

Jarvis, Lynn

From: Hinton, Lemuel
Sent: Tuesday, August 1, 2017 10:07 AM
To: Jarvis, Lynn
Subject: FW: Request to Intervene in Docket No. W-354, Sub 356

Please file the email set forth below in Docket No. w-354 sub 356.

From: Hinton, Lemuel
Sent: Thursday, July 27, 2017 4:15 PM
To: 'jwcolyer@bellsouth.net' <jwcolyer@bellsouth.net>
Cc: Jarvis, Lynn <ljarvis@ncuc.net>
Subject: Request to Intervene in Docket No. W-354, Sub 356

William R. Colyer
7214 Maitland Lane
Charlotte, NC 28215-9047

Dear M. Colyer:

On July 12, 2017 and on July 13, 2017, the Commission received separate letters from you regarding your desire to participate in the above referenced docket which concerns Carolina Water Service's request for a rate increase for the utility services that it provides in various areas in the State of North Carolina. In the July 12, 2017 filing, you inform David Drooz of the Public Staff that you are a customer of Carolina Water Service residing in Bradfield Farm Subdivision and that you desire to present testimony at the Public Hearing scheduled for August 1, 2017 in Mecklenburg County. In the July 13, 2017 filing, you requested permission to intervene in the aforementioned docket as a party of record to represent the Bradfield Farms Homeowners Association and its various members. According to that filing, you currently serve as the Board Secretary for the HOA.

With regard to the latter filing, Commission Rule R1-5 requires that pleadings filed on behalf of a corporation or an association must be signed by a member of the bar licensed to practice law in the State of North Carolina. Further, G.S. 84-1 et seq precludes a non-lawyer from representing the HOA in a pending proceeding before the Commission. Thus, if your HOA desires to participate as a party of record in this docket, it must retain an attorney to represent it before the Commission. If you have already retained an attorney in this matter, please have him/her sign and verify your request to intervene and file those documents with the Commission as soon as possible. Once that is done, the Commission will act upon the petition of Bradfield Farms HOA to intervene in this docket.

With regard to the former request that you be allowed to present testimony at the August 1, 2017 public hearing, please note that the hearing is scheduled to receive testimony from customers and not from a party in the docket. Thus, as a CWS customer, and a non-party, you would be allowed to present testimony. You would not, however, be allowed to present testimony in the public hearing if you are a formal party of record in the docket. In that situation, your testimony would be governed by the June 2, 2017 Order Scheduling Hearing and Requiring Customer Notice.

If you have any question regarding this or any matter concerning this docket, please do not hesitate to contact me at (919) 733-0836.

Sincerely,
Lemuel W. Hinton, Staff Attorney
North Carolina Utilities Commission

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Aug 01 2017

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