



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

July 25, 2023

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

Re: Docket No. W-218, Sub 592 – Application by Aqua North Carolina, Inc., for a Certificate of Public Convenience and Necessity and for Approval of Rates for The Sanctuary at Lake Wheeler

Dear Ms. Dunston:

Aqua North Carolina, Inc. (Aqua), filed an application seeking a Certificate of Public Convenience and Necessity to provide water service to The Sanctuary at Lake Wheeler and for approval of rates in the above-referenced docket on January 9, 2023. Aqua filed updates, amendments, or otherwise supplemented that application on May 11, 2023; June 14, 2023; and July 14, 2023.

The Public Staff has reviewed the filings and deems the application incomplete for the reasons set forth below.

1. Item 8 on the Application Form Exhibits List requires a copy of contracts or agreements, including all attachments, exhibits, and appendices, between the utility and any other party (land developers, customers, etc.) regarding the proposed utility services, including contracts regarding tap fees, construction costs, easements, and rights-of-way, etc. Aqua provided a Water Utility System Agreement that was incomplete for the following reasons:
 - a. Exhibit 2.4(b): a construction warranty was not provided;
 - b. Exhibit 7: a written certification of the developer's actual costs was not provided;
 - c. Exhibit 10.1: an executed bill of sale for the utility assets, recorded deeds, and easements for the water system was not provided;
 - d. Exhibit 10.2.a: Well Lot Deed of Easement was not provided;
 - e. Exhibit 10.2.c: Water Main Utility Easements were not provided; and
 - f. Exhibit 10.4.g: a list of lot numbers and addresses was not provided.

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Ms. A. Shonta Dunston, Chief Clerk
Page Two
July 25, 2023

2. Item 12 on the Application Form Exhibits list (a copy of Aqua's most recent fiscal year financial statements) was not provided.
3. Item 13 on the Application Form Exhibits list (a copy of Aqua's parent company's most recent fiscal year financial statements) was not provided.

Based on the foregoing, the Public Staff respectfully recommends that the Commission determine that the items enumerated above are deficiencies and render the application incomplete. If the Commission does not consider any of the items listed above a deficiency, the Public Staff respectfully requests that the Commission issue an order directing Aqua to file the information enumerated above in the docket and provide the Public Staff a copy within 10 calendar days.

If you have any questions, please do not hesitate to contact me.

Sincerely,
Electronically submitted
/s/ Reita D. Coxton
Staff Attorney
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