

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-354, SUB 411  
DOCKET NO. W-1148, SUB 22

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of  
Application by Carolina Water Service, Inc. of )  
North Carolina, 5821 Fairview Road, Suite 401, )  
Charlotte, North Carolina 28209 and Mountain )  
Air Utilities Corporation, Post Office Box 1090, )  
Burnsville, North Carolina 28714, for Authority )  
to Transfer the Mountain Air Water and )  
Wastewater Utility Systems and Public Utility )  
Franchise in Yancey County, North Carolina, )  
and for Approval of Rates )

**MOTION TO CANCEL  
PUBLIC WITNESS HEARING**

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and moves the North Carolina Utilities Commission (Commission) to issue an order canceling the July 17, 2023 public witness hearing. In support of this motion, the Public Staff respectfully shows the Commission the following:

1. On September 26, 2022, Carolina Water Service, Inc. of North Carolina (CWSNC) and Mountain Air Utilities Corporation (Mountain Air) filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates seeking authority to transfer the water and wastewater utility systems and public utility franchise serving the Mountain Air Development in Yancey County, North Carolina, from Mountain Air to CWSNC and approval of rates.

2. On June 5, 2023, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) setting this matter for public witness hearing on July 17, 2023. The Notice to Customers states that “This hearing may be canceled if no significant protests are received on or before Friday, July 7, 2023.”

3. The Scheduling Order directed CWSNC to provide the Notice to Customers no later than 10 days after the date of the Scheduling Order and submit a signed and notarized certificate of service not later than 20 days after the date of the Scheduling Order. On June 21, 2023, CWSNC filed a Certificate of Service stating the Notice to Customers was mailed or hand delivered as specified in the Scheduling Order.

4. Review of the Commission’s online docket portal indicates that no customers have filed consumer statements in these dockets. Moreover, the Public Staff has not received any consumer statements.

5. The Public Staff has contacted counsel for all parties in this docket. The Public Staff is authorized to represent that CWSNC and Mountain Air support this motion. Counsel for the Mountain Air Property Owners Association, Inc. has not provided a response to the Public Staff at the time of the filing of this motion.

WHEREFORE, the Public Staff respectfully requests:

1. That the Commission cancel the public witness hearing scheduled for July 17, 2023; and

2. For such other and further relief as the Commission may deem just and proper.

Respectfully submitted, this the 11th day of July, 2023.

PUBLIC STAFF  
Christopher J. Ayers  
Executive Director

Lucy E. Edmondson  
Chief Counsel

Electronically submitted  
/s/ Elizabeth D. Culpepper  
Staff Attorney

4326 Mail Service Center  
Raleigh, North Carolina 27699-4300  
Telephone: (919) 733-6110  
Email: [elizabeth.culpepper@psncuc.nc.gov](mailto:elizabeth.culpepper@psncuc.nc.gov)

## CERTIFICATE OF SERVICE

I certify that I have this day served a copy of the foregoing Motion upon each of the parties of record in this proceeding or the attorney of record of such party in accordance with Commission Rule R1-39, by United States mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 11th day of July, 2023.

Electronically submitted  
/s/ Elizabeth D. Culpepper