

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-938, SUB 6
DOCKET NO. W-1328, SUB 8

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Joint Application by Red Bird Utility)
Operating Company, LLC, and Baytree)
Waterfront Properties, Inc. for Transfer of)
Public Utility Franchise and for Approval)
of Rates)
)
)

JOINT PROPOSED ORDER
APPROVING STIPULATION,
APPROVING BOND,
APPROVING TRANSFER AND
RATES, AND REQUIRING
CUSTOMER NOTICE

BEFORE: Commissioner Floyd B. McKissick Jr., Presiding, Commissioner
Kimberly W. Duffley, and Commissioner Karen M. Kemerait

APPEARANCES:

For Red Bird Utility Operating Company, LLC:

Daniel C. Higgins, Burns, Day & Presnell, P.A., PO Box 10867,
Raleigh, NC 27605

For the Using and Consuming Public:

Gina Holt, James Bernier, Jr., and Davia Newell, Public Staff - North
Carolina Utilities Commission, 4326 Mail Service Center, Raleigh,
North Carolina 27699-4300

BY THE COMMISSION: On October 9, 2020, Red Bird Utility Operating Company, LLC d/b/a Red Bird Water (Red Bird), and Baytree Waterfront Properties, Inc. (Baytree), filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates (Application) seeking authority to transfer the wastewater utility system and public utility franchise serving the Windemere Pointe Subdivision (Windemere) in Montgomery County, North Carolina, from Baytree to Red Bird and approval of rates. Red Bird filed with the Commission supplemental

and additional materials in support of the Application on October 21, 2020, June 2, 2021, December 12, 2022, and August 2, 2023.

Subsequent to the filing of Red Bird's Application in this docket, the Public Staff engaged in substantial discovery of Red Bird regarding the matters addressed by the Company's Application and the supplemental and additional materials filed by Red Bird in support of the Application.

On September 13, 2023, the Commission issued its Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) setting this matter for a public witness hearing on October 18, 2023, and an expert witness hearing on November 6, 2023. The Notice to Customers attached to the Scheduling Order as Appendix A stated that the public witness hearing was subject to cancellation if no significant customer protests were received by October 11, 2023.

On September 25, the Commission issued its Order Granting Red Bird's Motion and Approving Customer Notice. Pursuant to that Order, on September 29, 2023, Red Bird filed a Certificate of Service stating that the Notice to Customers was mailed or hand delivered to all affected customers by the date specified in the September 25 Order.

On October 9, 2023, Red Bird filed the direct testimony of Josiah Cox, President of Red Bird and CSWR, LLC (CSWR), a Missouri limited liability company formed to provide managerial, technical, and financial support to its utility operating affiliates, including Red Bird. The Cox direct testimony included four exhibits: an updated listing of CSWR senior management; a letter from the

Missouri Department of Natural Resources, a letter from the Mississippi State Department of Health, and a schedule showing the due diligences expenses Red Bird contends it incurred as of the date the Cox direct testimony was filed.

On October 10, 2023, Public Staff filed a Motion to Revise Order Scheduling Hearings and Discovery.

On October 11, 2023, the Commission issued its Order Amending Discovery Guidelines, Filing Dates for Prefiled Testimony and Witness List, And Requiring Report.

On October 12, 2023, Public Staff filed a Motion to Cancel Public Witness Hearing, which was allowed by Commission Order issued October 13, 2023.

On October 23, 2023, the Public Staff filed the testimony of D. Michael Franklin, Public Utilities Engineer with the Public Staff's Water, Sewer, and Telephone Division, the testimony and exhibits of Hemanth Meda, Public Utilities Regulatory Analyst with the Public Staff's Accounting Division, and the testimony and exhibit of John R. Hinton, Director of the Public Staff's Economic Research Division.

On October 30, 2023, Red Bird filed the rebuttal testimony of Josiah Cox and the rebuttal testimony of Caitlin O'Reilly, Regulatory Accounting Manager for CSWR.

On November 1, 2023, Red Bird filed the Witness List and Estimated Cross-Examination Times.

On November 3, 2023, Red Bird filed its Motion for Leave to File Corrected Rebuttal Testimony and Request that Expert Witness Hearing be Rescheduled.

On November 6, 2023, the Commission issued its Order Granting Leave to File Corrected Rebuttal Testimony and Rescheduling Expert Witness Hearing.

