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November 22, 2022

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

Via Electronic Submittal

**Re: In the Matter of**  
**Application by Aqua North Carolina, Inc. for Authority to Adjust and**  
**Increase Rates for Water and Sewer Utility Service in All Service Areas in**  
**North Carolina**  
**Docket No. W-218, Sub 573**  
***Objection to Public Staff Data Request No. 107***

Dear Ms. Dunston:

On behalf of Aqua North Carolina, Inc. ("Aqua"), I herewith provide for filing in the above referenced docket, Aqua's Objection to Public Staff's Data Request No. 107.

If you should have any questions concerning this filing, please let me know.

Thank you and your staff for your assistance.

Sincerely,  
*/s/ David T. Drooz*  
David T. Drooz  
Attorney for  
Aqua North Carolina, Inc.

pbb

Enclosures

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada  
New Jersey New York North Carolina Pennsylvania South Carolina Texas Virginia Washington

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Ms. A. Shonta Dunston

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cc: Parties and Counsel of Record

NC Public Staff

Monica Webb-Shackleford – Commission Legal

Lynn Jarvis – Commission Legal

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**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-218, SUB 573

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by Aqua North	)	
Carolina, Inc., 202 MacKenan	)	
Court, Cary, North Carolina	)	
27511, for Authority to Adjust and	)	OBJECTION TO PUBLIC STAFF
Increase Rates for Water and	)	DATA REQUEST
Sewer Utility Service in All Service	)	NO. 107
Areas in North Carolina	)	

NOW COMES Aqua North Carolina, Inc. ("Aqua" or "Company"), by and through its undersigned counsel, and objects to Public Staff Data Request No. 107 ("DR 107"). In support of this objection, Aqua shows the following:

1. The Public Staff sent its DR 107 to Aqua on November 15, 2022, with a due date of November 22, 2022, which is shorter than normal and before the Commission's 10-day time limit for objections expires. See Attachment 1.
2. Item 3 in DR 107 is an overly broad and burdensome request that will take far more time to answer than allotted by the Public Staff.
3. Item 3 of DR 107 requests documentation for the plant-in-service date for each project to be provided in Item 1 of DR 107 as well as for all projects provided in response to DR 67 Item 1. The projects listed in response to DR 67 and DR 107 comprise a significant amount of detail, including well over 23,000 rows of data in DR 67, reflecting hundreds of non-recurring projects in addition to recurring ("blanket") projects. Gathering the information, as well as the Work Order

Information and Engineering Project Closure documentation for each project is extremely time consuming and cannot be completed anywhere close to the deadline specified by the Public Staff.

4. Since November 7, 2022, the Public Staff has sent 29 data requests to Aqua, comprised of 388 requested items. Aqua personnel have worked intense hours, including weekends, in an effort to satisfy what is an extraordinary amount of discovery requests in this recent timeframe. Aqua has responded to 189 of the requested items and is working to provide the remaining items within the time period requested. The Company has a team of professionals working on responses, and has gone above and beyond a good faith effort to meet the Public Staff's deadlines. Despite the efforts of Aqua, it is simply not possible to meet the Public Staff's deadline for item 3 in DR 107.

5. The Company therefore objects to item 3 in DR 107. This objection is not based on the content of that item, but rather on the extreme volume of information requested and the unrealistic deadline for response.

6. Aqua believes that the Public Staff can perform a reasonable investigation of documentation for in-service dates through sampling, instead of requiring documentation for hundreds or thousands of projects. The Company therefore requests modification of item 3 in DR 107 from documentation for all projects to documentation for a reasonably sized sample that will afford Aqua a fair opportunity to complete the response within a new deadline for that item.

