

SANFORD LAW OFFICE, PLLC
Jo Anne Sanford, Attorney at Law

September 9, 2022

Ms. A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4325

Via Electronic Delivery

RE: Reinstatement of Late Payment Charges
Docket No. M-100, Sub 158
Aqua North Carolina, Inc.
Revised

Dear Ms. Dunston:

The Office of Governor Roy Cooper announced in a July 11, 2022 press release the Governor's intention to terminate the State of Emergency that was declared by Executive Order No. 116 (March 10, 2020) in response to the Covid-19 pandemic. Termination of the State of Emergency took place on August 15, 2022, thus allowing companies regulated by the North Carolina Utilities Commission ("Commission" or "NCUC") to resume imposition of late charges for arrearages that occur after August 15, 2022.

This letter provides notice by Aqua North Carolina, Inc. ("Aqua" or "Company") of its intention to resume charges for late payments after August 15, 2022, and strictly in conformance with Commission rules and orders. An explanation of the essential, applicable orders and the terms for reinstatement of late payment fees follows:

Background:

- On March 10, 2020, the Governor issued Executive Order No. 116, declaring a State of Emergency due to the Covid-19 pandemic.
- On March 19, 2020, the Commission issued its Order Suspending Utility Disconnections for Non-Payment, Allowing Reconnection, and Waiving Certain Fees in Docket No. M-100, Sub 158.

<https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=99807398-6abd-412f-b94c-6c23eb2427b0>

- In the March 19, 2020 Order, the Commission specified that customers shall not be charged any fees for late payment of arrearages accrued during the State of Emergency.
- Governor Cooper issued a press release on July 11, 2022, stating that the State of Emergency would be lifted on August 15, 2022.
- Termination of the State of Emergency ended the prohibition against charging late fees for arrearages accruing after August 15, 2022.
- The following energy companies have similarly served notice in NCUC Docket No. M-100, Sub 158 of the expiration of the State of Emergency and reinstatement of late payment fees: Duke Energy Carolinas, LLC and Duke Energy Progress, LLC, on August 5, 2022; and Virginia Electric and Power, Inc., d/b/a Dominion Energy North Carolina and Public Service Company of North Carolina, Inc., on August 12, 2022. Their filings provide a detailed history of the applicable regulatory and executive history of the late charge rules and are found, respectively, at:

<https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=704f1433-331d-409c-9670-d52705657855>

<https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=9ed5395d-d4cc-4463-8e80-3beffc570b3e>

Aqua hereby notifies the Commission of its intention to reinstate its late payment program for arrearages accrued after August 15, 2022. Pursuant to both the Governor's executive orders and the Commission's orders, no late fees will be applied to arrearages incurred during the State of Emergency.

- Aqua will include a bill message notifying customers that Late Payment Fees will be reinstated and applied to arrearages incurred after August 15, 2022.
- Accounts that carry arrearages not covered by the State of Emergency protection will incur a late payment charge in conformance with Commission Rule R12-9.

A copy of this letter will be posted on Aqua's state website, which reflects the Company's intention to resume its late payment fee program in accordance

with the lifting of Executive Order No. 116. Aqua remains committed to working with customers to assist them in paying their bills and remaining on the system.

Aqua has shared this letter with the Public Staff of the North Carolina Utilities Commission ("Public Staff") prior to filing, and the undersigned is authorized to state that the Public Staff has no objection to it.

As always, we thank you and your staff for your assistance; please feel free to contact me if there are questions or if additional information is required.

Sincerely,

/s/Jo Anne Sanford

North Carolina State Bar No. 6831

Attorney for Aqua North Carolina, Inc.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing letter has been served by electronic mail, hand delivery, or by depositing a copy in the United States Mail, 1st Class Postage Prepaid, addressed to parties of record in Docket No. M-100, Sub 158.

This the 9th day of September, 2022.

Electronically Submitted

/s/ Jo Anne Sanford
Attorney for Aqua North Carolina, Inc.