On November 6, 2023, Red Bird filed the revised rebuttal testimony of Josiah Cox, including Cox Revised Rebuttal Exhibit 2.

On November 8, 2023, at the expert witness hearing, the Commission rescheduled the expert witness hearing to begin on December 13, 2023, and continue to December 14, 2023.

On December 6, 2023, Red Bird and the Public Staff (collectively, the Stipulating Parties) filed a Settlement Agreement and Stipulation (Stipulation) setting forth their agreement on settlement.

On December 7, 2023, the Public Staff filed the joint settlement testimony and exhibit of Public Staff witnesses Franklin and Meda.

On December 7, 2023, Red Bird filed the settlement testimony of Red Bird witness Cox.

On December 7, 2023, Red Bird and the Public Staff filed their Joint Motion of Red Bird and Public Staff to Excuse Witnesses from Appearance At Hearing.

On December 8, 2023, the Commission issued its Order Excusing Witnesses, Accepting Testimony, Canceling Expert Witness Hearing, and Requiring Proposed Orders.

Based upon the foregoing, including the Application, the testimony, exhibits, and affidavits of the expert witnesses received into evidence, the Stipulation, prior

dockets regarding Baytree, and the entire record in this proceeding, the Commission makes the following:

FINDINGS OF FACT

1. Red Bird presently holds four utility franchises in North Carolina. On December 8, 2021, in Docket No. W-1328, Sub 7, the Commission issued an order granting Red Bird a wastewater utility franchise for the Ocean Terrace and Pine Knoll Townes I, II, and III townhome communities in Carteret County, North Carolina. On February 7, 2023, in Docket Nos. W-1328, Sub 4, and W-1040, Sub 10, the Commission issued an Order approving the transfer of the Bear Den Acres Development water system and issuing a franchise to Red Bird for that system. On August 29, 2023, in Docket Nos. W-1328, Sub 9, and W-992, Sub 8 the Commission issued an order approving the transfer of the Crosby Utilities, Inc. systems and issuing a franchise to Red Bird for those systems. On December 14, 2023, in Docket Nos. W-1328, Sub 10, and W-1146, Sub 13 the Commission issued its Recommended Order Approving Stipulation, Approving Transfer and Rates, Granting Franchise, Approving Bond, and Requiring Customer Notice. On December 22, 2023, the Commission issued its Order Allowing Recommended Order to Become Effective and Final, by which it approved the transfer of the Total Environmental Solutions, Inc. (TESI) systems and issued a franchise to Red Bird for those systems.

Red Bird has other transfer and franchise applications pending before the Commission. In addition to the four systems for which Red Bird has been granted franchises in North Carolina, Red Bird's indirect corporate parent, CSWR, through

separate state affiliates, has acquired and currently operates more than 800 water or wastewater utility systems in Missouri, Arkansas, Kentucky, Louisiana, Texas, Tennessee, Mississippi, Arizona, Florida, and South Carolina, providing utility service to more than 219,000 wastewater customers and over 145,000 water customers.

2. Baytree's service area is the Windermere Point residential development, located in Montgomery County, where Baytree provides sewer service to approximately 26 residential customers.

3. Red Bird seeks Commission approval to acquire Baytree's sewer utility system. Baytree was issued a Certificate of Public Convenience and Necessity to provide water and sewer utility service to the Windemere Pointe subdivision in Docket W-938, Sub 0. On March 9, 2001, the Commission approved Baytree's transfer of its water system to Montgomery County, an owner exempt from regulation, in Docket W-938, Sub 2.

4. Baytree's wastewater system is regulated and permitted by the Montgomery County Environmental Health Office. The Baytree wastewater system was constructed and placed in service in the late 1980's and consists of a 13,000 gallon per day treatment and disposal system.

5. A Red Bird affiliate, Central States Water Resources, Inc. (Central States), entered into an Agreement for Sale of Utility System with Baytree dated February 20, 2020 (Purchase Agreement). According to the Purchase Agreement, the closing of the sale will occur after regulatory approval is obtained. Central States subsequently assigned the Purchase Agreement to its affiliate, Red Bird.

The unredacted Purchase Agreement is a confidential attachment to the Application.

6. Upon acquisition of the Baytree system, Red Bird plans to make capital improvements. At this point, based on its consulting engineer's 2021 projections, Red Bird estimates that the cost of necessary improvements to the Baytree sewer system will be approximately \$155,800.

