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January 24, 2024

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

Re: In the Matter of Application by Aqua North Carolina, Inc. for a Certificate of Public Convenience and Necessity for The Sanctuary at Lake Wheeler in Wake County, North Carolina, and Approval of Rates
NCUC Docket No. W-218 Sub 592
Joint Motion to Cancel Prefiling of Testimony and Cancel Hearing

Dear Ms. Dunston:

On behalf of Aqua North Carolina, Inc. (“Aqua”) and the NC Public Staff, we herewith provide for filing the above-referenced docket Joint Motion to Cancel Prefiling of Testimony and Cancel Hearing.

Thank you in advance for your assistance with this filing. If you should have any questions, please do not hesitate to contact me.

Sincerely,

/s/ David T. Drooz

David T. Drooz

pbb

Enclosure

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-218, SUB 592

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application by Aqua North Carolina, Inc.,)	
202 MacKenan Court, Cary, North)	
Carolina 27511, for a Certificate of)	
Public Convenience and Necessity to)	JOINT MOTION TO CANCEL
Provide Water Utility Service in The)	PREFILING OF TESTIMONY
Sanctuary at Lake Wheeler in Wake)	AND CANCEL HEARING
County, North Carolina)	

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

1. On January 9, 2023, Aqua North Carolina, Inc. (Aqua) filed an Application for a Certificate of Public Convenience and Necessity and for Approval of Rates (Application) to provide water utility service to The Sanctuary at Lake Wheeler (The Sanctuary) in Wake County, North Carolina in accordance with N.C. Gen. Stat. § 62-110. Aqua filed additional supplements or amendments to the Application on May 11, 2023; June 14, 2023; and July 14, 2023. On July 25, 2023, the Public Staff filed a letter outlining the deficiencies in the Application and indicating that the Public Staff considers the Application incomplete.

2. On July 31, 2023, the Commission issued an Order Finding Application Incomplete and Request for Additional Information. On December 13, 2023, Aqua filed additional information in response to the Public Staff's letter outlining deficiencies. On January 2, 2024, the Public Staff filed a letter with the Commission indicating that this docket now includes all the information required for a complete application. On January 4, 2024, the Commission issued an Order Finding Application Complete and Requiring the Public Staff to Provide Specific Application Data. On January 11, 2024, the Public Staff provided the information requested by the Commission.

3. On January 12, 2024, the Commission issued an Order Scheduling Hearing and Establishing Discovery Guidelines (Scheduling Order). The Scheduling Order established a March 18, 2024, evidentiary hearing date, and required Aqua to prefile direct testimony and exhibits by February 2, 2024, required the Public Staff and intervenors to prefile direct testimony by February 16, 2024, and required Aqua to file any rebuttal testimony and exhibits by March 4, 2024. To date, no other parties have sought to intervene.

4. The Public Staff plans to submit this matter as an agenda item for the Commission's regular Staff Conference on January 29, 2024, with a recommendation to grant the Application. Aqua is in agreement with the Public Staff's proposed order.

5. In the unlikely event that another party does intervene by the February 16, 2024, deadline, the Commission has the authority under N.C.G.S. § 62-80 rescind any Staff Conference order approving the Application, require Aqua to prefile rebuttal testimony and exhibits by March 4, 2024, and hold an evidentiary hearing on March 18, 2024.

6. Accordingly, there is no need for the Parties to go through the effort of prefilng testimony, and there is no need for the Commission to conduct a hearing as set out in the Scheduling Order. Cancellation of the testimony prefilng requirements and the hearing would result in cost savings for Aqua and time savings for both Parties and the Commission, without prejudice to ratepayers. The Application may be decided on the basis of the existing filings and the Public Staff's agenda item for the January 29, 2024, regular Staff Conference.

WHEREFORE, the Parties move that the Commission issue an order cancelling the testimony prefilng requirements and the hearing previously ordered in this matter.

Respectfully submitted this 24th day of January, 2024.

/s/ David T. Drooz

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing JOINT MOTION TO CANCEL PREFILING OF TESTIMONY AND CANCEL HEARING on all parties of record, or their attorneys, or both, by United States mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 24th day of January, 2024.

Electronically submitted
/s/ David T. Drooz