

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH
STAFF CONFERENCE AGENDA
February 19, 2024
Commission Hearing Room 2115, 10:00 a.m.**

ELECTRIC

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Duke Energy Progress, LLC

1. Docket No. SP-33890, Sub 1 – Application of Oxbow Solar, LLC, for a certificate of public convenience and necessity and registration statement to construct an 80-MW solar photovoltaic facility in Wayne County, North Carolina (*Lawrence/Keyworth*)

North Carolina Electric Membership Corporation

2. Docket No. SP-44916, Sub 0 – Application of Helena Solar, LLC, for a certificate of public convenience and necessity and registration statement to construct a 40-MW solar photovoltaic facility in Warren County, North Carolina (*D. Williamson/Keyworth*)

PURCHASED POWER ADJUSTMENT AND RENEWABLE ENERGY RIDER

New River Light and Power

3. Docket No. E-34, Sub 57 – Application of NRLP for approval of annual PPA and Rider RER adjustments effective for bills rendered after March 1, 2024 (*Fang/Lucas/Felling*)

WATER AND WASTEWATER

ORDER GRANTING FRANCHISE AND APPROVING RATES

Carolina Water Service, Inc. of North Carolina

4. Docket No. W-354, Sub 424 – Application for Certificate of Public Convenience and Necessity to Provide Water and Sewer Utility Service in Winston Pointe Phase 2 in Johnston County, North Carolina (*Houser/Feasel/Bernier*)
5. Docket No. W-354, Sub 425 – Application for Certificate of Public Convenience and Necessity to Provide Water and Sewer Utility Service in Winston Pointe Phase 3A in Johnston County, North Carolina (*Houser/Feasel/Bernier*)

*ORDER SCHEDULING HEARINGS, ESTABLISHING DISCOVERY GUIDELINES, AND
REQUIRING CUSTOMER NOTICE*

Water Resources, Inc.

6. Docket No. W-1034, Sub 13 – Application for Authority to Adjust and Increase Rates for Water Utility Service in Rocky River in Cabarrus County and River Walk in Mecklenburg County, North Carolina (*Houser/Strickland/Holt*)

ORDER ESTABLISHING GENERAL RATE CASE AND SUSPENDING RATES

HH Water, LLC

7. Docket No. W-1318, Sub 1 – Application for Authority to Adjust and Increase Rates for Water Utility Service in High Hampton Inn and Country Club Service Area in Jackson County, North Carolina (*Bhatta/Cofield/Culpepper/Bernier*)

The Public Staff recommends approval of these agenda items as described above and reflected in proposed orders provided to the Commission Staff.

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-33890, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Oxbow Solar, LLC, for a	)	ORDER ISSUING CERTIFICATE
Certificate of Public Convenience and	)	AND ACCEPTING
Necessity to Construct an 80-MW Solar Facility)	)	REGISTRATION OF NEW
in Wayne County, North Carolina	)	RENEWABLE ENERGY
	)	FACILITY

BY THE COMMISSION: On September 29, 2023, Oxbow Solar, LLC (Applicant), filed an application in the above-captioned docket seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of an 80-MW_{AC} solar photovoltaic generating facility to be located west of Arrington Bridge Road, east of Emmaus Church Road, north and south of Sleepy Creek Road, near Goldsboro, Wayne County, North Carolina. The Applicant plans to sell the electricity to Duke Energy Progress, LLC (DEP).

Contemporaneously with the application, the Applicant filed a registration statement for a new renewable energy facility. The registration statement included certified attestations that (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a new renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C.G.S. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On November 13, 2023, the Commission issued an Order Requiring Publication of Notice.

On December 14, 2023, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to DEP on November 28, 2023.

On December 21, 2023, the State Clearinghouse filed a letter indicating that “no further State Clearinghouse review action on [the Commission’s] part is needed for compliance with the North Carolina Environmental Policy Act,” with an attached set of comments from the State Historic Preservation Office (SHPO). SHPO’s comments included a recommendation that “a reconnaissance level survey be conducted by an

experienced archaeologist.”¹ On January 16, 2024, the State Clearinghouse filed additional comments. Because of the nature of the comments, the cover letters indicated that no further State Clearinghouse review action is required for compliance with the North Carolina Environmental Policy Act.

On December 28, 2023, the Applicant filed an Affidavit of Publication from the Goldsboro News-Argus stating that the publication of notice was completed on December 21, 2023.

On February 8, 2024, the Public Staff filed a letter with the Commission stating that, as a result of the apparent disharmony between SHPO’s recommendation that a reconnaissance level survey be undertaken and the Clearinghouse’s directive in its December 21, 2023 letter that no further review action is necessary, the Public Staff contacted the Clearinghouse for clarification. A representative of the Clearinghouse contacted SHPO and thereafter informed the Public Staff that “SHPO confirmed [that] no other actions are required.”² The Public Staff also spoke by phone with SHPO directly, during which a SHPO representative stated that its recommendation was discretionary and not required.

The Public Staff presented this matter to the Commission at its regular Staff Conference on February 19, 2024. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to approve the application and issue the attached certificate for the proposed solar photovoltaic generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and is required to participate in

¹ The following day, a duplicate set of SHPO’s comments were filed by the Clearinghouse in the docket. No letter from the Clearinghouse was included.

