

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1259, SUB 5
DOCKET NO. W-1328, SUB 6

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Meadowlands)
Development, LLC and Red Bird Utility)
Operating Company, LLC, d/b/a Red)
Bird Water for Transfer of Public Utility)
Franchise in Meadowlands Subdivision)
in Davidson County, North Carolina, and)
for Approval of Rates)

**MOTION FOR EXTENSION OF
TIME TO FILE TESTIMONY**

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and hereby respectfully moves the North Carolina Utilities Commission (Commission) to extend the time for the Public Staff to file its prefiled direct testimony to Friday, March 1, 2024, and for Red Bird to file its rebuttal testimony to Thursday, March 21, 2024. In support of this motion, the Public Staff shows as follows:

1. On October 9, 2020, as amended October 21, 2020, Meadowlands Development, LLC (Meadowlands), and Red Bird Utility Operating Company, LLC d/b/a Red Bird Water (Red Bird) filed with the Commission a joint Application for Transfer of Public Utility Franchise and for Approval of Rates (Application) seeking authority to transfer the wastewater utility system and public utility franchise serving Meadowlands subdivision in Davidson County, North Carolina, from Meadowlands to Red Bird, and approval of rates.

2. Meadowlands currently serves 558 residential flat-rate sewer customers.

3. Following Red Bird's filing of supplemental materials on July 12 and August 2, 2021; December 7, 2022; and August 7, August 17, and December 15, 2023, the Commission determined that the Application was complete on January 9, 2024.

4. On January 22, 2024, the Commission issued a Scheduling Order which, among other things, provides that the Public Staff's prefiled direct testimony and exhibits shall be filed on or before Wednesday, February 28, 2024, and Red Bird's rebuttal testimony shall be filed on or before Tuesday, March 19, 2024.

5. Subsequent to the filing of Red Bird's Application in this docket, the parties have engaged in substantial discovery regarding the matters addressed in the Application, supplemental and additional materials filed in support of the Application, and in the Direct Testimony of Red Bird witness Josiah Cox.

6. Since the filing of Red Bird's prefiled testimony and exhibits, the Public Staff has conducted additional discovery. The parties have engaged in settlement discussions to resolve certain issues in dispute in this docket, and the parties believe that the additional time to file their respective direct and rebuttal testimony will allow them the opportunity to resolve these issues.

7. The Public Staff therefore respectfully requests and moves that the Commission extend the deadline for the filing of Public Staff's prefiled direct

testimony to Friday, March 1, 2024, and for Red Bird to file its rebuttal testimony to Thursday, March 21, 2024.

8. The Public Staff has contacted Red Bird and is authorized to represent that it does not object to this Motion.

Respectfully submitted this 28th day of February, 2024.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

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Electronically submitted
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served on all parties of record or their attorneys, or both, in accordance with Commission Rule R1-39, by United States Mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 28th day of February, 2024.

Electronically submitted
/s/ Megan Jost