

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-354, SUB 428

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	
Application by Carolina Water Service, Inc.	)	
of North Carolina for a Certificate of	)	ORDER SCHEDULING HEARING
Public Convenience and Necessity to	)	AND ESTABLISHING DISCOVERY
Provide Sewer Utility Service to Kimeplex	)	GUIDELINES
Park in Carteret County, North Carolina and	)	
for Approval of Rates	)	

BY THE COMMISSION: On October 3, 2023, Carolina Water Service, Inc. of North Carolina (CWSNC) filed an Application for a Certificate of Public Convenience and Necessity and for Approval of Rates (Application) seeking to provide sewer utility service to Kimeplex Park in Carteret County, North Carolina in accordance with N.C. Gen. Stat. § 62-110.

CWSNC proposes to serve one commercial sewer customer with approximately seven Residential Equivalent Units (REUs) in Kimeplex Park. The planned capital improvements for the sewer system include installation of a new 4-inch sewer force main and a lift station, costing approximately \$150,000, from Kimeplex Park to the existing Brandywine Bay system's lift station to allow the sewer to flow from this park to the existing Brandywine Bay wastewater treatment plant. CWSNC proposes to charge the same uniform rates approved in Docket No. W-354, Sub 400 (WSIP Rate Years 1-3), which were effective May 12, 2023:

Monthly Flat-Rate Service, per SFE or REU:

Multi-residential customers who are served by a master meter shall be charged the flat rate per unit.	\$96.38
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On October 24, 2023, the Public Staff filed a letter outlining deficiencies in the Application and indicated that the Public Staff considered the Application incomplete. On October 26, 2023, the Commission issued an Order Finding Application Incomplete and Request for Additional Information. On December 13, 2023, CWSNC filed additional information in response to the Public Staff's deficiency letter.

On December 15, 2023, the Public Staff filed a letter with the Commission indicating that this docket now includes all the information required for a complete application. On December 20, 2023, the Commission issued an Order Finding Application Complete and Requiring the Public Staff to Provide Specific Application Data.

On December 28, 2023, the Public Staff provided the information requested by the Commission.

Based upon the foregoing, and the recommendation of the Public Staff, the Commission hereby establishes the procedural schedule, including filing requirements of CWSNC, the Public Staff, and other intervenors.

The guidelines regarding discovery in this docket, subject to modification for good cause shown, are as follows:

1. Any deposition which a party desires to take shall be taken before the deadline for filing of the Public Staff and intervenor testimony. Notice of deposition shall be served on all parties at least 7 calendar days prior to the taking of the deposition. Notice of deposition and all other discovery notices, requests, and motions shall be served on the appropriate parties by hand delivery or facsimile, or by electronic delivery if the receiving party has agreed to receipt by electronic delivery.

2. Any motion for subpoena of a witness to appear at the expert witness hearing shall be filed with the Commission before the deadline for the filing of the Public Staff and intervenor testimony, shall be served by hand delivery or facsimile to the person sought to be subpoenaed at or before the time of filing with the Commission, and shall make a reasonable showing that the evidence of such person will be material and relevant to an issue in the proceeding. See N.C.G.S. § 62-62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena 24 hours after such motion is filed.

3. Formal discovery requests related to the application and CWSNC's prefiled direct testimony shall be served on CWSNC not later than 14 calendar days prior to the deadline for filing of the Public Staff and intervenor testimony. The party served shall have up to 3 business days to file with the Commission objections to discovery requests on an item-by-item basis.

4. Formal discovery requests of the Public Staff or intervenors shall be served not later than 5 calendar days after such testimony is filed. The party served shall have up to 3 business days to file with the Commission objections to the discovery requests on an item-by-item basis.

5. Formal discovery requests related to the CWSNC's prefiled rebuttal testimony shall be served on the CWSNC not later than 3 business days after such testimony is filed. The party served shall have up to 3 business days to file with the Commission objections to the discovery requests on an item-by-item basis. Discovery related to rebuttal testimony shall be limited to new material introduced in such rebuttal testimony and will be carefully scrutinized upon objection that such discovery should have been sought during the initial period of discovery.

6. Discovery requests need not be filed with the Commission when served; however, any party filing objections shall attach a copy of the relevant discovery request to

the objections. Each discovery request, or part thereof, to which no objection is filed shall be answered by the time objections are due, subject to other agreement of the affected parties or other order of the Commission. Upon the filing of objections, the party seeking discovery shall have 2 business days to file a motion to compel with the Commission, and the party objecting to discovery shall have 1 business day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected party at or before the time of filing with the Commission.

7. A party shall not be granted an extension of time to pursue discovery because of that party's late intervention or other delay in initiating discovery.

The Commission recognizes that in the past most discovery has been conducted in an informal manner without the need for Commission involvement or enforcement, and that such has been generally successful. The above guidelines are without prejudice to the parties conducting informal discovery or exchanging information by agreement at any time with the understanding that such will not be enforceable by the Commission if outside the guidelines.

Further, the Commission finds good cause to require CWSNC and all other parties who file exhibits and workpapers that include tables of numbers and calculations to provide the Commission Staff, the Public Staff, and any other party upon request from such party an electronic version of all such exhibits and workpapers, with formulas intact.

IT IS, THEREFORE, ORDERED as follows:

1. That a hearing for the purpose of receiving expert witness testimony on CWSNC's Application is scheduled to begin at 2:00 p.m., on Monday, July 1, 2024, and continue as necessary until conclusion. The hearing will be held in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina 27603;

2. That the parties shall comply with the discovery guidelines established herein and shall work in a cooperative manner as to discovery;

3. That petitions to intervene in this proceeding shall be filed pursuant to Commission Rules R1-5 and R1-19 not later than Wednesday, May 22, 2024;

4. That CWSNC's prefiled direct testimony and exhibits shall be filed on or before Thursday, May 2, 2024;

5. That the prefiled direct testimony and exhibits of the Public Staff and other intervenors shall be filed on or before Wednesday, May 22, 2024;

6. That CWSNC's prefiled rebuttal testimony and exhibits, if any, shall be filed on or before Tuesday, June 11, 2024;

7. That an officer or representative from CWSNC is required to appear before the Commission at the time and place of the expert witness hearings to testify concerning any of the information contained in the Application;

8. That any parties filing supporting exhibits in Excel format shall provide the Commission Staff electronic versions of the exhibits filed in native Excel format via email at NCUCexhibits@ncuc.net, including all of the supporting tabs and formulas, within three days of the filing of such exhibits (or within three days of the issuance of this order if already filed with the Commission); and that any parties filing exhibits and workpapers that include tables of numbers and calculations shall provide the Public Staff and any other party upon request an electronic version of all such exhibits and workpapers, with formulas intact; and

9. That CWSNC shall consult with all other parties and file, no later than Wednesday, June 26, 2024, a list of witnesses to be called at the expert witness hearing, the order of witnesses, and each party's estimated time for cross-examination. If the parties cannot agree, the remaining parties shall, no later than noon on Friday, June 28, 2024, make a filing indicating their points of disagreement with the CWSNC's filing.

ISSUED BY ORDER OF THE COMMISSION.

This the 12th day of February, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Tamika D. Conyers".

Tamika D. Conyers, Deputy Clerk