² In its letter, the Public Staff further explained that, during the course of this conversation, it learned that the duplicate set of comments filed on December 22, 2023, was intended to be a filing containing a separate letter with an additional set of comments from other agencies, and that the Clearinghouse had unknowingly filed SHPO’s comments twice, instead. As a result, on January 16, 2024, the Clearinghouse filed another letter and the accompanying set of additional comments. This cover letter indicated that “no further State Clearinghouse review action on [the Commission’s] part is needed for compliance with the North Carolina Environmental Policy Act” and included comments submitted by the North Carolina Department of Environmental Quality, the North Carolina Wildlife Resources Commission, and the Department of Transportation.

the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of renewable energy certificates.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Oxbow Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Oxbow Solar, LLC, for the 80-MW solar photovoltaic generating facility to be located west of Arrington Bridge Road, east of Emmaus Church Road, and north and south of Sleepy Creek Road, Goldsboro, Wayne County, North Carolina;
3. That the registration statement filed by Oxbow Solar, LLC, for its solar photovoltaic generating facility to be located in Wayne County, North Carolina, as a new renewable energy facility shall be, and is hereby, accepted;
4. That Oxbow Solar, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year; and
5. That Oxbow Solar, LLC, shall renew this certificate by re-compliance with the requirements set forth in Commission Rule R8-64 if it does not begin construction within five years after the issuance of the certificate.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of February, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-33890, SUB 1

Oxbow Solar, LLC

130 Roberts Street
Asheville, North Carolina 28801

is hereby issued this

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. Gen. Stat. § 62-110.1**

for an 80-MW_{AC} solar photovoltaic generating facility

to be located

west of Arrington Bridge Road, east of Emmaus Church Road, north and south of
Sleepy Creek Road, Goldsboro, Wayne County, North Carolina

subject to all orders, rules, regulations and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of February, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-44916, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Helena Solar, LLC, for a	)	ORDER ISSUING CERTIFICATE
Certificate of Public Convenience and	)	AND ACCEPTING
Necessity to Construct a 40-MW _{AC} Solar	)	REGISTRATION OF NEW
Facility in Warren County, North Carolina	)	RENEWABLE ENERGY
	)	FACILITY

BY THE COMMISSION: On November 8, 2022, Helena Solar, LLC (Applicant), filed an application in the above-captioned docket seeking a certificate of public convenience and necessity pursuant to N.C. Gen. Stat. § 62-110.1(a) for construction of a 40-MW_{AC} solar generating facility. The location of the facility will be in two sections. The first section is bordered generally by Sheriff Davis Road, Pete Harris Road, and Lickskillet Road, and the second section is bordered generally by NC Highway 58 between its intersections with Pete Harris Road and Park Town Road, Warrenton, Warren County, North Carolina. The Applicant plans to sell the electricity to North Carolina Electric Membership Corporation (NCEMC).

Contemporaneously with the application, the Applicant filed a registration statement for a new renewable energy facility. The registration statement included certified attestations that (1) the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources; (2) the facility will be operated as a new renewable energy facility; (3) the Applicant will not remarket or otherwise resell any renewable energy certificates sold to an electric power supplier to comply with N.C.G.S. § 62-133.8; and (4) the Applicant will consent to the auditing of its books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers.

On February 9, 2023, the Commission issued an Order Requiring Publication of Notice.

On March 22, 2023, the State Clearinghouse filed comments indicating that additional information was needed for its review.

On March 24, 2023, the Applicant filed a verified certificate of service stating that the application and the related public notice were provided to NCEMC on February 16, 2023.

On March 28, 2023, the Applicant filed an affidavit of publication from The Warren Record stating that the publication of notice was completed on March 15, 2023.

On December 14, 2023, the State Clearinghouse filed comments indicating that the Applicant had supplied additional information on November 3, 2023. Because of the nature of the comments, the cover letter indicated that no further action was required for compliance with the North Carolina Environmental Policy Act.

The Public Staff presented this matter to the Commission at its regular Staff Conference on February 19, 2024. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of N.C.G.S. § 62-110.1(a) and Commission Rule R8-64. The Public Staff further stated that the registration statement contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to approve the application and issue the attached certificate for the proposed solar photovoltaic generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and is required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of renewable energy certificates.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Helena Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved;
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Helena Solar, LLC, for the 40-MW_{AC} Solar Photovoltaic Generating Facility. The location of the facility will be in two sections. The first section is bordered generally by Sheriff Davis Road, Pete Harris Road, and Lickskillet Road, and the second section is bordered generally by NC Highway 58 between its intersections with Pete Harris Road and Park Town Road, Warrenton, Warren County, North Carolina;
3. That the registration statement filed by Helena Solar, LLC, for its solar photovoltaic generating facility to be located in Warren County, North Carolina, as a new renewable energy facility shall be, and is hereby, accepted;
4. That Helena Solar, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year; and

5. That Helena Solar, LLC, shall renew this certificate by re-compliance with the requirements set forth in Commission Rule R8-64 if it does not begin construction within five years after the issuance of the certificate.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of February, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

APPENDIX A

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-44916, SUB 0

Helena Solar, LLC

3725 National Drive, Suite 210
Raleigh, North Carolina
27612

is hereby issued this

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO N.C. Gen. Stat. § 62-110.1**

for a 40-MW_{AC} solar photovoltaic generating facility

to be located in two sections

The first section is bordered generally by Sheriff Davis Road, Pete Harris Road, and Lickskillet Road, and the second section is bordered generally by NC Highway 58 between its intersections with Pete Harris Road and Park Town Road, Warrenton, Warren County, North Carolina

subject to all orders, rules, regulations and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of February, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-34, SUB 57

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by New River Light & Power	)	ORDER APPROVING
Company for Approval of Purchased Power	)	PURCHASED POWER
Adjustment, Coal Ash Cost Recovery Refund	)	ADJUSTMENT, COAL ASH
Adjustment, and Renewable Energy Rider	)	COST RECOVERY REFUND
True-Up	)	ADJUSTMENT, AND
	)	RENEWABLE ENERGY RIDER
	)	TRUE-UP

BY THE COMMISSION: On December 20, 2023, New River Light and Power Company (NRLP or the Company) filed its annual request for an adjustment to its purchased power rates and charges (the Purchased Power Adjustment or PPA), pursuant to the Commission's Order Approving Rate Increase and Annual Procedure issued on December 22, 2010, in Docket No. E-34, Sub 38, its Order Granting Extension of Time and Permanent Change in Effective Date of Purchased Power Adjustments issued January 23, 2019, in Docket No. E-34, Sub 48, and its Order Accepting Stipulation, Granting Partial Rate Increase, and Requiring Public Notice issued on October 16, 2023, in Docket No. E-34, Sub 54. In its filing, NRLP presented a preliminary PPA factor credit of \$0.013622 per kilowatt-hour (kWh), excluding the North Carolina regulatory fee, or credit of \$0.013642 per kWh, including the regulatory fee. The Company stated that this rate was the preliminary calculation of the PPA factor to be included in rates effective March 1, 2024. The Company's initial proposed PPA factor contained elements of the Company's proposed recovery of an overpayment on the refund to customers for the coal ash costs, as first approved by the Commission in Docket No. E-34, Sub 46, and in subsequent annual PPA/coal ash cost recovery (CACR) rider proceedings. The overpayment totaled \$124,359, which the Company included in its calculation of PPA rates.

