

SANFORD LAW OFFICE, PLLC

Jo Anne Sanford, Attorney at Law

January 13, 2023

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

Via Electronic Delivery

Re: Docket No. W-354, Sub 400
Application by Carolina Water Service, Inc. of North Carolina for
Authority to Adjust and Increase Rates and Charges for Water and
Sewer Utility Service in All Service Areas of North Carolina and
Approval of a Three-Year Water and Sewer Investment Plan
--Temporary Rates Pursuant to N.C. Gen. Stat. § 62-135

Dear Ms. Dunston:

Attached for filing please find the request by Carolina Water Service, Inc. of North Carolina ("CWSNC" or "Company") for Commission approval of the Company's Notices to Customers and its Undertaking, attached, associated with the Company's intention to implement a temporary, partial rate increase, pending the Commission's final order in this case.

As always, thank you and your staff for your assistance; please feel free to contact me if there are any questions or suggestions.

Sincerely,

Electronically Submitted
Sanford Law Office, PLLC

/s/Jo Anne Sanford
N.C. State Bar No. 6831
Attorney for Carolina Water Service, Inc.
of North Carolina

/s/ Kay Pashos, Pro Hac Vice
Ice Miller LLP
One American Square, Ste. 2900
Indianapolis, Indiana 46282-0200
T: 317-236-2208
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/s/ Mark Alson, Pro Hac Vice
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STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. W-354, SUB 400

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application by Carolina Water Service, Inc. of North Carolina for Authority to Adjust and Increase Rates and Charges for Water and Sewer Utility Service in All Service Areas of North Carolina and Approval of a Three-Year Water and Sewer Investment Plan)	NOTICE OF INTENT TO PLACE TEMPORARY RATES IN EFFECT SUBJECT TO AN UNDERTAKING TO REFUND PURSUANT TO N.C. GEN. STAT. § 62-135

NOW COMES CAROLINA WATER SERVICE, INC. OF NORTH CAROLINA, (“CWSNC” or “Company”), by and through the undersigned counsel, and respectively gives notice under N.C.G.S. § 62-135 that the Company intends to place temporary rates in effect in all of its Rate Divisions¹, subject both to an undertaking to refund and to this request for Commission approval of the Customer Notices and Undertaking to Refund, attached hereto. The implementation of temporary, partial rates subject to an undertaking to refund is authorized pursuant to N.C.G.S. § 62-135² and would be effective for service rendered on and after Tuesday, January 31, 2023.³ The Company requests approval of the attached Notices to Customers and Undertaking to Refund.

In support of its request, CWSNC states the following:

¹ CWSNC Uniform Water, CWSNC Uniform Sewer, Bradfield Farms / Fairfield Harbour / Treasure Cove Water, and Bradfield Farms / Fairfield Harbour Sewer.

² G.S. 62-135 is entitled “Temporary rates under bond”.

³ The date of January 31, 2023 is six months after the date the Company could have put into effect the rates requested in its July 1, 2022 Application, but for the Commission’s suspension of the rates and declaration of a general rate case.

1. On July 1, 2022, CWSNC filed a Rate Case Application with the Commission in this docket seeking authority to adjust and increase its rates for providing water and sewer utility service in all of its service areas in North Carolina, effective for service rendered on and after July 31, 2022. In Paragraph 19 of its Sub 400 Rate Case Application, CWSNC stated that:

19. Consistent with the customer notice provisions of N.C.G.S. § 62- 135(a), CWSNC further requests that the Notices to Customers attached to the NCUC scheduling order hereafter issued in this docket include a specific provision notifying customers that the Company intends to implement temporary rates under bond effective upon the expiration of six months after the date when such rate or rates would have become effective, if not so suspended.

2. By its Rate Case Application, CWSNC proposed to increase its tarified rates and charges for service rendered on and after July 31, 2022 through the beginning of the Water and Sewer Investment Plan Rate Year 1, April 1, 2023, to produce additional gross revenues on a company-wide basis of \$4,069,409, a 9.07% increase over the total revenue level generated by the rates currently in effect, for the Company.

