPCN Application, the pre-filed direct testimony of DEP witnesses Same and Byrd, and the Routing Study and Environmental Report with accompanying exhibits filed by DEP, and issue an order requiring the filing by DEP of a proposed order granting certificate and

canceling the hearings currently scheduled for November 30 and December 5, 2017, said certificate contingent upon the State Clearinghouse's finding that their review under the provisions of the North Carolina Environmental Policy Act has been completed.

Respectfully submitted this 15<sup>th</sup> day November, 2017.



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Robert W. Kaylor  
Law Office of Robert W. Kaylor, P.A.  
353 Six Forks Road, Suite 260  
Raleigh, North Carolina 27609  
Tel: 919-828-5250  
bkaylor@rwkaylorlaw.com

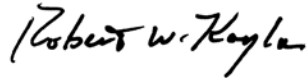
Lawrence B. Somers, Deputy General  
Counsel  
Duke Progress Energy, LLC  
NCRH 20/P.O.Box 1551  
Raleigh, North Carolina 27602  
Tel: (919) 546-6722  
bo.somers@duke-energy.com

ATTORNEYS FOR DUKE ENERGY  
PROGRESS, LLC

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the Motion to Cancel Hearing in Docket No. E-2 Sub 1113 has been served by electronic mail (e-mail), hand delivery, or by depositing a copy in the United States Mail, first class postage prepaid, properly addressed to the parties of record.

This, the 15<sup>th</sup> day of November, 2017



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Robert W. Kaylor  
Law Office of Robert W. Kaylor, P.A.  
353 Six Forks Road, Suite 260  
Raleigh, North Carolina 27609  
Tel: 919-828-5250  
North Carolina State Bar No. 6237

ATTORNEY FOR DUKE ENERGY  
PROGRESS, LLC