

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1146, SUB 13
DOCKET NO. W-1328, SUB 10

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

| | | |
|--|---|--------------------|
| In the Matter of | | |
| Joint Application by Red Bird Utility |) | |
| Operating Company, LLC, and Total |) | |
| Environmental Solutions, Inc, for Approval |) | |
| of Transfer of the Lake Royale Subdivision |) | |
| Water and Wastewater Utility Systems and |) | NOTICE OF COMPLETE |
| Public Utility Franchise in Franklin and |) | APPLICATION |
| Nash Counties, North Carolina, and for |) | |
| Approval of Rates |) | |

BY THE PRESIDING COMMISSIONER: On June 7, 2021, Red Bird Utility Operating Company, LLC, and Total Environmental Solutions, Inc. (Applicants) , filed with the Commission an Application for Transfer of Public Utility Franchise and for Approval of Rates (Application) seeking approval to transfer the water and wastewater utility systems and public utility franchise serving Lake Royale Subdivision (Lake Royale) in Franklin and Nash Counties, North Carolina, and for approval of rates.

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 grants or 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.

The Public Staff presented this matter at the Commission’s Staff Conference on June 19, 2023, indicating that the Application was considered complete and requesting an order delineating procedural guidelines for the efficient resolution of the matter.

On July 11, 2023, the Commission determined the Application was complete and issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order).

Based on the foregoing and the entire record in this proceeding, the Presiding Commissioner finds good cause to determine that the Application in this matter is complete and that all parties to this matter were provided notice of same with the issuance of the Scheduling Order on July 11, 2023.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 31st day of July, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Tamika D. Conyers". The signature is written in dark ink and is positioned above the printed name.

Tamika D. Conyers, Deputy Clerk