3. On July 26, 2022, the Commission issued an Order declaring this proceeding to be a general rate case and suspending the proposed new rates for up to 270 days pursuant to N.C.G.S. § 62-134. On September 2, 2022, the Commission issued its Scheduling Order in this docket wherein it acknowledged CWSNC's intent to implement temporary rates on an interim basis, under bond and subject to refund, for water and sewer utility service rendered on and after January 31, 2023. The Commission also included the following notice provision in the Notices to Customers which CWSNC was required to mail or hand deliver to all of its customers:

In addition, pursuant to the provisions in N.C. Gen. Stat. § 62-135, CWSNC intends to implement its proposed rates on a temporary, interim basis, subject to refund, effective for service rendered on and after January 31, 2023, if the Commission has not entered a final order by that date.

4. On November 22, 2022, CWSNC and the Public Staff filed a Joint Partial Settlement Agreement along with supporting documents, and an evidentiary hearing was held on November 28-29, 2022. Briefs and Proposed Orders are due by January 31, 2023. The timing of these dates establishes that a Final Order in this case cannot be issued by January 31, 2023.

5. N.C.G.S. § 62-135(a) provides, in pertinent part, that:

Notwithstanding an order of suspension of an increase in rates, any public utility except a common carrier may, subject to the provisions of subsections (b), (c), and (d) hereof, put such suspended rates into effect upon the expiration of six months after the date when such rate or rates would have become effective, if not so suspended, by notifying the Commission and its customers of its action in making such increase not less than 10 days prior to the day when it shall be placed in effect;...

6. N.C. G.S. § 62-135(b) provides that:

No rate or rates placed in effect pursuant to this section shall result an increase of more than twenty percent (20%) on any single rate classification of the public utility.

7. N.C.G.S. § 62-135(c) provides that:

No rate or rates shall be placed in effect pursuant to this section until the public utility has filed with the Commission a bond in a reasonable amount approved by the Commission, with sureties approved by the Commission, or an undertaking approved by the Commission, conditioned upon the refund in a manner to be prescribed by order of the Commission, to the persons entitled thereto of the amount of the excess plus interest from the date that such were put into effect, if the rate or rates so put into effect are finally determined to be excessive. The amount of said interest shall be determined pursuant to G.S. 62-130(e).

8. In order to ensure compliance with the statutory requirements of N.C.G.S. § 62-135, CWSNC hereby provides additional notice to the Commission of its intent to place partial, temporary rates and charges into effect on an interim basis effective for service rendered on and after January 31, 2023. These proposed temporary rates will be implemented subject to an Undertaking to Refund. The Company will also provide additional notice to its customers by separate notice prior to the effective date of the new temporary rates subject to an Undertaking to Refund.

9. By the temporary rates to be implemented subject to an Undertaking to Refund, the Company will increase its current rates and charges for its CWSNC Uniform Water, CWSNC Uniform Sewer, Bradfield Farms / Fairfield Harbour / Treasure Cove Water, and Bradfield Farms / Fairfield Harbour Sewer Rate Divisions by \$2,166,142, which represents temporary rate increases of 3.501%, 6.323%, 6.978% and 5.653%, respectively, for these four Rate Divisions.

10. Consistent with N.C. G.S. § 62-135(b), the proposed temporary rates to be implemented by CWSNC, effective January 31, 2023, are designed to produce \$2,166,142 of additional revenues on an annualized basis. The interim rates placed in effect will not result in an increase of twenty percent (20%) or more for any single rate classification. The levels of temporary rates and charges planned to be made effective for water and sewer utility service for each customer class are attached hereto as Appendix A (CWSNC Uniform customers) and Appendix B (Bradfield Farms / Fairfield Harbour / Treasure Cove customers), which are the Company's Proposed Notices to Customers of Temporary Rate Increase Subject to Undertaking to Refund.

11. As another integral part of this Notice, CWSNC also files an Undertaking

to Refund consistent with the applicable provisions of N.C.G.S. § 62-135(c) whereby the Company commits to make refunds, including interest at a rate specified by the Commission pursuant to N.C.G.S. § 62-130(e) to its affected customers of any revenue over-recovery received under temporary rates. The Company's Undertaking to Refund is attached hereto as Appendix C.

