

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-354, SUB 411  
DOCKET NO. W-1148, SUB 22

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	
Application by Carolina Water Service, Inc. of	)	
North Carolina, 5821 Fairview Road, Suite 401,	)	ORDER GRANTING
Charlotte, North Carolina 28209 and Mountain	)	EXTENSION OF TIME TO FILE
Air Utilities Corporation, Post Office Box 1090,	)	REBUTTAL TESTIMONY
Burnsville, North Carolina 28714, for Authority	)	NUNC PRO TUNC AND
to Transfer the Mountain Air Water and	)	EXTENDING DISCOVERY
Wastewater Utility Systems and Public Utility	)	DEADLINES
Franchise in Yancey County, North Carolina,	)	
and for Approval of Rates	)	

BY THE PRESIDING COMMISSIONER: On September 26, 2022, Carolina Water Service, Inc. of North Carolina (CWSNC), and Mountain Air Utilities Corporation (Mountain Air), filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates (Application) seeking authority to transfer the water and wastewater utility systems and public utility franchise serving the Mountain Air Development in Yancey County, North Carolina, from Mountain Air to CWSNC and approval of rates.

On June 5, 2023, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) requiring, among other things, that CWSNC shall file its rebuttal testimony, if any, on or before July 26, 2023; that formal discovery requests related to prefiled rebuttal testimony shall be served no later than two calendar days after the filing of such testimony; and that the party served shall have up to three calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than three business days after the filing of such rebuttal testimony.

On July 26, 2023, CWSNC filed the rebuttal testimony of Matthew P. Schellinger II and requested an extension of time to file the rebuttal testimony of Donald H. Denton III to Friday, July 28, 2023. In support of its motion, CWSNC states that due to the complexities of the issues in this transfer docket and the press of other utility matters pending before the Commission which involve counsel for CWSNC, CWSNC needs additional time to prepare the Denton rebuttal testimony. Further, counsel for Mountain Air has requested that CWSNC include as part of its request a similar request for an extension of time for it to file rebuttal testimony in response to the Public Staff's testimony.

Additionally, CWSNC states that it has reached an agreement with the Public Staff regarding the Denton rebuttal testimony that, should it be granted an extension to July 28, 2023, to file the Denton rebuttal testimony, discovery requests regarding the Denton rebuttal testimony shall be filed with the Commission by Tuesday, August 1, 2023, and that objections to that discovery shall be filed with the Commission by Thursday, August 3, 2023.

CWSNC states that the Public Staff and Intervenor Mountain Air Property Owners, Inc., do not oppose this request and that Co-Applicant Mountain Air supports this request.

Based on the foregoing and the entire record herein, the Presiding Commissioner finds good cause to grant CWSNC's and Co-Applicant Mountain Air's motions for extensions of time, nunc pro tunc, for filing rebuttal testimony to July 28, 2023, and to grant CWSNC's request that discovery requests regarding the Denton rebuttal testimony be filed with the Commission by Tuesday, August 1, 2023, and that objections to that discovery shall be filed with the Commission by Thursday, August 3, 2023.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 27th day of July, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Tamika D. Conyers". The signature is written in black ink and is positioned above the printed name of the signatory.

Tamika D. Conyers, Deputy Clerk