

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. A-41, SUB 21

VILLAGE OF BALD HEAD ISLAND,	)	
Complainant,	)	
	)	
v.	)	MOTION FOR EXTENSION
	)	OF TIME TO REPLY TO
BALD HEAD ISLAND TRANSPORTATION,	)	RESPONSE TO COMPLAINT
INC. and BALD HEAD ISLAND LIMITED,	)	
LLC,	)	
Respondents.	)	

The Village of Bald Head Island (“VBHI”), through counsel and pursuant to Rule R1-7 of the Rules of Practice and Procedure of the North Carolina Utilities Commission (“Commission”), hereby moves the Commission for an eight-day extension of time in which to reply to the Response, Motion to Dismiss, and Answer filed in the above-captioned proceeding by Bald Head Island Transportation, Inc. (“BHIT”) and Bald Head Island Limited, LLC (“BHIL”) (collectively, “Respondents”). In support of this motion, VBHI states the following:

1. On February 16, 2022, VBHI filed a Verified Complaint and Request for Determination of Public Utility Status in the above-captioned proceeding seeking relief against the Respondents.
2. On February 17, 2022, the Commission issued an Order Serving Complaint and Request for Determination of Public Utility Status requiring the Respondents to either satisfy the demands of VBHI or to file an answer on or before February 28, 2022.

3. On February 25, 2022, the Commission issued an order granting Respondents' motion to extend time to respond to the Complaint to and including March 30, 2022.

4. On March 30, 2022, Respondents filed their Response, Motion to Dismiss, and Answer.

5. On April 4, 2022, the Commission issued an Order Serving Answer and Motion to Dismiss. The Commission set April 14, 2022 as VBHI's deadline to reply and/or request a hearing.

6. Because of pre-existing deadlines in other matters, coupled with the novelty of issues raised by Respondents in their motion, counsel for VBHI reasonably require additional time to review the Response, Motion to Dismiss, and Answer, confer with VBHI representatives, and prepare a reply.

7. Accordingly, VBHI respectfully requests an eight-day extension of the deadline to file its reply, to and including April 22, 2022. Counsel for VBHI has discussed this Motion with counsel for Respondents, who has indicated that Respondents consent to the requested extension of time.

WHEREFORE, VBHI respectfully requests that the Commission grant its motion for extension of time, to and including April 22, 2022, in which to reply to Respondent's Response, Motion to Dismiss, and Answer in this proceeding.

Respectfully submitted, this the 7<sup>th</sup> day of April, 2022.

BROOKS, PIERCE, McLENDON,  
HUMPHREY & LEONARD, L.L.P.



By: \_\_\_\_\_

Marcus W. Trathen  
N.C. State Bar No. 17621  
Craig D. Schauer  
N.C. State Bar No. 41571  
Post Office Box 1800  
Raleigh, North Carolina 27602  
Telephone: (919) 839-0300  
Email: mtrathen@brookspierce.com  
Email: cschauer@brookspierce.com

Jo Anne Sanford  
SANFORD LAW OFFICE, PLLC  
Post Office Box 28085  
Raleigh, North Carolina 27611-8085  
sanford@sanfordlawoffice.com

*Attorneys for Village of Bald Head Island*

### Certificate of Service

I hereby certify that a copy of the foregoing *Motion for Extension of Time to Reply to Response to Complaint* has been served this day upon the parties of record in this proceeding by electronic mail.

This the 7<sup>th</sup> day of April, 2022.

BROOKS, PIERCE, McLENDON,  
HUMPHREY & LEONARD, LLP

/s/ Marcus Trathen  
Marcus W. Trathen