12. CWSNC will calculate and apply the temporary rate increase subject to its Undertaking to Refund, and any applicable refunds, to the existing rate structures currently in place for each applicable Rate Division and for each customer class.

WHEREUPON, CWSNC respectfully requests that the Commission approve (1) the Proposed Notices to Customers attached hereto as Appendices A and B (which include the temporary rates to be implemented effective for service rendered on and after January 31, 2023), and (2) the Company's Undertaking to Refund, attached hereto as Appendix C.

CWSNC respectfully requests approvals from the Commission as quickly as possible, so that, if temporary rates subject to an Undertaking to Refund are implemented, there will be sufficient time to provide customer notice prior to implementing the proposed temporary rates by January 31, 2023.

Respectfully submitted this the 13th day of January, 2023

**ATTORNEYS FOR CAROLINA WATER SERVICE,
INC. OF NORTH CAROLINA**

Electronically Submitted
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BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Carolina Water Service, Inc., of North Carolina for Authority to Adjust and Increase Rates for Water and Sewer Utility Service in All Its Service Areas in North Carolina and Approval of a Three Year Plan) NOTICE TO CUSTOMERS) OF TEMPORARY RATE) INCREASE SUBJECT TO) UNDERTAKING TO) REFUND }

TEMPORARY RATES SUBJECT TO UNDERTAKING TO REFUND

NOTICE IS HEREBY GIVEN THAT on July 1, 2022, Carolina Water Service, Inc. of North Carolina, Inc. (“CWSNC” or “Company”) filed a Rate Case Application with the North Carolina Utilities Commission seeking authority to adjust and increase its rates for providing water and sewer utility service in all of its service areas in North Carolina effective for service rendered on and after July 31, 2022.

In its Rate Case Application, CWSNC notified the Commission that, pursuant to the provisions of G.S. 62-135, the Company intended to implement its proposed rates on a temporary, interim basis subject to refund, effective for service rendered on and after six months from July 31, 2022, assuming that the Commission: (a) suspended the operation of the Company's proposed rates as requested in the Application; and (b) had not entered a final order by that date. Consistent with the customer notice provisions of G.S. 62-135(a), CWSNC further requested that the Notices to Customers attached to the NCUC scheduling order should include a specific provision which notified customers that the Company intended to implement temporary rates under bond effective for service rendered on and after six months from July 31, 2022.

The Commission previously required the Company to send Notices to Customers which contained notification of the dates, times, and locations of the public hearings scheduled in this case and, at CWSNC’s request, customers were also notified of the Company’s intent to implement temporary rates under bond effective for water and sewer utility service rendered on and after January 31, 2023. If ultimately found to be excessive by the Commission, these temporary rates are subject to refund to customers with interest at an interest rate to be ordered by the Commission.

This is a second notice made regarding the temporary rates which CWSNC will place in effect on or after January 31, 2023, as specifically allowed by state law in the Public Utilities Act, i.e., G.S. 62-135. CWSNC’s proposed temporary rates are as follows:

ALL OF ITS SERVICE AREAS IN NORTH CAROLINA

(excluding Fairfield Harbour Service Area, Treasure Cove, Register Place Estates, North Hills, Glen Arbor/North Bend, Bradfield Farms, Silverton, Woodland Farms, Larkhaven (Sewer) Subdivisions, and Hawthorne at the Green Apartments)

