

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-1263, SUB 4

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by JPC Utilities, LLC, for	)	ORDER EXCUSING WITNESSES,
Authority to Adjust and Increase Rates	)	ACCEPTING TESTIMONY,
for Water and Wastewater Utility Service	)	CANCELING EXPERT WITNESS
in its Service Areas in Guilford County,	)	HEARING, AND REQUIRING
North Carolina	)	PROPOSED ORDER

BY THE HEARING EXAMINER: On September 6, 2023, JPC Utilities, LLC (Applicant or JPC) filed an application (Application) with the Commission seeking authority to increase its rates pursuant to N.C.G.S. §§ 62-133 and 62-134 and Commission Rules R1-4, R1-5, and R1-17, along with the direct testimony and exhibits of Darlene Peedin and Philip M. Cooke. In the Application, JPC requested an increase in rates for providing water and sewer utility service in its service area in Guilford County, North Carolina. JPC provides water utility service to approximately 68 metered commercial customers and wastewater utility service to approximately 58 metered commercial customers.

On October 3, 2023, the Commission issued an Order Establishing General Rate Case and Suspending Rates, which declared this proceeding to be a general rate case and suspended the proposed new rates for up to 270 days pursuant to N.C. Gen. Stat. §§ 62-137 and 62-134, respectively.

On October 20, 2023, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) which among other things, the Commission scheduled the public witness hearing at 7:00 p.m. on Wednesday, January 17, 2024, at the Guilford County Courthouse, in Greensboro, North Carolina. The Scheduling Order provided that the public witness hearing can be cancelled if no significant protests were received on or before January 3, 2024. The Scheduling Order also scheduled an expert witness hearing at 10:00 a.m. on March 5, 2024, for the purpose of receiving expert witness testimony from JPC, the Public Staff, and any other party of record.

On January 4, 2024, the Public Staff filed a motion to cancel the public witness hearing scheduled for January 17, 2024, in Greensboro, North Carolina. In its motion, the Public Staff stated that no significant protest had been received.

On January 5, 2024, the Commission issued an Order Canceling Public Witness Hearing, Rescheduling Expert Witness Hearing, Amending Certain Filing Dates, and

Requiring Customer Notice. That Order rescheduled the expert witness hearing to 10:00 a.m., on March 13, 2024.

On January 17, 2024, Public Staff filed a letter with the Commission stating that on January 12, 2024, the Public Staff received a letter from Clancy Laizure, a commercial customer of the Applicant, and an accompanying petition appearing to have been signed by 35 other individuals. The Public Staff commented that based on the postmark, it appears that the letter was received prior to the January 3rd deadline for receipt of protest statements. The Public Staff recommended that a remote public witness hearing be held.

On January 31, 2024, the Public Staff filed the direct testimony and exhibit of Lindsay Q. Darden, Public Utilities Engineer; Water, Sewer, and Telephone Division; the direct testimony and exhibit of David Lentz, Public Utilities Regulatory Analyst, Accounting Division; and the affidavit of Gregory J. Reger, Public Utilities Regulatory Analyst, Economic Research Division.

On February 7, 2024, the Commission issued an Order Scheduling Remote Public Witness Hearing, and Requiring Customer Notice, which scheduled a remote public hearing beginning at 7:00 p.m., on Wednesday, February 28, 2024. That hearing was held as scheduled.

On February 9, 2024, JPC filed the certificate of service verifying that all affected customers had been served with the required notice as ordered by the Commission.

On February 26, 2024, JPC filed the rebuttal testimony and exhibit of Darlene Peedin, Principal Consultant with Peedin & Perry, LLC.

On March 6, 2024, JPC filed a witness list for expert hearing as required by the Commission's January 5, 2024 order.

On March 12, 2024, Public Staff filed a joint motion requesting that the Commission to excuse witnesses from appearing at the expert hearing; to admit into evidence without objection all pre-filed testimony, exhibits, and affidavit, the Application, the Settlement Agreement and Stipulation; to waive each party's right to cross examine any witnesses; and to allow 60 days to file schedules and a joint proposed order. In support of this motion, the Public Staff states that JPC and the Public Staff (together, the Stipulating Parties) filed a settlement agreement and stipulation (Stipulation) that resolves all issues between the Public Staff and JPC, and the joint settlement testimony of Public Staff witness Lentz and Darden. There are no intervenors in this proceeding.

Pursuant to the Stipulation, the Stipulating Parties agree that all pre-filed testimony and exhibits of the Stipulating Parties may be received in evidence without objection, along with the verified Application and the settlement agreement and stipulation, and the joint settlement testimony and that each Stipulating Party waives the right to cross examine any witnesses, but reserves the right to examine witnesses as follow-up to any questions from the Commission.

Based upon the foregoing, the Hearing Examiner finds good cause to excuse the Applicant and all Public Staff witnesses from testifying at the expert witness hearing and to receive into the record the pre-filed testimony, affidavit, and exhibits of these witnesses along with the Application, the Stipulation, and the Joint Settlement Testimony. Further, the Hearing Examiner finds good cause to cancel the expert witness hearing. Finally, the Hearing Examiner requires that the Stipulating Parties file a joint proposed order in this proceeding and final exhibits and schedules that support the stipulated revenue requirements and rates on or before Friday, May 10, 2024.

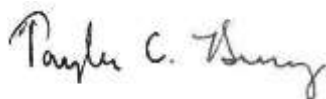
IT IS, THEREFORE, ORDERED as follows:

1. That the Applicant and the expert witnesses in this matter are excused from testifying at the hearing on Wednesday, March 13, 2024, and all witnesses' pre-filed testimony, exhibits, and affidavits as well as the Application, the jointly filed Settlement Agreement and Stipulation, and the Joint Settlement Testimony are hereby admitted into evidence;
2. That the expert witness hearing previously scheduled at 10:00 a.m., on Wednesday, March 13, 2024, in Raleigh, North Carolina is hereby canceled;
3. That the Stipulating Parties shall work together and file with the Commission a joint proposed order, a proposed customer notice, and final exhibits and schedules that support the stipulated revenue requirements and rates on or before Friday, May 10, 2024.

ISSUED BY ORDER OF THE COMMISSION.

This the 13th day of March, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Taylor C. Berry". The signature is written in a cursive, flowing style.

Taylor C. Berry, Deputy Clerk