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August 11, 2022

Ms. A. Shonta Dunston
Chief Clerk
North Carolina Utilities Commission
430 N. Salisbury Street
Raleigh, NC 27603

Via Electronic Submittal

**Re: In the Matter of
WLI Investments, LLC v. Old North State Water Company, Inc.
and Pluris Hampstead, LLC
Docket Nos. W-1300, Sub 77 and W-1305, Sub 35
*Respondents' Joint Statement on Jurisdiction***

Dear Ms. Dunston:

On behalf of Old North State Water Company, Inc. (ONSWC) and Pluris Hampstead, LLC ("Pluris") (Respondents), I am herewith submitting the attached Joint Statement on Jurisdiction in the above referenced dockets.

If you should have any questions concerning this filing, please let me know.

Thank you and your staff for your assistance.

Sincerely,
/s/ David T. Drooz
David T. Drooz
Attorney for
Old North State Water Company, Inc.

pbb
Enclosure

cc: All parties and counsel of record
NC Public Staff

A Pennsylvania Limited Liability Partnership

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3. As noted by in the Commission's Order, the Development Agreement provides in Section 17.12 that the state and federal courts of North Carolina shall have exclusive jurisdiction over the Agreement. However, a judicial authority cannot be divested of subject matter jurisdiction by contract. In addition, no party has suggested that the Commission does not have jurisdiction.

4. The Complaint in these dockets is directed against two certificated public utilities that are subject to the Commission's jurisdiction. It alleges that WLI is entitled under the Development Agreement to install a low-pressure collection system in the Lea Tract. It also alleges violations of the Public Utilities Act, including a claim that the Development Agreement is inconsistent with representations made in the Asset Purchase Agreement that is part of the Transfer Application pending in Dockets W-1300, Sub 69, and W-1305, Sub 29. In these circumstances, the Commission has subject matter jurisdiction to review the allegations in the Complaint.

5. ONSWC and Pluris hereby stipulate that they waive any objection based on Section 17. 12 of the Development Agreement.

Respectfully submitted, this the 11th day of August, 2022.

FOX ROTHSCHILD LLP

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Attorney for Pluris Hampstead, LLC

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Joint Statement on Jurisdiction, has been served on all parties and counsel of record in these dockets by either depositing same in a depository of the United States Postal Service, first-class postage prepaid and mailed by the means specified below, or by electronic delivery.

This the 11th day of August, 2022.

FOX ROTHSCHILD LLP

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