STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. W-1318, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application by HH Water, LLC,
for Authority to Adjust and Increase
Rates for Water Utility Service in High
Hampton Service Areas in Jackson County,
North Carolina

JOINT MOTION TO EXCUSE WITNESSES, WAIVE CROSS-EXAMINATION, AND ADMIT TESTIMONY

NOW COME THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and HH Water, LLC (Applicant or HH Water), through its attorney, (collectively, the Parties or Stipulating Parties) and respectfully move the North Carolina Utilities Commission (Commission) pursuant to Rule R1-5, to excuse all witnesses from appearing at the July 11, 2024 evidentiary hearing, and to admit the verified application and amended application of HH Water, the parties' pre-filed direct testimony, rebuttal testimony, supplemental testimony, exhibits, and Settlement Agreement and Stipulation exhibit into evidence in the above-captioned docket. In support of this motion, Parties show the following:

A. On January 26, 2024, HH Water filed an application with the Commission seeking authority to increase its rates for providing water utility service in the High Hampton service area in Jackson County, North Carolina, and on February 2, 2024, the Applicant filed an amended application (collectively,

- the Application). The Applicant provides water utility service to 304 customers (302 residential customers and two commercial customers).
- B. On February 19, 2024, the Commission declared the proceeding to be a general rate case and suspended rates for up to 270 days.
- C. On April 11, 2024, the Commission issued an Order Scheduling Hearings, Establishing Procedural and Filing Requirements, and Requiring Customer Notice, and on April 22, 2024, the Commission issued an Order Rescheduling Public Witness Hearing, Revising Dates for Filing Reports, and Requiring Customer Notice (collectively, the Scheduling Order). The Scheduling Order required the Company to file its direct testimony and exhibits on or before May 10, 2024, Public Staff and intervenors to file direct testimony and exhibits on or before June 7, 2024, and the Company to file its rebuttal testimony and exhibits, if any, by June 25, 2024.
- D. A Public Witness Hearing was held on June 4, 2024, at the Jackson County Courthouse, 401 Grindstaff Cove Road, Sylva, North Carolina 28779. Two customers testified at the hearing.
- E. The Applicant did not pre-file direct testimony or exhibits.
- F. On June 7, 2024, the Public Staff filed the Direct Testimony and Exhibit of Shashi M. Bhatta, Utilities Engineer; Water, Sewer, and Telephone Division; the Direct Joint Testimony and Exhibit of Darrus K. Cofield and Michelle Boswell, Public Utilities Regulatory Analyst, Accounting Division, and

Director of the Accounting Division of the Public Staff, respectively; and the Affidavit of Patrick A. Fahey, Public Utilities Regulatory Analyst, Economic Research Division.

- G. On June 18, 2024, the Applicant filed its Verified Report on Customer Complaints. On July 1, 2024, the Public Staff filed its Verified Response of the Public Staff to Verified Reports on Customer Complaints.
- H. On June 25, 2024, the Applicant filed the Joint Rebuttal Testimony of Peedin & Perry Consulting LLC, and Owen Schultz.
- The Applicant and the Public Staff (Stipulating Parties) participated in settlement discussions following the Public Staff's investigation of the Company's Application and the filing of the Company's rebuttal testimony.
- J. On July 10, 2024, the Stipulating Parties notified the Commission that they had agreed in principle to a settlement and filed their Settlement Agreement and Stipulation (Stipulation) resolving all issues between them.
- K. On or before Friday, July 12, 2024, the Public Staff intends to file the Joint Settlement Testimony of Shashi M. Bhatta, Darrus K. Cofield, and Michelle Boswell in support of the Stipulation (Joint Settlement Testimony).
- L. Pursuant to the Stipulation, the Stipulating Parties agreed 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 Stipulation, and the Joint Settlement Testimony, when filed, and that each

Stipulating Party waives all right to cross-examine any witnesses but reserves the right to examine witnesses as follow-up to any questions from the Commission or non-stipulating parties.

- M. The Public Staff has consulted with counsel for the Applicant, and the Parties seek excusal of witnesses from appearance at the scheduled evidentiary hearing of this matter.
- N. The Parties therefore respectfully move that HH Water witnesses Peedin & Perry Consulting LLC, and Owen Schultz; and Public Staff witnesses Bhatta, Cofield, Boswell, and Fahey be excused from attending the evidentiary hearing in this docket.
- O. The Parties further move that all pre-filed testimony of witnesses Peedin & Perry Consulting LLC, and Owen Schultz; and Public Staff witnesses Bhatta, Cofield, Boswell, and Fahey be entered into the record as if given orally from the stand, and that all the exhibits of these witnesses be admitted into evidence.
- P. The Parties further move that the verified Application, along with the supplemental and additional materials filed in support of the Application, and the Stipulation filed in this docket be admitted into evidence.
- Q. The Public Staff and HH Water further request that the evidentiary hearing scheduled for Thursday July 11, 2024 be cancelled.
 - Respectfully submitted, this the 10th day of July, 2024.

PUBLIC STAFF Christopher J. Ayers Executive Director

Lucy E. Edmondson Chief Counsel

Electronically submitted /s/ James Bernier, Jr.

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Edward S. Finley, Jr., PLLC

Electronically submitted /s/ Edward S. Finley, Jr.

2024 White Oak Rd. Raleigh, NC 27608 919-418-4516 Counsel for HH Water, LLC

CERTIFICATE OF SERVICE

I certify that I have this day served a copy of the foregoing Motion upon each of the parties of record in this proceeding or the attorney of record of such party, or both, in accordance with Commission Rule R1-39, by United States mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 10th day of July, 2024.

Electronically submitted /s/ James Bernier, Jr.