

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-1305, SUB 35  
DOCKET NO. W-1300, SUB 77

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	
WLI Investments, LLC, 60 Gregory Road,	)	
Ste 1, Belville, North Carolina 28451,	)	ORDER SCHEDULING
Complainant	)	PRE-TRIAL CONFERENCE
	)	AND HEARING, REQUIRING
v.	)	FILING OF TESTIMONY AND
	)	ESTABLISHING DISCOVERY
Old North State Water Company, LLC and	)	GUIDELINES
Pluris Hampstead, LLC,	)	
Defendants	)	

BY THE HEARING EXAMINER: On January 3, 2022, WLI Investments, LLC (WLI), filed a Verified Complaint and Petition for Declaratory Ruling (Complaint), in the above-captioned dockets against Old North State Water Company, LLC (ONSWC) and Pluris Hampstead, LLC (Pluris). In summary, WLI alleged that it has a contract (Development Agreement) with ONSWC for WLI to build and transfer to ONSWC a wastewater collection system by which ONSWC will provide wastewater treatment service to 308 single family residential units in Salter's Haven at Lea Marina Subdivision (SHLM) in Pender County, North Carolina, and to an additional 30 lots to be developed by WLI in the Lea Tract adjacent to but outside of SHLM. Further, WLI alleged that ONSWC has breached the Development Agreement and that Pluris has violated the Public Utilities Act (Act), with regard to ONSWC's obligations under the Development Agreement. WLI requested that the Commission issue a declaratory ruling that ONSWC has certain obligations to WLI under the Development Agreement, and that Pluris should be required to pay fines for alleged violations of the Act.

On January 18, 2022, ONSWC and Pluris filed a joint Response to Complaint. On February 1, 2022, WLI filed a Reply.

On August 2, 2022, the Commission issued an Order Requiring Parties to File Statement on Jurisdiction, in which the parties were directed to file a statement of their position on the effect of Section 17.12 of the Development Agreement on the Commission's jurisdiction to hear and decide WLI's Complaint. On August 11, 2022, the parties filed statements stipulating that the Commission has jurisdiction to hear and decide the issues raised in WLI's Complaint.

Based on the foregoing, a discussion with counsel for the parties, and the record, the Hearing Examiner finds good cause to schedule this matter for a pre-trial conference and hearing and to require the parties to prefile their testimony and exhibits.

In addition, the Hearing Examiner informs the parties that they may conduct timely discovery in a formal or informal manner, as they deem appropriate. However, no party shall serve a discovery request later than three business days after WLI files rebuttal testimony. Further, the hearing will not be continued based on a party's failure to conduct timely discovery. Finally, if necessary, the Hearing Examiner is available to resolve any discovery issues remaining after the parties have made reasonable efforts to do so.

IT IS, THEREFORE, ORDERED as follows:

1. That an expert witness hearing on WLI's Complaint shall be held on Tuesday, December 6, 2022, at 10:00 a.m., in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina;
2. That on or before Friday, September 23, 2022, WLI shall file the direct testimony and exhibits of its witnesses in support of its Complaint;
3. That on or before Thursday, November 3, 2022, ONSWC and Pluris shall file the testimony and exhibits of their witnesses;
4. That on or before Tuesday, November 15, 2022, WLI shall file its rebuttal testimony and exhibits;
5. That on Friday, November 18, 2022, at 10:00 a.m., counsel for the parties shall attend a pre-trial conference to be held in Room 5120, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina; and
6. That all discovery requests by any party shall be served no later than three business days after WLI files rebuttal testimony.

ISSUED BY ORDER OF THE COMMISSION.

This the 22nd day of August, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Joann R. Snyder", is written over a light blue horizontal line.

Joann R. Snyder, Deputy Clerk