



**NORTH CAROLINA  
PUBLIC STAFF  
UTILITIES COMMISSION**

October 27, 2023

Ms. A. Shonta Dunston, Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4300

Re: Docket No. W-933, Sub 12 and W-1328, Sub 0 – Application for  
Transfer of Public Utility Franchise from Etowah Sewer Company Inc.  
to Red Bird Water and for Approval of Rates

Dear Ms. Dunston:

On October 8, 2020, Etowah Sewer Company, Inc. (Etowah) and Red Bird Utility Operating Company, LLC d/b/a Red Bird Water (Red Bird) filed a joint application for approval of transfer of the assets of the wastewater utility system serving the Etowah Community in Henderson County, North Carolina, from Etowah to Red Bird and approval of rates.

On September 26, 2023, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order), which established the procedural schedule in this proceeding, including filing requirements of the parties. Among other things, the Scheduling Order sets the application for a customer hearing beginning at 7:00 p.m. on Wednesday, November 1, 2023, at the Henderson County Courthouse in Hendersonville, North Carolina. The Scheduling Order also states that the customer hearing may be cancelled if no significant protests are received on or before Wednesday, October 25, 2023.

On Wednesday, October 25, 2023, the Public Staff received an email from the office of Senator Timothy Moffitt, which indicated significant constituent opposition to the Red Bird transfer application, anticipated considerable constituent attendance at the scheduled public hearing, and requested that the public hearing scheduled in this matter not be cancelled. The Public Staff has filed a copy of the Senator's email in the docket herein. Additionally, the Public Staff notes that there have also been six individual consumer statements of concern filed in the docket.

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The Public Staff has reviewed the filed customer statements and the request from Senator Moffitt and believes they constitute significant protests based on their nature. Accordingly, the Public Staff recommends that the customer hearing be held as scheduled.

If you have any questions, please do not hesitate to contact me.

Sincerely,  
Electronically submitted  
/s/ Gina C. Holt  
Manager, Legal Division, Water,  
Sewer, Natural Gas, Telephone,  
Transportation Sections  
[gina.holt@psncuc.nc.gov](mailto:gina.holt@psncuc.nc.gov)

cc: Parties of Record

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