



Jack E. Jirak
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October 11, 2019

VIA ELECTRONIC FILING

Ms. Kimberley A. Campbell, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

**RE: Duke Energy Progress, LLC's Motion to Cancel Public Hearing
Docket No. E-2, Sub 1215**

Dear Ms. Campbell:

Enclosed for filing in the above-referenced docket, please find Duke Energy Progress, LLC's Motion to Cancel Public Hearing.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink that reads "Jack Jirak". The signature is written in a cursive, slightly slanted style.

Jack E. Jirak

Enclosure

cc: Parties of Record

OFFICIAL COPY

Oct 11 2019

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. E-2, Sub 1215

In the Matter of:)
)
Application of Duke Energy Progress, LLC for)
a Certificate of Environmental Compatibility)
and Public Convenience and Necessity)
Pursuant to N.C. Gen. Stat. §§ 62-100 et. seq.)
to Construct Approximately 4.6 Miles of New)
230 kV Transmission line in the northeast area)
of Wilmington, New Hanover County, North)
Carolina)

**MOTION TO CANCEL
PUBLIC HEARING**

NOW COMES Duke Energy Progress, LLC ("DEP"), by and through its counsel, and respectfully requests, pursuant to Commission Rule R8-62(o) and the *Order Scheduling Hearing and Requiring Public Notice* in Docket No. E-2, Sub 1215 issued by the North Carolina Utilities Commission ("Commission") on August 15, 2019, that the Commission cancel the public witness hearing scheduled in the above-referenced docket on Wednesday, October 23, 2019 at 7:00 p.m., at the New Hanover County Courthouse. In support of this request, DEP shows the following:

1. On August 13, 2019, DEP filed an Application for Certificate of Environmental Compatibility and Public Convenience and Necessity ("CPCN") to construct approximately 4.6 miles of new 230 kV Transmission in New Hanover County, North Carolina.

2. On August 15, 2019, the Commission issued an *Order Scheduling Hearings and Requiring Public Notice* that stated the public witness hearing may be cancelled if no significant protests are filed with the Commission. This Order also required DEP to publish

a public notice in the manner required by N.C. Gen. Stat. § 62-102 and Commission Rule R8-62(g) in newspapers having general circulation in New Hanover County and Pender County.

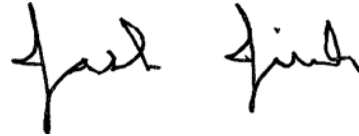
3. On October 3, 2019, DEP filed Affidavits of Publication, confirming that the public notice had been published for four successive weeks in New Hanover County and Pender County beginning on August 22, 2019. The Public Notice provided the time and location of the public hearing and stated that the hearing may be cancelled if no significant protests are received subsequent to the public notice.

4. As of the date of this filing, no significant protests have been received from any person in New Hanover County or Pender County. In fact, the Company is not aware of protest made by any person in New Hanover County or Pender County since the filing of the Application. One petition to intervene has been filed by a *pro se* party, whose service address is in Johnston County and not near the proposed transmission line. This petition to intervene is still pending before the Commission.

5. The Public Staff has authorized the Company to represent that the Public Staff supports this motion.

WHEREFORE, DEP respectfully requests that the Commission enter an order cancelling the public witness hearing scheduled on October 23, 2019 at 7:00 p.m., at the New Hanover County Courthouse.

Respectfully submitted, this 11th day of October 2019.



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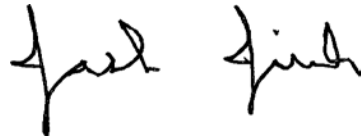
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*COUNSEL FOR DUKE ENERGY
PROGRESS, LLC*

CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Progress, LLC's Motion to Cancel Public Hearing, in Docket No. E-2, Sub 1215, has been served by electronic mail, hand delivery, or by depositing a copy in the United States mail, postage prepaid, properly addressed to parties of record.

This the 11th day of October, 2019.

Handwritten signature of Jack E. Jirak in black ink.

Jack E. Jirak
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