On February 1, 2024, NRLP filed its revised proposed PPA factor, including an experience modification factor (EMF) based on total actual purchased power revenues and costs for the period January through December 2023. The PPA factor requested in the revised filing is a decrement of (\$0.013049) per kWh (excluding the regulatory fee), consisting of two elements: (1) a decrement of (\$0.003862) per kWh to reflect the reduction of estimated purchased power costs for the period March 2024 through February 2025, and (2) an EMF decrement of (\$0.009187) per kWh. NRLP states that when calculated to include the regulatory fee, the PPA factor totals (\$0.013068) per kWh, which results in a decrease in total purchased power rates of (\$0.025444) per kWh below

the PPA factor approved by the Commission in the last general rate case proceeding, Docket No. E-34, Sub 54.

As part of its February 1, 2024 filing, NRLP also requested an updated adjustment to the collection of the balance owed to NRLP from its customers due to an overpayment of the refund of past coal ash clean-up costs charged to NRLP in the amount of \$148,643, excluding the interest amount accrued since March 2023.

Additionally, the amended exhibits filed by the Company reflect that the combined proposed factors, if approved by the Commission, will decrease typical monthly bills for its customers from the rates approved in Docket No. E-34, Sub 54, by a range of 35% for residential customers to 41% for Large Commercial customers.

NRLP filed contemporaneously its annual true-up of Rider RER as directed by Order Approving Renewable Energy Rider (RER), issued by the Commission on July 19, 2021, in Docket No. E-34, Sub 52. The true-up was for the period from January 1, 2023, to December 31, 2023, and calculates an effective Block size (amount of renewable energy purchased for \$5.00 per month per Block) in 2023 to be 283 kWh (an increase from the planned Block size of 250 kWh) and estimated an effective Block size in 2024 to be 250 kWh.

For the RER, the cost of energy from Carolina Power Partners (CPP) in 2023 was lower than was projected at the time of last year's RER true up, the total dollar amount of under collection from participating RER customers from the period of January 2023 through December 2023 was \$403,233. The initial design of the program was to roll the entire over- or under-kWh volumes from the previous year into the following year through an annual true-up. As reported in last year's RER true-up filing, the program over-collected an amount of \$432,236, which creates a net balance of \$29,002. NRLP will annually review each year's RER program results to ensure all participating customers receive the appropriate amount of renewable energy for the \$5.00 incremental RER rider charge.

Finally, NRLP also requested that it be allowed to deliver the customer notice of the PPA change (1) by e-mail for customers who have provided an e-mail address to NRLP, and (2) by a bill insert in the next billing cycle after the Commission's Order for customers who have not provided an e-mail address to NRLP (instead of a separate first-class letter notice). NRLP requested that it be permitted to use these delivery methods because it is very burdensome and costly for a utility of its size to mail notice of the rate change by first class mail to all its customers within the short time normally required after the Commission issues its Order. NRLP notes that some customers do not receive paper bills, as they have chosen to receive their bills and make payment online.

The Public Staff reviewed NRLP's calculations for the PPA application, including the overpayment of refund of coal ash rider, and RER. The Public Staff recommended to the Company that it remove the interest associated with the refund on the coal ash rider. NRLP filed updated rates excluding the disallowed interest.

The Public Staff presented this item at the Commission's February 19, 2024 Regular Staff Conference. The Public Staff stated that it had reviewed NRLP's calculations for the PPA and the overpayment of refund on the coal ash rider and determined that the revised proposed factors have been appropriately calculated, given the projection of purchased power and final coal ash costs adjustment, and are consistent with previous NRLP PPA factor requests approved by the Commission, as well as the stipulation between NRLP and the Public Staff approved by the Commission in Docket No. E-34, Sub 54. Further, the Public Staff stated that it does not object to NRLP's proposal to true up the Rider RER to an effective Block size of 283 kWh in 2023 or to NRLP's proposal regarding customer notice.

Based on the foregoing, the Commission concludes that the proposed PPA and final CACR adjustment as revised should be approved and that the RER is allowed to true up an effective Block size of 283 kWh in 2023 without public hearing, subject to refund of any amounts subsequently found to be unjust or unreasonable upon protest and hearing, and subject to the requirements set forth in the Ordering Paragraphs below.

IT IS, THEREFORE, ORDERED as follows:

1. That effective with service rendered on and after March 1, 2024, NRLP is authorized to adjust its base rates to reflect a PPA factor of (\$0.013049) per kWh (excluding the regulatory fee) and (\$0.013068) per kWh (including the regulatory fee), resulting in a decrease of (\$0.025444) per kWh in the PPA factor including regulatory fee.
2. That effective with service rendered on and after March 1, 2024, NRLP is authorized to implement the final adjustment to the collection of the balance owed to NRLP from its customers related to rate recovery of past coal ash clean-up costs charged to NRLP, in the amount of \$148,643, which was included as a cost to recover in its PPA rate.
3. That the Renewable Energy Rider is allowed to be trued up to an effective Block size of 283 kWh for 2023.
4. That NRLP shall file copies of its approved rates, as modified herein, within 10 days of the date of this Order.
5. That the Notice to the Public attached as Appendix A be either (1) delivered by email for customers who have provided an email address to NRLP, or (2) mailed by bill insert in the next billing cycle after the Commission's Order.
6. That the Notice to the Public be published by NRLP at its own expense in newspapers having general coverage in its North Carolina service area once a week for two consecutive weeks, the first Notice appearing not later than seven days following the date of this Order and said Notice covering no less than one-quarter of a page.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

NOTICE TO THE PUBLIC

**DOCKET NO. E-34, SUB 57
BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

Notice is hereby given that New River Light and Power Company (NRLP or the Company) has requested the North Carolina Utilities Commission (Commission) to approve an adjustment to its purchased power adjustment (PPA) factor, and the coal ash cost recovery (CACR) factor final adjustment, and the Renewable Energy Rider (RER), for service rendered on and after March 1, 2024, to pass through to its customers the cost of purchased power and coal ash cleanup costs from its wholesale power supplier.

