

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1049, SUB 25
DOCKET NO. W-1328, SUB 2

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of A&D Water Services, Inc. and)	ORDER FINDING APPLICATION
Red Bird Utility Operating Company, LLC,)	COMPLETE AND REQUIRING
d/b/a Red Bird Water for Transfer of Public)	THE PUBLIC STAFF TO
Utility Franchise and for Approval of Rates)	PROVIDE SPECIFIC
)	APPLICATION DATA

BY THE PRESIDING COMMISSIONER: On October 9, 2020, A&D Water Service, Inc. (A&D), 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 water and/or wastewater utility systems serving the Buffalo Meadows, Camelot, Cinnamon Woods, High Vista, Hunters Glen, Kirk Glen, Mountain Valley, Rolling Oaks Estates, Sapphire Lakes, Sherwood Forest, Skyview Park, and White Oak Village subdivisions, in Ashe, Henderson, Buncombe, Transylvania and Gaston Counties, North Carolina, from A&D to Red Bird and approval of rates (Application). Red Bird filed with the Commission supplemental and additional materials in support the Application on October 20, 2020; July 2, October 8, October 11, and December 15, 2022; and June 14, 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 December 12, 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 December 19, 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 A&D, listed by subdivision;
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, listed by subdivision if rates vary;
3. The proposed rates Red Bird seeks to charge if the Commission approves the transfer of the utility assets from A&D to Red Bird, listed by subdivision if proposed rates vary;
4. If an increase in rates is proposed, provide the impact on the average monthly residential water and/or sewer bill under the proposed rates compared to current rates, listed by subdivision if rates vary. For metered rates, indicate the average monthly usage used in your calculations, listed by subdivision if rates vary; 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 water and/or 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 dark ink, appearing to read "A. Shonta Dunston". The signature is fluid and cursive, with the first name "A." and last name "Dunston" clearly distinguishable.

A. Shonta Dunston, Chief Clerk