7. Baytree's presently approved monthly rates, which Red Bird proposes to adopt and are uncontested by the Public Staff, are as follows:

Wastewater Service Rates and Fees:

	<u>Present</u>	<u>Proposed</u>
Monthly Flat Rate	\$34.69	\$34.69
Annual Availability Rate	\$139.90	\$139.90
Connection Charge	\$2,250	\$2,250
Reconnection Charge (if wastewater utility service is cut off by utility)	\$46.64	\$46.82
Monthly Finance Charge for Late Payment for Bills Past Due 25 Days	1%	1%

8. As supplemented, Red Bird has filed all required exhibits with its Application.

9. Red Bird is a North Carolina limited liability company in good standing. Red Bird is a wholly-owned subsidiary of its sole member, Red Bird Utility Holding Company, LLC (RBUH), which is also a North Carolina limited liability company in good standing. RBUH is a wholly-owned subsidiary of its sole member, North Carolina Central States Water Resources, LLC, which is also a North Carolina limited liability company in good standing and a wholly-owned subsidiary of CSWR. U.S.

Water Systems, LLC (U.S. Water), is a Delaware limited liability company and the sole owner/member of CSWR. U.S. Water was formed by independent investment firm Sciens Capital Management, LLC, to oversee water sector investments using investor dollars held by Sciens Water Opportunities Fund.

10. The Stipulation filed by the Stipulating Parties in these dockets resolves all contested issues related to the transfer of the system to Red Bird. The terms of the Stipulation are as follows:

- A. The transfer of the Baytree system to Red Bird should be approved.
- B. Prior to closing and pursuant to future order by the Commission, Red Bird shall post a bond in the amount of \$35,000 in a form acceptable to the Commission for the Baytree system.
- C. At closing, Red Bird will adopt the tariffs and rates currently in effect for Baytree's wastewater customers.
- D. Red Bird will adopt at closing Baytree's accounting records, provide the detailed accounting records received from Baytree to the Public Staff, and will not adjust or make changes to those records without Commission approval.
- E. The Stipulating Parties agree that the net book value of the Baytree assets Red Bird is acquiring is \$10,653 as calculated in Public Staff Settlement Exhibit 1. This amount is based on plant additions through December 31, 2023, as provided by the Company, and includes depreciation and amortization calculated through December 31, 2023.
- F. Red Bird may request recovery of the following costs associated with the transfer of the Baytree system to Red Bird:

- (i) Up to \$24,574 for engineering due diligence work listed in Cox Exhibit 4 in the next general rate case relating to the Baytree wastewater system, provided that the work results in reasonable and prudent capital investments to improve the wastewater system.
- (ii) Up to \$13,500 for legal costs related to the acquisition of the Baytree system in the next general rate case relating to the Baytree wastewater system.

G. Red Bird agrees not to pursue rate recovery of any additional costs associated with the transfer, including due diligence, transactional, and regulatory costs, other than those listed in Paragraphs 10.F. (i) and (ii) above and further detailed in Public Staff Settlement Exhibit 2.

H. Red Bird agrees not to pursue an acquisition adjustment related to the Baytree system in this or any future proceeding.

I. Consistent with the Settlement Agreement and Stipulation in Docket No. W-1328, Sub 10, annually until a Commission order is issued modifying this requirement, Red Bird and key leadership from CSWR will meet with the Public Staff and provide an update detailing all changes in Red Bird's facilities and operations since the last annual update and discuss the Company's financial condition.

11. The Stipulation is the product of give-and-take in settlement negotiations between the Public Staff and Red Bird, is material evidence in this proceeding, and is entitled to be given appropriate weight in this case, along with other evidence from the Company and the Public Staff.

12. Red Bird has the technical, managerial, and financial capacity to own and operate the Baytree wastewater system.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 1

This finding is based on the Commission's records in Docket No. W-1328, Sub 7 and in the Commission's Order Accepting and Approving Bond, Granting Franchise, Approving Rates, and Requiring Customer Notice issued in that docket. This finding is also based on the Commission's records in Docket Nos. W-1328, Sub 4, and W-1040, Sub 10, and the Order Approving Stipulation, Approving Bond, Approving Transfer and Rates, and Requiring Customer Notice as to the transfer of the Bear Den Acres Development system to Red Bird. This finding is also based on the Commission's records in Docket Nos. W-1328, Sub 9, and W-992, Sub 8, and the Order Approving Stipulation, Approving Bond, Approving Transfer and Rates, and Requiring Customer Notice as to the transfer of the Crosby Utilities, Inc., systems to Red Bird. This finding is also based on the Commission's records in Docket Nos. W-1328, Sub 10, and W-1146, Sub 13, and the Recommended Order Approving Stipulation, Approving Transfer and Rates, Granting Franchise, Approving Bond, and Requiring Customer Notice, which was made final by the Order Allowing Recommended Order to Become Effective and Final issued on December 22, 2023.