The amount of the decrease to NRLP's customers resulting from the combined new PPA and CACR factors will be approximately (\$5,247,761) per year. The decrease will be applied to NRLP's customers as uniform decreases to the kilowatt-hour (kWh) energy charge. The decrement in revenue produced by the decrease will be the same as the decrease in the cost of purchased power, adjusted for the effects of the utility regulatory fee. The proposed decrease of (\$0.025444) per kWh will result in a decrease in the monthly bill of a residential customer using 1,000 kWh from \$145.04 to \$94.56. The approximate percentage decreases in customers' bills, by rate schedule, are as follows (actual percentages may differ depending on specific customers' usage amounts):

Residential	(34.8%)
Schedule G (Commercial)	(34.1%)
Schedule GL (Large Commercial)	(41.2%)
Schedule A (App. State Univ.)	(24.6%)

The Commission has concluded that the PPA and CACR final adjustments requested by NRLP are reasonable, in that they are based solely on the level of purchased power that have been incurred and are expected to be incurred by the Company.

The Company has requested that the Commission approve its annual true-up of the RER as directed by Order Approving Renewable Energy Rider (RER), issued by the Commission on July 19, 2021, in Docket No. E-34, Sub 52. The true-up period covers January 2023 through December 2023 and calculates an effective Block size in 2023 to be 283 kWh and an estimated effective Block size (purchased for \$5.00 per month per Block) in 2024 to be 250 kWh.

For the RER, the cost of energy from Carolina Power Partners (CPP) in 2023 was lower than was projected at the time of last year's RER true up, the total dollar amount of under collection from participating RER customers from the period of January 2023 through December 2023 was \$403,233. The initial design of the program was to roll the entire over- or under-kWh volumes from the previous year into the following year through an annual true-up. As reported in last year's RER true-up filing, the program over-collected an amount of \$432,236, which creates a net balance of \$29,002. NRLP will annually review each year's RER program results to ensure all participating customers receive the appropriate amount of renewable energy for the \$5.00 incremental RER rider charge.

The Commission has concluded that the request by NRLP to true up the 2023 effective Block size to 283 kWh in the RER is reasonable.

Therefore, the Commission has approved NRLP's requests without public hearing, subject to refund of any amounts which should subsequently be found to be unjust or unreasonable after any public hearing in this matter that may subsequently be held by the Commission, as described below.

Persons desiring to intervene in this matter as formal parties of record should file a motion under Commission Rules R1-6, R1-7, and R1-19 not later than 45 days after the date of this notice. Persons desiring to present testimony or evidence at a hearing should so advise the Commission. Persons desiring to send written statements to inform the Commission of their position in the matter should address their statements to the Chief Clerk, North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. However, such written statements cannot be considered competent evidence unless those persons appear at a public hearing and testify concerning the information contained in their written statements. If a significant number of requests for a public hearing are received within 45 days after the date of this notice, the Commission may schedule a public hearing.

The Public Staff – North Carolina Utilities Commission is authorized by statute to represent the using and consuming public in proceedings before the Commission. Written statements to the Public Staff should include any information which the writer wishes to be considered by the Public Staff in its investigation of the matter, and such statements should be addressed to Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 424

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Carolina Water Service, Inc. of)	
North Carolina for a Certificate of Public)	ORDER GRANTING
Convenience and Necessity and for Approval of)	FRANCHISE AND APPROVING
Rates to Provide Water and Sewer Utility)	RATES
Service to Winston Pointe Subdivision Phase 2)	
in Johnston County, North Carolina)	

BY THE COMMISSION: On August 8, 2023, Carolina Water Service, Inc. of North Carolina (CWSNC or Applicant) filed an Application for a Certificate of Public Convenience and Necessity (CPCN) and for Approval of Rates (Application) to provide water and sewer utility service in Phase 2 of the Winston Pointe subdivision in Johnston County, North Carolina. CWSNC filed supplements to the Application on September 13 and October 18, 2023.

On September 13, 2023, CWSNC filed a letter with the Commission waiving the timelines for determination of completeness and for issuance of an order pursuant to N.C. Gen. Stat. § 62-111(f)(4).

On November 9, 2023, the Public Staff – North Carolina Utilities Commission (Public Staff) filed a letter with the Commission indicating that this docket now includes all of the information required for a complete Application.

On November 13, 2023, the Commission issued its Order Finding Application Complete.

On December 20, 2023, the Public Staff filed a letter with the Commission indicating that there were no issues in dispute and stating that it intended to bring this docket before the Commission at Staff Conference for approval of the CPCN.

CWSNC currently serves approximately 118 water and sewer customers in Winston Pointe Phase 2, which is full buildout. The present rates for customers in Phase 2 have not been approved by the Commission. According to its Application, the Company had believed that the previous CPCN and contiguous extension granted in Docket No. W-354, Subs 160 and 305 for Phases 1A and 1B, respectively, covered the entire development. CWSNC filed the Application in this docket to remedy that oversight.

CWSNC states in its Application and supplements that the rates currently being charged to customers are its statewide, uniform water and sewer utility service base charges approved for its other franchised service areas and its usage charges approved for other Winston Pointe purchased water and sewer service areas. These rates are consistent with those approved for the Winston Pointe Phase 1A and 1B service areas in the Order Approving Tariff Revision and Requiring Customer Notice in Docket No. W-354, Sub 416, issued on August 8, 2023. CWSNC proposes to continue charging customers in Winston Pointe Phase 2 the same rates currently approved for Winston Pointe Phases 1A and 1B.

On February 19, 2024, the Public Staff presented this matter at the Commission's Regular Staff Conference. The Public Staff recommended that the Commission issue an order granting the franchise and approving the requested rates.

