

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 35

DOCKET NO. W-1300, SUB 77

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

WLI Investments, LLC,)	
)	
Complainant)	MOTION TO COMPEL RESPONSES TO WLI INVESTMENTS DATA REQUEST NO. 1
)	
v.)	
)	
Pluris Hampstead, LLC, and Old North)	
State Water Company, LLC,)	
)	
Respondents.)	

NOW COMES WLI Investments, LLC, (“WLI Investments”), by and through the undersigned counsel and hereby moves for an order compelling Pluris Hampstead, LLC (“Pluris”) and Old North State Water Company, LLC (“ONSWC,” together with Pluris, “Respondents”) to produce documents and information responsive to Question Nos. 2 and 3 contained in WLI Investments’ Data Request No. 1, and to compel Pluris to respond to Question No. 8 contained in WLI Investments’ Data Request No. 1. In support of this motion, WLI Investments states as follows:

BACKGROUND

1. On August 23, 2022, WLI Investments served upon the Respondents its Data Request No. 1. A true and accurate copy of WLI Investments Data Request No. 1 is attached hereto as Exhibit A.

- a. Question No. 2 contained in Data Request No. 1 states as follows: “Please provide copies of all documents in your possession that reference “Salters Haven,” “Salter’s Haven,” or “Salters’ Haven.”
- b. Question No. 3 contained in Data Request No. 1 states as follows: “Please provide copies of documents that reference the purchase and transfer of utility franchise presently held by ONSWC for service to Majestic Oaks, Majestic Oaks West, Southside Commons (f/k/a Grey Bull), and Salters Haven, approval of which is presently pending before the Commission.”
- c. Question No. 8 contained in Data Request No. 1 states as follows: Please provide copies of any executed contracts between Pluris and any real estate developer that contain the phrase “grinder pumps.”

2. On August 24, 2022, ONSWC served upon WLI Investments its Objection to Data Request No. 1, stating its grounds for objection to Question Nos. 2 and 3 contained in WLI Investments Data Request No. 1. A true and accurate copy of ONSWC’s Objection to Data Request No. 1 is attached hereto as Exhibit B.

3. On August 25, 2022, Pluris served upon WLI Investments its Objections to WLI Investments First Data Request, stating its grounds for objection to Question Nos. 2, 3, and 8 contained in WLI Investments Data Request No. 1. A true and accurate copy of Pluris’s Objections to WLI Investments First Data Request is attached hereto as Exhibit C.

ARGUMENT

When acting as a court of record, the Commission exercises functions judicial in nature and has all the powers and jurisdiction of a court of general jurisdiction as to subjects over which

the Commission has jurisdiction.¹ Although the North Carolina Rules of Civil Procedure are not strictly applicable to the Commission, the Commission often looks to the Rules of Civil Procedure for guidance in resolving discovery disputes.² Pursuant to Rule 26(b)(1) of the Rules of Civil Procedure, a party is entitled to obtain discovery of any material not privileged, which is relevant to the subject matter involved in the pending action. Further, it is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to discovery of admissible evidence.”³

Here, Respondents’ objections to Question Nos. 2 and 3 are based upon 1) relevancy, 2) overly broad, and 3) privilege, including attorney-client correspondence and attorney work product. Respondents’ objections based on relevancy are misplaced because, as stated above, it is not ground to object to discovery if the information sought appears reasonably calculated to lead to the discovery of admissible evidence. The information sought in Question Nos. 2 and 3 are directly and reasonably calculated to lead to discovery of admissible evidence that may establish facts in support of the claims in the Complaint. WLI Investments has reason to believe that the Respondents exchanged communications, documents, and other materials as part of the negotiations that resulted in the agreement for Pluris to purchase ONSWC’s utility franchise and utility assets. This evidence is highly relevant to the following claims stated in the Complaint: Count Two (Pluris Violated N.C. Gen. Stat. § 62-110 and -111 by exerting operational control over ONSWC), Count Four (Pluris’ policy of refusing to accept grinder pumps and low-pressure facilities is unreasonable discrimination in violation of N.C. Gen. Stat. § 62-140), and Count Five

¹ N.C. Gen. Stat. § 62-60.

² See e.g. Order Denying Motion to Compel, p. 2, No. E-100, Sub 101; see also Commission Rule R1-24(a).

