

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

Docket No. A-41, Sub 21

VILLAGE OF BALD HEAD ISLAND,)	
)	
Complainant,)	
)	
v.)	RESPONSE TO
)	RESPONDENTS' MOTION
)	FOR EXTENSION OF
BALD HEAD ISLAND)	TIME
TRANSPORTATION, INC. and BALD)	
HEAD ISLAND LIMITED, LLC,)	
)	
Respondents.)	

COMES NOW the Village of Bald Head Island (the “Village”), by and through its undersigned counsel, and pursuant to Rule R1-7 of the Rules of the North Carolina Utilities Commission, to respond to the Motion for Extension of Time to Respond to the Village’s First Data Requests filed by Bald Head Island Transportation, Inc. (“BHIT”) and Bald Head Island Limited, LLC (“Limited”) (collectively, “Respondents”).

1. The Village issued data requests on June 22, 2022. Under the *Order Scheduling Hearing and Establishing Procedures*, responses to these data requests are due ten days after service, which would be Saturday, July 2, 2022. Because the due date falls on a weekend, Rule R1-27 automatically postpones the deadline another three days to July 5, 2022. Respondents, by requesting an additional seven days, are seeking an extra ten days of response time. They will serve their answers on July 12, 2022, or a total of 20 days from service of the requests.

2. While counsel for the Village would customarily consent to an extension of time on discovery out of cooperation and professional courtesy, the Village is concerned

that delay in receiving responses to data requests will compromise its ability to prepare its cases in light of the aggressive deadlines requested by Respondents and established by the Commission. Respondents were the proponents of an expedited hearing schedule, despite the Village's concerns of the resulting pace of discovery. Under the current expedited schedule, the Village's direct testimony is due on August 9, 2022, which is challenging given the complexity of the issues at stake, the need to conduct discovery, and the likelihood of disputes. The receipt of Respondents responses on July 12 will leave the Village with less than a month to file supplemental data requests and prepare its direct testimony and exhibits.

3. Finally, by way of clarification, the Village proposed, as an attempted compromise, to consent to an extension through noon on Friday, July 8. The consent was not condition on a waiver of objections. However, the Village did communicate that its willingness to consent to an extension was premised on its good faith belief that the extension would allow for Respondents to provide more fulsome responses (as opposed to, for example, wholesale objections).

WHEREFORE, the Village requests that the Commission consider this Response in its evaluation of Respondents' motion

This 30th day of June, 2022.

By: /s/ Craig D. Schauer
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing RESPONSE TO RESPONDENTS' MOTION FOR EXTENSION OF TIME has been served this day upon all parties of record in this proceeding, or their legal counsel, by electronic mail.

This the 30th day of June, 2022.

By: /s/ Craig D. Schauer