Based upon the verified Application, and the entire record in this matter, the Commission makes the following:

FINDINGS OF FACT

1. CWSNC presently holds water franchises serving approximately 34,000 customers and sewer franchises serving approximately 21,000 customers throughout North Carolina. CWSNC's record of service is satisfactory.

2. CWSNC currently serves 120 water and sewer customers in Winston Pointe Phase 2. The service area is shown on plans filed with the Application.

3. The North Carolina Department of Environmental Quality, Division of Water Resources (DWR), Public Water Supply Section, issued a plan approval letter for Winston Pointe, Phase 2, as part of Water System No. NC4051012, Winston Pointe S/D. The plans are approved under serial number 14-00244, dated May 1, 2014.

4. The North Carolina Department of Environmental Quality, DWR issued a wastewater collection system extension under permit No. WQ0037043, dated March 27, 2014.

5. CWSNC entered into a Water and Sewer System Service Agreement with Solaris Development Corporation d/b/a Sunstar Homes, and Develco LLC (collectively, Developers), dated April 15, 1996. The Agreement was amended on April 15, 1996, March 16, 1998, and December 13, 2000. The amended agreement was approved by the Commission on October 15, 2002, in the Commission's Order Granting Franchises and Approving Rates and Contracts in Docket No. W-354, Sub 160. Under the agreement (1) the developer installed the utility system; and (2) CWSNC collected a connection fee for each new single family dwelling unit, payable by the developer/builder at the time of connection.

6. The connection fee for customers of the Winston Pointe Subdivision has been revised several times to reflect the increased cost of Johnston County's Bulk Water Capacity Fee, most recently in the Order Approving Tariff Revision and Requiring Customer Notice in Docket No. W-354, Sub 416, on August 8, 2023. CWSNC is currently approved to charge \$1,800 for each water connection and \$1,400 for each sewer connection. CWSNC stated that each customer of Winston Pointe Phase 2 was charged the connection fee that was approved at the time of connection.

7. CWSNC has filed all exhibits required with the Application.

8. CWSNC has the technical, managerial, and financial capacity to provide water and sewer utility service in this franchise location.

9. CWSNC proposes to charge its statewide, uniform water and sewer utility service base charges approved for its other franchised service areas and its usage charges approved for other Winston Pointe purchased water and sewer systems.

10. The Public Staff recommends that CWSNC be required to post a \$50,000 bond for Winston Pointe Phase 2. CWSNC currently has \$4,270,000 of bonds posted with the Commission. Of this amount, \$4,005,000 of bond surety is assigned to specific subdivisions and \$265,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission concludes that the water and sewer utility franchise requested by CWSNC in Winston Pointe Phase 2 should be granted, that CWSNC's currently approved connection fee for the Winston Pointe service area should be approved for future connections, that the requested rates should be approved, and that \$50,000 of CWSNC's unassigned bond surety should be assigned to Winston Pointe Phase 2.

IT IS, THEREFORE, ORDERED as follows:

1. That \$50,000 of CWSNC's unassigned bond surety is assigned to the Winston Pointe Phase 2. The remaining unassigned bond surety shall be \$165,000 (a total of \$100,000 is being assigned concurrently in Docket No. W-354, Subs 424 and 425);

2. That CWSNC is granted a certificate of public convenience and necessity to provide water and sewer utility service in Winston Pointe Phase 2 in Johnston County, North Carolina, and Appendix A, attached hereto, constitutes the CPCN;

3. That CWSNC's existing Schedule of Rates approved by Commission Order issued on August 8, 2023, in Docket No. W-354, Sub 416, is approved for water and sewer utility service in Winston Pointe Phase 2;

4. CWSNC's currently approved connection fee for the Winston Pointe service area should be approved for future connections in Winston Pointe Phase 2;

5. That CWSNC shall follow applicable state and federal laws and Commission guidance with respect to income tax gross-up on contributions in aid of construction per orders issued in Docket No. W-100, Sub 57;

6. That, to the extent not previously filed in the docket, CWSNC shall file, within 14 days of their availability, all completed exhibits to the Water and Sewer System Service Agreement including, but not limited to, deeds, easements, warranties, bills of sale, and written certifications of cost; and

7. That, to the extent not previously filed in the docket, CWSNC shall file, within 14 days of their availability, copies of documents showing that CWSNC has acquired ownership or control of all components of the system and the land on which it is situated, including, but not limited to, bills of sale and properly recorded deeds and easements.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 424

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

CAROLINA WATER SERVICE, INC. OF NORTH CAROLINA

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide water and sewer utility service

in

WINSTON POINTE PHASE 2

Johnston County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

[Back to Agenda](#)

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 425

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Carolina Water Service, Inc. of)
North Carolina for a Certificate of Public)
Convenience and Necessity and for Approval of)
Rates to Provide Water and Sewer Utility)
Service to Winston Pointe Subdivision Phase)
3A in Johnston County, North Carolina)
	ORDER GRANTING
	FRANCHISE AND APPROVING
	RATES

BY THE COMMISSION: On August 10, 2023, Carolina Water Service, Inc. of North Carolina (CWSNC or Applicant) filed an Application for a Certificate of Public Convenience and Necessity (CPCN) and for Approval of Rates (Application) to provide water and sewer utility service in Phase 3A of the Winston Pointe subdivision in Johnston County, North Carolina. CWSNC filed amendments to the Application on September 13, October 17, and November 17, 2023.

On September 13, 2023, CWSNC filed a letter with the Commission waiving the timelines for determination of completeness and for issuance of an order pursuant to N.C. Gen. Stat. § 62-111(f)(4).

On November 9, 2023, the Public Staff – North Carolina Utilities Commission (Public Staff) filed a letter with the Commission indicating that this docket now includes all of the information required for a complete Application.

On November 13, 2023, the Commission issued its Order Finding Application Complete.

On December 20, 2023, the Public Staff filed a letter with the Commission indicating that there were no issues in dispute and stating that it intended to bring this docket before the Commission at Staff Conference for approval of the CPCN.