³ *Shellhorn v. Brad Ragan, Inc.*, 38 N.C. App. 310, 248 S.E. 2d 103, *cert. denied*, 295 N.C. 735, 249 S.E. 2d 804 (1978).

(Respondents' coordinated actions are unjust and unreasonable practices). If, for example, the Respondents' exchange of communications included discussion of the presence of grinder pumps and low-pressure facilities in Salters Haven and the adjacent Lea Lots, a statement of the basis for Pluris' aversion to accepting wastewater collection systems that include grinder pumps and low-pressure facilities, or Pluris' implied or express statement that it would not consummate the acquisition of ONSWC's utility franchise and utility assets if grinder pumps and low-pressure facilities were present in wastewater collection system, this evidence would be not only relevant but probative and perhaps conclusive that Respondents' conduct violated the provisions of the Public Utility Act cited in Count Two, Four, and Five of the Complaint. WLI Investments is entitled to discovery on these matters as relevant and as reasonably calculated to discovery of admissible evidence pursuant to Rule 26(b)(1) of the Rules of Civil Procedure

Respondents' objection based on the questions being overly broad are similarly misplaced. A discovery request is overly broad when it lacks specificity as to time, place, or subject matter being requested.⁴ However, overly broad is not a valid objection unless it can be shown that the request imposes an undue burden or seeks discovery that is not relevant to the subject matter of the case. By the nature of the questions being targeted at documents relevant to the proposed transfer of ONWCW's utility franchise and utility assets, the request is specific as to time, place, and subject matter. Further, Respondents have failed to articulate how this request is unduly burdensome. To the contrary, the requests are quite typical of discovery seeking documents that are in the possession of the Respondents, that should have been retained in the regular course of business and that should be readily available and accessible. Such documents must be produced in discovery because these documents are relevant to the claims of the Complaint or reasonably

⁴ See *Kelley v. Agnoli*, 695 S.E.2d 137, at fn. 5, (N.C. App. 2010).

calculated to discovery of admissible evidence pursuant to Rule 26(b)(1) of the Rules of Civil Procedure. WLI Investments further submits that it is an inadequate and incomplete response to point to the Commission's files as the place where WLI Investments should obtain the documents sought. It may well be that the Respondents have documents within the scope of this request that have not yet been filed with the Commission, and in any event, it is Respondents obligation to produce the documents in their possession.

Clearly, matters that are privileged are not within the scope of discovery. Yet, Pluris' objection based on privilege is unresponsive to WLI Investments Data Request No. 1. The instructions included in WLI Investments Data Request No. 1 request that information withheld on the basis of privilege be identified with specificity. Pluris' blanket objection is, therefore, deficient and leaves WLI Investments without information that would demonstrate whether the documents are, in fact, privileged.

Pluris' objection to Question No. 8 included in WLI Investments Data Request No. 1 is based upon relevancy. Question No. 8 requests copies of any executed contracts between Pluris and any real estate developer that contain the phrase "grinder pumps." As with Respondents' objections discussed above, this objection should be overruled. The Complaint alleges that Pluris has a policy to not accept wastewater collection systems that include grinder pumps and low-pressure facilities. It is WLI Investments belief that Respondents have accepted wastewater collection systems that include grinder pumps and low-pressure facilities. Thus, if the evidence shows that similarly situated real estate developers are being treated differently with respect to the design requirements of wastewater collection systems, a prima facie case of unreasonable discrimination in violation of N.C. Gen. Stat. § 62-140 would have been established. In other words, Count Three of the Complaint alleges that Pluris is treating other real estate developers

differently than it has treated WLI Investments without a rational basis for doing so to the disadvantage of WLI Investments. Question No. 8 seeks evidence that is in Pluris' possession, not privileged, and directly relevant to demonstrating that claim, or at the very least evidence that is reasonably calculated to discovery of admissible evidence. WLI Investments is entitled to have discovery of that evidence pursuant to Rule 26(b)(1) of the Rules of Civil Procedure.

