



434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
☎ 919.755.8700 📠 919.755.8800
www.foxrothschild.com

DAVID T. DROOZ
Direct No: 919.719.1258
Email: DDrooz@FoxRothschild.com

March 15, 2024

Ms. A. Shonta Dunston
Chief Clerk
NC Utilities Commission
430 N. Salisbury Street
Room 5063
Raleigh, NC 27603

Re: In the Matter of Application of Aqua North Carolina, Inc. for a Certificate of Public Convenience and Necessity to Provide Water Utility Service to Choplin Farms in Nash County, North Carolina and for Approval of Rates
NCUC Docket No. W-218 Sub 595
Joint Motion to Cancel Hearing

Dear Ms. Dunston:

Attached for filing in the above referenced docket, on behalf of Aqua North Carolina, Inc. ("Aqua") and the NC Public Staff, is a Joint Motion to Cancel Hearing in the above referenced matter.

If you should have any questions regarding this filing, please do not hesitate to contact me. Thank you.

Sincerely,

/s/ David T. Drooz

David T. Drooz

pbb
Enclosure
Copy to Parties and Counsel of Record

A Pennsylvania Limited Liability Partnership

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Mar 15 2024

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-218, SUB 595

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application of Aqua, North)	
Carolina, Inc., for a Certificate of)	
Public Convenience and)	JOINT MOTION
Necessity to Provide Water Utility)	TO
Service to Choplin Farms in)	CANCEL HEARING
Nash County, North Carolina and)	
for Approval of Rates)	

Aqua North Carolina, Inc. (Aqua), through counsel, and the Public Staff – North Carolina Utilities Commission (Public Staff), through its Executive Director, Christopher J. Ayers (collectively, the Parties), request that the North Carolina Utilities Commission (Commission) cancel the hearing scheduled for this matter and cancel all pending deadlines for prefiled testimony. In support of this Joint Motion, the Parties show the following:

1. Aqua filed its application for a certificate of public convenience and necessity (CPCN) and approval of rates in the above-captioned docket on May 19, 2023. In response to a Public Staff letter and Commission order, Aqua filed an Amended Application on January 31, 2024, and an additional exhibit on February 14, 2024. On February 14, 2024, the Public Staff sent a second deficiency letter. On February 15, 2024, Aqua filed pages 4 and 5 of the CPCN Application Form. Also on February 15, 2024, the Commission issued an order directing the Public

Staff to provide notice of whether it considered the application incomplete. On February 16, 2024, the Public Staff filed notice that the application was complete.

2. On February 19, 2024, the Commission issued an Order Finding Application Complete and Requiring the Public Staff to Provide Specific Application Data. On February 28, 2024, the Public Staff filed a Letter in response to the February 19, 2024, Order and provided the requested additional information.

3. On February 29, 2024, the Commission issued an Order Scheduling Hearing and Establishing Discovery Guidelines.

4. The Commission's Scheduling Order issued on February 29, 2024, provides that Aqua's prefiled direct testimony shall be filed by April 15, 2024; that the Public Staff and other intervenors' prefiled direct testimony shall be filed by April 29, 2024; and Aqua's prefiled rebuttal testimony, if any, shall be filed by May 13, 2024.

5. An expert witness hearing is scheduled for May 28, 2024. No customer hearing has been scheduled. To date there is no intervention; the only parties in this docket are the Public Staff and Aqua. Neither the Company nor the Public Staff have information indicating there might be an intervention by any other party.

6. The Parties have reached agreement to recommend approval of the CPCN Application.

7. Because the Parties have agreed to recommend approval of the application, there are no issues to be resolved through presentation of prefiled expert witness testimony.

8. The verified CPCN Application, as amended, provides a factual background sufficient to support an order without expert witness testimony.

9. The Public Staff plans to present this matter on the agenda for a Regular Staff Conference in lieu of hearing. Accordingly, there is no need for further prefiled testimony or a hearing.

10. Excusal of the Parties from the requirement to prefile any further expert witness testimony will serve administrative efficiency, save time, and save cost.

11. In the unlikely event that another party does intervene by the April 29, 2024, deadline and files testimony, then the Commission can direct Aqua to prefile rebuttal testimony by May 13, 2024.

WHEREFORE, the Parties move that the Commission issue an order that cancels the hearing scheduled for May 28, 2024, and cancels the requirement for any further prefiled testimony, subject to change if intervenor testimony is filed by April 29, 2024.

Respectfully submitted, this the 15th day of March, 2024.

Electronically Submitted

/s/ David T. Drooz

David T. Drooz

State Bar No. 10310

FOX ROTHSCHILD, LLP

434 Fayetteville Street

Suite 2800

Raleigh, North Carolina 27601-2943

T: 919-719-1258

E-mail: ddrooz@foxrothschild.com

Attorney for

Aqua North Carolina, Inc.

/s/ Reita D. Coxton

Staff Attorney

Public Staff – N.C. Utilities Commission

430 N. Salisbury Street, Suite 5060

4326 Mail Service Center

Raleigh, NC 27699-4300

E-mail: reita.coxton@psncuc.nc.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing JOINT MOTION TO CANCEL HEARING, filed by Aqua North Carolina, Inc. in Docket No. W-218, Sub 595, has been served on each of the parties of record in this proceeding or their legal counsel by email / electronic transmission or by deposit of same in the U. S. Mail, postage prepaid.

This the 15th day of March, 2024.

Electronically Submitted

/s/ David Drooz
North Carolina State Bar No. 10310
Fox Rothschild, LLP
434 Fayetteville Street, Suite 2800
Raleigh, North Carolina 27601-2943
Telephone: (919) 719-1258
Email: ddrooz@foxrothschild.com