

1 PLACE: Gaston County Courthouse,
2 Gastonia, North Carolina
3 DATE: October 27, 2022
4 DOCKET NO.: W-218, Sub 573
5 TIME: 7:02 P.M. TO 7:31 P.M.
6 BEFORE: Commissioner ToNola D. Brown-Bland, Presiding
7 Commissioner Daniel G. Clodfelter
8 Commissioner Jeffrey A. Hughes
9
10

11 IN THE MATTER OF:
12 Application by Aqua North Carolina, Inc.,
13 202 MacKenan Court, Cary, North Carolina, 27511
14 for Authority to Adjust and Increase Rates for Water
15 and Sewer Utility Service in All Its Service Areas
16 in North Carolina and for Approval of a
17 Water and Sewer Investment Plan
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1 A P P E A R A N C E S:

2 FOR CAROLINA WATER SERVICE, INC. OF NORTH CAROLINA:

3 David T. Drooz, Esq.

4 Fox Rothschild, LLP

5 434 Fayetteville Street, Suite 2800

6 Raleigh, North Carolina 27601

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8 FOR THE USING AND CONSUMING PUBLIC:

9 Megan Jost, Esq.

10 Public Staff - North Carolina Utilities Commission

11 4326 Mail Service Center

12 Raleigh, North Carolina 27699-4300

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1 P R O C E E D I N G S

2 COMMISSIONER BROWN-BLAND: Good evening. Let
3 us come to order and go on the record.

4 I am ToNola D. Brown-Bland of the North
5 Carolina Utilities Commission, the Presiding Commissioner
6 for this hearing, and with me this evening are
7 Commissioners Daniel G. Clodfelter and Jeffrey A. Hughes.

8 I now call for hearing Docket Number W-218, Sub
9 573, In the Matter of Application by Aqua North Carolina,
10 Inc. for Authority to Increase Rates for Water and Sewer
11 Utility Service in All of Its Service Areas in North
12 Carolina.

13 On June 30th, 2022, Aqua North Carolina, Inc.,
14 Aqua, Company or Applicant, filed an Application with the
15 Commission seeking Authority to Adjust and Increase its
16 Rates for Providing Water and Sewer Utility Service in
17 All of Its Service Areas in North Carolina and for
18 Approval to Establish and Implement a Water and Sewer
19 Investment Plan Pursuant to North Carolina statute.

20 On July 26, 2022, the Commission issued an
21 Order declaring this proceeding to be a general rate case
22 and suspending the proposed new rates for up to 270 days.

23 On September 8th, 2022, the Commission issued
24 an Order Scheduling Hearings, Establishing Discovery

1 Guidelines, and Requiring Customer Notice. The Order
2 scheduled hearings for the purpose of accepting testimony
3 from public witnesses, including here in Gastonia, as
4 well as in Raleigh and Wilmington, and one hearing was
5 scheduled to be held virtually via Webex. The Order
6 further scheduled a hearing for the purpose of receiving
7 expert witness testimony in Raleigh to begin at 2:00 p.m.
8 on January 9th, 2023.

9 In addition to the Company, the other party in
10 this case is the Public Staff whose intervention and
11 participation is recognized pursuant to North Carolina
12 General Statute 62-15(d).

13 In compliance with the requirements of the
14 State Government Ethics Act, I remind members of the
15 Commission of our duty to avoid conflicts of interest,
16 and inquire at this time as to whether any Commissioner
17 has any known conflict of interest with respect to this
18 docket?

19 (No response.)

20 COMMISSIONER BROWN-BLAND: The record will
21 reflect that no conflicts were identified.

22 I now call upon the parties to announce their
23 appearances, beginning with the Applicant.

24 MR. DROOZ: My name is David Drooz. I'm

1 outside legal counsel for Aqua North Carolina. With me
2 tonight is President of Aqua North Carolina, Shannon
3 Becker.

4 COMMISSIONER BROWN-BLAND: Good evening,
5 gentlemen.

6 MR. BECKER: Good evening.

7 COMMISSIONER BROWN-BLAND: And?

8 MS. JOST: Good evening. Megan Jost with the
9 Public Staff Legal Division. The Public Staff represents
10 the Using and Consuming Public. With here this evening
11 -- or with me here this evening is Evan Houser from the
12 Public Staff's Water, Sewer, and Telephone Division. He
13 will be available to answer questions after the hearing.