Finally, ONSWC argues that the information sought in Question Nos. 2 and 3 of WLI Investments Data Request No. 1 is extrinsic evidence and therefore not reasonably calculated to lead to admissible evidence. This objection is both legally and procedurally deficient. First, although not cited as such ONSWC's objection apparently rests upon the parole evidence rule. WLI Investments has already addressed these arguments, both in its Complaint⁵ and in its Reply and Motion for Procedural Order.⁶ In sum, it is WLI Investments position that the 2018 contract does not expressly prohibit the installation of grinder pumps and low-pressure facilities, the Commission could find that the provisions of the agreement are ambiguous, and if the Commission so found, then extrinsic evidence would be admissible to clarify an ambiguity or to "show what was in the minds of the parties at the time of the making of the contract."⁷ ONSWC fails to respond to these arguments and fails to support its objection with citation to any authorities or evidence. Because WLI Investments' questions in Data Request No. 1 are reasonably calculated to discover admissible evidence, ONSWC's objection should be overruled and the Commission should compel a response from ONSWC to WLI Investments questions. Further, North Carolina courts recognize that the parole evidence rule is a substantive rule of contract law and not a rule of evidence.⁸ Thus,

⁵ Complaint, at fn. 3.

⁶ Reply and Motion for Procedural Order, at p. 4 and p. 8-9.

⁷ *Root v. Allstate Ins. Co.*, 158 S.E.2d 829, 272 N.C. 580 (N.C. 1968) (quoting 30 Am.Jur.2d § 1069).

⁸ *Van Harris Realy, Inc. v. Coffey*, 41 N.C. App. 112, 115, 254 S.E.2d 184, 186 (1979).

ONSWC's objection to discovery on evidentiary grounds is procedurally deficient. For the Commission to adequately address this issue, it must first determine whether the contract provisions are ambiguous and, if so, then determine whether the evidence sought to be admitted is within the above-noted exception to the parole evidence rule. Again, ONSWC has failed to respond to WLI Investments' arguments on this issue and instead offers only an unsupported objection. WLI Investments, on the other hand, has articulated its position on these issues by demonstrating the ambiguity on the contract and the nature of the evidence sought for the purpose of clarifying the ambiguous terms of the contract and by providing evidence of what was in the minds of the parties at the time the contract was made. WLI Investments is entitled to discovery on these matters as relevant and as reasonably calculated to discovery of admissible evidence pursuant to Rule 26(b)(1) of the Rules of Civil Procedure.

CONCLUSION

For the reasons detailed above, the Respondents' objections to Data Request No. 1 should be overruled and the Commission should issue an order compelling responses from the Respondents. Respondents have mischaracterized the nature of the Complaint and disregarded certain claims in the Complaint. The information sought in Data Request No. 1 is directly relevant to those mischaracterized or disregarded claims of the Complaint or is reasonably calculated to discovery of admissible evidence. Similarly, Respondents have failed to show that the information sought by Data Request No. 1 is overly broad, because they cannot establish an undue burden resulting from the production of the information sought to be discovered. In addition, it should be clear that WLI Investments is not seeking privileged information because WLI Investments requested use of a procedure to identify with specificity the privileged nature of any information sought. Yet, Pluris failed to respond as requested. Finally, ONSWC's arguments that it cannot be

required to produce extrinsic evidence fails as inconsistent with North Carolina law. The information sought is reasonably calculated to discovery of relevant evidence – evidence that would be admissible to give meaning to ambiguous terms in the contract, and not to vary or add to unambiguous terms, properly within an exception to the parole evidence rule. WLI Investments reiterates and incorporates herein its arguments on this issue previously provided to the Commission.

WHEREFORE, WLI Investments respectfully requests that the Commission enter an order compelling the Respondents to answer Question Nos. 2 and 3 of WLI Investments Data Request No. 1 and compelling Pluris to answer Question No. 8 of WLI Investments Data Request No. 1.

Respectfully submitted this 29th day of August, 2022.

/s/ Patrick Buffkin
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pbuffkin@gmail.com
*COUNSEL FOR WLI
INVESTMENTS, LLC*

CERTIFICATE OF SERVICE

The undersigned, Patrick Buffkin, certifies that a copy of the foregoing Motion to Compel Responses to WLI Investments Data Request No. 1 has been served upon counsel for the Respondents herein, by electronic mail this the 29th day of August, 2022.

