

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-100, SUB 61

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Petition for Rulemaking to Implement N.C.) ORDER ESTABLISHING
Gen. Stat. § 62-133.12A, North Carolina) RULEMAKING PROCEEDING AND
Session Law 2019-88 (House Bill 529)) GRANTING PETITIONS TO INTERVENE

BY THE CHAIR: On October 31, 2019, in the above-captioned proceeding, the Public Staff – North Carolina Utilities Commission (Public Staff) filed a petition requesting that the Commission establish a rulemaking proceeding to implement N.C. Gen. Stat. § 62-133.12A, North Carolina Session Law 2019-88 (House Bill 529). The Public Staff further requests that the Commission, after receiving comments from interested parties, adopt its proposed Commission Rule R7-40 for water and Rule R10-27 for sewer attached to its petition as Exhibits A and B, respectively, with such modifications as may be appropriate. The Public Staff also included in its petition a detailed summary of the proposed rules attached thereto.

In support of its petition, the Public Staff states that the enactment of N.C.G.S. § 62-133.12A authorizes the Commission to adopt, implement, modify, or eliminate a rate adjustment mechanism for both water and wastewater for tracking and true-up variations in customer usage from the levels approved in the general rate case proceeding, upon a finding that the rate adjustment mechanism is in the public interest.

On November 4, 2019, Aqua North Carolina, Inc. (Aqua), and Carolina Water Service, Inc. of North Carolina (CWSNC) filed petitions to intervene in this docket.

Based upon the foregoing and the entire record herein, the Chair finds good cause to issue this Order establishing a rulemaking proceeding in this docket and allowing Aqua and CWSNC to intervene as parties herein.

IT IS, THEREFORE, ORDERED as follows:

1. That this docket shall be, and is hereby, established as a rulemaking proceeding for the purpose of considering the adoption of Commission Rules R7-40 for water and R10-27 for sewer to implement N.C.G.S. § 62-133.12A, Session Law 2019-88 (House Bill 529);

2. That on or before November 22, 2019, any person having an interest in this proceeding may file a petition to intervene stating such interest;

3. That on or before December 16, 2019, the parties other than the Public Staff may file initial comments addressing the proposed rules attached as Exhibits A and B to the Public Staff's petition;

4. That on or before January 6, 2020, all parties may file reply comments addressing the initial comments filed by the other parties;

5. That the petition to intervene filed by Aqua North Carolina, Inc. shall be, and is hereby, granted;

6. That the petition to intervene filed by Carolina Water Service, Inc. of North Carolina shall be, and is hereby, granted; and

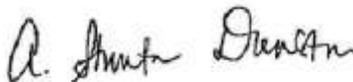
7. That the name and address of the attorney for Aqua North Carolina, Inc. and Carolina Water Service, Inc. of North Carolina are as follows:

Jo Anne Sanford
Attorney at Law
Sanford Law Office, PLLC
Post Office Box 28085
Raleigh, North Carolina 27611-8085
sanford@sanfordlawoffice.com.

ISSUED BY ORDER OF THE COMMISSION.

This is the 14th day of November, 2019.

NORTH CAROLINA UTILITIES COMMISSION



A. Shonta Dunston, Deputy Clerk