WATER RATES AND CHARGES

<u>Monthly Metered Water Service (Residential and Commercial):</u>		<u>Existing Rates</u>	<u>Proposed Rates</u>
Base Facility Charge (based on meter size with zero usage)			
	< 1" meter	\$ 24.53	\$ 25.55
	1" meter	\$ 61.33	\$ 63.88
	1 1/2" meter	\$ 122.65	\$ 127.75
	2" meter	\$ 196.24	\$ 204.40
	3" meter	\$ 367.95	\$ 383.25
	4" meter	\$ 613.25	\$ 638.75
	6" meter	\$ 1,226.50	\$ 1,277.50
	8" meter	\$ 1,962.40	\$ 2,044.00
<u>Usage Charge:</u>			
A.	Treated Water/1,000 gallons	\$ 11.71	\$ 12.10
B.	Untreated Water/1,000 gallons (Brandywine Bay Irrigation Water)	\$ 5.99	\$ 6.19
C.	Purchased Water for Resale, per 1,000 gallons:		
	<u>Service Area</u>	<u>Bulk Provider</u>	
	Carolina Forest	Montgomery County	\$ 3.19 \$ 3.19
	Eastgate	Fayetteville PWC	\$ 5.46 \$ 5.46
	Tanglewood South	Fayetteville PWC	\$ 5.46 \$ 5.46
	High Vista Estates	City of Hendersonville	\$ 5.27 \$ 5.27
	Riverbend	Town of Franklin	\$ 8.40 \$ 8.40
	Riverpointe	Charlotte Water	\$ 4.12 \$ 4.12
	Whispering Pines	Town of Southern Pines	\$ 3.70 \$ 3.70
	White Oak Plantation/ Lee Forest	Johnston County	\$ 3.20 \$ 3.20
	Winston Plantation	Johnston County	\$ 3.20 \$ 3.20
	Winston Point	Johnston County	\$ 3.20 \$ 3.20
	Willowbrook	Johnston County	\$ 3.20 \$ 3.20
	Woodrun	Montgomery County	\$ 3.19 \$ 3.19
	Yorktown	City of Winston Salem	\$ 5.79 \$ 5.79
	Zemosa Acres	City of Concord	\$ 5.52 \$ 5.52

Carolina Trace City of Sanford \$ 2.21

Commercial customers, including condominiums or other property owner associations who bill their members directly, shall have a separate account set up for each meter and each meter shall be billed separately based on the size of the meter and usage associated with the meter.

When because of the method of water line installation utilized by the developer or owner, it is impractical to meter each unit or other structure separately, the following will apply:

Sugar Mountain Service Area:

Where service to multiple units or other structures is provided through a single meter, the average usage for each unit or structure served by that meter will be calculated. Each unit or structure will be billed based upon that average usage plus the base monthly charge for a <1" meter.

Mount Mitchell Service Area:

Service will be billed based upon the Commission-approved monthly flat rate.

<u>Monthly Flat Rate Service:</u> (Billed in Arrears)	\$	68.71	\$	71.65
<u>Availability Rate:</u> (Semiannual)				
Applicable only to property owners in Carolina Forest and Woodrun Subdivisions in Montgomery County	\$	29.60	\$	30.87
<u>Availability Rate:</u> (Monthly)				
Applicable only to property owners in Linville Ridge Subdivision	\$	14.83	\$	15.46
<u>Availability Rate:</u> (Monthly rate, billed semiannually)				
Applicable only to property owners in Fairfield Sapphire Valley Service Area	\$	10.96	\$	11.43
<u>Availability Rate:</u> (Monthly rate, billed quarterly)				
Applicable only to property owners in Connestee Falls	\$	5.78	\$	6.03

SEWER RATES AND CHARGES

Monthly Metered Sewer Service:

A. Base Facility Charge:			
Residential (zero usage)	\$	41.03	\$ 44.26
Commercial (based on meter size with zero usage)			
< 1" meter	\$	41.03	\$ 44.26
1" meter	\$	102.58	\$ 110.65
1 1/2" meter	\$	205.15	\$ 221.30
2" meter	\$	328.24	\$ 354.08
3" meter	\$	615.45	\$ 663.90
4" meter	\$	1,025.75	\$ 1,106.50
6" meter	\$	2,051.50	\$ 2,213.00
8" meter	\$	3,282.40	\$ 3,540.80
B. Usage charge, per 1,000 gallons			
	\$	11.69	\$ 12.70

Commercial customers, including condominiums or other property owner associations who bill their members directly, shall have a separate account set up for each meter and each meter shall be billed separately based on the size of the meter and usage associated with the meter.

