

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. EMP-118, SUB 0  
DOCKET NO. EMP-118, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. EMP-118, SUB 0	)	
	)	
In the Matter of	)	
Application of Timbermill Wind, LLC, for	)	
a Certificate of Public Convenience and	)	
Necessity to Construct a Merchant Plant	)	
Wind Energy Facility in Chowan County,	)	ORDER ESTABLISHING
North Carolina and Registration as a	)	REMOTE PROCEDURES FOR
New Renewable Energy Facility	)	EXPERT WITNESS HEARING
	)	
DOCKET NO. EMP-118, SUB 1	)	
	)	
In the Matter of	)	
Application of Timbermill Wind, LLC for a	)	
Certificate of Environmental Compatibility	)	
and Public Convenience and Necessity to	)	
Construct Transmission Line in Chowan	)	
County, North Carolina	)	

BY THE CHAIR: On July 22, 2021, the Commission issued an Order Consolidating Dockets, Scheduling Hearings, Requiring Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice in the above-captioned dockets. In that order, among other actions, the Commission scheduled an expert witness hearing, solely for the purpose of receiving expert witness testimony from the parties, for Wednesday, October 27, 2021, at 10:00 a.m., in the Commission Hearing Room 2115, Dobbs Building, 430 N. Salisbury Street, Raleigh, North Carolina to consider the Applicant's applications for CPCNs for a merchant plant wind energy facility and for construction of a transmission line in Chowan County, North Carolina.

Based on the totality of the circumstances, including current high transmission rates of community spread of the delta variant of the novel coronavirus, the Chair finds good cause to direct that the expert witness hearing scheduled for October 27, 2021, shall be conducted remotely via Webex rather than in the Commission Hearing Room as previously planned. Information on the remote hearing process including how to participate, how to submit an attorney appearance sheet, and how to request a technical check, can be found on the Commission's website under "Remote Expert Witness Process."

IT IS, THEREFORE, ORDERED as follows:

1. That the expert witness hearing scheduled for October 27, 2021, will be conducted remotely via Webex only. The hearing will be live streamed on YouTube, a link to which will be made available on the Commission's website: <https://www.ncuc.net/>;

2. That on or before Friday, October 15, 2021, parties shall provide the name, phone number, and email address of each attorney and witness that will participate in the hearing on the party's behalf directly to the Commission via email at [ncucwebex@ncuc.net](mailto:ncucwebex@ncuc.net). The email providing the list of participants shall specify the docket number (EMP-118, Sub 0 and EMP-118, Sub 1) in the subject line;

6. That on or before Wednesday, October 20, 2021, each party shall file a statement consenting to the Commission holding the expert witness hearing by remote means, or a statement objecting to the same;

7. That on or before Friday, October 22, 2021, counsel appearing at the remote hearing shall submit an appearance sheet to the Commission's Court Reporter via email at [reporter@ncuc.net](mailto:reporter@ncuc.net);

8. That parties and witnesses are encouraged to avoid using confidential information during the remote hearing. If a party deems it necessary to discuss confidential information during the hearing, the party shall inform the Presiding Commissioner and the hearing will transfer to a secure telephone line. On or before Friday, October 22, 2021, the Applicant shall provide to the Commission via email at [ncucexhibits@ncuc.net](mailto:ncucexhibits@ncuc.net), and to all other parties, the number for a secure phone line that can be used by the Commission and the parties during the hearings to present and receive expert witness testimony that involves information asserted to be confidential;

9. That each attorney and witness appearing at the remote hearing shall have an individual connection to the hearing. Two or more individuals should not share a connection;

10. That all hearing participants shall logon to the Webex event at least 15 minutes before the start of the hearing for the purpose of testing their connection; and

11. That to facilitate expeditious handling and distribution of proposed exhibits and witness testimony summaries, the parties shall adhere to the following procedures:

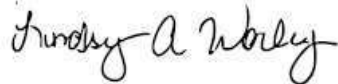
- a. On or before Wednesday, October 20, 2021, parties shall each file a list of potential cross-examination exhibits and provide electronic copies of the proposed cross-examination exhibits labeled with the party name and numbered sequentially on the face of the document (e.g., "Timbermill Proposed Cross Exhibit No. 1," "Timbermill Proposed Cross Exhibit No. 2," etc.) to the other parties and to the Commission via email at [ncucexhibits@ncuc.net](mailto:ncucexhibits@ncuc.net);

- b. On or before Friday, October 22, 2021, parties shall each file a list of potential redirect examination exhibits and provide electronic copies of the exhibits, labeled with the party's name and numbered sequentially, to the other parties and to the Commission via email at [ncucexhibits@ncuc.net](mailto:ncucexhibits@ncuc.net);
- c. Within two business days after the conclusion of a witness's testimony, parties shall each file all cross-examination and redirect exhibits accepted into evidence during the witness's testimony, labeled on the face of the document as marked during the hearing; and
- d. Parties may utilize witness testimony summaries in their discretion. On or before Friday, October 22, 2021, parties electing to present witness testimony summaries shall provide electronic copies of witness testimony summaries to the other parties and the Commission via email at [ncucexhibits@ncuc.net](mailto:ncucexhibits@ncuc.net).

ISSUED BY ORDER OF THE COMMISSION.

This the 11th day of October, 2021.

NORTH CAROLINA UTILITIES COMMISSION



Lindsey A. Worley, Acting Deputy Clerk