CWSNC currently serves approximately 107 water and sewer customers in Winston Pointe Phase 3A and plans to eventually serve 108 water and sewer customers. The present rates for customers in Phase 3A have not been approved by the Commission. According to its Application, the Company believed that the previous CPCN and contiguous extension granted in Docket Nos. W-354, Sub 160, and W-354, Sub 305, for Phases 1A and 1B, respectively, covered the entire development. CWSNC filed the Application in this docket to remedy that oversight.

CWSNC states in its Application and supplements that the rates currently being charged to customers are its statewide, uniform water and sewer utility service base charges approved for its other franchised service areas and its usage charges approved for other Winston Pointe purchased water and sewer service areas. These rates are consistent with those approved for Winston Pointe Phases 1A and 1B service areas in the Order Approving Tariff Revision and Requiring Customer Notice in Docket No. W-354, Sub 416, issued on August 8, 2023. CWSNC proposes to continue charging customers in Winston Pointe Phase 3A the same rates currently approved for Winston Pointe Phases 1A and 1B.

On February 19, 2024, the Public Staff presented this matter at the Commission's Regular Staff Conference. The Public Staff recommended that the Commission issue an order granting the franchise and approving the requested rates.

Based upon the verified Application, and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. CWSNC presently holds water franchises serving approximately 34,000 customers and sewer franchises serving approximately 21,000 customers throughout North Carolina. CWSNC's record of service is satisfactory.

2. CWSNC currently serves approximately 107 water and sewer customers in Winston Pointe Phase 3A. The service area is shown on plans filed with the Application.

3. The North Carolina Department of Environmental Quality, Division of Water Resources (DWR), Public Water Supply Section issued a plan approval letter for Winston Pointe Phase 3A, as part of Water System No. NC4051012, Winston Pointe S/D. The plans are approved under serial number 18-00596, dated July 31, 2019, and revised under serial number 18-00596R1, dated April 6, 2023.

4. The North Carolina Department of Environmental Quality, DWR issued a wastewater collection system extension under permit No. WQ0040640, dated May 6, 2019.

5. CWSNC entered into a Water and Sewer System Service Agreement with Solaris Development Corporation d/b/a Sunstar Homes, and Develco LLC (collectively, Developers), dated April 15, 1996. The Agreement was amended on April 15, 1996, March 16, 1998, and December 13, 2000. The amended agreement was approved by the Commission on October 15, 2002, in the Commission's Order Granting Franchises and Approving Rates and Contracts in Docket No. W-354, Sub 160. Under the agreement (1) the developer installed the utility system; and (2) CWSNC collected a connection fee for each new single family dwelling unit, payable by the developer/builder at the time of connection.

6. The connection fee for customers of the Winston Pointe Subdivision has been revised several times to reflect the increased cost of Johnston County's bulk water capacity fee, most recently in the Order Approving Tariff Revision and Requiring Customer Notice in Docket No. W-354, Sub 416, on August 8, 2023. CWSNC is currently approved to charge \$1,800 for each water connection, and \$1,400 for each sewer connection. CWSNC stated that each customer of Winston Pointe Phase 3A was charged the connection fee that was approved at the time of connection.

7. CWSNC has filed all exhibits required with the Application.

8. CWSNC has the technical, managerial, and financial capacity to provide water utility service in this franchise location.

9. CWSNC proposes to charge the water and wastewater rates approved by the Commission on August 8, 2023, in Docket No. W-354, Sub 416, for its Winston Pointe service area.

10. The Public Staff recommends that CWSNC be required to post a \$50,000 bond for Winston Pointe Phase 3A. CWSNC currently has \$4,270,000 of bonds posted with the Commission. Of this amount, \$4,005,000 of bond surety is assigned to specific subdivisions and \$265,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission concludes that the water utility franchise requested by CWSNC in Winston Pointe Phase 3A should be granted, that CWSNC's currently approved connection fee for the Winston Pointe service area should be approved for future connections, that the requested rates should be approved, and that \$50,000 of CWSNC's unassigned bond surety should be assigned to Winston Pointe Phase 3A.

IT IS, THEREFORE, ORDERED as follows:

1. That \$50,000 of CWSNC's unassigned bond surety is assigned to the Winston Pointe Phase 3A. The remaining unassigned bond surety shall be \$165,000 (a total of \$100,000 is being assigned concurrently in Docket No. W-354, Subs 424 and 425);

2. That CWSNC is granted a certificate of public convenience and necessity to provide water utility service in Winston Pointe Phase 3A in Johnston County, North Carolina, and Appendix A, attached hereto, constitutes the Certificate of Public Convenience and Necessity;

3. That CWSNC's existing Schedule of Rates approved by Commission Order issued on August 8, 2023, in Docket No. W-354, Sub 416, is approved for water utility service in Winston Pointe Phase 3A; and

4. CWSNC's currently approved connection fee for the Winston Pointe service area should be approved for future connections in Winston Pointe Phase 3A;

5. That CWSNC shall follow applicable state and federal laws and Commission guidance with respect to income tax gross-up on contributions in aid of construction per orders issued in Docket No. W-100, Sub 57;

6. That, to the extent not previously filed in the docket, CWSNC shall file, within 14 days of their availability, all completed exhibits to the Water and Sewer Service System Agreement including, but not limited to, deeds, easements, warranties, bills of sale, and written certifications of cost; and

7. That, to the extent not previously filed in the docket, CWSNC shall file, within 14 days of their availability, copies of documents showing that CWSNC has acquired ownership or control of all components of the system and the land on which it is situated, including, but not limited to, bills of sale and properly recorded deeds and easements.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 425

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

CAROLINA WATER SERVICE, INC. OF NORTH CAROLINA

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide water and sewer utility service

in

WINSTON POINTE PHASE 3A

Johnston County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1034, SUB 13

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by Water Resources, Inc., for	)	ORDER SCHEDULING
Authority to Adjust and Increase Rates for	)	HEARINGS, ESTABLISHING
Water Utility Service (Application) in Rocky	)	DISCOVERY GUIDELINES,
River Plantation Subdivision in Cabarrus	)	AND REQUIRING
County and River Walk Subdivision in	)	CUSTOMER NOTICE
Mecklenburg County, North Carolina)	

BY THE COMMISSION: On December 29, 2023, Water Resources, Inc. (Applicant or WRI), filed an application with the Commission seeking authority to increase its rates for providing water utility service in the Rocky River Plantation Subdivision (Rocky River) in Cabarrus County and the River Walk Subdivision (River Walk) in Mecklenburg County, North Carolina (Application). The Application states that WRI serves approximately 115 residential customers in the Rocky River service area and approximately 39 residential customers in the River Walk service area. The application was amended on January 3, 2024.