Monthly Metered Purchased Sewer Service:

Collection Charge (Residential and Commercial)	\$	28.72	\$ 30.98
Usage charge, per 1,000 gallons (based on water consumption)			
<u>Service Area</u>		<u>Bulk Provider</u>	
White Oak Plantation/ Lee Forest/Winston Pt.		Johnston County	\$ 6.77 \$ 6.77
Kings Grant		Two Rivers Utilities	\$ 4.61 \$ 4.61
College Park		Town of Dallas	\$ 7.77 \$ 7.77

Monthly Flat Rate Service, per SFE or REU: \$ 85.12 \$ 85.12

Multi-residential customers who are served by a master meter shall be charged the flat rate per unit. \$ 85.12 \$ 85.12

Mt. Carmel Subdivision Service Area:

Monthly Base Facility Charge \$ 7.72 \$ 7.72

APPENDIX A
PAGE 5 of 6

Monthly Collection Charge (Residential and Commercial)	\$ 28.72	\$ 30.98
Usage Charge, per 1,000 gallons (based on metered water from the water supplier)	\$ 6.71	\$ 6.71

Regalwood and White Oak Estates Subdivision Service Area:

Monthly Flat Rate Sewer Service		
Residential Service	\$ 85.12	\$ 85.12
White Oak High School	\$ 2,525.23	\$ 2,525.23
Child Castle Daycare	\$ 323.73	\$ 323.73
Pantry	\$ 177.51	\$ 177.51

Fairfield Mountain/Apple Valley (a.k.a. Rumbling Bald) Service Area, and Highland Shores Subdivision:

Monthly Sewer Rates:

Residential		
Collection charge/dwelling unit	\$ 28.72	\$ 30.98
Treatment charge/dwelling unit	<u>\$ 90.00</u>	<u>\$ 90.00</u>
Total monthly flat rate/dwelling unit	<u>\$ 118.72</u>	<u>\$ 120.98</u>

Commercial and Other:

Minimum monthly collection and treatment charge	\$ 118.72	\$ 120.98
Monthly collection and treatment charge for customers who do not take water service	\$ 118.72	\$ 120.98
Treatment charge per dwelling unit		
Small (less than 2,500 gallons per month)	\$ 103.00	\$ 103.00
Medium (2,500 to 10,000 gallons per month)	\$ 182.00	\$ 182.00
Large (over 10,000 gallons per month)	\$ 286.00	\$ 286.00
Collection Charge (per 1,000 gallons)	\$ 13.93	\$ 13.93

The Ridges at Mountain Harbour:

Monthly Sewer Rates:

Collection charge (Residential and Commercial)	\$ 28.72	\$ 30.98
Treatment charge (Residential and Commercial)		
< 1" meter	\$ 16.95	\$ 16.95
2" meter	\$ 135.60	\$ 135.60

Availability Rate: (Monthly rate, billed semiannually)

Applicable only to property owners in Fairfield Sapphire

Valley Service Area	\$	11.05	\$	11.05
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Availability Rate: (Monthly rate, billed quarterly)

Applicable only to property owners in Connetsee Falls	\$	6.23	\$	6.23
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The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Written statements to the Public Staff should include the name of the subdivision where the customer is receiving service, contact information, and any information that the writer wishes to be considered by the Public Staff in its investigation of the matter; these statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4326. Written statements may also be faxed to 919-715-6704 or emailed to statements@ncuc.net.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001.

Written statements are not evidence unless those persons appear at a public hearing and testify concerning the information contained in their written statements.

Information regarding this proceeding can be accessed from the Commission's website at www.ncuc.net under the docket number of this proceeding.

