

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 400

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by Carolina Water Service, Inc.)	
of North Carolina for Authority to Adjust and)	
Increase Rates for Water and Sewer Utility)	ORDER EXCUSING
Service in All Its Service Areas in North)	WITNESSES
Carolina and for Approval of a Water and)	
Sewer Investment Plan)	

BY THE PRESIDING COMMISSIONER: On July 1, 2022, Carolina Water Service, Inc. of North Carolina (CWSNC or the Company) filed an application with the Commission seeking authority to adjust and increase its rates for providing water and sewer utility service in all of its North Carolina service areas and for approval to establish and implement a three-year Water and Sewer Investment Plan (WSIP) pursuant to N.C. Gen. Stat. § 62-133.1B and Commission Rule R1-17A.

On September 2, 2022, the Commission issued an Order Scheduling Hearing, Establishing Intervention and Testimony Due Dates and Discovery Guidelines, and Requiring Notice (Scheduling Order) which, among other things, set this matter for expert witness hearing to begin at 2:00 p.m. on Monday, November 28, 2022, and continuing as necessary until conclusion.

On October 26, 2022, the Public Staff filed the testimony and exhibits of witnesses Darrell Brown, Lynn Feasel, Lindsay Q. Darden, D. Michael Franklin, Shashi M. Bhatta, Evan M. Houser, Jay B. Lucas, and John R. Hinton. The Public Staff also filed the joint testimony and exhibits of witnesses Hinton, Charles M. Junis, Fenge Zhang, and Kuei Fen Sun.

On November 22, 2022, CWSNC and the Public Staff filed a Joint Partial Settlement Agreement and Stipulation (Stipulation). The Stipulation purports to settle all issues in this docket except for: (1) the return on equity to be authorized for CWSNC during the term of the WSIP; and (2) whether the 5% revenue requirement increase cap required by N.C. Gen. Stat. § 62-133.1B(c) should be applied on a per company or per rate division basis.

On November 22, 2022, the Public Staff filed the joint testimony of witnesses Brown, Zhang, and Junis supporting the Stipulation.

Also on November 22, 2022, the Public Staff filed a motion requesting that the Commission excuse witnesses Darden, Franklin, Bhatta, Feasel, Houser, Lucas, and Sun from attending the hearing and that their prefiled testimony and exhibits be copied into the record and received into evidence as if given under oath from the stand. In support, among other things, the Public Staff notes the Stipulation and its agreement to waive the right to cross-examination of all Public Staff witnesses except for witnesses Hinton and Zhang.

Based on the foregoing and the record, the Presiding Commissioner finds good cause to excuse Public Staff witnesses Darden, Franklin, Bhatta, Feasel, Houser, Lucas, and Sun from testifying at the expert witness hearing set to begin on November 28, 2022. Their testimony and exhibits will be addressed at the evidentiary hearing.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 28th day of November, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Erica N. Green". The signature is written in a cursive style with a large, stylized initial "E".

Erica N. Green, Deputy Clerk