14 COMMISSIONER BROWN-BLAND: All right. Thank
15 you for that, Ms. Jost. Ms. Jost, have you identified
16 public witnesses wishing to testify?

17 MS. JOST: We have identified one.

18 COMMISSIONER BROWN-BLAND: All right. Are
19 there any preliminary matters before we hear from the
20 witness?

21 MR. DROOZ: None. Thanks.

22 COMMISSIONER BROWN-BLAND: All right. I have a
23 whole spiel about the process, but since we have one
24 witness, I will spare you that. And we normally allow

1 the witnesses and try to be uniform across the state. We
2 normally allow the witnesses three minutes to testify,
3 but in light of the fact that we only have one or maybe
4 -- might be one or two more, but I will be lenient about
5 the three minutes and -- and let you complete what you
6 came to tell us, if that's -- if that's the case, what
7 the witnesses came to tell us. So with that, Ms. Jost,
8 will you call the first witness?

9 MS. JOST: The first witness is Stan Coleman.

10 MR. COLEMAN: Is this the place we speak?

11 COMMISSIONER BROWN-BLAND: Yes.

12 MR. COLEMAN: Okay.

13 COMMISSIONER BROWN-BLAND: Hello, Dr. Coleman.

14 MR. COLEMAN: Hi.

15 COMMISSIONER BROWN-BLAND: Good to see you
16 again.

17 MR. COLEMAN: Yeah. It's nice to see --

18 STAN COLEMAN; Having been duly sworn,
19 testified as follows:

20 DIRECT EXAMINATION BY MS. JOST:

21 Q Good evening. Could you please state your
22 name, address, and subdivision for the record?

23 A My name is Stan Coleman. I live at 2165 Belle
24 Vernon Avenue. That is in Charlotte, North Carolina, in

1 the subdivision of Park South Station.

2 Q Thank you. And do you receive water, sewer, or
3 both utilities from Aqua?

4 A That -- that is a little bit complicated, but I
5 am a customer of Aqua for both water and sewer. The
6 actual services are provided by my municipality, the
7 Charlotte -- what's called now Charlotte Water. Used to
8 be called Charlotte-Mecklenburg Utility District. But
9 both -- both services are purchased, but for the purpose
10 of this hearing, yes, I am a customer for Aqua.

11 Q Thank you. And do you have statement you'd
12 like to provide this evening?

13 A Yes, I do. Thank you.

14 DIRECT STATEMENT:

15 The Company has asked permission for -- to
16 eliminate our pass-through rights for sewer and lump us
17 in the Uniform sewer rates. That would also include
18 applying the Water Systems Improvement Charges
19 progressively, I guess, over the next three years. I
20 would object to that, not formally, obviously, but as a
21 consumer, I would object to that because the pass-through
22 state rates are the only thing that is specifically
23 appropriated to my community.

24 As I said, we are -- I live inside the

1 Charlotte water/sewer -- water/sewer district. I'm an
2 inhabitant. I pay full taxes of residents of
3 Charlotte/Mecklenburg County. I'm happy to do so, but I
4 don't have access to my own water and sewer services
5 because the Company does. So they are a bulk water
6 purchaser. The water system, Charlotte Water, owns the
7 meter.

8 They -- I would also object to us being
9 included in the Water Systems Improvement Charges. There
10 is a phrase, and I don't know exactly, but the general
11 statute says that the system improvement needs to be
12 representative of the services offered. And in my
13 community the Company does not have a sewer system and
14 they don't have a water system. They will -- what's
15 called or treated in the water system is merely the pipes
16 that connect the master meter to my house and then they
17 own the meter. What is called a sewer system and treated
18 as such is just the collecting, the gravity that goes to
19 a single grinder pump and then back to Charlotte Water.

20 Now, the -- what the actual cost is, what would
21 be a fair profit for the Company, it has never been
22 examined specifically. And for the last four rate cases,
23 I believe there have been four since approximately 2011,
24 we have been a distinct water and sewer.

1 Now, for the purpose of this proceeding, Aqua
2 presents their water and their sewer services separately,
3 but in our community, they're -- they're obviously
4 linked. And in the state of North Carolina, there are
5 only three communities that have both purchased water,
6 what they call purchased water and purchased sewer. You
7 could equally just say they're involved in water/sewer
8 resale or sub-metering, but for the -- but the phrase
9 that they've used is purchased or bulk purchased. But I
10 would like to continue -- continue as -- because it
11 recognizes the distinct nature, and including us in the
12 System Improvement Plans would appear to -- to violate
13 the intent of the general statute because we are simply
14 not representative of their -- of the services they
15 provide in other places.

