

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. EMP-114, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application of Oak Trail Solar, LLC, for a Certificate of Public Convenience and Necessity to Construct a 100-MW Solar Facility in Currituck County, North Carolina	) ) ) ) ) )	ORDER CANCELING PUBLIC WITNESS HEARING
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BY THE PRESIDING COMMISSIONER: On September 17, 2020, Oak Trail Solar, LLC (Applicant), filed an application pursuant to N.C. Gen. Stat. § 62-110.1 and Commission Rule R8-63 for a certificate of public convenience and necessity (CPCN) to construct a 100-MW<sub>AC</sub> solar photovoltaic (PV) electric generating facility to be located in Currituck County, North Carolina, and to be operated as a merchant generating facility.

On September 29, 2020, the Public Staff – North Carolina Utilities Commission (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. In addition, the Public Staff requested that the Commission issue a procedural order setting the application for hearing, requiring public notice pursuant to N.C. Gen. Stat. § 62-82, and addressing any other procedural matters.

On December 14, 2020, the Commission issued an Order Scheduling Hearings, Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice (First Scheduling Order). In addition, Staff of the Commission’s Chief Clerk’s Office filed a copy of the letter sent to the State Clearinghouse, notifying the clearinghouse of the application.

On December 16, 2020, the Commission issued an Errata Order to notify that the First Scheduling Order contained an inadvertent typographical error concerning the time of the remote hearing for the purpose of receiving expert witness testimony.

On December 18, 2020, the Commission issued an Order Rescheduling Public Witness Hearing, Revising Deadlines Related to Public Witness Hearing, and Revising Required Public Notice (Public Hearing Scheduling Order), which among other things, scheduled a remote public hearing via Webex, on Monday, February 1, 2021, at 7:00 p.m., for the purpose of receiving public witness testimony regarding the application, required all parties to file a statement of consent to the remote public hearing, required the Applicant to publish public notice of the hearing in a newspaper having general circulation in Currituck County once a week for four consecutive weeks, and required

members of the public who wanted to testify to register in advance of the hearing, no later than 5:00 p.m. on Wednesday, January 27, 2021, by contacting the Public Staff. The Public Hearing Scheduling Order also 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 Thursday, January 28, 2021.

On January 6, 2021, the Applicant confirmed its consent to the remote public hearing, and on January 15, 2021, the Public Staff also confirmed its consent to the remote public hearing.

On January 19, 2021, the State Clearinghouse filed its comments.

On January 25, 2021, Oak Trail Solar, LLC, filed its Affidavit of Publication of the Notice of Public Witness Hearing, which had been published in a newspaper having general circulation in Currituck County, in the Daily Advance, once a week for four successive weeks, on December 31, 2020, and on January 7, 14, and 21, 2021.

No members of the public registered to testify at the remote public hearing on or before January 27, 2021, the Commission did not receive any written complaints regarding the proposed facility on or before January 28, 2021, and the Commission has not received any written complaints regarding the proposed facility as of the date of this Order.

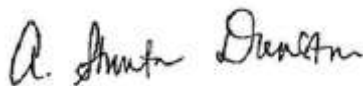
Based upon the foregoing and the entire record herein, the Presiding Commissioner finds good cause to cancel the remote public witness hearing scheduled in this docket for Monday, February 1, 2021. Therefore, the scheduled remote public witness hearing is hereby canceled, and the Commission will proceed as it deems appropriate in its consideration of the application.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 1st day of February, 2021.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Deputy Clerk