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pbuffkin@gmail.com
*COUNSEL FOR WLI
INVESTMENTS, LLC*

**WLI Investments, LLC v. Old North State Water Company, LLC and
Pluris Hampstead, LLC
NCUC DOCKET NO. W-1305, SUB 35
NCUC DOCKET NO. W-1300, SUB 77
WLI Investments Data Request No. 1
Date Requested: August 23, 2022
Date Due: September 2, 2022**

WLI Investments Legal Contact: Patrick Buffkin
Buffkin Law Office
Counsel for WLI Investments, LLC
pbuffkin@gmail.com
(919) 971-2796

INSTRUCTIONS

1. If you object to part of a data request and refuse to respond to that part, state the objection and answer the remaining portion of that data request.
2. In producing documents or data pursuant to a request, please indicate the specific request in response to which the documents or data is being produced.
3. When a data request asks for specific information, such as a date or an amount, and the specific information requested is not known to you, such data request shall be deemed to ask you to approximate the information requested as best you can, provided that you indicate in your response that the information being provided is an approximation or is incomplete in certain specific respects.
4. When, after a reasonable and thorough investigation using due diligence, you are unable to answer any part of a data request because of lack of information available to you, specify in full and complete detail the type of information which you claim is not available to you and what has been done by you to locate such information. In addition, specify what knowledge or belief you have concerning the unanswered portion of the data request, set forth the facts upon which such knowledge or belief is based, and identify the person(s) who has or is likely to have the information which you claim is not available.
5. With respect to any information called for by a data request that you withhold on a claim of privilege or protection, please provide as to each:
 - a. The claimed basis for withholding the information;
 - b. The nature of the information withheld; and
 - c. A statement of all the circumstances relied upon to support such a claim.
6. With respect to any document that you withhold on a claim of privilege or immunity, please provide a privilege log that specifies as to each document:
 - a. The identity of the sender(s) of the document;
 - b. The identity of the author(s) of the document;
 - c. The identity of the recipient(s) of the document;
 - d. The job title of every person named in subparts a. through c. above;
 - e. The date or approximate date of the document;
 - f. A general description of the nature and subject matter of the document;

- g. The identity of the person who has custody of the document; and
 - h. The basis for your claim of privilege or protection.
7. These data requests shall be deemed continuing in nature so as to require supplemental answers between the time initial responses are served and the time the Commission issues its final order (including any appeals) in this proceeding.
 8. Documents responsive to the following data requests are to be produced electronically by email to Patrick Buffkin, Buffkin Law Office, pbuffkin@gmail.com, at the offices of Buffkin Law Office, 3520 Apache Dr. Raleigh, NC 27609, or some mutually convenient location otherwise agreed to by the parties. Responses to these data requests may be provided by online access in lieu of delivery to the foregoing. If online access is used, please provide notification via electronic mail to pbuffkin@gmail.com when each response has been uploaded to the online site along with information required to access the responses uploaded.
 9. For each data request, provide the name and title of the person(s) responding to the request.

DEFINITIONS

1. “You” and “your” refers to the ONSWC or Pluris or any of its affiliates, employees, agents, consultants or experts.
2. “ONSWC” refers to Old North State Water Company, LLC.
3. “Pluris” refers to Pluris Hampstead, LLC.
4. When capitalized, “Commission” refers to the North Carolina Utilities Commission.
5. “Document” includes any written, recorded or graphic matter, however produced or reproduced, including, but not limited to, correspondence, telegrams, contracts, agreements, notes in any form, memoranda, charts, diaries, reports, books, ledgers, diaries, voice recording tapes, microfilms, microfiche, pictures, data processing cards or discs, computer tapes and other computer-generated and stored information or data base, workpapers, calendars, minutes of meetings or any other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession.
6. “Identify,” “identity,” or “identification,” when used in reference to an individual person, means to state that person’s full name, business position, and business address, including zip code and phone number, if known, and, if not known, the last known business position, duties and business address, if known.
7. “Identify,” “identity,” or “identification,” when used in reference to a business organization, means to state the corporate name or other names under which said organization does business, and the location of its principal place of business.
8. “Identify,” “identity,” or “identification,” when used in reference to a document, means to state the type of document (e.g., computer-stored information, microfilm, letter, memorandum, policy circular, minute book, telegram, chart, etc.), or some other means of identifying it, and its present location and custodian. If any document was, but is no longer, in your possession or subject to your control, state what disposition was made of it, and, if destroyed or disposed of by operation of a retention policy, state the retention policy. For any Data Requests that request identification of documents, you may, in lieu of

identification, provide copies of the requested documents. Each document so produced shall be identified by the number of the data request to which it is purportedly responsive.

