



that the proposed grant or transfer, including adoption of existing or proposed rates for the transferring utility, is in the public interest, will not adversely affect service to the public under any existing franchise, and the person acquiring said franchise or certificate of public convenience and necessity has the technical, managerial, and financial capabilities necessary to provide public utility service to the public.”

In making its determination on whether applications meet the statutory requirements and are in the public interest, the Commission considers the evidence presented in each docket including the investigation of the Public Staff and the ensuing recommendation. As provided under N.C. Gen. Stat. §. 62-15, it is the duty of the Public Staff to “[i]ntervene on behalf of the using and consuming public, in all Commission proceedings affecting the rates or service of any public utility.” The ability of the Commission to make the findings required under Section 1.(b) of the Act and therefore, issue an order approving the application will be hindered in any docket that does not include a recommendation of the Public Staff on the application. The Public Staff has stated in its letter that it is unable to make a recommendation on this application without updated financial information from the applicant.

Based on the foregoing, and review of the application and filings in this docket, the Presiding Commissioner finds that the application is incomplete. The applicant shall file an amended application form and all required exhibits with information current as of no earlier than December 31, 2022. No later than 5 business days after the amended application is filed, the Public Staff shall file with the Commission and serve upon the applicant a notice regarding whether the amended application is complete, or state if the amended application is incomplete and identify any deficiencies.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 28th day of July, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Tamika D. Conyers". The signature is written in black ink and is positioned above the printed name of the signatory.

Tamika D. Conyers, Deputy Clerk