7. Aqua has notified the Public Staff of its concern about the unrealistic deadline, and hopes to reach a mutually agreeable resolution with the Public Staff, but in an abundance of caution Aqua also files this objection to preserve the Company's rights pursuant to the Commission's scheduling order issued September 8, 2022, in this docket. That scheduling order specifies a date of December 2, 2022, for the filing of Public Staff testimony, and provides in relevant part:

3. Formal discovery requests related to the general rate case application and the Company's prefiled direct and supplemental testimony shall be served on the Company by hand delivery, facsimile, or electronic delivery with the Company's agreement, no later than 14 calendar days prior to the filing of the Public Staff and other intervenor testimony. The Company shall have up to ten calendar days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than ten calendar days prior to the deadline for the filing of the Public Staff and other intervenor testimony.

8. The Company respectfully requests that the Commission order the Public Staff to provide the Company with a reasonably-sized sample list of projects to provide the requested information rather than providing it for each and every project, and that the Company have a reasonable number of days to provide the documentation for the sample list.

WHEREFORE, for the foregoing reasons, Aqua respectfully requests that the Commission grant the relief requested herein.

Respectfully submitted, this the 22nd day of November 2022.

**Electronically Submitted**

**/s/David T. Drooz**

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**ATTORNEYS FOR  
AQUA NORTH CAROLINA, INC.**

## CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing OBJECTION TO PUBLIC STAFF DATA REQUEST NO. 107 has been served on all parties, or their counsel of record, in this docket by either depositing same in a depository of the United States Postal Service, first-class postage prepaid and mailed by the means specified below, or by electronic delivery.

This the 22<sup>nd</sup> day of November, 2022.

By: /s/ David T. Drooz  
David T. Drooz  
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*Attorney for Aqua North Carolina, Inc.*



**AQUA NORTH CAROLINA, INC.  
DOCKET NO. W-218, SUB 573  
Public Staff Data Request No. 107  
Date Requested: November 15, 2022  
Date Due: November 22, 2022**

**Public Staff Technical Contact(s):** Lindsay Darden  
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Please provide responses to this request in an electronic format (e.g., Excel, Word, or PDF files). If in Excel format, please include all working formulas. In addition, please include (1) the name and title of the individual who has the responsibility for the subject matter addressed therein, and (2) the identity of the person making the response by name, occupation, and job title. Please also refer to Public Staff Data Request No. 1 for instructions for responding to this and all other Data Requests served on the Company by the Public Staff in the above-captioned proceeding.

**Topic: Second Follow-Up to DR 67 – Plant in Service**

1. For each of the Company's five rate divisions, for the period from January 1, 2022, through August 31, 2022 (post-test year additions), please provide a detailed list of the completed utility plant in service projects in **Excel format**, including the following information:
  - a. A detailed description of the project;
  - b. Project number;
  - c. In-service date;
  - d. Date closed/unitized to plant;
  - e. Date depreciation started; and

- f. Amount closed to plant by general ledger account number with account description and depreciation rate.
2. For each project that costs more than \$100,000 for the period from January 1, 2022, through August 31, 2022, excluding DEV and DEVCERT activities, please provide the following information:
  - a. Detailed general ledger transaction listing supporting the total cost of the project;
  - b. Detailed project description. For meter replacement projects, this should include the number of meters replaced, number of customers served in the system, and average age of the replaced meters;
  - c. Any studies used to identify and justify the project;
  - d. Any engineering contracts and amendments;
  - e. Copies of Plan and Specification Approval, Authorization to Construct, Engineer's Certification, Applicant Certification, and Final Approval, if applicable;
  - f. Final cost estimate before construction;
  - g. Construction and installation contracts and amendments;
  - h. Copies of all invoices more than \$10,000 related to each project; and
  - i. Pictures or other documentation as proof of completion of key project components.
3. Please provide documentation for the plant-in-service date for each project subject to Question No. 1 above and for all projects listed in the spreadsheet titled, "DR 67 Q1 UPIS 4.20 to 12.21" provided in Aqua's response to DR 67. The documentation should be in the form of the Work Order Information and Engineering Project Closure form, if applicable (examples are embedded below).



Work Order  
Information.pdf



Engineering Project  
Closure.pdf