

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-218, SUB 595

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Aqua, North Carolina, Inc.,	)
for a Certificate of Public Convenience	) ORDER REQUIRING NOTICE
and Necessity to Provide Water Utility	) FROM THE PUBLIC STAFF
Service to Choplin Farms in Nash County,	)
North Carolina, and for Approval of Rates	)

BY THE PRESIDING COMMISSIONER: On May 19, 2023, Aqua North Carolina, Inc. (Applicant) filed with the Commission an Application for a Certificate of Public Convenience and Necessity and for Approval of Rates (Application) to provide water service to Choplin Farms in Nash County, North Carolina in accordance with N.C. Gen. Stat. § 62-110.

On June 30, 2023, North Carolina Session Law 2023-67, entitled “An Act to Expedite Transfer of Water or Wastewater Public Utilities” (the Act), was signed into law by Governor Roy Cooper, having been previously ratified by the North Carolina General Assembly. The Act provides timelines for the Commission’s consideration of applications for transfers of certificates of public convenience and necessity (CPCN) for certain water and wastewater systems.

Section 1.(b) of the Act applies to applications for the grant or transfer of CPCNs for water and wastewater systems currently pending before the Commission as of June 30, 2023. Among other things, this section requires the Commission to provide notice by July 31, 2023, whether any pending application is complete.

On June 30, 2023, the Commission issued an Order Requiring Report of the Public Staff and Initiating Rulemaking Proceeding which, in part, directed the Public Staff to file on or before July 25, 2023, whether each application identified by the Public Staff as subject to the provisions of Section 1.(b) of the Act are complete and identifying any deficiency in any identified application that is not complete.

On July 25, 2023, the Public Staff filed a letter outlining the deficiencies in the Application and recommending that the Commission find the Application incomplete.

On July 31, 2023, the Commission issued an Order Finding Application Incomplete and Request for Additional Information.

On January 31, 2024, the Applicant filed an amended application in response to the Public Staff’s letter outlining deficiencies.

On February 14, 2024, the Public Staff filed a second deficiency letter indicating that the Public Staff considers the Application incomplete because pages four and five of the Application form were not provided in the Applicant's January 31, 2024 filing.

On February 15, 2024, the Applicant filed additional information in response to the Public Staff's deficiency letter.

Based on the foregoing, the Presiding Commissioner finds good cause to require the Public Staff, within five business days of the date of this Order, to file with the Commission and serve upon the Applicant a notice stating whether the Application is considered complete with the additional information, and if incomplete, identifying any deficiencies in the Application.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 15th day of February, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "A. Shonta Dunston". The signature is written in a cursive, flowing style.

A. Shonta Dunston, Chief Clerk