



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

August 14, 2023

Ms. A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

Re: Docket Nos. W-1259, Sub 5 and W-1328, Sub 6 – Application for Transfer of Public Utility Franchise from Meadowlands Development, LLC, to Red Bird Water and for Approval of Rates

Dear Ms. Dunston:

Meadowlands Development, LLC (Meadowlands), and Red Bird Utility Operating Company, LLC, d/b/a Red Bird Water (Red Bird Water), filed additional information in the aforementioned docket on August 7, 2023. The Public Staff has reviewed the filing and is of the opinion that the application remains incomplete for the reasons set forth below.

1. The Public Staff stated in Item 7 of its letter filed on July 25, 2023, that the information required by Exhibit 4 on the Application Form, a copy of exhibits showing that the Seller has ownership of all property necessary to operate the utility, was not provided.

On August 7, 2023, Red Bird Water filed a response to the Public Staff's letter. The response to Item 7 references Attachment P, which is a "list of Fee Interests &/or Easements relating to the Lift Stations for provision of sewer services to the Properties which are not shown within a recorded plat or dedicated roadway to be assigned or granted to Buyer, by Seller or, if applicable, a third party"

Four property interests were listed: (1) Tract 1 (Lift Station); (2) Tract 2 (Lift Station); (3) Tract 3 (Lift Station); and (4) Sewer Easement set forth in Declaration of Easement recorded in Book 1581, Pages 1625-1627 of the land records of Davidson County, North Carolina. Red Bird did not provide a deed or other document recorded with the Davidson County Register of Deeds

Executive Director
(919) 733-2435

Accounting
(919) 733-4279

Consumer Services
(919) 733-9277

Economic Research
(919) 733-2267

Energy
(919) 733-2267

Legal
(919) 733-6110

Transportation
(919) 733-7766

Water/Telephone
(919) 733-5610

Ms. A. Shonta Dunston, Chief Clerk
Page Two
August 14, 2023

showing the seller's ownership of the real property on which the three lift stations are situated or a copy of the Sewer Easement.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Electronically submitted
/s/ Megan Jost
Staff Attorney
megan.jost@psncuc.nc.gov

cc: Parties of Record