

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EMP-117, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Shawboro East Ridge)	
Solar, LLC, for a Certificate of Public)	ORDER CANCELING
Convenience and Necessity to Construct)	PUBLIC WITNESS HEARING
a 150-MW Solar Facility in Currituck)	
County, North Carolina)	

BY THE PRESIDING COMMISSIONER: On June 22, 2021, Shawboro East Ridge 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 to construct a 150-MW_{AC} solar photovoltaic electric generating facility to be located in Currituck County, North Carolina.

On July 7, 2021, 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. However, the Public Staff also requested that the Commission stay the proceedings in this docket pending the completion of an affected system study for PJM cluster AE1 and the resolution of a complaint filed by Edgecombe Solar, LLC, at the Federal Energy Regulatory Commission (FERC) regarding Duke's Affected Systems Business Procedures and revised Affected Systems Operating Agreement (ASOA), the outcome of which the Public Staff argues could impact its review of the application in this docket.

On July 14, 2021, the Applicant filed a Response to Notice of Completeness and Motion to Stay of the Public Staff, wherein the Applicant opposed the Motion to Stay and requested that the Commission issue a scheduling order for this proceeding in accordance with Commission Rule R8-63(d).

On August 12, 2021, the Commission issued an Order Scheduling Hearings, Filing of Testimony, Establishing Procedural Guidelines, and Requiring Public Notice in this docket (Scheduling Order). In the Scheduling Order the Commission also denied the Public Staff's Motion to Stay. The Scheduling Order set a public witness hearing for the purpose of receiving public witness testimony regarding the Applicant's CPCN application for 12:00 p.m. on October 14, 2021, at the Currituck County Courthouse, Courtroom A, 2802 Caratoke Highway, Currituck, North Carolina. The Scheduling Order 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 beginning at least 30 days

prior to Thursday, September 23, 2021, and to file an affidavit of publication demonstrating that the notice was published pursuant to the Scheduling Order on or before Wednesday, October 6, 2021. The Commission noted that the public hearing may be cancelled if no significant protests were filed with the Commission after the publication of Public Notice.

On August 13, 2021, 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 September 14, 2021, Shawboro East Ridge 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, the Daily Advance, once a week for four successive weeks, on August 19 and 26 and September 2 and 9, 2021.

On September 15, 2021, the State Clearinghouse filed its comments.

On September 24, 2021, the State Clearinghouse filed additional comments.

No members of the public registered to testify at the remote public hearing on or before October 6, 2021, the Commission did not receive any written complaints regarding the proposed facility on or before October 8, 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 public witness hearing scheduled in this docket for Thursday, October 14, 2021. Therefore, the scheduled 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 12th day of October, 2021.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "Lindsey A. Worley".

Lindsey A. Worley, Acting Deputy Clerk