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October 28, 2022

Ms. A. Shonta Dunston
Chief Clerk
North Carolina Utilities Commission
430 N. Salisbury Street, Room 5063
Raleigh, NC 27603

Via Electronic Submittal

Re: In the Matter of
Application by Carolina Water Service, Inc. of North Carolina, 5821
Fairview Road, Suite 401, Charlotte, North Carolina 28209, for
Determination of Fair Value of Utility Assets Pursuant to N.C. Gen. Stat.
§ 62-133.1A and Establishing Rate Base for Acquisition of the Carteret
County Water System
Docket No. W-354, Sub 398
Carteret County's Petition to Intervene

Dear Ms. Dunston:

At the request of Carteret County's Counsel of Record and on behalf of Carteret County ("the County"), I herewith provide for filing in the above referenced docket, the County's Petition to Intervene.

If you should have any questions concerning this filing, please contact Claud R. Wheatly, III at e-mail: rob@wheatlylaw.com or via telephone at: 252-728-3158.

Thank you and your staff for your assistance.

Sincerely,
/s/ David T. Drooz
David T. Drooz
Attorney for
Carolina Water Service, Inc.

pbb

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada
New Jersey New York North Carolina Pennsylvania South Carolina Texas Virginia Washington

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Enclosures

cc: Parties and Counsel of Record

Jennifer Harrod – Commission Legal

William “Zeke” Creech – NC Public Staff – Legal

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Oct 28 2022

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. W-354, Sub 398

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Carolina Water)
Service, Inc. of North Carolina,)
5821 Fairview Road, Suite 401,)
Charlotte, North Carolina)
28209, for Determination of Fair)
Value of Utility Assets Pursuant)
to N.C. Gen. Stat. § 62-133.1A)
and Establishing Rate Base for)
Acquisition of the Carteret)
County Water System)

CARTERET COUNTY'S
PETITION TO INTERVENE

NOW COMES Carteret County ("County") and respectfully petitions to intervene in the above-captioned matter. In support of this Petition, the County shows as follows.

1. The authorized representative of the Petitioner is Eugene Foxworth, Assistant County Manager with Carteret County. His business address is 210 Turner Street, Beaufort, North Carolina. His email address is eugene.foxworth@carteretcountync.gov

2. Legal counsel for the County in this matter is Claud R. Wheatly, III. His business address is Wheatley Law Group, PA, 710 Cedar Street, Beaufort, North Carolina. His email address is rob@wheatlylaw.com

3. The County has entered into an Asset Purchase Agreement to sell its water system to Carolina Water Service, Inc. of North Carolina ("CWSNC").

4. On July 26, 2022, CWSNC filed an application to determine rate

base pursuant to N.C. Gen. Stat. § 62-133.1A in Docket No. W-354, Sub 398. On August 2, 2022, CWSNC filed an application for a Certificate of Public Convenience and Necessity in Docket No. W-354, Sub 399. Both of these applications pertain to the sale of the Carteret County water system to CWSNC.

5. The County has a strong interest in both these dockets and supports the applications filed by CWSNC.

6. Counsel for Petitioner assumed that the County would be a party in the instant docket. As best as counsel for Petitioner can tell, this is the first Fair Value proceeding before the Commission, the procedure is new, and counsel does not normally practice before the Commission.

7. The Commission's September 13, 2022, scheduling order in this matter provides that interventions are to be filed by October 14, 2022. It also provides in ordering paragraph 5 "That an officer or representative from both CWSNC and the County is required to appear before the Commission at the time and place of the expert witness hearings to testify concerning any of the information contained in the Applications." Furthermore, ordering paragraph 12 provides "That CWSNC and the County may file rebuttal testimony and exhibits on or before Monday, October 24, 2022." On the basis of these ordering paragraphs it appeared that the County was a party in the proceeding. The County has already prefiled rebuttal testimony in this proceeding.

8. However, email of October 27, 2022, from Commission staff indicated that the County is not a party.

9. In light of the newness of the Fair Value procedure, the discussion

of the County's role in the ordering paragraphs of the scheduling order, and the strong interest the County has in the outcome of this proceeding, the County requests that it be granted status as a party in this matter. The County further requests that the Commission excuse the lateness of this intervention Petition in the circumstances.

10. The Public Staff does not oppose this Petition to Intervene.

11. Counsel for the County has requested and consents to the filing of this Petition by counsel for CWSNC on behalf of the County as a time-saving convenience to the County. However, counsel for CWSNC is not appearing as a legal representative of the County.

WHEREFORE, the County requests that the Commission issue an order allowing the County to intervene in this docket as a party.

Respectfully submitted, this the 28th day of October, 2022.



Claud R. Wheatly, III
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Beaufort, North Carolina.
252-728-3158
rob@wheatlylaw.com
Attorney for Carteret County

Electronically Submitted by
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Carteret County's Petition to Intervene has been served on all parties or their 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 28th day of October, 2022.

/s/ David T. Drooz