9. The terms “describe,” “describe in detail,” “explain,” and “explain in detail” mean describe and explain in detail each and every basis for the position taken or statement made and identify each and every statement, study, and document relied on by you and provide a copy of all such identified studies and documents.

DATA REQUESTS

1. Please identify each individual that ONSWC and Pluris intend to call as a witness in this proceeding.

RESPONSE:

2. Please provide copies of all documents in your possession that reference “Salters Haven,” “Salter’s Haven,” or “Salters’ Haven.”

RESPONSE:

3. Please provide copies of documents that reference the purchase and transfer of utility franchise presently held by ONSWC for service to Majestic Oaks, Majestic Oaks West, Southside Commons (f/k/a Grey Bull), and Salters Haven, approval of which is presently pending before the Commission.

RESPONSE:

4. Please identify each subdivision or utility service area where ONSWC or Pluris currently provide utility service to customers through a wastewater collection system that includes grinder pumps and low-pressure facilities.

RESPONSE:

5. Please provide copies of any executed contracts between ONSWC and a real estate developer that contain the phrase “grinder pumps”.

RESPONSE:

6. Please provide copies of any documents that articulate your policy addressing whether you accept wastewater collection systems that include grinder pumps and low-pressure facilities.

RESPONSE:

7. Please identify any individual person that was involved in the preparation, revision, or execution of the 2018 contract between WLI Investments and ONSWC.

RESPONSE:

8. Please provide copies of any executed contracts between Pluris and any real estate developer that contain the phrase “grinder pumps”.

RESPONSE:

CERTIFICATE OF SERVICE

The undersigned attorney for WLI Investments hereby certifies that he served the foregoing WLI INVESTMENTS DATA REQUEST NO. 1 on Old North State Water Company, LLC, and Pluris Hampstead, LLC, by delivery to counsel by electronic mail.

This the 23rd day of August, 2022.

By: /s/ Patrick Buffkin
Patrick Buffkin
Buffkin Law Office
Counsel for WLI Investments, LLC

OFFICIAL COPY

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the Agreement, as provided for in Section 17.10 of the Agreement (quoted below), and consideration of extrinsic evidence to show some other agreement would be inadmissible.

Request 3 states:

“Please provide copies of documents that reference the purchase and transfer of utility franchise presently held by ONSWC for service to Majestic Oaks, Majestic Oaks West, Southside Commons (f/k/a Grey Bull), and Salters Haven, approval of which is presently pending before the Commission.”

First, WLI already has access through the Commission website to documents that have been filed in the pending transfer dockets.

Second, with regard to any such documents that are not filed with the Commission in the pending transfer dockets, this request is not reasonably calculated to lead to discovery of admissible evidence. The issue in the Complaint and Petition for Declaratory Ruling is whether the Agreement entitles WLI to install a low pressure sewer collection system to provide utility service to the Lea Tract Extended Service Area. That issue must be determined based on the provisions found within the four corners of the Agreement between ONSWC and WLI. Section 17.10 of the Agreement states: “17. 10. Entire Agreement. This writing embodies the entire agreement and understanding between the Parties hereto and there are no other agreements or understandings, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby.” Production of extraneous documents outside the Agreement in an attempt to contravene the Agreement or otherwise establish contractual obligations beyond what is stated in the Agreement is not reasonably calculated to lead to admissible evidence and would be an undue burden on ONSWC.

ONSWC will respond to discovery requests provided they are not overly-broad, burdensome, and not reasonably calculated to lead to admissible evidence. We are willing to discuss this further if WLI so wishes.

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Attorney for Old North State Water Company, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Objections to WLI Data Request No. 1, has been served on all parties and counsel of record in these dockets by either depositing same in a depository of the United States Postal Service, first-class postage prepaid and mailed by the means specified below, or by electronic delivery.

This the 24th day of August, 2022.

