

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1259, SUB 5
DOCKET NO. W-1328, SUB 6

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Meadowlands Development,)	ORDER FINDING APPLICATION
LLC and Red Bird Utility Operating Company,)	COMPLETE AND REQUIRING
LLC, d/b/a Red Bird Water for Transfer of)	THE PUBLIC STAFF TO
Public Utility Franchise in Meadowlands)	PROVIDE SPECIFIC
Subdivision in Davidson County, North)	APPLICATION DATA
Carolina, and for Approval of Rates)	

BY THE PRESIDING COMMISSIONER: On October 9, 2020, as amended October 21, 2020, Meadowlands Development, LLC (Meadowlands), and Red Bird Utility Operating Company, LLC d/b/a Red Bird Water (Red Bird) filed a joint application for approval of transfer of the assets of the wastewater utility systems serving the Meadowlands subdivision in Davidson County, North Carolina from Meadowlands to Red Bird and approval of rates (Application). Red Bird filed with the Commission supplemental and additional materials in support the Application on July 12, August 2, 2021; December 7, 2022; and June 15, 2023.

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 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.

On July 25, 2023, the Public Staff filed a second deficiency letter outlining additional, updated information that was needed to complete the Application and recommended that the Commission determine that the Application is incomplete. On July 28, 2023, the Commission issued an Order Determining Application Incomplete (Incomplete Application Order).

On August 7, 2023, pursuant to the Commission's Incomplete Application Order, Red Bird filed additional information to address the issues identified in the Public Staff's July 25, 2023, letter.

On August 14, 2023, the Public Staff filed a third deficiency letter stating that it reviewed the additional information provided by Red Bird on August 7, 2023, and that the Application remains incomplete. The Public Staff's letter outlined the information needed to complete the Application and recommended that the Commission determine that the Application is incomplete.

On August 17, 2023, Red Bird filed additional information to address the issues identified in the Public Staff's August 14, 2023, letter. On August 23, 2023, the Public Staff filed a fourth deficiency letter outlining information still needed to complete the Application and recommended that the Commission determine that the Application is incomplete. On September 13, 2023, the Commission issued a Second Order Determining Application Incomplete (Second Incomplete Application Order).

On December 15, 2023, pursuant to the Commission's Second Incomplete Application Order, Red Bird filed additional information to address the deficiencies outlined in the Public Staff's August 23, 2023, letter.

On December 29, 2023, the Public Staff filed a letter with the Commission indicating that this docket now includes all the information required for a complete Application.

Based on the foregoing, the recommendation of the Public Staff, 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 the Public Staff shall provide to the Commission, within five business days of the date of this Order, the following information regarding the Application:

1. The number and type of customers currently served by Meadowlands;
2. The rates currently being charged to customers, including the docket number in which the current rates were approved by the Commission and the effective date for the current rates;
3. The proposed rates Red Bird seeks to charge if the Commission approves the transfer of the utility assets from Meadowlands to Red Bird;
4. If an increase in rates is proposed, provide the impact on the average monthly residential sewer bill under the proposed rates compared to current rates. For metered rates, indicate the average monthly usage used in your calculations; and

5. Briefly summarize any pertinent points from the application such as a description of any planned capital improvements, the related dollar amounts, the estimated total impact on annual revenue requirement, and the estimated impact on the average monthly residential sewer bill.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 2nd day of January, 2024.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "A. Shonta Dunston". The signature is written in a cursive, flowing style.

A. Shonta Dunston, Chief Clerk