



August 19, 2021

Via Electronic Filing Only

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

Re: Motion for Clarification
Docket No. W-1034, Sub 8

Dear Ms. Dunston:

Please accept for filing in the above-captioned docket the enclosed Motion for Clarification for Water Resources, Inc.

Should you have any questions regarding this filing, please contact me at our office.

Regards,
/s/ Patrick Buffkin
Patrick Buffkin

cc: Parties of Record

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. W-1034, SUB 8

In the Matter of
Application by Water Resources, Inc., 5970)
Fairview Road, Suite 710, Charlotte, North)
Carolina 28210, for Utility Service in Rocky) MOTION FOR CLARIFICATION
River Plantation Subdivision in Cabarrus)
County and River Walk Subdivision in)
Mecklenburg County, North Carolina)

NOW COMES Water Resources Inc. (“Water Resources” or “the Company”), pursuant to Commission Rule R1-5 and the *Recommended Order Approving Agreed Upon Rates and Requiring Customer Notice*, issued in the above-captioned proceeding on November 21, 2018, and moves that the Commission issue an Order providing clarification of the Company’s obligations to comply with the requirements of Ordering Paragraph No. 6, to implement the Public Staff’s recommendation to replace water meters in the Rocky River Plantation Subdivision. In support of its Motion, Water Resources respectfully shows unto the Commission the following:

1. Water Resources is a corporation duly organized under the laws of the State of North Carolina and authorized to do business in the State of North Carolina. The Company is a water public utility subject to the regulatory oversight of the Commission.
2. On April 18, 2018, in the above-captioned proceeding, Water Resources filed an application for a general rate increase.
3. On November 21, 2018, the Commission’s Hearing Examiner issued a *Recommended Order Approving Agreed Upon Rates and Requiring Customer Notice* (“2018 Rate Case Order”).

4. Pursuant to Ordering Paragraph No. 6 of the 2018 Rate Case Order, the Company was directed, among other things, to implement the Public Staff's recommendation to replace water meters at the Rocky River Plantation Subdivision.

5. On August 30, 2019, in the above-captioned proceeding, Water Resources filed a letter ("Status Report") that set out an update on the status of various directives and requirements established in the 2018 Rate Case Order. The Status Report includes the statement that the status of work to replace water meters in the Rocky River Plantation Subdivision is as follows: "No action taken. Funds are not available for this large expense."

6. Since the filing of the Status Report, no filings were made, or other regulatory action taken in this docket relevant to the status of the Rocky River Plantation Subdivision water meter replacement project.

7. On June 25, 2021, in Docket No. W-1034, Sub 10, a Complaint was filed against Water Resources that appears to allege, among other things, that Water Resources is in violation of the Commission's directive to replace the water meters in the Rocky River Plantation Subdivision.

8. Contemporaneous with the filing of this Motion, in Docket No. W-1034, Sub 10, Water Resources is filing its Answer to the Complaint. The Answer states, among other things, that it is unclear to Water Resources whether the Company is obligated to comply with the directive to replace water meters in the Rocky River Plantation Subdivision.

9. Water Resources maintains that clarification of its regulatory requirements would aid in resolving the pending complaint proceeding (Docket No. W-1034, Sub 10), and in guiding Water Resources' preparation for filing an application for a general rate case.

10. Water Resources anticipates filing an application for a general rate increase in the near future and certainly before the end of 2021.

WHEREFORE, Water Resources respectfully requests that the Commission issue an order providing clarification of the status of the Company's obligation to replace water meters in the Rocky River Plantation Subdivision, and providing such other and further relief as the Commission deems just and appropriate.

Respectfully submitted this the 19th of August, 2021.

BAILEY & DIXON, LLP

/s/ Patrick Buffkin
N.C. Bar No. 44264
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*ATTORNEYS FOR WATER
RESOURCES, INC.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Clarification has been served on all parties to this proceeding.

This the 19th of August, 2021.

BAILEY & DIXON, LLP

/s/ Patrick Buffkin

N.C. Bar No. 44264

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ATTORNEY FOR WATER

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