FOX ROTHSCHILD LLP

By: /s/ David T. Drooz
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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, Sub 35
DOCKET NO. W-1300, Sub 77

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

<p>In the Matter of</p> <p>WLI Investments, LLC, 60 Gregory Road,)</p> <p>Ste 1, Belville, North Carolina 28451)</p> <p style="padding-left: 100px;">Complainant)</p> <p style="text-align: center;">v.)</p> <p>Pluris Hampstead, LLC,)</p> <p style="padding-left: 100px;">Respondent,)</p> <p style="text-align: center;">v.)</p> <p>Old North State Water Company, LLC)</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>PLURIS HAMPSTEAD, LLC'S OBJECTIONS TO WLI'S FIRST DATA REQUESTS</p>
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Pluris Hampstead, LLC ("Pluris") hereby serves its objections to certain of the Data Requests served on its counsel by WLI Investments, LLC ("WLI") on August 23, 2022.

OBJECTIONS

WLI Data Request 2: Please provide copies of all documents in your possession that reference "Salters Haven," "Salter's Haven," or "Salters' Haven."

Pluris Objection: Pluris objects to this data request on the grounds that it seeks information which is irrelevant to the issue presented by the Complaint in these dockets, where WLI alleges "the impairment or breach of WLI Investment's contract rights under a 2018 contract." (Complaint p. 1). Pluris also objects to this request on the grounds that it is not reasonably calculated to lead to the discovery of relevant evidence, is overly broad and compliance with this request would be unduly burdensome. This request is also objected to as it is so broad as to encompass privileged materials, including attorney-client correspondence and attorney work product.

The core issue presented by the WLI's claim of breach in these dockets is whether WLI is entitled under its Agreement with ONSWC dated December 13, 2018 ("Agreement"), to install a low-pressure wastewater collection system in the Extended Service Area ("ESA"), as that term is defined in the Agreement. That Agreement is Exhibit A to WLI's Complaint. Leaving aside the overbreadth, burden and privilege issues implicated by this request, a request for all documents possessed by Pluris containing the specified words without confining the request to documents relating to WLI's installation of a wastewater collection

system in the ESA it is not reasonably calculated to lead to the discovery of relevant evidence.

WLI Data Request 3: Please provide copies of documents that reference the purchase and transfer of utility franchise presently held by ONSWC for service to Majestic Oaks, Majestic Oaks West, Southside Commons (f/k/a Grey Bull), and Salters Haven, approval of which is presently pending before the Commission.

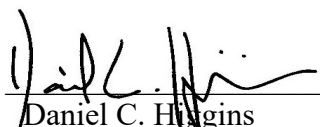
Pluris Objection: Pluris objects to this data request on the grounds that it seeks information which is irrelevant to the issue presented by the Complaint in these dockets, which is whether WLI is entitled under its Agreement with ONSWC to install a low-pressure wastewater collection system in the ESA. Pluris also objects to this request on the grounds that it is not reasonably calculated to lead to the discovery of relevant evidence, is overly broad and compliance with this request would be unduly burdensome. The Asset Purchase Agreement between ONSWC and Pluris is on file with the Commission and is readily and publicly available to WLI through the Commission's website. Subject to and without waiving the foregoing objections, Pluris states that even though the Asset Purchase Agreement between ONSWC and Pluris, and the amendments thereto, are publicly available through the Commission's website, Pluris will produce the confidential versions of those documents subject to execution of an appropriate non-disclosure agreement.

WLI Data Request 8: Please provide copies of any executed contracts between Pluris and any real estate developer that contain the phrase "grinder pumps".

Pluris Objection: Pluris objects to this data request on the grounds that it seeks information which is irrelevant to the issue presented by the Complaint in these dockets, which is whether WLI is entitled under its Agreement with ONSWC to install a low-pressure wastewater collection system in the Extended Service Area, as that term is defined in the Agreement. The requested information as to "grinder pumps and low-pressure facilities" is irrelevant to the terms of the Agreement and the issue presented here. This request is not reasonably calculated to lead to the discovery of relevant evidence. Subject to and without waiving the foregoing objections, Pluris' agreements with developers are on file with the Commission and readily available to WLI in NCUC Docket W-1305.

This the 25th day of August, 2022.

BURNS, DAY & PRESNELL, P.A.

By: 
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Attorneys for Pluris Hampstead, LLC

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