

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-218, SUB 573

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application by Aqua North Carolina,)	
Inc., 202 MacKenan Court, Cary,)	
North Carolina 27511, for Authority)	
to Adjust and Increase Rates for)	
Water and Sewer Utility Service in)	JOINT MOTION FOR
All Service Areas in North Carolina)	EXTENSION OF TIME
		TO FILE PROPOSED
		ORDERS

NOW COME Aqua North Carolina, Inc. (“Aqua” or “Company”), and the Public Staff – North Carolina Utilities Commission (“Public Staff”)(collectively, “Parties”), by and through their undersigned counsel, and move for an extension of time until March 31, 2023, to file their proposed orders and a Stipulation of Partial Settlement in the above-captioned matter. In support of this motion the Parties show the following:

1. On January 19, 2023, the Commission issued a Notice of Due Date for Proposed Orders and/or Briefs, which required the Parties to file proposed orders or briefs on or before February 20, 2023.
2. On February 16, 2023, the Commission granted the Public Staff’s motion for a four-week extension of time to file proposed orders and/or briefs. That order accepted Aqua’s waiver of its right to implement its original proposed rates by operation of N.C.G.S. § 62-134(b) for a period of four weeks, corresponding to the four-week extension requested by the Public Staff.
3. The Parties have been working diligently to prepare their respective

proposed orders. The drafting of proposed orders has been particularly time-consuming in the present proceeding because (a) this has been a fully litigated rate case, and (b) it is unusually complex as the first Aqua rate case under the multiyear rate plan statute. At the same time as working on proposed orders, the Parties have been negotiating the issue of performance metrics, incentives, and penalties, as directed by Commissioners at the hearing, and have been negotiating other issues that were contested at hearing. The drafting of proposed orders for a fully litigated case and the settlement negotiations have been proceeding in parallel.

4. The Parties now have agreement in principle on a large portion of the performance metrics, incentives, and penalties. The Parties now have agreement in principle on most of the other rate case issues as well. There are a few issues that will remain disputed.

5. The Parties need additional time to draft the partial settlement terms in a Stipulation, confer on joint wording to use in their proposed orders to reflect settlement terms, and set out separately in their proposed orders the remaining issues where they differ.

6. Because drafting and details of the settlement in principle need further work among the Parties, then drafting of a joint proposed order for the settlement areas will require an iterative process, and then there will need to be finalization of their respective proposed orders for the remaining contested issues, the Parties seek an extension of time until March 31, 2023, to file their proposed orders and a Stipulation of Partial Settlement.

WHEREFORE, for the foregoing reasons, Aqua respectfully requests that the Commission grant the relief requested herein.

Respectfully submitted, this the 17th day of March 2023.

Electronically Submitted

/s/David T. Drooz

David T. Drooz
State Bar No. 10310
FOX ROTHSCHILD, LLP
434 Fayetteville Street
Suite 2800
Raleigh, North Carolina 27601-2943
T: 919-719-1258
E-mail: ddrooz@foxrothschild.com

Jo Anne Sanford

SANFORD LAW OFFICE, PLLC
State Bar No. 6831
Post Office Box
Raleigh, North Carolina 27611
T: 919-210-4900
E-mail: sanford@sanfordlawoffice.com

**ATTORNEYS FOR AQUA NORTH
CAROLINA, INC.**

PUBLIC STAFF

Christopher J. Ayers
Executive Director

Lucy E. Edmondson
Chief Counsel

Megan Jost
Staff Attorney
4326 Mail Service Center
Raleigh, North Carolina 27699-4300
Telephone: (919) 733-6110
Email: megan.jost@psncuc.nc.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Joint Motion for Extension of Time has been served on all parties or their 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 17th day of March, 2023.

By: /s/ David T. Drooz
David T. Drooz
Fox Rothschild LLP
434 Fayetteville Street
Suite 2800
Raleigh, NC 27601
(919) 719-1258
E-mail: DDrooz@foxrothschild.com
Attorney for Aqua North Carolina, Inc.