On January 30, 2024, the Commission issued an Order Establishing General Rate Case and Suspending Rates, which declared this proceeding to be a general rate case and suspended the proposed new rates for up to 270 days pursuant to N.C. Gen. Stat. § 62-134 and 137, respectively.

The present wastewater rates for WRI became effective in Docket No. W-1034, Sub 8, and have been in effect since December 7, 2018. The present and proposed rates are as follows:

	<u>Present</u>	<u>Proposed</u>
<u>Monthly Metered Residential Water Rates:</u>		
Rocky River		
Base Charge, zero usage	\$11.20	\$54.01
Usage Charge, per 1,000 gallons	\$3.10	\$15.04
River Walk		
Base Charge, zero usage	\$37.50	\$48.69
Usage Charge, per 1,000 gallons	\$9.07	\$17.50

Connection Fee:

Rocky River	\$0	\$0
River Walk	\$685	\$685

The proposed rates would increase the average monthly bill for residential water service in the Rocky River service area by \$106.80 per month, or 384%, and the River Walk service area by \$47.47 or 62%.

The Public Staff – North Carolina Utilities Commission (Public Staff) presented this matter at the Commission's Regular Staff Conference on February 19, 2024. The Public Staff recommended that the matter be scheduled for a customer hearing for the sole purpose of receiving testimony from customers; that the matter should also be scheduled for an expert witness hearing for the sole purpose of receiving expert witness testimony from WRI, the Public Staff, and other intervenors, if any; and that WRI should be required to provide notice to all affected customers of the Application, including the applied for rates and the scheduled hearings.

Based on the foregoing and the recommendation of the Public Staff, the Commission hereby establishes the procedural schedule, including filing requirements of WRI, the Public Staff, and other intervenors, and requires that WRI provide public notice to all customers affected by the Application, including the applied for rates and the scheduled hearings.

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

1. Any deposition shall be taken before the deadline for the filing of the Public Staff and other intervenor testimony. 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 other 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. Gen. Stat. § 62-62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within two business days of the filing of such motion.

3. Formal discovery requests related to the Application and WRI's prefiled direct and any supplemental testimony shall be served on WRI by hand delivery, facsimile, or electronic delivery with WRI's agreement, no later than 14 calendar days prior to the filing of Public Staff and other intervenor testimony. WRI shall have up to ten

calendar days to file with the Commission objections to discovery requests on an item-by-item basis, but in no event shall objections be filed later than ten calendar days prior to the deadline for the filing of Public Staff and other intervenor testimony.

4. Formal discovery requests related to the prefiled direct testimony of the Public Staff and other intervenors shall be served by hand delivery, facsimile, or electronic delivery with the agreement of the receiving party no later than three business days after the filing of that party's testimony. 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 six business days after the filing of that party's testimony.

5. Formal discovery requests related to the prefiled rebuttal testimony of the Applicant shall be served by hand delivery, facsimile, or electronic delivery with WRI's agreement, no later than two business days after the filing of such testimony. The party served shall have up to two 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 four business days after the filing of such rebuttal testimony. 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, objections shall be filed with the Commission and the objecting party 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 two business days to file with the Commission a motion to compel, and the party objecting to discovery shall have one business day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected party by hand delivery, facsimile, or electronic delivery with the agreement of the receiving 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 due to that party's late intervention or other delay in initiating discovery.

The Commission urges all parties to work in a cooperative manner and to try to accommodate discovery within the time available. 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 these guidelines.

Further, the Commission finds good cause to require all 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 the Application is scheduled for a customer hearing beginning at [Time] on [Day of Week], [Date], at the Mecklenburg County Courthouse, Courtroom [Courtroom number], 832 E. 4th Street, Charlotte, North Carolina. *This hearing may be canceled if no significant protests are received on or before [Day of Week], [Date];*

2. That the customer hearing will be conducted solely for the purpose of receiving the testimony of customers in accordance with Commission Rule R1-21(g). The Commission reserves the right to limit testimony at the customer hearing pursuant to Commission Rule R1-21(g)(5);

3. That WRI is required to file a verified report addressing all customer service and service quality complaints expressed during the customer hearing held on [Day of Week], [Date], within 14 days of the conclusion of the customer hearing. The Public Staff shall and other intervenors may file a verified response and any comments to WRI's report on or before [Day of Week], [Date];

4. That the Application is scheduled for an expert witness hearing beginning at [Time], on [Day of Week], [Date], and continuing as necessary until its conclusion. The hearing will be held in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina 27603;

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

6. The Applicant is required to prefile all testimony on which it will rely at the expert witness hearing on or before [Day of Week], [Date], which is 60 days prior to the expert witness hearing. The Public Staff and intervenors, if any, shall file their testimony on or before [Day of Week], [Date], which is 30 days prior to the expert witness hearing, and WRI shall file its rebuttal testimony, if any, on or before [Day of Week], [Date], which is 15 days prior to the expert witness hearing;

7. That on or before [Day of Week], [Date], any persons having an interest in this matter may file petitions to intervene in this proceeding pursuant to Commission Rules R1-5, R1-7, and R1-19;

8. That WRI shall consult with all other parties and file, no later than [Day of Week], [Date], 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 [Day of Week], [Date], make a filing indicating their points of disagreement with WRI's filing;

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

10. That all parties filing supporting exhibits in Excel format shall provide the Commission Staff electronic versions of the exhibits filed in native Excel format, including all of the supporting tabs and formulas, within three days of the filing of such exhibits and that the Applicant and all other 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;