16 COMMISSIONER BROWN-BLAND: All right. Does
17 that conclude what you came to tell us?

18 THE WITNESS: Yeah. That's the main thing. I
19 could go back and review the history, but you've heard it
20 before, and I don't need to --

21 COMMISSIONER BROWN-BLAND: All right. Ms.
22 Jost, do you have questions?

23 MS. JOST: I do not.

24 COMMISSIONER BROWN-BLAND: Does the Company

1 have questions?

2 MR. DROOZ: Yes. Aqua does have a question
3 just for clarification.

4 THE WITNESS: Uh-huh.

5 CROSS EXAMINATION BY MR. DROOZ:

6 Q Do I understand that your position is you would
7 like to continue with the pass-through rate structure,
8 but have the Water/Sewer Improvement Charge removed from
9 that; is that correct?

10 A I believe it's a System Improvement Plan now as
11 -- and I -- I get confused between --

12 Q The System Improvement Plan, I believe, is the
13 multi-year rate plan which is different from the
14 Water/Sewer Improvement Charge. The acronyms are very
15 similar. That's the confusion of it.

16 A Yeah. I get confused by that even with that.

17 Q But my question, do you want to continue being
18 a customer on a pass-through rate instead of in the
19 Uniform rates?

20 A I would -- yes, I would, but I would also like
21 for the actual costs to be appropriated to us. And the
22 -- the bulk rates, as you know, and various
23 representatives have argued numerous times that the main
24 cost of sewer is in keeping the sewer system running.

1 And even if no one's using it, there's a fixed cost. It
2 just doesn't apply to us. Same with water is the -- I
3 haven't looked specifically about your plan, but wells
4 are difficult to maintain. They're inconsistent.
5 They're unpredictable to some extent. You put a lot of
6 -- of filters, pretty expensive filters, and our -- my
7 community doesn't receive any benefits. So yeah, I would
8 like to keep the pass-through rates, absolutely, but I
9 would like the fixed rates to also be representative of
10 the services that you're providing for us.

11 Q Thank you. That does clarify. I appreciate
12 it.

13 A Thank you.

14 COMMISSIONER BROWN-BLAND: Questions from the
15 Commission? Commissioner Hughes?

16 COMMISSIONER HUGHES: Yes. Thank you.

17 EXAMINATION BY COMMISSIONER HUGHES:

18 Q Dr. Coleman, how many -- how many families
19 roughly live in your -- in your subdivision? How many --

20 A Yeah. There were some changes. Originally, it
21 was proposed for 850 single family. It's -- I believe it
22 ended up being under 800. There are also two condominium
23 buildings that are -- are charged, of course, to the size
24 of their meter which doesn't really make sense here

1 because it's -- they're just passing through the
2 water/sewer rates.

3 We also have a clubhouse and a pool, and we're
4 charged based on those meters, even though there's really
5 no additional cost to the -- to the Company.

6 Q Is there -- does there happen to be a water
7 tank in the boundaries of your --

8 A A what?

9 Q Like an elevated water tank or anything else
10 that --

11 A No. Now, there is a single -- the only thing
12 -- the history is that the developer was -- did not want
13 to wait for the Charlotte-Mecklenburg utility department
14 to provide a gravity flow back to the sewer. And
15 developers in the City of Charlotte are allowed to take a
16 company -- a development private. And what this entails
17 in virtually every other instance is that the developer
18 then deeds or just gives the infrastructure to the HOA,
19 and the HOA then either hires someone to do the meters,
20 but they're responsible for the infrastructure inside.
21 So the Company has actually stepped in and done what an
22 HOA typically does in our community.

23 The -- you know, it's a -- it's a strange
24 story. When I purchased my home, the developer, the

1 covenants given to me said that they -- the phrase was
2 developer intends, but does not guarantee to transfer the
3 water/sewer. And the developer was simultaneously
4 negotiating with the Company in order to -- to sell to
5 the Company, and that was contingent upon receiving a
6 Certificate of Public Convenience and Necessity, and they
7 did obtain one.

8 The other thing, and it's really worth looking
9 at because it's quite strange, for about 10 years there
10 were only two communities, but since the last rate case,
11 Huntley Glen has been added, and then there was also a
12 Certificate of Public Convenience and Necessity issued
13 for a place called The Enclave in approximately April
14 2021. They're not included here, so I don't know what
15 happened to there, but I did note there was an
16 additional. So for 10 years there were only two
17 communities in the state and now there are -- are three.
18 I don't know what happened to the potential fourth one.

