

SANFORD LAW OFFICE, PLLC
Jo Anne Sanford, Attorney at Law

November 30, 2021

Ms. A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

Via Electronic Delivery

Re: Docket No. W-354 Sub 384
Joint Motion to Excuse Witnesses

Dear Ms. Dunston:

Attached for filing please find the Joint Motion to Excuse Witnesses, submitted by Carolina Water Service, Inc. of North Carolina and the Public Staff (collectively, "Parties") in this docket. By companion filing in this docket today, the Parties submitted a Settlement Agreement and Stipulation which, if accepted, resolves all differences between them, for purposes of settlement in this case. As a result of that agreement and of the extensive examination that preceded it, the Parties have no cross-examination of each other. We recognize, however, that this request is contingent upon whether the Commission needs to question any witnesses.

As always, thank you and your staff for your assistance; please feel free to contact me if there are any questions or suggestions.

Sincerely,

Electronically Submitted

/s/Jo Anne Sanford
N.C. State Bar No. 6831
Attorney for Carolina Water Service, Inc.
of North Carolina

c: Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that the foregoing filing, captioned **Joint Motion to Excuse Witnesses**, has been served on the parties of record to Docket No. W-354, Sub 384, in accordance with North Carolina Utilities Commission Rule R1-39, either: by United States mail, first class postage pre-paid; by hand delivery; or by means of electronic delivery upon agreement of the receiving party.

This the 30th day of November, 2021.

Electronically Submitted
/s/Jo Anne Sanford
State Bar No. 6831

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**Attorney for Carolina Water Service,
Inc. of North Carolina**

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. W-354, SUB 384

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Carolina Water Service, Inc. of)
North Carolina, 4044 Parkway Plaza Boulevard,)
Suite 375, Charlotte, North Carolina 28217, for)
Authority to Adjust and Increase Rates for)
Water and Sewer Utility Service in All Service)
Areas in North Carolina)
	JOINT MOTION TO EXCUSE WITNESSES

JOINT MOTION TO EXCUSE WITNESSES

Carolina Water Service, Inc. of North Carolina (“CWSNC” or “Company”), through the undersigned counsel, and the Public Staff – North Carolina Utilities Commission (“Public Staff”), through its counsel, Staff Attorney John D. Little, (collectively the “Parties”), respectfully request the North Carolina Utilities Commission (“Commission” or “NCUC”) enter an order excusing all CWSNC and Public Staff witnesses from appearing at the evidentiary hearing in this matter, set to begin Tuesday, December 7, 2021 at 9:30 a.m. In support of this Joint Motion, the Parties state the following:

- A. On May 25, 2021, CWSNC gave 30-days’ notice of its intent to file a general rate case in Docket No. W-354, Sub 384.
- B. On July 2, 2021, CWSNC filed its Application for general rate relief in Docket No. W-354, Sub 384, including testimony by the following witnesses:
 - 1) Donald H. Denton, President of CWSNC;

- 2) Dana Hill, Director of State Operations for CWSNC;
 - 3) Philip J. Drennan, Regional Director of Financial Planning and Analysis for CWSNC;
 - 4) Matthew P. Schellinger II, Manager of Financial Planning and Analysis for CWSNC;
 - 5) LaQuisha M. Parks,¹ Vice President of Customer Experience for CWSNC; and
 - 6) Dylan D'Ascendis, Partner at ScottMadden, Inc.
- C. On July 16, 2021, Motions for Admission Pro Hac Vice were filed by Kay Pashos and Mark Alson, both with Ice Miller LLP in Indianapolis, Indiana, and Jo Anne Sanford, Sanford Law Office, PLLC requesting admission of Ms. Pashos and Mr. Alson in order to participate in these proceedings. On July 27, 2021, the Commission granted the motions.
- D. On July 26, 2021, the Commission issued its Order Establishing a General Rate Case and Suspending Rates.
- E. On August 25, 2021, CWSNC filed a Revision to the Direct Testimony of Dana Hill.
- F. On October 8, 2021, the Commission issued an Order Establishing Discovery Guidelines, Scheduling Hearings, and Requiring Customer Notice.
- G. On October 8, 2021, CWSNC filed its rate case updates, schedules, and supporting data, along with Supplemental Testimony of Philip J. Drennan.

¹ On November 30th, 2021, CWSNC filed notice that Donald H. Denton would adopt the pre-filed direct testimony of LaQuisha M. Parks.

- H. On October 22, 2021, CWSNC filed a Certificate of Customer Notice Regarding Public Hearing.
- I. Public hearings were held virtually in this matter on November 1, 2021, in two sessions beginning at 1:30 pm and 4:30 pm, respectively. Thirty-five witnesses testified, and responses to concerns raised at the public hearings were filed by CWSNC two weeks later, on November 15, 2021.
- J. On November 5, 2021, the Public Staff filed Direct Testimony by the following witnesses:
- 1) Gina Y. Casselberry, Advanced Utilities Engineer for the Public Staff;
 - 2) Lynn Feasel, Accountant for the Public Staff;
 - 3) Lindsay Q. Darden, Utilities Engineer for the Public Staff; and
 - 4) John R. Hinton, Director of the Economic Research Division of the Public Staff.
- K. The Public Staff filed the Supplemental Testimony and Exhibits of Lynn Feasel and Lindsay Q. Darden on November 18, 2021.
- L. On November 22, 2021, CWSNC notified the Commission that settlement agreement in principle had been reached resolving all issues between the Parties in this matter.
- M. .On November 24, 2021, the Public Staff filed the Second Supplemental Testimony of Lindsay Q. Darden.
- N. On November 30, 2021, the Parties filed a Joint Settlement Agreement and Stipulation (“Settlement Agreement”), resolving all issues raised throughout this proceeding.

- O. The Settlement Agreement provides that the prefiled testimony and exhibits of the Parties may be received in evidence without objection, and each Party waives all right to cross-examine any witness with respect to such prefiled testimony and exhibits.
- P. Therefore, CWSNC and the Public Staff respectfully request that the Commission enter an Order excusing all CWSNC and Public Staff witnesses from appearing at the evidentiary hearing and allowing their testimony and exhibits to be entered into the record as if given orally from the stand.
- Q. The Parties recognize that this request is contingent upon the Commission having no questions for such witnesses, and CWSNC submits that its State President Donald H. Denton will attend the December 7, 2021 evidentiary proceeding whether or not needed to testify.

WHEREFORE, CWSNC and the Public Staff respectfully request that all witnesses be excused from the evidentiary hearing beginning December 7, 2021, and that their prefiled testimony and exhibits be copied into the record and received into evidence as if given under oath and from the stand.

This the 30th day of November, 2021.

Electronically Submitted

Carolina Water Service, Inc. of North Carolina

By: /s/ Jo Anne Sanford

Sanford Law Office, PLLC

Public Staff – North Carolina Utilities Commission

By: /s/ John D. Little

Staff Attorney, Public Staff

CERTIFICATE OF SERVICE

I hereby certify that on this the 30th day of November 2021, a copy of the foregoing **JOINT MOTION TO EXCUSE WITNESSES**, filed by Carolina Water Service, Inc. of North Carolina in Docket No. W-354, Sub 384, has been duly served upon all parties of record by electronic service, as follows:

John Little
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Munashe Magarira
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Electronically Submitted

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