

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-115, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application of Cherry Solar, LLC, for a)
Certificate of Public Convenience and)
Necessity to Construct a 180-MW Solar Facility)
in Northampton County, North Carolina)
	ORDER CANCELING EXPERT WITNESS HEARING

BY THE PRESIDING COMMISSIONER: On November 13, 2020, Cherry Solar, LLC, (Applicant), filed an amended application (Application) pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule 8-63 for a certificate of public convenience and necessity (CPCN) to construct a 180-MW_{AC} solar photovoltaic (PV) electric generating facility to be located in Northampton County, North Carolina, and to be operated as a merchant generating facility.

On November 24, 2020, the Public Staff filed a Notice of Completeness stating that it had reviewed the application as required by Commission Rule R8-63(d), and it considered the application to be complete.

On December 18, 2020, the Commission issued an Order Scheduling Hearings, Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice (Scheduling Order).

On January 21, 2021, the Applicant filed its Affidavit of Publication of the Notice of Public Witness Hearing.

On January 25, 2021, the State Clearinghouse filed its comments concerning the application.

On January 26, 2021, the Commission issued an Order Canceling Public Witness Hearing, canceling the hearing scheduled on January 27, 2021, for the purpose of receiving public witness testimony.

On March 11, 2021, the Applicant prefiled supplemental testimony of Linda Nwadike.

On March 31, 2021, because of a conflict on the Commission calendar, the Presiding Commissioner issued an Order rescheduling the hearing for the purpose of receiving expert witness testimony to Wednesday, May 26, 2021, at 10:00 a.m., and stating that the hearing would be held remotely via Webex.

On April 14, 2021, the Public Staff filed the testimony and exhibits of Jay B. Lucas. In his testimony witness Lucas recommended that the Commission grant the Applicant the requested CPCN subject to certain conditions.

On April 28, 2021, the Applicant filed a letter with the Commission stating that it does not object to the issuance of a CPCN subject to the conditions recommended by the Public Staff.

On May 10, 2021, the Applicant filed a Consent Motion to Excuse Witnesses, Admit Testimony and Exhibits, and Cancel Hearing. In its Motion, the Applicant reiterated that it is willing to accept a CPCN issued by the Commission, subject to the conditions as set out in Mr. Lucas's testimony. The Applicant further stated that there are no disputed issues between the parties, and the parties have agreed to waive cross-examination of all witnesses. The Applicant requested that the Commission cancel any further hearings in this docket. The Applicant further stated that the Public Staff consents to its motion.

Based upon the Applicant's motion and the record as a whole, the Presiding Commissioner finds good cause to cancel the remote expert witness hearing scheduled in this docket for Wednesday, May 26, 2021.

IT IS, THEREFORE, SO ORDERD.

ISSUED BY ORDER OF THE COMMISSION.

This the 19th day of May, 2021.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Joann R. Snyder", is written over a light gray horizontal line.

Joann R. Snyder, Deputy Clerk