

Troutman Pepper Hamilton Sanders LLP
301 S. College Street, 34th Floor
Charlotte, NC 28202



troutman.com

Mindy L. McGrath
Partner
mindy.mcgrath@troutman.com

March 1, 2024

Ms. Shonta Dunston
Chief Clerk
North Carolina Utilities Commission
430 N. Salisbury Street
Raleigh, North Carolina

**Re: Application by Red Bird Utility Operating Company, LLC and Etowah Sewer Company, Inc. for Transfer of Public Utility Franchise and for Approval of Rates
Docket No. W-933, Sub 12
Docket No. W-1328, Sub 0**

Dear Ms. Dunston:

On behalf of Red Bird Utility Operating Company, LLC ("Red Bird" or the "Company") please find a Notice of Dismissal and Withdrawal of Application.

As always, please contact me if you have any questions regarding this filing.

Best regards,

/s/ Mindy L. McGrath
Mindy L. McGrath

c: Parties of Record w/ Encl.

OFFICIAL COPY

Mar 01 2024

CERTIFICATE OF SERVICE

DOCKET NO. W-1328, SUB 0

DOCKET NO. W-933, SUB 12

I hereby certify that a copy of the Notice of Dismissal and Withdrawal of Application was served electronically or by depositing a copy of the same in the United States Mail, first class postage prepaid, at the addresses contained in the official service list in these proceedings.

This the 1st day of March 2024.

RED BIRD WATER UTILITY OPERATING COMPANY, LLC

/s/ Mindy L. McGrath

Mindy L. McGrath (NC Bar No. 35628)

Troutman Pepper Hamilton Sanders LLP

301 College Street

34th Floor

Charlotte, NC 28202

(704) 916-1522

mindy.mcgrath@troutman.com

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1328, SUB 0
DOCKET NO. W-933, SUB 12

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	NOTICE OF DISMISSAL AND
Joint Application by Red Bird Utility)	WITHDRAWAL OF APPLICATION
Operating Company, LLC d/b/a Red Bird)	FOR TRANSFER OF PUBLIC
Water and Etowah Sewer Company, Inc. for)	UTILITY FRANCHISE AND
Transfer of Public Utility Franchise and for)	APPROVAL OF RATES
Approval of Rates)	

NOW COMES Red Bird Utility Operating Company, LLC (“Red Bird”) and hereby gives notice of its dismissal and withdrawal of Red Bird’s Application for Transfer of Public Utility Franchise and for Approval of Rates filed in these dockets on October 8, 2020 (“Application”), as the Purchase and Sale Agreement between Central States Water Resources, Inc. and Etowah Sewer Company, Inc. (which was filed as Confidential Attachment G to Red Bird’s Application) has been terminated as of February 29, 2024. Accordingly, Red Bird respectfully requests that the Commission cancel the oral argument scheduled for March 5, 2024.

Red Bird does not believe that any further action by the Commission is necessary for Red Bird to dismiss and withdraw its Application effective immediately. However, to the extent any such action is determined to be necessary, Red Bird respectfully requests that the Commission take such action at its earliest convenience.

Respectfully submitted this 1st day of March, 2024.

Red Bird Utility Operating Company, LLC

/s/ Mindy L. McGrath

Mindy L. McGrath (NC Bar No. 35628)
Troutman Pepper Hamilton Sanders LLP
301 College Street, 34th Floor
Charlotte, North Carolina 28202
Phone: (704) 916-1522
mindy.mcgrath@troutman.com