

STATE OF NORTH CAROLINA UTILITIES COMMISSION
RALEIGH

DOCKET NO. EMP-111 SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)
Application of Sweetleaf Solar LLC for a)
Certificate of Public Convenience and)
Necessity to Construct a 94-MW Solar)
Facility in Halifax County, North)
Carolina)

**MOTION TO CANCEL
PUBLIC WITNESS HEARING**

Sweetleaf Solar LLC (“Sweetleaf Solar” or the “Applicant”) by and through counsel, moves the Commission to cancel the remote public hearing in this docket scheduled for August 24, 2020, at 7:00 p.m. In support of its motion, Sweetleaf Solar shows as follows:

1. On June 2, 2020, Sweetleaf Solar filed an application pursuant to N.C. Gen. Stat. § 62-20.1 and Commission Rule R8-63 for a certificate of public convenience and necessity (“CPCN”) to construct a 94-MW solar photovoltaic electric generating facility located to be located in Halifax County, North Carolina, operated as a merchant generating facility.

2. On June 15, 2020, 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, and requests that the Commission consider Sweetleaf Solar’s application to be complete and issue a procedural order.

3. On July 8, 2020, this Commission issued an *Order Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice* (“Procedural Order”). The Procedural Order: (1) established a deadline for intervention in this matter on August 10, 2020; (2) scheduled a remote public witness hearing on August 24, 2020, at 7:00 p.m. via WebEx, for the purpose of receiving public witness testimony regarding the Applicant’s application for a

CPCN; (3) scheduled a hearing on Monday, October 5, 2020 at 2:00 p.m. for the purpose of receiving expert witness testimony regarding the Applicant's application for a CPCN; (4) required the Applicant to publish Public Notice of the Application once a week for four successive weeks; and (5) required the Applicant to file additional testimony and exhibits addressing certain issues related to interconnection costs and the need for the Facility. The Procedural Order further provided that the Commission may cancel the public witness hearing if no substantial written complaints regarding the proposed facility are filed with the Commission on or before ten days following the last day of the publication of notice.

4. On August 7, 2020, the Applicant filed an Affidavit certifying that Notice had been published, in accordance with the Procedural Order, on July 16, July 23, July 30, and August 6.

5. The deadline for intervention established by the Commission has passed, and no petition to intervene has been filed. Consequently, the only parties to the docket are the Applicant and the Public Staff.

6. Ten days have elapsed since the last day of the publication of notice. To the best of Applicant's knowledge, no written complaints have been received regarding the proposed facility.

Wherefore, Applicant respectfully requests that if no substantial written complaints have been received regarding the proposed facility, the Commission cancel the public hearing scheduled for August 24, 2020.

Respectfully submitted, this the 16th day of August, 2020.

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KILPATRICK TOWNSEND & STOCKTON LLP

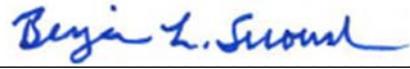
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CERTIFICATE OF SERVICE

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

This the 16th day of August, 2020.



Benjamin L. Snowden