

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-93, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Wilkinson Solar LLC for a)
Certificate of Public Convenience and) ORDER DENYING MOTION
Necessity to Construct a 74-MW Solar)
Facility in Beaufort County, North Carolina)

BY THE PRESIDING COMMISSIONER: This proceeding on the amended application for a certificate of public convenience and necessity (CPCN) filed by Wilkinson Solar LLC (Applicant) is set for hearing on April 11, 2018, at 10:00 a.m., in the Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. By the Commission’s Second Order on Petitions to Intervene, issued today, the Commission has allowed Deb VanStaalduinen and Marshall and Joann Lilley (Intervenors) to intervene in this proceeding.

On April 6, 2018, the Intervenors filed a motion requesting that the Commission enter an order granting their petitions to intervene and continuing the hearing for at least two weeks. In support of their requested continuation, Intervenors state that they are seeking a response to discovery requests from the Applicant and that they do not expect a response from the Applicant until the Commission rules on their pending petitions to intervene. Intervenors further state that they will be unable to properly prepare for the hearing without an opportunity to review certain studies and reports referenced in the supplemental testimony that the Applicant filed with the Commission on April 5, 2018.

Also on April 6, 2018, the Applicant filed a response, requesting that the Intervenors’ requested continuation of the hearing be denied. In support of its request, the Applicant states that it filed supplemental testimony six days before the hearing, and that this timeline is more than would have been afforded under the Commission’s scheduling order issued in this proceeding on February 7, 2018. In addition, the Applicant states that it responded to the Intervenors’ data request by having provided study requested by the Intervenors, and by raising objection to the discovery request in its response.

The Presiding Commissioner first concludes that the Second Order on Petitions to Intervene renders moot the Intervenors’s request for a ruling on their petitions to intervene, and, therefore, this request should be denied. The Presiding Commissioner further finds that the granting of the Intervenors’ requested continuation of the hearing at this date, especially where the hearing has already been rescheduled due to conflicts in the Commission’s calendar, would be disruptive to the Commission’s administration of

justice in this proceeding. The Presiding Commissioner, therefore, concludes that the Intervenor's motion to continue the hearing should be denied. The Presiding Commissioner encourages the parties to cooperate on discovery matters as promptly and efficiently as possible.

IT IS, THEREFORE, ORDERED as follows:

1. That the Intervenor's motion for a ruling on their petitions to intervene should be, and is hereby, denied;

2. That the Intervenor's motion requesting a continuation of the hearing scheduled for April 11, 2018 should be, and is hereby, denied; and

3. That the hearing scheduled to begin on April 11, 2018, at 10:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, shall proceed as scheduled.

ISSUED BY ORDER OF THE COMMISSION.

This the 6th day of April, 2018.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "Janice H. Fulmore".

Janice H. Fulmore, Deputy Clerk