

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-218, SUB 573

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application by Aqua North Carolina, Inc.,)
202 MacKenan Court, Cary, North Carolina 27511,) ORDER GRANTING
for Authority to Adjust and Increase Rates for) EXTENSION OF TIME TO FILE
Water and Sewer Utility Service in All Its Service) PROPOSED ORDERS AND
Areas in North Carolina and for Approval of a) SCHEDULING HEARING
Water and Sewer Investment Plan)

BY THE PRESIDING COMMISSIONER: On June 30, 2022, Aqua North Carolina, Inc. (Aqua or Company) filed an application with the Commission seeking authority to adjust and increase its rates for providing water and sewer utility service in all of its North Carolina service areas and for approval to establish and implement a three-year Water and Sewer Investment Plan (WSIP) pursuant to N.C. Gen. Stat. § 62-133.1B and Commission Rule R1-17A.

On January 19, 2023, the Commission issued a Notice of Due Date for Proposed Orders and/or Briefs, which required the parties to file proposed orders or briefs on or before February 20, 2023.

On February 13, 2023, the Public Staff filed a motion requesting that the Commission extend the deadline for filing proposed orders and briefs to March 20, 2023. On February 16, 2023, Aqua contacted the Commission indicating that the Company agreed to waive its right to seek to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) for a period of four weeks, corresponding to the four-week extension requested by the Public Staff. On February 16, 2023, the Commission issued an order granting the Public Staff's motion and extending the time to file proposed orders and/or briefs to March 20, 2023. Further, the Commission accepted Aqua's waiver of its rights to seek to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) for a period of four weeks.

Subsequently, on March 17, 2023, Aqua and the Public Staff (collectively, Parties) filed a joint motion requesting an extension of time until March 31, 2023, to file their proposed orders and a Stipulation of Partial Settlement. In support of the motion, the Parties state that they have been working diligently to prepare their respective proposed orders while negotiating performance metrics, incentives, and penalties, as well as other issues that were contested at the hearing. The Parties indicate that they now have agreement in principle on a large portion of the performance metrics, incentives, and penalties, as well as most of the other rate case issues. The Parties further state that they

need additional time to draft the partial settlement terms in the Stipulation, confer on joint wording to use in their proposed orders to reflect settlement terms, and set out separately in their proposed orders the remaining issues where the Parties differ.

On March 20, 2023, Aqua filed a supplement to the joint motion indicating that the Company agrees to waive its right to seek to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) for an additional eleven days beyond the waiver it made in conjunction with the extension of time granted on February 16, 2023. Aqua states that the Public Staff has no objection to the Company's waiver of time for implementing rates.

Based upon the foregoing and the entire record, the Presiding Commissioner finds good cause to grant the Parties' joint motion and accept Aqua's waiver of its right to seek to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) for an additional eleven days beyond the waiver the Company made in conjunction with the extension of time granted on February 16, 2023.

In addition, the Presiding Commissioner finds good cause to schedule a hearing in this docket on April 10, 2023, to examine the partial settlement terms in the Parties' Stipulation.

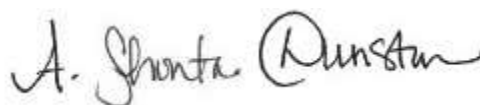
IT IS, THEREFORE, ORDERED as follows:

1. That the Parties shall file their proposed orders and Stipulation of Partial Settlement on or before March 31, 2023;
2. That the Commission accepts Aqua's waiver of its right to seek to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) on or after June 5, 2023;
3. That this matter shall be, and is hereby, scheduled for a hearing on Monday, April 10, 2023, at 11:00 a.m. in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina; and
4. That Aqua and the Public Staff shall have available at the hearing personnel who are prepared to address the Parties' Stipulation of Partial Settlement and the remaining contested issues.

ISSUED BY ORDER OF THE COMMISSION.

This the 20th day of March, 2023.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Chief Clerk