STATE OF NORTH CAROLINA UTILITIES COMMISSION RALEIGH

DOCKET NO. W-354, SUB 411 DOCKET NO. W-1148, SUB 22

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by Carolina Water Service, Inc. of)	
North Carolina, 5821 Fairview Road, Suite 401,)	
Charlotte, North Carolina 28209 and Mountain)	
Air Utilities Corporation, Post Office Box 1090,)	ORDER GRANTING MOTION
Burnsville, North Carolina 28714, for Authority)	FOR LEAVE TO FILE
to Transfer the Mountain Air Water and)	TESTIMONY
Wastewater Utility Systems and Public Utility)	
Franchise in Yancey County, North Carolina,)	
and for Approval of Rates)	

BY THE PRESIDING COMMISSIONER: On September 26, 2022, Carolina Water Service, Inc. of North Carolina (CWSNC), and Mountain Air Utilities Corporation (Mountain Air), filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates (Application) seeking authority to transfer the water and wastewater utility systems and public utility franchise serving the Mountain Air Development in Yancey County, North Carolina, from Mountain Air to CWSNC and approval of rates.

The Mountain Air Property Owners Association, Inc. (Mountain Air POA) filed a petition to intervene in this proceeding on January 18, 2023, and the Commission issued an order on February 1, 2023, granting Mountain Air POA's petition to intervene.

On June 5, 2023, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) requiring, among other things, that an expert witness hearing begin on Tuesday, August 15, 2023; that CWSNC is required to prefile all testimony on which it will rely at the expert witness hearing on or before June 16, 2023, which is 60 days prior to the expert witness hearing; that the Public Staff and intervenors, if any, shall file their testimony on or before July 6, 2023, which is 40 days prior to the expert witness hearing; and that CWSNC shall file its rebuttal testimony, if any, on or before July 26, 2023, which is 20 days prior to the expert witness hearing;

On July 26, 2023, Mountain Air POA filed a motion for leave to file direct testimony in response to the direct prefiled testimony submitted by the Public Staff on July 6, 2023. In support of the motion, Mountain Air POA states that prior to the Public Staff's filing of its direct testimony, Mountain Air POA was unable to obtain from the Public Staff, either through meetings or a data request, the proposed rates and method of calculating rates

that the Public Staff would recommend. Mountain Air POA states that it learned of the Public Staff's proposed rate levels once the Public Staff filed its direct testimony. Mountain Air POA also asserts that additional issues have arisen in the Public Staff's testimony regarding a potential requirement that a survey be conducted of the Mountain Air residents. Further, Mountain Air POA states that the Public Staff's testimony provides the Public Staff's position on CWSNC's requested \$950,000.00 plant acquisition adjustment to be used for satisfaction of several liens encumbering property used to provide water and wastewater services within Mountain Air which, depending on the level of rates approved, could fall to the residents to pay. Accordingly, Mountain Air POA requests leave to file the testimony attached to its motion addressing these issues. Mountain Air POA states that CWSNC does not oppose its motion.

Based on the foregoing, and the entire record herein, the Presiding Commissioner finds good cause to grant Mountain Air POA's motion and accept the filing of the direct testimony of Mountain Air POA Board Member John Robertson on behalf of Mountain Air POA.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 27th day of July, 2023.

NORTH CAROLINA UTILITIES COMMISSION

Tamika D. Conyers, Deputy Clerk