

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-1305, SUB 35  
DOCKET NO. W-1300, SUB 77

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

|  |   |                          |
|--|---|--------------------------|
| In the Matter of                       | ) |                          |
| WLI Investments, LLC, 60 Gregory Road, | ) |                          |
| Ste 1, Belville, North Carolina 28451, | ) |                          |
|  | ) |                          |
| Complainant                            | ) | ORDER GRANTING MOTION    |
|  | ) | TO CONTINUE HEARING      |
| v.                                     | ) | AND MAKING ADDITIONAL    |
|  | ) | PROCEDURAL MODIFICATIONS |
| Old North State Water Company, LLC and | ) |                          |
| Pluris Hampstead, LLC,                 | ) |                          |
|  | ) |                          |
| Defendants.                            | ) |                          |
|  | ) |                          |

BY THE HEARING EXAMINER: On January 3, 2022, WLI Investments, LLC (WLI), filed a Verified Complaint and Petition for Declaratory Ruling (Complaint), in the above-captioned dockets against Old North State Water Company, LLC (ONSWC), and Pluris Hampstead, LLC (Pluris). In summary, WLI alleged that it has a contract (Development Agreement), with ONSWC for WLI to build and transfer to ONSWC a wastewater collection system by which ONSWC will provide wastewater treatment service to 308 single family residential units in Salter's Haven at Lea Marina Subdivision (SHLM), in Pender County, North Carolina, and to an additional 30 lots to be developed by WLI in the Lea Tract adjacent to but outside of SHLM. Further, WLI alleged that ONSWC has breached the Development Agreement and that Pluris has violated the Public Utilities Act (Act), with regard to ONSWC's obligations under the Development Agreement. WLI requested that the Commission issue a declaratory ruling that ONSWC has certain obligations to WLI under the Development Agreement, and that Pluris should be required to pay fines for alleged violations of the Act.

On January 18, 2022, ONSWC and Pluris filed a joint Response to Complaint. On February 1, 2022, WLI filed a Reply. In accordance with the Scheduling Order issued herein on August 22, 2022, WLI filed direct and rebuttal testimony, and the Defendants filed direct testimony. The hearing in this matter is scheduled for December 6, 2022.

On November 23, 2022, Defendants filed a Motion to Strike portions of the prefiled testimony of WLI witness D. Logan.

On December 2, 2022, WLI filed a Consent Motion on behalf of all parties. In summary, the Consent Motion stated that WLI and Defendants request that the Commission postpone the hearing to a date to be determined in January 2023, extend the time for WLI to respond to Pluris' Data Request No. 4 to December 6, 2022, extend the time for WLI to respond to Defendants' Motion to Strike to December 14, 2022, require the parties to file a report updating the Commission on the status of the case on or before January 2, 2023, and extend the time for the parties to file stipulated facts.

In support of the Consent Motion, WLI stated that on or about November 23, 2022, the parties began negotiations that may lead to a resolution of the dispute herein, and agreed among themselves that any procedural or discovery deadlines would be tolled while the parties were engaged in negotiations. Further, the Consent Motion stated that the parties agree that there is a likelihood that they will reach a settlement of this matter, and that the parties desire additional time in which to complete their negotiations.

Based on the foregoing and the record, the Hearing Examiner concludes that there is good cause to grant the relief requested in the parties' Consent Motion.

IT IS, THEREFORE, ORDERED as follows:

1. That the hearing in this proceeding scheduled for December 6, 2022, shall be and is hereby postponed until a date in January 2023 to be determined;
2. That the date for WLI to respond to Pluris' Data Request No. 4 shall be, and is hereby, extended to December 6, 2022;
3. That WLI may file its response to the Defendants' Motion to Strike on or before December 14, 2022;
4. That the parties shall file, individually or jointly, a case status report in this docket on or before January 2, 2023; and
5. That on or before the new hearing date the parties shall file their stipulated facts.

ISSUED BY ORDER OF THE COMMISSION.

This the 5th day of December, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, reading "Tamika D. Conyers". The signature is written in dark ink and is positioned above the printed name of the signatory.

Tamika D. Conyers, Deputy Clerk