

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-218, SUB 592

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by Aqua North Carolina, Inc.,)	
for Certificate of Public Convenience and)	ORDER CANCELING PREFILING
Necessity for The Sanctuary at Lake)	OF TESTIMONY AND EXPERT
Wheeler in Wake County, North Carolina,)	WITNESS HEARING
and for Approval of Rates)	

BY THE PRESIDING COMMISSIONER: On January 9, 2023, Aqua North Carolina, Inc. (Aqua) filed an application for a Certificate of Public Convenience and Necessity and for Approval of Rates (Application) to provide water utility service to The Sanctuary at Lake Wheeler in Wake County, North Carolina, in accordance with N.C. Gen. Stat. § 62-110. Aqua filed additional supplements or amendments to the Application on May 11, June 14, July 14, and December 13, 2023.

On January 12, 2024, the Commission issued an Order Scheduling Hearing and Establishing Discovery Guidelines (Scheduling Order), which among other things, scheduled a hearing for the purpose of receiving expert witness testimony on the Application to begin on March 18, 2024. The Scheduling Order required Aqua to prefile direct testimony and exhibits by February 2, 2024, required the Public Staff and intervenors to prefile direct testimony and exhibits by February 16, 2024, and required Aqua to file any rebuttal testimony and exhibits by March 4, 2024.

On January 24, 2024, Aqua and the Public Staff (collectively, the Parties) filed a joint motion to cancel the prefilings of testimony and cancel the expert witness hearing in this proceeding. In support of the motion, the Parties state that the Public Staff plans to submit this matter as an agenda item for the Commission's regular Staff Conference, with a recommendation to grant the Application. The Parties represent that Aqua agrees with the Public Staff's proposed order. The Parties further state that in the unlikely event that another party intervenes by the February 16, 2024, deadline, the Commission has the authority under N.C.G.S. § 62-80 to rescind any Staff Conference order approving the Application, require prefiling testimony, and hold an expert witness hearing. Finally, the Parties indicate that cancellation of the requirement for prefiling testimony and the expert witness hearing will result in cost savings for Aqua and time savings for both Parties and the Commission without prejudice to ratepayers.

On January 29, 2024, the Public Staff submitted this matter as an agenda item at the Commission's regular Staff Conference with a recommendation to grant the

Application. The Commission moved and passed that the Public Staff's recommendation be adopted.

Based on the foregoing and the record, the Presiding Commissioner finds good cause to cancel the requirement for prefiled testimony in this matter and cancel the expert witness hearing scheduled for Monday, March 18, 2024, at 1:00 p.m. in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 29th day of January, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Tamika D. Conyers". The signature is written in a cursive, flowing style.

Tamika D. Conyers, Deputy Clerk