Issued by Order of the Commission this the _____ day of January, 2023

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application by Carolina Water Service, Inc., of North Carolina for Authority to Adjust and Increase Rates for Water and Sewer Utility Service in All Its Service Areas in North Carolina and Approval of a Three Year Plan)	NOTICE TO CUSTOMERS
)	OF TEMPORARY RATE
)	INCREASE SUBJECT TO
)	UNDERTAKING TO
)	REFUND
)	

TEMPORARY RATES SUBJECT TO UNDERTAKING TO REFUND

NOTICE IS HEREBY GIVEN THAT on July 1, 2022, Carolina Water Service, Inc. of North Carolina, Inc. (“CWSNC” or “Company”) filed a Rate Case Application with the North Carolina Utilities Commission seeking authority to adjust and increase its rates for providing water and sewer utility service in all of its service areas in North Carolina effective for service rendered on and after July 31, 2022.

In its Rate Case Application, CWSNC notified the Commission that, pursuant to the provisions of G.S. 62-135, the Company intended to implement its proposed rates on a temporary, interim basis subject to refund, effective for service rendered on and after six months from July 31, 2022, assuming that the Commission: (a) suspended the operation of the Company's proposed rates as requested in the Application; and (b) had not entered a final order by that date. Consistent with the customer notice provisions of G.S. 62-135(a), CWSNC further requested that the Notices to Customers attached to the NCUC scheduling order should include a specific provision which notified customers that the Company intended to implement temporary rates under bond effective for service rendered on and after six months from July 31, 2022.

The Commission previously required the Company to send Notices to Customers which contained notification of the dates, times, and locations of the public hearings scheduled in this case and, at CWSNC’s request, customers were also notified of the Company’s intent to implement temporary rates under bond effective for water and sewer utility service rendered on and after January 31, 2023. If ultimately found to be excessive by the Commission, these temporary rates are subject to refund to customers with interest at an interest rate to be ordered by the Commission.

This is a second notice made regarding the temporary rates which CWSNC will place in effect on or after January 31, 2023, as specifically allowed by state law in the Public Utilities Act, i.e., G.S. 62-135. CWSNC’s proposed temporary rates are as follows:

TREASURE COVE, REGISTER PLACE ESTATES, NORTH HILLS, GLEN ARBOR/NORTH BEND
SUBDIVISIONS, FAIRFIELD HARBOUR SERVICE AREA, BRADFIELD FARMS SUBDIVISION,
LARKHAVEN (SEWER) SUBDIVISION, SILVERTON, AND WOODLAND FARMS SUBDIVISIONS, AND
HAWTHORNE AT THE GREEN APARTMENTS

WATER RATES AND CHARGES

<u>Monthly Metered Water Service (Residential and Commercial):</u>	<u>Existing Rates</u>	<u>Proposed Rates</u>
Base Facility Charge (based on meter size with zero usage)		
< 1" meter	\$ 17.08	\$ 18.38
1" meter	\$ 42.70	\$ 45.95
1 1/2" meter	\$ 85.40	\$ 91.90
2" meter	\$ 136.64	\$ 147.04
Usage Charge, per 1,000 gallons	\$ 6.68	\$ 7.12
<u>Availability Rate: (Monthly rate, billed semiannually)</u>		
Applicable only to property owners in Fairfield Harbour Service Area	\$ 4.57	\$ 4.89

SEWER RATES AND CHARGES

<u>Monthly Sewer Service:</u>	<u>Existing Rates</u>	<u>Proposed Rates</u>
<u>Residential:</u>		
Flat Rate, per dwelling unit	\$ 61.58	\$ 65.06
Bulk Flat Rate, per REU	\$ 61.58	\$ 65.06
<u>Commercial and Other:</u>		
Monthly Flat Rate, per REU (Customers who do not take water service)	\$ 61.58	\$ 65.06
Monthly Metered Rates (based on meter size with zero usage)		
<1" meter	\$ 50.97	\$ 53.85
1" meter	\$ 127.42	\$ 134.63
1 1/2" meter	\$ 254.84	\$ 269.25
2" meter	\$ 407.75	\$ 430.80
Usage Charge, per 1,000 gallons	\$ 2.65	\$ 3.42
<u>Bulk Sewer Service for Hawthorne at the Green Apartments: ^{4/}</u>		
Bulk Flat Rate, per REU	\$ 61.58	\$ 65.06

(To be collected from Hawthorne and delivered to Carolina Water Service, Inc. of North Carolina for treatment of the Hawthorne wastewater pursuant to Docket No. W-218, Sub 291)

Availability Rate: (Monthly rate, billed semiannually)

Applicable only to property owners in Fairfield Harbour Service Area	\$	3.23	\$	3.42
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The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Written statements to the Public Staff should include the name of the subdivision where the customer is receiving service, contact information, and any information that the writer wishes to be considered by the Public Staff in its investigation of the matter; these statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4326. Written statements may also be faxed to 919-715-6704 or emailed to statements@ncuc.net.

