

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1063, SUB 5

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by C & P Enterprises, Inc.,)	
Post Office Box 31563, Raleigh, North)	
Carolina 27622, for Authority to Adjust)	MOTION FOR
and Increase Rates for Sewer Utility)	PROPOSED ORDER
Service at Ocean Bay Villas and Ocean)	
Glen Condominiums in Carteret County,)	
North Carolina)	

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission, by and through its Executive Director, Christopher J. Ayers, and moves that the evidentiary hearing previously scheduled on this matter be canceled. In support of this motion, the Public Staff respectfully shows unto the Commission:

1. This proceeding began with the filing of an Application for Rate Increase by C & P Enterprises, Inc. (C & P Enterprises) on August 27, 2021.
2. In an order issued on September 20, 2021, the Commission declared the proceeding to be a general rate case and suspended rates for up to 270 days.
3. By order dated November 16, 2021, the Commission scheduled a remote customer hearing at 7:00 p.m., on Wednesday, January 5, 2022, and an in-person evidentiary hearing at 10:00 a.m. on Tuesday, February 8, 2022.

4. In a certificate of service filed on November 19, 2021, C & P Enterprises indicated that all of its customers had been served with notice of the proposed rate increase and hearings.

5. The Public Staff did not receive any protests and no one registered to provide testimony at the public hearing by the deadline of December 29, 2021, as established in the customer notice.

6. On January 3, 2022, the Public Staff requested that the public hearing scheduled for Wednesday, January 5, 2022 be cancelled.

7. On January 3, 2022, the Commission issued its order cancelling the public hearing.

8. On January 19, 2022, the Public Staff filed the Direct Testimony and Exhibits of Public Staff witnesses Lindsay Q. Darden and Kuei Fen Sun, the Affidavit of Public Staff witness Phat Tran, and a Notice of Affidavit.

9. On January 25, 2022, C & P Enterprises filed a letter accepting the Public Staff's recommended revenue requirements and rates, and requesting that the Commission cancel the evidentiary hearing, approve the rates, and make the rates effective the date of a Commission order.

10. Based on the foregoing, the Public Staff requests that the evidentiary hearing scheduled for Tuesday, February 8, 2022, be cancelled; the testimony and exhibits of Public Staff witnesses Lindsay Q. Darden and Kuei Fen Sun and the affidavit of Public Staff witness Phat Tran be entered into evidence; and the Public

Staff be permitted to submit a proposed order granting rate increase and requiring customer notice.

11. A proposed order to cancel the evidentiary hearing is being filed with this motion.

WHEREFORE, the Public Staff moves:

1. That the Commission grant the Public Staff's request and issue an order to cancel the evidentiary hearing scheduled at 10 a.m., on Tuesday, February 8, 2022;

2. That the testimony and exhibits of Public Staff witnesses Lindsay Q. Darden and Kuei Fen Sun and the affidavit of Public Staff witness Phat Tran, be entered into the record;

3. That the Public Staff be permitted to submit a proposed order granting rate increase and requiring customer notice; and

4. For such other and further relief as the Commission may deem just and proper.

Respectfully submitted, this the 31st day of January, 2022.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

Dianna W. Downey
Chief Counsel

Electronically submitted
/s/William E. H. Creech
Staff Attorney

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CERTIFICATE OF SERVICE

I do hereby certify that this day a copy of the foregoing has been served upon each of the parties of record in this proceeding or their attorneys of record by emailing them an electronic copy or by causing a paper copy of the same to be hand-delivered or deposited in the United States Mail, postage prepaid, properly addressed to each.

This the 31st day of January, 2022.

Electronically submitted
/s/ William E. H. Creech
Staff Attorney

registered to provide testimony at the hearing. On January 3, 2022, the Commission issued its order cancelling the public hearing.

On January 19, 2022, the Public Staff filed the Direct Testimony and Exhibits of Public Staff witness Lindsay Q. Darden and Public Staff witness Kuei Fen Sun, the Affidavit of Public Staff witness Phat Tran, and a Notice of Affidavit.

On January 25, 2022, C & P Enterprises filed a letter accepting the Public Staff's recommended revenue requirements and rates, and requesting that the Commission cancel the evidentiary hearing, approve the rates, and make the rates effective the date of the Commission order.

On January 31, 2022, the Public Staff filed a motion to cancel the evidentiary hearing, admit evidence, and allow the filing of a proposed order. The motion was accompanied by a proposed order.

Based upon the foregoing, the Commission is of the opinion that the evidentiary hearing scheduled for February 8, 2022, be cancelled; the testimony and exhibits of Public Staff witnesses Lindsay Q. Darden and Kuei Fen Sun and the Affidavit of Public Staff witness Phat Tran be entered into evidence; and that the Public Staff be permitted to submit a proposed order granting rate increase and requiring customer notice.

IT IS, THEREFORE, ORDERED as follows:

1. That the evidentiary hearing previously scheduled for 10 a.m., on Tuesday, February 8, 2022, is cancelled.

2. That the testimony and exhibits of Public Staff witnesses Lindsay Q. Darden and Kuei Fen Sun and the affidavit of Public Staff witness Phat Tran is received in the record.

3. That the Public Staff is permitted to submit a proposed order granting rate increase and requiring customer notice within ten (10) days of this order.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2022.

NORTH CAROLINA UTILITIES COMMISSION

(SEAL)

A. Shonta Dunston, Chief Clerk