

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-218, SUB 551

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Aqua North Carolina, Inc., for)	
Transfer of Water Utility System Serving)	ORDER EXCUSING
Northgate Subdivision in Wake County,)	PREFILED TESTIMONY
North Carolina to the Town of Fuquay-Varina)	
via Lear Corporation, Owner Exempt from)	
Regulation)	

BY THE PRESIDING COMMISSIONER: On August 16, 2023, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) in the above captioned docket which, among other things, requires Aqua North Carolina, Inc. (Aqua) to prefile direct testimony by September 15, 2023; the Public Staff and other intervenors to prefile direct testimony by September 26, 2023; and Aqua to prefile rebuttal testimony by October 6, 2023. The Scheduling Order also set this matter for expert witness hearing to begin at 1:00 p.m. on Monday, October 16, 2023.

On September 8, 2023, Aqua and the Public Staff (collectively, the Parties) filed a Settlement Agreement and Stipulation to Allow Recovery of Loss on Sale (Stipulation). The Parties state that the Stipulation resolves all issues between them, provided that agreement can be reached on closing and abandonment costs allowable for recovery beyond the loss on sale amount that is agreed upon in the Stipulation.

On September 12, 2023, the Parties filed a Joint Motion to Excuse Witnesses from Prefiling Testimony. In support of the motion, the Parties state that because the Parties have settled all known differences at this time and proposed a procedure to update the closing and abandonment costs at a later date, there are no issues between the Parties that need to be resolved through the presentation of prefiled expert witness testimony. According to the Parties, excusing the requirement to prefile expert witness testimony will serve administrative efficiency, save time, and save costs.

Based on the foregoing and the entire record, the Presiding Commissioner finds good cause to excuse Aqua and Public Staff from the requirement to prefile expert witness testimony at this time. The Presiding Commissioner advises the Parties that if the terms

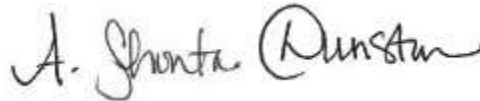
of the Stipulation are not met or in the event that another party intervenes in this proceeding, the Commission may require the filing of testimony at a later date.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 14th day of September, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, reading "A. Shonta Dunston". The signature is written in a cursive, flowing style.

A. Shonta Dunston, Chief Clerk