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001.

Written statements are not evidence unless those persons appear at a public hearing and testify concerning the information contained in their written statements.

Information regarding this proceeding can be accessed from the Commission's website at www.ncuc.net under the docket number of this proceeding.

Issued by Order of the Commission this the _____ day of January, 2023

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-354, SUB 400

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Carolina Water Service, Inc.)
of North Carolina, for Authority to Adjust)
and Increase Rates for Water and Sewer)
Utility Service in All Its Service Areas in)
North Carolina and for a Three Year Plan)
)

UNDERTAKING TO
REFUND OF CAROLINA
WATER SERVICE, INC. OF
NORTH CAROLINA

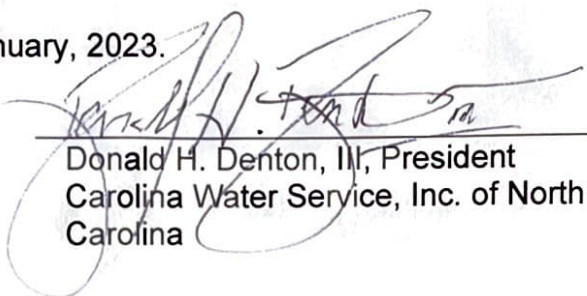
NOW COMES CAROLINA WATER SERVICE, INC. OF NORTH CAROLINA, INC. (“CWSNC” or “Company”) and files this Undertaking to Refund pursuant to N.C.G.S. § 62-135(c).

UNDERTAKING TO REFUND

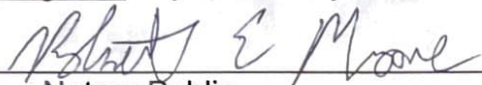
CWSNC, by and through its undersigned President, makes this written undertaking to the North Carolina Utilities Commission that the Company will refund to its customers in its CWSNC Uniform Water, CWSNC Uniform Sewer, Bradfield Farms / Fairfield Harbour / Treasure Cove Water, and Bradfield Farms / Fairfield Harbour Sewer Rate Divisions using the current rate structure for any amount of temporary rates made effective on and after January 31, 2023, pursuant to G.S. 62-135, plus interest at a rate to be specified by the Commission pursuant to G.S. 62-130(e), as may finally be determined by the Commission to be excessive when compared to the permanent rates authorized by the Commission pursuant to the Final Order in this docket. Such refunds will be made consistent

with any terms and conditions set forth by the Commission in its Final Order in this docket.

This the 13th day of January, 2023.


Donald H. Denton, III, President
Carolina Water Service, Inc. of North
Carolina

Sworn to and subscribed before me this
the 13th day of January, 2023


Notary Public

ROBERT E MOORE
NOTARY PUBLIC
MECKLENBURG COUNTY
NORTH CAROLINA
MY COMMISSION EXPIRES 05-05-2025

My Commission Expires: 05-05-2025

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the **NOTICE OF INTENT TO PLACE TEMPORARY RATES IN EFFECT SUBJECT TO AN UNDERTAKING TO REFUND PURSUANT TO N.C.G.S. § 62-135**, filed by Carolina Water Service, Inc. of North Carolina in Docket No. W-354, Sub 400, has been served on each of the parties to this proceeding.

This the 13th day of January, 2023.

**ATTORNEY FOR CAROLINA WATER SERVICE,
INC. OF NORTH CAROLINA
Electronically Submitted**

/s/Jo Anne Sanford

North Carolina State Bar No. 6831

Sanford Law Office, PLLC

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