19 So, you know, I -- I don't know the criteria
20 for convenient -- for necessity. There was no necessity.
21 Personally, it's been a great inconvenience to me. The
22 community could have hired someone else to read the meter
23 and send me a bill, but -- but that's, that's done. Did
24 that answer your question?

1 Q Yes, sir.

2 A Okay.

3 COMMISSIONER HUGHES: No further questions.

4 COMMISSIONER BROWN-BLAND: All right. Any
5 questions based on Commission's questions?

6 (No response.)

7 COMMISSIONER BROWN-BLAND: All right. Thank
8 you, Mr. Coleman.

9 MR. COLEMAN: Okay. And thank you. And thank
10 you for being here everybody. It's a, you know, quite a
11 few -- oh, hey, Harold.

12 COMMISSIONER BROWN-BLAND: All right. You may
13 be excused. Thank you.

14 (Witness excused.)

15 COMMISSIONER BROWN-BLAND: Ms. Jost?

16 MS. JOST: The next witness is Harold Busch.

17 HAROLD BUSCH; Having been duly sworn,

18 testified as follows:

19 DIRECT EXAMINATION BY MS. JOST:

20 Q Could you please state your name, address, and
21 subdivision for the record?

22 A Sure. Harold M. Busch, B-U-S-C-H. It's 3406
23 Park South Station Boulevard, Charlotte, North Carolina
24 28210, Park South Station.

1 Q Thank you.

2 A The gentleman who spoke before, Stan and I, are
3 similar people.

4 Q And so do you also receive water and sewer
5 service from Aqua?

6 A Yes.

7 Q And do you have a statement you'd like to
8 provide this evening?

9 A Yes.

10 DIRECT STATEMENT:

11 Let's go down -- for me, I've been in the -- an
12 owner for four years, but I've lived in the South Station
13 area for five. And two years ago I did file a complaint
14 with Josh Stein's office. Of course, it was around the
15 pandemic and the only good thing is I didn't have to do
16 15 individual copies of my complaint, but the bad thing
17 is I'm not sure where it landed.

18 Approximately a year and a half ago I was part
19 of a group of people who tried -- Stan was, too -- who
20 tried to communicate directly with Aqua and with the
21 Commission, and I think there's a lot of
22 misunderstanding, as far as I'm concerned, in my
23 background in dealing with it. I did contact the
24 Commission directly. I will -- the Utility Commission,

1 of course. And I will say that the system of customer
2 service is one to make it difficult to even get -- desire
3 to file a complaint. I had to actually talk to someone
4 at the Commission first before I -- the same day to file
5 my complaint. And I have no control if someone answers
6 the phone. And during the pandemic, it was pretty tough
7 to get someone to answer the phone the same day. So I
8 went through about a week of trying to get -- coordinate
9 that, and finally I just went forward and filed a formal
10 complaint with Josh Stein's office.

11 I did have the opportunity to look at prior
12 bills, but the bottom line is -- particularly I'll --
13 I'll address -- I understand there's some other issues
14 with the sewer service, but our service charges have
15 increased, doubled, basically doubled. I went from about
16 75, now I'm up to about 135 a month, 145, my bill. No
17 more usage of water, no change in my environment, don't
18 have any more children, it's just my wife and I. For a
19 while there, there was a -- a situation where Aqua was
20 estimating rather than reading my meter. That was
21 resolved through a communication.

22 But the real problem is, is that we are a very
23 small community. We only have one pipeline from
24 Mecklenburg County coming in and bringing water to our

1 community, yet we're treated as if we're a major
2 community where our charges have been doubled. And the
3 irony of the situation which I want to bring to the
4 attention of the people presiding is that Aqua actually
5 offered to go back to an original rate to try to make
6 accommodations to us because they realized it was an
7 unfair raise, in my opinion.

8 And, in fact, contrary to what people have been
9 told, I actually have spoke to and -- get my dates -- I'm
10 pretty well -- January of 2020, let's see, January of
11 2021 and then again in 20--- February, I actually spoke
12 to the public -- I actually spoke to the public part of
13 the Commission. His name was Charles Juris (sic), Public
14 Staff, who is supposed to represent us on the Commission.
15 And he pointed out, I think it's page 52 -- it's a 215-
16 page document which I didn't enjoy reading. He pointed
17 out that they, the Public Staff, had actually recommended
18 that there not be an increase and actually possibly even
19 lowering the fees.