This finding is also based on the direct testimony of Red Bird witness Cox that CSWR's operating subsidiaries have acquired and operate over 800 water and/or wastewater utility systems in Missouri, Arkansas, Kentucky, Louisiana, Texas, Tennessee, Mississippi, North Carolina, and Arizona, Florida, South

Carolina and, at this time, the systems addressed in Docket Nos. W-1328, Sub 7; W-1328, Sub 4; W-1328, Sub 9; and W-1328, Sub 10. (Cox Direct pp. 4, 8).

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 2

This finding is based on the Commission's records in these dockets and the testimony of Red Bird witness Cox and Public Staff witness Franklin. (Cox Direct pp. 4, 19-21; Franklin p. 3).

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 3

This finding is based on the Application in these dockets and the Commission's records in Dockets W-938, Sub 0 and Sub 2, and is uncontested.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 4

This finding is based on the testimony of Public Staff witness Franklin and the Commission's records in these and other dockets relating to Baytree. (Franklin pp. 3, 5).

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 5

This finding is based on filings in these dockets, including the Agreement for Sale of Utility System with Baytree dated February 20, 2020, and the Assignment of Contract Rights document dated October 19, 2020, whereby Central States Water Resources, Inc. assigned its rights under the Agreement for Sale of Utility System to Red Bird as the buyer.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 6

The evidence for this finding is found in the Application and supplemental supporting materials filed by Red Bird as well as the direct testimony of Red Bird witness Cox, the testimony of Public Staff witness Franklin, and the rebuttal

testimony and revised rebuttal testimony of Red Bird witness Cox. Witness Cox testified regarding the deficiencies and need for improvements in the Baytree system identified by McGill Associates, Red Bird's North Carolina consulting engineers. Witness Cox further testified that in order to address operational and/or compliance issues in Baytree's wastewater treatment system, in September 2020 McGill recommended that the following initial work be done on that system:

For the treatment plant

- Demolish the Control Building
- Purchase and Install Hoist for Pump Station
- Pump Valve Vault Improvements
- Replace Hatches for Pump Station and Valve Vault
- Pump Interconnection
- Install Chain Line Security Fencing and Gate
- Install New Flow Monitoring
- Install New Pump Control Panels on Outdoor Rack with Cover
- Install New 20HP Dosing Pumps
- Install New Stainless Steel Piping

(Cox Direct pp. 20-22).

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 7

As reflected in the Application, the direct testimony of Red Bird witness Cox, and the testimony of Public Staff witness Franklin, Red Bird proposes to adopt Baytree's existing rates and is not seeking a rate increase in connection with the request for approval of the transfer of the Baytree system. (Cox Direct p. 26; Cox Revised Rebuttal pp. 10, 17; Franklin p. 6). Therefore, this finding is based on the Application and the Commission's records in prior Baytree dockets.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 8

This finding is procedural, is uncontested, and is based on the record in these dockets and is reflected in the Commission's Notice of Complete Application issued July 31, 2023, in these dockets.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 9

This finding is based on the direct testimony of Red Bird witness Cox and Cox Supplemental Exhibit 1. (Cox Direct pp. 5-6). It is also based on the supplemental filings made by Red Bird in these dockets on December 12, 2022, consisting of Certificates of Good Standing from the North Carolina Secretary of State as to Red Bird; as to its sole member, Red Bird Utility Holding Company, LLC; and as to that entity's sole member, North Carolina Central States Water Resources, LLC.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NOS. 10 AND 11

These findings are based on the Stipulation entered into by the Stipulating Parties and filed with the Commission on December 6, 2023, in these dockets. These findings are also based on the joint settlement testimony filed by Public Staff witnesses Franklin and Meda and the settlement testimony filed by Red Bird witness Cox on December 7, 2023.

