

August 1, 2023

VIA Electronic Filing

Ms. A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27603

Re: *Applicants CWSNC/SWWC Motion to Excuse Witness Ellen Lapson*
Docket No. W-354 Sub 412

Dear Ms. Dunston:

Enclosed for filing on behalf of Applicants, please find their *Joint Motion to Excuse Witness Ellen Lapson* in the above-referenced docket. The parties have reached a full proposed settlement position, and the Public Staff will have no questions of the witness. Ms. Lapson is prepared to travel later this afternoon to be here if necessary; however, if the Commission has no questions, we respectfully request that she be excused.

Should you have any questions please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,

/s/Mary Lynne Grigg

MLG:tl

Enclosure

cc: Parties of Records

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 412

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by Carolina Water Service, Inc.)	
of North Carolina, along with Corix)	JOINT MOTION TO
Infrastructure (US) Inc. and SW Merger)	EXCUSE WITNESS
Acquisition Corp., for Approval of a)	
Business Combination Transaction)	

Carolina Water Service, Inc. of North Carolina (“CWSNC”) and SouthWest Merger Acquisition Corp. (collectively “Joint Applicants”) hereby move the Commission for an order (1) excusing the appearance of Company witness Ellen Lapson at the hearing scheduled to begin in this proceeding on August 2, 2023 and (2) allowing the introduction of Ms. Lapson’s testimony, which was Exhibit D to the Verified Application filed by the Joint Applicants on November 23, 2022, into the record at such hearing without the appearance of Ms. Lapson. In support of this request, the Joint Applicants respectfully show unto the Commission as follows:

1. On July 31, 2023, the Joint Applicants and the Public Staff filed a Stipulation of Settlement (“Settlement”) resolving all issues between them in this proceeding.
2. As a result of the Settlement, there are not any matters in dispute between the Joint Applicants and the Public Staff in this proceeding, and there are no other parties to the proceeding.
3. Therefore, the Joint Applicants request that Ms. Lapson be excused from the hearing.

4. Counsel for the Public Staff has agreed to waive cross-examination of Ms. Lapson and consented to the introduction of her testimony into the record without the necessity for her appearance.

WHEREFORE, the Joint Applicants respectfully request that the Commission enter an order (1) excusing the appearance of witness Ellen Lapson from the hearing scheduled in this docket for August 2, 2023, and (2) accepting her prefiled testimony into the record of this proceeding without requiring their appearance.

Respectfully submitted, this the 1st day of August, 2023.

Carolina Water Service, Inc. of North
Carolina

SouthWest Merger Acquisition Corp.

/s/ Jo Anne Sanford
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*Attorney for Carolina Water Service, Inc.
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*Attorney for SW Merger Acquisition
Corp.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Joint Motion to Excuse Witness, as filed in Docket No. W-354, Sub 412, was served electronically or via U.S. mail, first-class, postage prepaid, upon all parties of record.

This, the 1st day of August, 2023.

/s/Mary Lynne Grigg

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