20 But clearly, they stood against an increase,
21 the entire Public Staff, yet some people -- we were
22 informed during a meeting and I corrected Aqua, and I
23 think he acquiesced, at least he agreed, that it was
24 misspoken to us at October 13th at our clubhouse in Park

1 South Station that the Public Staff agreed with the
2 raising of the -- of the rate. They did not. They
3 recommended it shouldn't be raised. There was only two
4 people, and I can't remember the Commissioner's name, may
5 have been actually a clerk that signed the Order on
6 October of 2020 to raise our rates. It was the
7 Commission.

8 And I'm not one to pull punches. I think you
9 can tell by my voice I'm -- I'm from the South, the South
10 Bronx, though, not the South, so I'm pretty direct. And
11 I hope you don't hold that against me I'm from New York,
12 but you already knew that by my voice. I can't hide
13 that. I never will. I'm 73 years old. I'll die with
14 this voice. No accent, just a voice.

15 I spoke to Peggy Force, and she is the attorney
16 for the Commission. And -- and I spoke to her. She's
17 not a Josh Stein appointee, as I did my homework before I
18 spoke to her. And I questioned what she was doing about
19 and what the Commission was going to do about this raise.
20 And she indicated to me, and she was, I guess, an
21 advocate of the raise, in my opinion. And obviously, the
22 Commissioner who signed for it, approved it, the rate in
23 October of 2020. But the justification wasn't in the
24 documents. And I asked her what went on and why wasn't

1 there an opportunity to -- to meet and to discuss and
2 have a public hearing because my concern was, as is
3 happening, that the documents indicated that there would
4 be a public hearing again for the purpose of raising the
5 rates. It wasn't a -- didn't imply it was a discussion
6 of go back or -- or reconsider. And it got me pretty
7 concerned, and so I took my due diligence and spoke to
8 her. And she advised me that she had a conversation, I
9 quote her, a conversation with Aqua about a different
10 agreement and it didn't work out. She turned down the
11 offer.

12 I guess after 35 years in the federal
13 government and law enforcement, civil and criminal, I
14 didn't understand how she had a private conversation with
15 a contractor with the -- the Commission since it's a
16 state commission. There's no such thing as a private
17 conversation between an attorney and a contractor. I
18 have another word for it, but I won't use it because I'm
19 not doing a criminal investigation. But I said what was
20 the offer? And she wouldn't tell me. I said, well, was
21 it -- was it lowering or raising? She said I can't tell
22 you. I said, well, you -- I said, let's play a little
23 game, Freedom of Information Act, contractor, you're an
24 official of the State. I said in my opinion you can't

1 have a private conversation and it's disclosable, so is
2 there a chance you can call me back and let me know since
3 you're not going to tell me now what the nature of the
4 discussion was, what was the agreement that you turned
5 down? And she said she would, and that was -- I guess
6 we're going on two years pretty soon. I never received a
7 phone call.

8 COMMISSIONER BROWN-BLAND: All right, Mr.
9 Busch. So have you told us what you want to tell us
10 about this application? You were not in here in the
11 beginning when I mentioned, but we generally just let our
12 customers speak for three minutes, and I've let you go
13 on.

14 THE WITNESS: Okay. Yeah. You correct me.

15 COMMISSIONER BROWN-BLAND: Do you have more?

16 THE WITNESS: Well, I think that there's --

17 COMMISSIONER BROWN-BLAND: Do you have
18 something specific to this case?

19 THE WITNESS: Yeah. I think the -- the Aqua
20 agreed with some things that were stated. I missed
21 Stan's, I got stuck in fantastic traffic coming this
22 direction. And I think the fact is Aqua was willing to
23 look at a way to bring us back to a normal rate. They --
24 they said at our last meeting, October 13th, other