Based upon the entire record herein, the Commission finds that the Joint Stipulation represents a negotiated settlement of all issues in this proceeding and that the provisions agreed to by the Stipulating Parties are reasonable and appropriate for the purpose of this proceeding. In making this finding, the Commission gives substantial weight to the testimony of Public Staff witness

Franklin and Red Bird witness Cox, and recognizes that the Stipulation is a product of arm's length negotiations, involving give and take, and notes that as part of the Stipulating Parties' agreement, Red Bird agrees not to seek recovery of any additional costs associated with the transfer, including due diligence, transactional, and regulatory costs, other than those listed in Paragraphs II.G. (i), (ii), and (iii) of the Stipulation.

The Commission finds that, based on the record as a whole, the terms of the Stipulation are just and reasonable to both Red Bird and its future customers on the Baytree system. In addition, the Commission finds that the provisions of the Stipulation are just and reasonable to all parties to this proceeding and serve the public interest, and that it is appropriate to approve the Stipulation in its entirety.

EVIDENCE AND CONCLUSIONS FOR FINDING OF FACT NO. 12

The evidence supporting this finding of fact is found in Red Bird's Application, Red Bird's supplemental filings, the testimonies of Red Bird witness Cox and Thomas, and Public Staff witness Franklin, the Stipulation, and the entire record in this proceeding.

Public Staff witness Franklin testified that "Red Bird has the technical and managerial capabilities necessary to provide public utility service to the Baytree wastewater system," and recommended that the Commission approve the transfer of the Baytree system to Red Bird. (Franklin p. 7). This finding is also supported by the testimony of Public Staff witness Hinton that Red Bird has "the financial capacity to acquire, own, and operate the Baytree system. (Hinton p. 3).

The Stipulation also reflects the Public Staff's agreement that Red Bird has the technical, managerial, and financial capacity to provide water utility service in the Baytree service area. The Commission has previously made that finding as to Red Bird in the Order granting Red Bird a wastewater utility franchise for the Ocean Terrace and Pine Knoll Townes I, II, and III townhome communities in Carteret County, North Carolina in Docket No. W-1328, Sub 7; in the Order approving the transfer of the Bear Den Acres Development water system and issuing a franchise to Red Bird for that system in Docket Nos. W-1328, Sub 4, and W-1040, Sub 10; and in the Order approving the transfer of the Crosby Utilities, Inc. systems and issuing a franchise to Red Bird for those systems in Docket Nos. W-1328, Sub 10, and W-1146, Sub 13.

As established by the testimony of Red Bird witness Cox, affiliates of Central States have acquired and currently operate over 800 water and/or wastewater utility systems in ten other states and currently provide service to approximately 219,000 wastewater customers and over 145,000 water customers. *Id.* at 25. There is adequate and sufficient evidence that Red Bird has the technical, managerial, and financial capacity to run and operate the Baytree system.

CONCLUSIONS

Based on all of the evidence in the record, the provisions of the Stipulation are just and reasonable to the Baytree customers and to all parties to this proceeding and serve the public interest. Therefore, the Stipulation should be approved in its entirety.

The Commission therefore approves the Stipulation; concludes that Red Bird's adoption of Baytree's existing rates should be approved; that a \$35,000 bond shall be posted by Red Bird for the Baytree service area prior to closing; that Red Bird should provide written notification to the Commission within 30 days from the date of this Order that closing of the sale of the Baytree utility system has been completed along with the bond; that upon receipt of such written notification and bond, Red Bird should be granted a Certificate of Public Convenience and Necessity to provide water and sewer utility service to the Baytree service area; and that Red Bird should provide notice to customers that the franchise has been granted and of the approved rates.

IT IS, THEREFORE, ORDERED as follows:

1. That Baytree is authorized to transfer its wastewater system serving Windemere Pointe in Montgomery County, North Carolina, to Red Bird;
2. That the Stipulation between the Public Staff and Red Bird is hereby approved in its entirety;
3. That Red Bird shall comply with all terms of the Stipulation filed in this docket;
4. That rate base for the Baytree system assets shall be \$10,653 as of December 31, 2023. Red Bird may request recovery of the following costs associated with the transfer of the Baytree system to Red Bird:
 - (i) Up to \$24,574 for engineering due diligence work listed in Cox Exhibit 4 in the next general rate case relating to the Baytree wastewater system,

provided that the work results in reasonable and prudent capital investments to improve the wastewater system.

- (ii) Up to \$13,500 for legal costs related to the acquisition of the Baytree system in the next general rate case relating to the Windemere Pointe sewer system.

