

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1333, SUB 0
DOCKET NO. W-1130, SUB 11

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application by Currituck Water and Sewer, LLC,) 4700 Homewood Court, Suite 108, Raleigh,) North Carolina 27609, and Sandler Utilities at) Mill Run, LLC, 448 Viking Drive, Suite 220,) Virginia Beach, Virginia 23452, for Authority to) Transfer the Sandler Utilities at Mill Run) Wastewater System and Public Utility Franchise) in Currituck County, North Carolina, and for) Approval of Rates)	ORDER GRANTING PUBLIC STAFF'S MOTION FOR EXTENSION OF TIME TO FILE TESTIMONY AND EXHIBITS AND EXTENSION OF DISCOVERY DEADLINES NUNC PRO TUNC
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BY THE CHAIR: On May 19, 2021, Currituck Water and Sewer, LLC (Currituck) and Sandler Utilities at Mill Run, LLC (Sandler) filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates, seeking authority to transfer the wastewater utility system and public utility franchise serving Eagle Creek Subdivision, Eagle Creek Golf Club and Grill, and Moyock Middle School in Currituck County, North Carolina, from Sandler to Currituck and approval of rates (the Joint Application).

On November 18, 2021, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Public Notice (Scheduling Order) requiring, among other things, that the Public Staff and intervenors file direct testimony and exhibits on or before February 24, 2022; that Currituck and Sandler (collectively, the Companies) file their rebuttal testimony and exhibits, if any, by March 16, 2022. The Scheduling Order also required that formal discovery requests of the Public Staff and other intervenors shall be served no later than five calendar days after the filing of that party's testimony and the party served shall have up to three business 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 nine calendar days after the filing of that party's testimony. No parties filed to intervene in this docket.

On February 24, 2022, the Public Staff filed a motion for an extension of time to file testimony and exhibits to March 2, 2022, and for an extension of the discovery request and response deadlines for the Public Staff's direct testimony using the same timeframe set forth in Discovery Guideline 4 of the Scheduling Order. In its Motion, the Public Staff stated that it is awaiting outstanding information from Currituck that is necessary and material to the direct testimony the Public Staff intends to file regarding the Joint Application. The Public

Staff stated Currituck has yet to indicate when the Public Staff can expect to receive this information.

Further, the Public Staff requested that the Commission preserve the remaining dates and deadlines regarding the milestones and discovery guidelines set forth in the Scheduling Order.

In its Motion, the Public Staff stated that it had contacted counsel for the Companies and that Counsel for Sandler has indicated that it has no objection, but Counsel for Currituck has not provided a response.

Based on the foregoing and the entire record herein, the Chair finds good cause to extend the deadline for the Public Staff to file testimony and exhibits; to extend the deadline for the Companies to file rebuttal testimony; and extends the discovery request and response deadlines for the Public Staff's direct testimony and exhibits while preserving the remaining procedural dates and deadlines as required by the Scheduling Order.

IT IS, THEREFORE, ORDERED as follows:

1. That the deadline for filing the Public Staff's testimony and exhibits is extended to March 2, 2022;
2. That the deadline for filing the Companies' rebuttal testimony and exhibits, if any, is extended to March 22, 2022; and,
3. That formal discovery requests of the Public Staff shall be served on the receiving party, no later than five calendar days after the filing of that party's testimony.

ISSUED BY ORDER OF THE COMMISSION.

This the 25th day of February, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, appearing to read "Joann R. Snyder".

Joann R. Snyder, Deputy Clerk