11. That all parties filing supporting exhibits in PDF format shall provide to the Commission Staff electronic versions of the exhibits filed in native Excel format via email at NCUCexhibits@ncuc.net, where applicable, including all of the supporting tabs and formulas, within three days of the filing of such exhibits; and that WRI and all other 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

12. That the Notice to Customers, attached hereto as Appendix A, shall be mailed with sufficient postage or hand delivered by WRI to all affected customers no later than ten days after the date of this Order and that WRI shall submit to the Commission the attached Certificate of Service, properly signed and notarized, not later than 20 days after the date of this Order.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of [Month], 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**NOTICE TO CUSTOMERS
DOCKET NO. W-1034, SUB 13**

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

Notice is hereby given that Water Resources, Inc. (Applicant or WRI), 6201 Fairview Road, Suite 200, Charlotte, North Carolina filed for Authority to Increase Water Utility Service Rates in the Rocky River Plantation Subdivision (Rocky River) in Cabarrus County and the River Walk Subdivision (River Walk) in Mecklenburg County, North Carolina.

EFFECT OF RATES:

The present water rates for WRI were approved in Docket No. W-1034, Sub 8, and have been in effect since December 7, 2018. The present and proposed rates are as follows:

	<u>Present</u>	<u>Proposed</u>
<u>Monthly Metered Residential Water Rates:</u>		
Rocky River		
Base Charge, zero usage	\$11.20	\$54.01
Usage Charge, per 1,000 gallons	\$3.10	\$15.04
River Walk		
Base Charge, zero usage	\$37.50	\$48.69
Usage Charge, per 1,000 gallons	\$9.07	\$17.50
<u>Connection Fee:</u>		
Rocky River	\$0	\$0
River Walk	\$685	\$685

The proposed rates would increase the average monthly bill for residential water service in the Rocky River service area by \$106.80 per month, or 384% and the River Walk service area by \$47.47 or 62%.

PROCEDURES FOR PUBLIC HEARINGS:

The Commission has scheduled the following hearings on the Application:

Customer hearing beginning at [Time] on [Day of the Week], [Date], to be held at the Mecklenburg County Courthouse, Courtroom [Courtroom number], 832 E. 4th Street, Charlotte, North Carolina. *This hearing may be cancelled if no significant protests are received on or before [Day of the Week], [Date].*

The customer hearing on [Day of the Week], [Date]. will be solely for the purpose of receiving the testimony of customers in accordance with Commission Rule R1-21(g). The Commission reserves the right to limit testimony at the customer hearing.

Expert witness hearing beginning at [Time] on [Day of Week], [Date], and continuing as necessary until its conclusion. The hearing will be held in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. The hearing scheduled for [Day of the Week], [Date], shall be conducted solely for the purpose of receiving testimony of WRI, the Public Staff, and any other parties of record.

The Public Staff – North Carolina Utilities Commission (Public Staff) is authorized by statute to represent consumers in proceedings before the Commission. Consumer statements to the Public Staff should include the customer's name, contact information, and any information that the writer wishes to be considered by the Public Staff in its investigation of the matter, and such statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300. Consumer statements may also be faxed to (919) 715-6704.

Consumer statements may be submitted to the Commission via the web form at <https://www.ncuc.net/contactus.html>. Consumer statements are not evidence unless those persons appear at a customer hearing and testify concerning the information contained in their consumer statements.

The Attorney General is also authorized by statute to represent the consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, c/o Utilities Section, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001. Written statements may also be e-mailed to utilityAGO@ncdoj.gov.

Persons desiring to intervene in this proceeding as formal parties of record should file a petition to intervene pursuant to Commission Rules R1-5, R1-7, and R1-19, on or before [Day of Week], [Date]. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. The direct testimony and exhibits of expert witness to be presented by

intervenors should also be filed with the Commission on or before [Date]. Information regarding this proceeding can also be accessed from the Commission's website at www.ncuc.net under Docket Number "W-1034 Sub 13."

This the ____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

CERTIFICATE OF SERVICE

I, _____, mailed with sufficient postage or hand delivered to all affected customers the attached Notice to Customers issued by the North Carolina Utilities Commission in Docket No. W-1034 Sub 13, and the Notice was mailed or hand delivered by the date specified in the Order.

This the _____ day of _____, 2024.

By:

Signature

Name of Utility Company

The above named Applicant, _____, personally appeared before me this day and, being first duly sworn, says that the required Notice to Customers was mailed or hand delivered to all affected customers, as required by the Commission Order dated _____ in Docket No. W-1034, Sub 13.

Witness my hand and notarial seal, this the _____ day of _____, 2024.

Notary Public

Printed Name

(SEAL) My Commission Expires:

Date

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1318, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by HH Water, LLC, 3104 Blue Lake)	
Drive, Suite 200, Vestivia Hills, Alabama)	ORDER ESTABLISHING
35243, for Authority to Adjust and Increase)	GENERAL RATE CASE AND
Rates for Water Utility Service in High)	SUSPENDING RATES
Hampton Service Area in Jackson County,)	
North Carolina)	

BY THE COMMISSION: On January 26, 2024, HH Water, LLC (Applicant), filed an application with the Commission seeking authority to increase its rates for providing water utility service in the High Hampton service area in Jackson County, North Carolina. The Applicant provides water utility service to 276 customers. On February 2, 2024, the Applicant filed an amended application.

The present water utility rates have been in effect since September 11, 2017, pursuant to the Commission's Order in Docket No. W-1318, Sub 0.

The Commission finds that the application constitutes a general rate case and concludes that the proposed new rates should be suspended pending investigation.

IT IS, THEREFORE, ORDERED as follows:

1. That this proceeding is declared a general rate case pursuant to N.C. Gen. Stat. § 62-137;
2. That the proposed new rates are suspended for up to 270 days pursuant to N.C.G.S. § 62-134;
3. That the test year period is established as the 12-month period ending December 31, 2022; and
4. That the Commission shall issue an order establishing discovery guidelines, scheduling hearings, and requiring customer notice at a later date.

ISSUED BY ORDER OF THE COMMISSION.

This the _____ day of _____, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

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