Any portion of the engineering due diligence amount associated with reasonable and prudent improvements and the legal costs described above should be included as utility plant in service in the Company's next general rate case filed after the improvements become used and useful in providing service. Red Bird shall not seek recovery of any additional costs associated with the transfer, including due diligence, transactional, and regulatory costs, other than those listed above.

5. That prior to closing, Red Bird shall post a \$35,000 bond and commercial surety in a form acceptable to the Commission and in compliance with N.C.G.S. § 62-110.3 and that Red Bird shall file a copy of the same within 30 days from the date of this Order;

6. That Baytree's surety bond held by the Commission shall be released to Baytree upon receipt of written notification to the Commission that closing of the transfer of the Baytree system has been completed;

7. That Red Bird is granted a CPCN to provide wastewater utility service to the Baytree service area consisting of the Windemere Pointe Subdivision in Montgomery County, North Carolina, effective upon the closing of the sale of the Baytree sewer utility system assets to Red Bird. Appendix A, attached hereto, constitutes the Certificate of Public Convenience and Necessity;

8. That the CPCN granted to Baytree in Docket No. W-938, Sub 0 is cancelled effective on the date Red Bird files with the Commission written notification that closing of the transfer of the wastewater utility system has been completed;

9. That the Schedule of Rates, attached hereto as Appendix B, is hereby approved and deemed filed with the Commission pursuant to N.C.G.S. § 62-138. This Schedule of Rates shall become effective upon the closing of the sale of the Baytree sewer utility system assets to Red Bird;

10. That Red Bird shall provide notification to the Commission within 30 days from the date of this Order that closing of the sale of the sewer utility system serving the Baytree service area has been completed;

11. That within 30 days from the closing of the sale of the Baytree sewer utility system, Red Bird shall file in these dockets the warranty deed showing Red Bird's ownership of the required easements and all interests in land it has obtained in connection with the operation and maintenance of the Baytree sewer utility system; and

12. That a copy of this Order and Appendix B shall be mailed with sufficient postage or hand delivered by Red Bird to Baytree customers no later than seven days after the closing of the sale of the sewer utility system serving Windemere Pointe has been completed, and that Red Bird shall submit to the Commission the attached Certificate of Service properly signed and notarized not later than 15 days after the mailing or hand delivery of the Order and Appendix B.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

APPENDIX A

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1328, SUB 8

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

RED BIRD UTILITY OPERATING COMPANY, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

to

WINDEMERE POINTE SUBDIVISION

Montgomery County, North Carolina

subject to any orders, rules, regulations
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

SCHEDULE OF RATES
for
RED BIRD UTILITY OPERATING COMPANY, LLC
for providing sewer utility service
to
WINDEMERE POINTE SUBDIVISION
Montgomery County, North Carolina

<u>Monthly Wastewater Flat Rate:</u>	\$ 34.69
<u>Annual Availability Rate:</u>	\$ 139.90
<u>Connection Charge:</u>	\$2,250.00
<u>Reconnection Charge:</u>	

If wastewater utility service is cut off by utility: \$46.82

<u>Bills Due:</u>	On billing date
<u>Bills Past Due:</u>	15 days after billing date
<u>Billing Frequency:</u>	Shall be monthly for service in arrears
<u>Finance Charge for Late Payment:</u>	1% per month will be applied to the unpaid balance of all bills still past due 25 days after the billing date.

Issued in Accordance with Authority Granted by the North Carolina Utilities Commission in Docket No.W-1328, Sub 8, on this the __ day of _____, 2024.

CERTIFICATE OF SERVICE

I, _____, mailed with sufficient postage or hand delivered to all affected customers copies of the attached Order and Appendix B as issued by the North Carolina Utilities Commission in Docket Nos. W-938, Sub 6, and W-1328, Sub 8, and the said Order and Appendix B were mailed or hand delivered by the date specified in the Order.

This the ____ day of _____, 2024.

By:

Signature

Name of Utility Company

The above named Applicant, _____, personally appeared before me this day and, being first duly sworn, says that the required Notice to Customers was mailed or hand delivered to all affected customers, as required by the Commission Order dated _____ in Docket Nos. W-938, Sub 6, and W-1328, Sub 8.

Witness my hand and notarial seal, this the ____ day of _____, 2024.

Notary Public

Address

(SEAL)

My Commission Expires:

Date