

April 7, 2021

Kimberly A. Campbell, Chief Clerk  
North Carolina Utilities Commission  
430 Salisbury Street  
Raleigh, NC 27603

RE: Reply in Response to Letter Filed by ONSWC  
Docket Nos. W-1305, Sub 29 & W-1300, Sub 69

Dear Ms. Campbell:

This letter is filed in Reply to a Response, in the form of a letter, filed by counsel for Old North State Water Company, LLC ("ONSWC"), addressing issues raised by WLI Investments, LLC, d/b/a Logan Developers ("WLI") in its Petition to Intervene in this matter filed on March 8, 2021. The Intervention was granted by Commission Order dated March 11, 2011. The timing and purpose of the letter filed on behalf of ONSWC is somewhat unclear. It purports to be a response to the Petition to Intervene but it takes no position on the Petition itself.

WLI is the developer of a subdivision known as Salter's Haven and WLI entered into a Developer's Agreement ("Agreement") with ONSWC for the provision of wastewater service to Salter's Haven and certain contiguous properties. There is a dispute between WLI and ONSWC as to the intent of the parties as to certain provisions of the Agreement. The ability of WLI to seek informal resolution of that dispute has been complicated by the Joint Application of ONSWC and Pluris Hampstead, LLC ("Pluris") to transfer the system from ONSWC to Pluris. WLI has attempted to address certain issues with ONSWC and was advised that the decision was actually up to Pluris, the transferee. Similarly, WLI raised the same issues with Pluris and was advised that the system has not yet been transferred and the decision still rests with ONSWC. Contractual disputes of this nature should not be resolved by simply walking away from the problem.

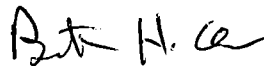
It is for this reason that WLI intervened in this proceeding so that the Commission could resolve the outstanding issues before the system is transferred to another utility. While legitimate disputes do arise, it is not reasonable for a utility to transfer a system and that both the transferor and transferee deny responsibility for honoring the obligations in the contract or, at the very least, resolve pending disputes prior to any transfer. It is not the intent of WLI to argue its case in this letter because that is the reason it asked for a hearing in this matter. However, it should be noted that the letter dated March 23, 2021 filed by ONSWC in this docket involves four pages of detailed discussion about the factual and legal disagreements between ONSWC and WLI.

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That letter offers compelling reasons why a hearing should be held in this matter so that the Commission can properly determine the facts and applicable law that should be applied.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Britton H. Allen".

Britton H. Allen

BA:da

cc: All parties of record