

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1205, SUB 14

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Clarke Utilities, Inc., 223	) MOTION TO CANCEL
Highway 70 East, Suite 115, Garner, North	) EVIDENTIARY
Carolina 27529-4062, for Authority to Increase	) HEARINGS, ADMIT
Rates for Water and Sewer Utility Service in	) EVIDENCE, AND ALLOW
All of Its Service Areas in Wake and Franklin	) JOINT PROPOSED
Counties, North Carolina	) ORDER

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission, by and through its Executive Director, Christopher J. Ayers, and moves that the evidentiary hearing previously scheduled on this matter be cancelled; the Public Staff’s testimony, affidavits, and exhibits be entered into evidence; and the Public Staff and Clarke Utilities, Inc. (Clarke Utilities) be permitted to submit a joint proposed order for consideration by the North Carolina Utilities Commission (Commission). In support of this motion, the Public Staff respectfully shows unto the Commission:

1. This proceeding began with the filing of an Application for Rate Increase by Clarke Utilities on March 22, 2021.
2. In an order issued on April 19, 2021, the Commission declared the proceeding to be a general rate case and suspended rates for up to 270 days.
3. By order dated May 21, 2021, the Commission scheduled a remote customer hearing at 6:30 p.m., on Thursday, June 17, 2021, and an evidentiary hearing at 2:00 p.m., on Wednesday, July 21, 2021.

4. In a certificate of service filed on May 25, 2021, Clarke Utilities indicated that all of its customers had been served with notice of the proposed rate increase and hearings.

5. The Public Staff did not receive any protests and no one registered to provide testimony at the public hearing by the deadline established in the customer notice.

6. On June 11, 2021, the Public Staff filed requested cancellation of the public hearing scheduled for Thursday, June 17, 2021. The Commission granted the motion on June 14, 2021.

7. The Public Staff filed the affidavit of Public Staff witness John R. Hinton and the testimony and exhibits of Public Staff witnesses Gina Y. Casselberry and Charles A. Akpom, on June 17, 2021, and June 21, 2021, respectively.

8. Clarke Utilities contacted Commission Staff and the Public Staff on June 29, 2021, and advised both that it accepted the adjustments, proposed revenues, and rates recommended by the Public Staff.

9. Based on the foregoing, the Public Staff requests that the evidentiary hearing scheduled for Wednesday, July 21, 2021 be cancelled; the testimony and exhibits of Public Staff witnesses Gina Y. Casselberry and Charles A. Akpom, and the affidavit of Public Staff witness John R. Hinton be entered into evidence; and Clarke Utilities and the Public Staff be permitted to submit a joint proposed order granting rate increase and requiring customer notice. The Public Staff has

contacted Clarke Utilities and it has no objection to the relief requested.

10. A proposed order is being filed with this motion.

WHEREFORE, the Public Staff prays:

1. That the Commission grant the Public Staff's request to cancel the evidentiary hearing scheduled for Wednesday, July 21, 2021 at 2:00 p.m.;
2. That the testimony and exhibits of Public Staff witnesses Gina Y. Casselberry and Charles A. Akpom and the affidavit of Public Staff witness John R. Hinton, be entered into the record;
3. That Clarke Utilities and the Public Staff be permitted to submit a joint proposed order granting rate increase and requiring customer notice; and
4. For such other and further relief as the Commission may deem just and proper.

Respectfully submitted, this the 6th day of July, 2021.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

Dianna W. Downey
Chief Counsel

Electronically submitted
/s/Reita D. Coxton
Staff Attorney

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Raleigh, North Carolina 27699-4300
reita.coxton@psncuc.nc.gov

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served a copy of the foregoing Motion upon each of the parties of record in this proceeding or their attorneys of record by emailing them an electronic copy or by causing a paper copy of the same to be hand-delivered or deposited in the United States Mail, postage prepaid, properly addressed to each.

This the 6th day of July, 2021.

Electronically submitted
/s/Reita D. Coxton
Staff Attorney

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BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application by Clarke Utilities, Inc., 223)	PROPOSED ORDER
Highway 70 East, Suite 115, Garner, North	)	CANCELING
Carolina 27529-4062, for Authority to	)	EVIDENTIARY HEARING,
Increase Rates for Water and Sewer Utility	)	ADMITTING EVIDENCE,
Service in All of Its Service Areas in Wake	)	AND ALLOWING JOINT
and Franklin Counties, North Carolina.	)	PROPOSED ORDERS
)	

BY THE COMMISSION: This proceeding began with the filing of an application for rate increase by Clarke Utilities, Inc. (Clarke Utilities) on March 22, 2021. In an order issued on April 19, 2021, the Commission declared the proceeding to be a general rate case and suspended the proposed new rates for up to 270 days. By order dated May 21, 2021, the Commission scheduled the evidentiary hearing at 2:00 p.m., on Wednesday, July 21, 2021.

On July 6, 2021, the Public Staff filed a Motion to Cancel Hearing Evidentiary Hearing, Admit Evidence, And Allow Joint Proposed Orders. In its motion, the Public Staff stated that (a) the Public Staff filed the affidavit of Public Staff witness John R. Hinton and the testimony and exhibits of Public Staff witnesses Gina Y. Casselberry and Charles A. Akpom, on June 17, 2021, and June 21, 2021, respectively, and (b) Clarke Utilities contacted Commission Staff and the Public Staff on June 29, 2021, and advised both that it accepted the adjustments, proposed revenues, and rates recommended by the Public Staff.

Based upon the foregoing, the Commission is of the opinion that the evidentiary hearing scheduled for Wednesday, July 21, 2021 be cancelled; the testimony and exhibits of Public Staff witnesses Gina Y. Casselberry and Charles A. Akpom, and the affidavit of Public Staff witness John R. Hinton be entered into evidence; and Clarke Utilities and the Public Staff be permitted to submit a joint proposed order granting rate increase and requiring customer notice.

IT IS, THEREFORE, ORDERED as follows:

1. That the evidentiary hearing previously scheduled for Wednesday, July 21, 2021 at 2:00 p.m. is cancelled;
2. That the testimony and exhibits of Public Staff witnesses Gina Y. Casselberry and Charles A. Akpom and the affidavit of Public Staff witness John R. Hinton, be entered into the record; and
3. That Clarke Utilities and the Public Staff may submit a joint proposed order granting rate increase and requiring customer notice.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of July, 2021.

NORTH CAROLINA UTILITIES COMMISSION

(SEAL)

A. Shonta Dunston, Interim Chief Clerk