

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1049, SUB 25
DOCKET NO. W-1328, SUB 2

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of A&D Water Services, Inc.)	ORDER GRANTING EXTENSION
and Red Bird Utility Operating Company,)	OF TIME TO FILE SETTLEMENT
LLC, d/b/a Red Bird Water for Transfer of)	AGREEMENT AND STIPULATION
Public Utility Franchise and for Approval)	IN LIEU OF REBUTTAL
of Rates)	TESTIMONY

BY THE PRESIDING COMMISSIONER: On October 9, 2020, Red Bird Utility Operating Company, LLC d/b/a Red Bird Water (Red Bird), and A&D Water Service, Inc. (A&D), filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates (Application) seeking authority to transfer the water and/or wastewater utility systems and public utility franchise serving the Buffalo Meadows, Camelot, Cinnamon Woods, High Vista, Hunters Glen, Kirk Glen, Mountain Valley, Rolling Oaks Estates, Sherwood Forest, Skyview Park, and White Oak Village subdivisions, in Ashe, Henderson, Buncombe, Transylvania and Gaston Counties, North Carolina from A&D to Red Bird and approval of rates.

On January 23, 2024, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) that, among other things, established the deadline for Red Bird's prefiled rebuttal testimony to be filed on or before Friday, March 15, 2024.

On March 14, 2024, Red Bird filed a Motion for Extension of Time to File Rebuttal Testimony (Motion) requesting an extension of time to March 19, 2024, to file its rebuttal testimony. In support of the Motion, Red Bird stated that the extension of time would allow Red Bird and the Public Staff time to engage in further settlement discussions and resolve certain disputed issues.

On March 14, 2024, the Commission issued an order extending the deadline for Red Bird to file rebuttal testimony to Tuesday, March 19, 2024.

On March 18, 2024, Red Bird and the Public Staff (Movants) filed a Joint Motion for Leave to File Stipulation and Settlement Testimony (Joint Motion). In support of the Joint Motion, Movants state that they have reached an agreement in principle to settle the disputed issues in this proceeding and require additional time to memorialize the terms of the agreement in a settlement agreement and stipulation and to finalize and file supporting testimony and exhibits.

Based on the foregoing, and the entire record, the Presiding Commissioner finds good cause to grant the Joint Motion and allow Movants to file a Settlement Agreement and Stipulation with supporting testimony and exhibits on or before March 21, 2024, in lieu of Red Bird filing rebuttal testimony and exhibits by March 19, 2024. With the exception of the specifically stated extensions, all other deadlines in the Scheduling Order remain as originally ordered.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 19th day of March, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, reading "Tamika D. Conyers". The signature is written in a cursive, flowing style.

Tamika D. Conyers, Deputy Clerk