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BLANCHARD, MILLER, LEWIS & STYERS, P. A.

L A W Y E R S

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*CERTIFIED SUPERIOR COURT MEDIATORS

CHARLES F. BLANCHARD

June 23, 2008

OF COUNSEL

HAND DELIVERED

Renne Vance, Chief Clerk
North Carolina Utilities Commission
430 N. Salisbury Street
Raleigh, NC 27603

FILED

JUN 23 2008

Clerk's Office
N.C. Utilities Commission

**RE: Revised Amended Application for Certificate of Public Convenience and Necessity
Briar Chapel Utilities, LLC
Docket No. W-1230, Sub 0**

Dear Ms. Vance:

Enclosed herewith please find an original and nine copies of revised page 6 and an original re-executed signature page of the Amended Application for Certificate of Public Convenience and Necessity for Briar Chapel Utilities, LLC that was filed with the Commission on June 12, 2008.

Several days after the Amended Application in the above referenced matter was filed with your office, it was brought to our attention that the Recovery of Plant Cost on page 6 of the application would need further revisions. I spoke with Ms. Tillery in your office this morning and she advised that in order to further amend, or revise, the Amended Application that was filed on June 12, 2008, we would only need to submit the revised page 6 of the application and refile the same number of copies as was required with the Amended Application. I am also enclosing a re-executed signature page to show that the applicant is aware of and in agreement with the revisions on page 6 of the Amended Application.

I would appreciate your filing this revised page 6 of the Amended Application filed on June 12, 2008 and the re-executed signature page and returning one "filed" stamped copy to me via our courier.

If you have any questions or comments regarding the revision to the Amended Application, please do not hesitate to contact me.

Sincerely,

Patricia B. Butler

Patricia B. Butler
Paralegal

pbb

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Ec/Ms.
Water

Renne Vance, Chief Clerk
Page Two
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Enclosures

cc: Mr. Ken Rudder, Public Staff Water Division (w/enclosures)

OFFICIAL COPY**FILED****JUN 23 2008**RECOVERY OF PLANT COSTClerk's Office
N.C. Utilities Commission

The utility proposes to recover the cost of the plant listed on Page 5, Line 15 as follows:

	<u>Water</u>	<u>Sewer</u>
1. Amount to be contributed by developer	\$ _____	\$ 1,844,800.00 (See Sch. 7)
2. Amount to be recovered through tap fees	\$ _____	\$ 1,600,680.00
3. Amount to be recovered through rates	\$ _____	\$ 7,884,407.00
4. Other (please describe below on Line 6)	\$ _____	\$ _____
5. Total cost of plant	\$ _____	\$ 11,329,887.00

B. Description of other:

Not ApplicableANNUAL DEPRECIATION7. If annual depreciation is claimed using a composite rate for the entire system, show rate of depreciation used:Water: Not ApplicableSewer: See Schedule 7

8. If annual depreciation is claimed using individual rates for each type of equipment, show rates of depreciation used:

See Schedule 7

EXHIBITS

THE FOLLOWING EXHIBITS SHALL BE ATTACHED TO THE APPLICATION:

1. If the Applicant is a corporation, enclose a copy of the Articles of Incorporation on file with the North Carolina Secretary of State. (Not required if previously filed with the Commission.) **Attached.**
2. If the Applicants are doing business as a partnership, enclose a copy of the partnership agreement. (Not required if previously filed with the Commission.) **N/A**
3. If the Applicant is conducting business under a trade name or d/b/a, enclose a copy of the certificate filed with the register of deeds in each county where the Applicant will be conducting business as required by G.S. 69-68.
4. Enclose a copy of a letter from the Department of Environment and Natural Resources granting approval of the plans for each water system. **N/A**
5. Enclose a copy of a letter from the Department of Environment and Natural Resources granting approval of the plans for each sewer system. **See Attached**
6. Enclose a copy of a Division of Environmental Health (DEH) report on a chemical analysis of untreated water from each well. (This should not be confused with the monthly samples submitted to DEH for bacteriological analysis. Contact DEH for instructions to obtain a sample for chemical analysis.) **N/A**
7. Enclose a copy of purchase agreements or contracts showing provision for ownership or control of the water or sewer systems, including sites for wells or treatment plants. **Contract of Sale of Plant to Utilities from BC**
8. Enclose a copy of contracts or agreements, including all attachments, exhibits, and appendices, between the utility and any other party (land developers, customers, etc.) regarding the proposed utility services, including contracts regarding tap fees, construction costs, easements, and rights-of-way, etc. (If none, write "none"). **Agreement for Operations, Maintenance and Management**
9. Enclose a vicinity map showing the location of the proposed subdivisions or service areas in sufficient detail for someone not familiar with the county to locate the subdivisions. (A county road map with the subdivisions outlined is suggested.) **See Attached**
10. Enclose maps of the subdivisions in sufficient detail to show the layout of streets, lots, the water or sewer mains, hydrants, wells, pumping equipment, treatment facilities, storage facilities, etc. **See Attached**
11. Enclose a copy of the worksheets supporting the estimate of the plant costs, including a breakdown by type of plant item, showing the detail of how the estimated cost was determined, and indicating which plant items, if any, will be contributed to the utility. **See Schedules 1 - 9**
12. Enclose a copy of the most recent fiscal year financial statements, audited if available, for the Applicant.
13. Enclose a copy of the most recent fiscal year financial statements, audited if available, for the parent company of the Applicant.
14. If the information requested in Exhibits 12 and 13 is not available, enclose a copy of the most recent fiscal year financial statements or statement of net worth for the principals of the utility and/or parent company.

Services & Other Contracts & Agreements will be provided as executed and entered into.

FILING INSTRUCTIONS

15. Eight (8) copies of the application and exhibits shall be filed with the North Carolina Utilities Commission, 4325 Mall Service Center, Raleigh, North Carolina 27609-4325. One of these copies must have an original signature. (Applicants must also provide any copies to be returned to them.)
16. Enclose a filing fee as required by G. S. §62-390. A Class A company (annual revenues of \$1,000,000 or more) requires a \$250 filing fee. A Class B company (annual revenues between \$200,000 and \$1,000,000) requires a \$100 filing fee. A Class C company (annual revenues less than \$200,000) requires a \$25 filing fee. **MAKE CHECK PAYABLE TO THE N.C. DEPARTMENT OF COMMERCE/UTILITIES COMMISSION.**

SIGNATURE

17. Application shall be signed and verified by the Applicant. **Briar Chase Utilities, LLC**
Signature: *Mitch Barron*
Mitch Barron, Asst. V.P.
Date: _____
18. (Typed or Printed Name) **Mitch Barron**
personally appearing before me and, being first duly sworn, says that the information contained in this application and in the exhibits attached hereto are true to the best of his/her knowledge and belief.

This the 13th day of June, 2008
Kendall Owen
Notary Public

5850 Fayetteville Rd
Durham NC Address 27713
My Commission Expires: Jan 2, 2012
Date

