

**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 and Mountain Air Utilities	)	
Corporation, for Authority to Transfer the	)	ORDER CANCELING PUBLIC
Mountain Air Water and Wastewater Utility	)	WITNESS HEARING AND
Systems and Public Utility Franchise in	)	REQUIRING CUSTOMER NOTICE
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 May 4, 2021, in Docket No. W-1148, Sub 20, the Commission issued an Order Appointing Emergency Operator and Requiring Customer Notice (Emergency Order) appointing CWSNC as emergency operator of the Mountain Air water and wastewater utility systems effective May 10, 2021. CWSNC currently serves 483 monthly metered water utility customers, 438 monthly flat rate wastewater utility customers, and 21 monthly metered wastewater utility customers in the Mountain Air Development service area.

On June 5, 2023, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) that, among other things, scheduled a public witness hearing to be held Monday, July 17, 2023, in the Yancey County Courthouse, 110 Town Square, 2nd Floor, Burnsville, North Carolina. The public witness hearing was scheduled for the sole purpose of receiving testimony of customers in accordance with Commission Rule R1-21(g). The Notice to Customers states that “this hearing may be canceled if no significant protests are received [from customers] on or before Friday, July 7, 2023.”

On July 11, 2023, the Public Staff filed a motion requesting that the public witness hearing scheduled for July 17, 2023, be canceled. In support of its motion, the Public Staff notes that CWSNC provided the Notice to Customers as required by the Scheduling Order and that no customers have filed consumer statements in this docket. Additionally,

the Public Staff states that it has not received any consumer statements. The Public Staff states that CWSNC and Mountain Air support this motion. Counsel for Mountain Air Property Owners Association, Inc., had not responded to the Public Staff at the time of the filing of the motion.

Based upon the foregoing, the Presiding Commissioner finds that the public witness hearing scheduled for 7:00 p.m., on Monday, July 17, 2023, in Burnsville, North Carolina should be canceled, and notice to customers of the cancellation should be required.

IT IS, THEREFORE, ORDERED as follows:

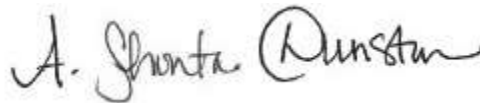
1. That the public witness hearing previously scheduled for 7:00 p.m., on Monday, July 17, 2023, in the Yancey County Courthouse, 110 Town Square, 2nd Floor, Burnsville, North Carolina is hereby canceled; and

2. That a copy of this Order should be mailed with sufficient postage or hand delivered by CWSNC to all affected customers no later than July 12, 2023, and that CWSNC shall submit to the Commission the attached Certificate of Service, properly signed and notarized, no later than July 14, 2023.

ISSUED BY ORDER OF THE COMMISSION.

This the 11th day of July, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "A. Shonta Dunston". The signature is written in a cursive style with a large, stylized "A" and "D".

A. Shonta Dunston, Chief Clerk

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, mailed with sufficient postage or hand delivered to all affected customers a copy of the Order issued by the North Carolina Utilities Commission in Docket Nos. W-354, Sub 411 and W-1148, Sub 22, and said Order was mailed or hand delivered by the date specified in the Order.

This the \_\_\_\_ day of \_\_\_\_\_ 2023.

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 Order was mailed or hand delivered to all affected customers, as required by the Commission Order dated \_\_\_\_\_ in Docket Nos. W-354, Sub 411 and W-1148, Sub 22.

Witness my hand and notarial seal, this the \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Address

(SEAL) My Commission Expires: \_\_\_\_\_  
Date