

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. E-2, SUB 1113

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application of Duke Energy Progress, LLC,     )  
for a Certificate of Environmental                 ) ORDER CANCELLING PUBLIC  
Compatibility and Public Convenience         ) WITNESS AND EXPERT WITNESS  
and Necessity to Construct Approximately     ) HEARINGS  
6.91 Miles of New 230-kV Transmission Line   )  
in Carteret County, North Carolina           )

BY THE CHAIRMAN: On August 3, 2017, Duke Energy Progress, LLC (DEP) filed an application pursuant to G.S. 62-100 et seq., for a certificate of environmental compatibility and public convenience and necessity (certificate) to construct approximately 6.91 miles of new 230-kV transmission line and a substation in Carteret County, North Carolina. In summary, DEP's application describes the details of the transmission line and the benefits to be provided by the line. Further, the application is supported by pre-filed testimony and a Routing Study and Environmental Report. In addition, the application describes in detail the preferred route for the transmission line. Finally, as required by G.S. 62-102(c) the application includes a proposed Public Notice that provides a summary of the contents of the application.

On August 9, 2017, the Commission issued an Order Scheduling Hearings, Requiring Filing of Testimony, Establishing Discovery Guidelines and Requiring Public Notice (Scheduling Order). The Scheduling Order, among other things, scheduled a public witness hearing on DEP's application to be held in Beaufort, Carteret County, on Thursday, November 30, 2017, and an expert witness hearing to be held in Raleigh on Tuesday, December 5, 2017. 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 with regard to the public witness hearing: However, the hearing may be canceled if no significant protests are filed with the Commission.

On September 14, 2017, the State Clearinghouse filed initial comments by state agencies. In addition, the Clearinghouse stated that the Department of Natural and Cultural Resources has requested additional information from DEP.

On September 21, 2017, DEP filed affidavits of publication confirming that the Public Notice was published in a Carteret County newspaper, as required by the Scheduling Order.

On November 15, 2017, the Public Staff filed a letter stating that it investigated the application filed by DEP and has determined that the proposed transmission line meets the requirements of G.S. 62-105. The Public Staff states that the line is necessary, the proposed location and estimated costs are reasonable, and the impact of the line on the environment is justified considering the state of available technology. In addition, the Public Staff states that the environmental compatibility and public convenience and necessity requires the construction of the transmission line. In conclusion, the Public Staff recommends that the Commission issue the certificate requested by DEP once the Commission receives a letter from the Clearinghouse stating that no further Clearinghouse review is necessary.

Also on November 15, 2017, DEP filed a motion to cancel the public witness and expert witness hearings. In summary, DEP states that DEP and the Public Staff are the only parties to this docket, and no other person has filed to intervene or opposed issuance of the certificate requested by DEP. Further, DEP states that the Public Staff does not object to DEP's motion to cancel the hearings. Therefore, DEP requests that the Commission cancel the hearings, accept DEP's application and testimony into evidence, and set a date for the filing of a proposed order to be prepared by DEP.

The Chairman notes that the Commission has not received any petitions to intervene or protests in this docket. In addition, the Commission Staff confirmed with the Public Staff that the Public Staff has not received any protests regarding the proposed transmission line.

Based on the foregoing and the record, the Chairman finds good cause to cancel the public witness hearing scheduled for Thursday, November 30, 2017, at 7:00 p.m., at the Carteret County Courthouse, District Courtroom, 300 Courthouse Square, Beaufort, North Carolina, and to cancel the expert witness hearing scheduled for Tuesday, December 5, 2017, in Raleigh. In addition, the Chairman finds good cause to accept into evidence DEP's application, testimony, exhibits, Routing Study and Environmental Report. Finally, the Chairman finds good cause to require that DEP file a proposed order on or before thirty days after the date of this Order.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 17th day of November, 2017.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, appearing to read "Linnetta Threatt".

Linnetta Threatt, Acting Deputy Clerk