

SANFORD LAW OFFICE, PLLC
Jo Anne Sanford, Attorney at Law

October 4, 2018

Ms. M. Lynn Jarvis, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4325

Via Electronic Filing

Re: Aqua North Carolina, Inc. - Application for General Rate Increase
Docket No. W-218, Sub 497
Response to Request for Late-Filed Exhibit Relating to Filing
Status/Context of 2002 Heater Utilities/Johnston County/Flowers
Plantation Bulk Wastewater Contract

Dear Ms. Jarvis:

During the evidentiary hearing in this matter, Chairman Finley and Commissioner Clodfelter both questioned Aqua North Carolina, Inc. (“Aqua” or “Company”) witness Shannon Becker about the 2002 contract reflecting agreement among Johnston County, Flowers Plantation and Heater Utilities for provision of bulk wastewater services.

1. Chairman Finley, in a question to Aqua State President Shannon Becker, referred to a “...2002 contract with the County and with Flowers Plantation and with Heater...” that was “...sort of a wholesale contract between Johnston County and Heater to give you capacity in the wastewater system of the County...” *Tr. Vol. 16, page 36, line 24---page 37, line 4.* The Chairman subsequently asked whether that contract was ever filed with the Commission for its approval. *Tr. Vol. 16, p. 37, lines 11-13.*
2. Commissioner Clodfelter then expressed the same interest in information about the status of the contract as a filed document and requested a definitive answer post-hearing about “...whether the Three-Party Agreement was filed with the Commission and, if so, in what context?” *Tr. Vol. 16, p. 38, lines 2-8.*

3. Finally, subsequent questioning of Aqua witness Becker by counsel elicited the response that at page 24 of his Rebuttal testimony, lines 9-12, he had stated that the 2002 contract in question had been filed with the Commission in Docket No. W-274, Sub 392. *Tr. Vol. 16, p. 108, lines 15-24 -- p. 109, lines 1-3.*

In response to the Commissioners' questions, Aqua provides this link to Docket W-274 Sub 392, which contains Heater Utilities' 2002 *Application for Certificate to Provide Sewer Service for Riverdell Elementary School in Johnston County*. ("Application for Certificate.")

<https://starw1.ncuc.net/NCUC/page/docket-docs/PSC/DocketDetails.aspx?DocketId=46da5cd6-1c82-4415-aaf6-c994f0ca2191>

The bulk wastewater contract, dated May 14, 2002, is an attachment to the June 21, 2002 Application for Certificate. The contract itself begins at PDF page 20 in the following link and is captioned "Bulk Wastewater Service Agreement for Flowers Plantation Sections I, II, and IIIB".

<https://starw1.ncuc.net/NCUC/ViewFile.aspx?Id=d7107598-6a89-42f5-ae94-2b9f2d773b78>

I believe this is fully responsive to the request for a late-filed exhibit. However, Aqua will be pleased to provide any additional information that the Commission requests in response to the inquiry about the filing status of the referenced 2002 Bulk Wastewater Agreement.

As always, thank you and your staff for your assistance; please feel free to contact me if there are any questions or suggestions.

Sincerely,
Electronically Submitted
/s/Jo Anne Sanford
State Bar No. 6831
Attorney for Aqua North Carolina, Inc.

c: Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the **Response to Request for Late-Filed Exhibit**, filed by Aqua North Carolina, Inc. in Docket No. W-218, Sub 497, on the parties of record in accordance with North Carolina Utilities Commission Rule R1-39, either by United States mail, first class postage pre-paid; by hand delivery; or by means of electronic delivery upon agreement of the receiving party.

This the 4th day of October 2018.

Electronically Submitted
/s/Jo Anne Sanford
North Carolina State Bar No. 6831

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