

Jason A. Higginbotham Associate General Counsel

525 S. Tryon Street, ECA3 Charlotte, NC 28202

o: 704.731.4015

Jason.Higginbotham@duke-energy.com

March 28, 2023

## **VIA ELECTRONIC FILING**

Ms. Shonta A. Dunston North Carolina Utilities Commission 4325 Mail Service Center Raleigh, North Carolina 27699-4300

RE: Duke Energy Progress's, LLC's Motion to Cancel April 5, 2023,

Public Witness Hearing Docket No. E-2, Sub 1311

Dear Ms. Dunston:

Please find enclosed for filing Duke Energy Progress, LLC's Motion to Cancel April 5, 2023 Public Witness Hearing in the above-referenced docket.

If you have any questions, please let me know.

Sincerely,

Jason A. Higginbotham

Jason Higginbothan

Enclosure

cc: Parties of Record

## STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. E-2, SUB 1311

## BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Duke Energy Progress,	)	
LLC for a Certificate of Public	)	DUKE ENERGY PROGRESS, LLC
Convenience and Necessity to	)	MOTION TO CANCEL APRIL 5,
Construct a Solar Generating Facility in	)	2023 PUBLIC WITNESS HEARING
Buncombe County, North Carolina	)	

Duke Energy Progress, LLC ("DEP" or "the Company") moves the North Carolina Utilities Commission ("Commission") for an order canceling the public witness hearing now scheduled for April 5, 2023 in Asheville, North Carolina. In support of this motion, DEP show the following:

- 1. The Commission's February 2, 2023 Order Scheduling Hearings, Requiring Filing of Testimony, Establishing Procedural Guidelines and Requiring Public Notice (Scheduling Order) states at Ordering Paragraph 11: "That the Commission may cancel the public witness hearing if no substantial written complaints regarding the proposed facility are received by the Commission's Chief Clerk on or before Friday, March 24, 2023." Review of the Commission's web site and docket portal reveals that there have been no complaints filed by any party in this docket.
- Accordingly, DEP requests the Commission to enter an order canceling the Asheville, North Carolina public witness hearing currently scheduled for April 5, 2023.

WHEREFORE, for the reason set forth above, Duke Energy Progress, LLC respectfully requests that the Commission issue an order canceling the public witness hearing currently scheduled for April 5, 2023 in Asheville, North Carolina.

Jason Ligginbothan

Respectfully submitted, this the 28<sup>th</sup> day of March 2023.

Jason A. Higginbotham
Associate General Counsel
Duke Energy Progress, LLC
4720 Piedmont Row Dr., PNC04C
Charlotte, North Carolina 28210
704.731.4015
jason.higginbotham@duke-energy.com

Robert W. Kaylor Law Office of Robert W. Kaylor, P.A. 353 E. Six Forks Road, Suite 260 Raleigh, NC 27609 919.828.5250 bkaylor@rwkaylorlaw.com

Attorneys for Duke Energy Progress, LLC

## CERTIFICATE OF SERVICE

I certify that a copy of Duke Energy Progress, LLC's Motion to Cancel April 5, 2023 Public Witness Hearing, in Docket No. E-2, Sub 1311, has been served by electronic mail, hand delivery, or by depositing a copy in the United States Mail, 1<sup>st</sup> Class Postage Prepaid, properly addressed to parties of record.

This the 28<sup>th</sup> day of March, 2023.

Jason A. Higginbotham

bson Higginbothan

Associate General Counsel

Duke Energy Corporation 525 S. Tryon Street, ECA3

Charlotte, NC 28202

Tel 704.731.4015

 $\underline{Jason. Higginbotham@duke-energy.com}$