

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 412

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application for Approval of Business)	
Combination between Carolina Water)	ORDER GRANTING MOTION
Service, Inc. of North Carolina/Corix)	TO EXCUSE WITNESS
Infrastructure (US) Inc., and SW Merger)	
Acquisition Corp)	

BY THE CHAIR: On November 23, 2022, Carolina Water Service, Inc. of North Carolina (CWSNC), along with Corix Infrastructure (US) Inc. (Corix US) and SW Merger Acquisition Corp. (SWMAC) (collectively, Applicants) filed an application pursuant to N.C. Gen. Stat. § 62-111 requesting approval of a business combination transaction involving water and wastewater holding companies, whereby Corix US and SWMAC will merge to create a larger water and wastewater company (Application). The Application includes the direct testimony of Donald H. Denton, Ellen Lapson, Dante M. DeStefano, and Brian D. Bahr.

On June 30, 2023, the Public Staff filed the joint testimony and exhibit of Lynn Feasel, June Chui, Lindsay Q. Darden, and John R. Hinton. On July 14, 2023, the Applicants filed the joint rebuttal testimony and exhibit of witnesses Denton, DeStefano, and Bahr, along with the rebuttal testimony of witness Lapson.

On July 25, 2023, the Public Staff filed a motion requesting that the Commission excuse witness Chui from appearing at the August 2, 2023 expert witness hearing and allow witness Feasel to sponsor the areas of the prefiled joint testimony and exhibit originally addressed by witness Chui. On July 26, 2023, the Commission issued an order granting the Public Staff's motion.

Subsequently, on July 31, 2023, the parties filed a Joint Settlement Agreement and Stipulation

On August 1, 2023, the Applicants filed a motion requesting that the Commission excuse witness Lapson from appearing at the August 2, 2023, expert witness hearing and allow the introduction of witness Lapson's prefiled testimony into the record at the hearing. The Applicants state that as a result of the settlement, there are no matters in dispute between the parties. The Applicants represent that the Public Staff agrees to waive cross-examination of witness Lapson and consents to the introduction of her testimony in the record without the necessity of her appearance.

Based on the foregoing and the entire record, the Chair finds good cause to grant the Applicants' motion to excuse witness Lapson from attending the expert witness hearing and to allow witness Lapson's prefiled testimony into the record without requiring her appearance at the August 2, 2023, hearing.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 1st day of August, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "A. Shonta Dunston". The signature is written in a cursive, flowing style.

A. Shonta Dunston, Chief Clerk