1 indications, even indirectly from -- from Aqua was that
2 they realized it was not a fair raise. I'm fixed income.
3 I'm retired. My wife's retired. There are a lot of
4 retired people who can't afford it, and the rate is
5 ridiculous. We don't -- we get our water directly, you
6 know, one pipe. There's not a lot of service issues in
7 our area. There are only two other communities that have
8 the same agreement, and it needs to be recognized where
9 we are. We're not the mall. We're Park South Station
10 Boulevard between Archdale, between Park Road and South
11 Boulevard, not the other direction. And we don't have a
12 lot of wealthy people, despite the real estate market.
13 And it's just unreasonable. Our rates have doubled and
14 there's a discussion of even going up higher. I
15 recognize labor costs and all those issues and -- but
16 it's unfair. We should be treated -- we should be
17 equalized like Aqua recommended. They recommended
18 working back to a reasonable figure, and I support what
19 Aqua wanted to do as a service charge being lowered. I
20 realize the sewer charge is difficult at this time. But
21 the water charge should be lowered to original rate, a
22 rate that they've offered on page 6 of the nine-page
23 letter they sent out to us a few months ago, and we agree
24 with that rate. So lower rates back to normal. And

1 that's all I can say. If you want to ask me questions, I
2 can answer them.

3 COMMISSIONER BROWN-BLAND: All right. Well,
4 I'll see if Ms. Jost has questions for you. Ms. Jost is
5 with the Public Staff and she represents the Using and
6 Consuming Public.

7 THE WITNESS: Thank you. I can't hear very
8 well, so I'm going to turn towards you, but I'll -- I can
9 listen.

10 FURTHER DIRECT EXAMINATION BY MS. JOST:

11 Q I just -- I just wanted to ask one question for
12 clarification. You mentioned Peggy Force --

13 A Do I have the right first name?

14 Q -- which -- you do have the right name, but
15 thinking about it again, would you maybe agree that she
16 works for the Attorney General?

17 A Right.

18 Q Okay. I --

19 A But she's in charge of the Commission. She was
20 in charge of the -- the Commission at the time. She was
21 the attorney for -- I was advised she was the attorney
22 for the Commission, the Utility Commission.

23 Q She's actually an attorney with the Attorney
24 General's Office.

1 A Okay. I didn't mean that she didn't have that
2 authority. I was saying that her assignment, to my
3 knowledge, was with the Utility Commission.

4 Q Yes. She does work with utilities cases. I
5 just wanted to make sure that was clear for the record.
6 Okay.

7 A I was being a little political when I say she
8 wasn't appointed by Josh Stein. That's --

9 Q That's --

10 A -- a political reason.

11 Q Okay. That's the only question I have. Thank
12 you.

13 COMMISSIONER BLAND-BROWN: Are there any
14 questions by the Company?

15 MR. DROOZ: No.

16 COMMISSIONER BLAND-BROWN: Questions by the
17 Commission?

18 (No response.)

19 COMMISSIONER BLAND-BROWN: All right. Mr.
20 Busch, just to clarify, the Attorney General's office
21 does appear from time to time in our rate cases. In this
22 case they have not intervened. In other cases, in
23 another previous Aqua case, the Attorney General did
24 intervene and his attorney assigned to work utilities

1 cases was Peggy Force. That's who Peggy Force is.

2 THE WITNESS: Unfortunately --

3 COMMISSIONER BLAND-BROWN: Now, the Public
4 Staff and the Attorney General appear on behalf of the
5 Using and Consuming Public when they do -- when they both
6 appear. So I just wanted to clear that up for you.

7 All right. There are no questions, so Mr.
8 Busch, you may be excused.

9 THE WITNESS: Thank you --

10 COMMISSIONER BROWN-BLAND: Thank you.

11 THE WITNESS: -- for the opportunity.

12 (Witness excused.)

13 COMMISSIONER BROWN-BLAND: And Ms. Jost, any
14 further witnesses?

15 MS. JOST: We don't have anybody else signed
16 up.

17 COMMISSIONER BROWN-BLAND: All right. There
18 being no one else appearing, I'll just remind the two
19 witnesses that the matter is set for January 9th, 2023 in
20 Raleigh for the expert witness hearing. And with that
21 said, we will be adjourned. Thank you very much.

22 (The hearing was adjourned.)

23

24

STATE OF NORTH CAROLINA

COUNTY OF RUTHERFORD

C E R T I F I C A T E

I, Julie B. Surles, Notary Public/Court Reporter, do hereby certify that the foregoing hearing before the North Carolina Utilities Commission in Docket No. W-218, Sub 573, was taken and transcribed under my supervision; and that the foregoing pages constitute a true and accurate transcript of said Hearing.

I do further certify that I am not of counsel for, or in the employment of either of the parties to this action, nor am I interested in the results of this action.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 3rd day of November, 2022.

Julie B. Surles
Julie B. Surles
Notary Public No. 201803900138