

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1125, SUB 9
DOCKET NO. W-1125, SUB 10

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Greater Kinnakeet Shores Home Owners, Inc.)	
c/o Pat Weston, P. O. Box 853, Avon, North)	
Carolina 27915,)	
Complainant)	ORDER GRANTING
)	EXTENSION OF TIME TO FILE
v.)	RESPONSES
)	
Outer Banks/Kinnakeet Associates, LLC.,)	
Defendant)	

BY THE CHAIR: On December 13, 2021, Greater Kinnakeet Shores Home Owners, Inc. (HOA), made a complaint against Outer Banks/Kinnakeet Associates, LLC (OBKA), in the above-referenced docket. The complaint concerns a moratorium placed against the Kinnakeet Shores Wastewater Treatment Plant (WWTP) which is owned and operated by OBKA.

On January 27, 2022, OBKA filed an Answer and a Motion to Strike Certain Pleadings (Motion to Strike). On February 3, 2022, the HOA filed a Response to the Motion to Strike. On February 4, 2022, OBKA filed a Reply to the HOA's Response to the Motion to Strike. The Commission issued an order on June 28, 2022, granting in part and denying in part the Motion to Strike and allowing OBKA until July 8, 2022, to respond to the remaining allegations in the Complaint.

On February 4, 2022, OBKA filed a Motion to Dismiss Complaint for Lack of Standing and Jurisdiction (Motion to Dismiss).

On February 7, 2022, the HOA filed a Reply to OBKA's Answer requesting a public hearing, and on February 11, 2022, the HOA filed a Response to Motion to Dismiss Complaint (Response). On June 28, 2022, the Commission issued an order denying the Motion to Dismiss.

On June 28, the Commission issued an Order to Show Cause, Consolidate Dockets, Schedule Expert Witness Hearing, Grant Withdrawal of Counsel, and Require Public Staff Participation (Scheduling Order) scheduling among other things, a show cause hearing and expert witness hearing to be held on July 22, 2022.

On July 6, 2022, Counsel for OBKA filed a Motion for Extension of Time requesting an extension to and through July 15, 2022, to file answers to Complainant's allegations in paragraphs 8, 9, 10, 13, 15, and 18 of its complaint and a 49-day extension of time to and through September 9, 2022 of the show cause and expert witness hearing. Counsel for OBKA states that he needs additional time to investigate the case, having just been retained in the matter, to provide answers to the remaining allegations in the complaint and citing several conflicts on the date of and around the time of the scheduled hearing creating the need for the continuance of the hearing. Counsel states that he has requested approval of his request from counsel for the HOA, but has not yet received a response.

Based on the foregoing and the entire record herein, the Chair finds good cause to extend the deadline for filing answers to Complainant's allegations in paragraphs 8, 9, 10, 13, 15, and 18 to Tuesday, July 12, 2022. A subsequent order ruling on the motion to extend the time for the hearing will be forthcoming.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 7th day of July, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, reading "A. Shonta Dunston". The signature is written in a cursive, flowing style.

A. Shonta Dunston, Chief Clerk