

seeking authority to transfer the wastewater utility system and public utility franchise serving Eagle Creek Subdivision, Eagle Creek Golf Club and Grill, and Moyock Middle School in Currituck County, North Carolina, from Sandler to Currituck and approval of rates (the Joint Application).

2. On November 18, 2021, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Public Notice which, among other things, required the Public Staff and intervenors to file direct testimony and exhibits on or before Thursday, February 24, 2022; ordered Currituck and Sandler (collectively, the Companies) to file their rebuttal testimony and exhibits, if any, by Wednesday, March 16, 2022; and scheduled the expert witness hearing for April 5, 2022 (the Procedural Order). The Procedural Order also required Currituck to consult with all other parties and file, no later than Monday, March 28, 2022, a list of witnesses to be called at the expert witness hearing, the order of witnesses, and each party's estimated time for cross-examination. The Procedural Order further directed the remaining parties to make a filing indicating their points of disagreement with Currituck's filing, if consensus was not reached, no later than Wednesday, March 30, 2022.

3. On February 24, 2022, the Public Staff filed a motion for an extension of time to file testimony and exhibits to March 2, 2022, and for an extension of the discovery request response deadlines for the Public Staff's direct testimony using the same timeframe set forth in Discovery Guideline 4 of the Procedural Order. In its motion, the Public Staff stated that it was awaiting outstanding information from

Currituck, which it deemed necessary and material to the direct testimony of the Public Staff.

4. On February 25, 2022, the Commission issued an Order Granting Public Staff's Motion for Extension of Time to File Testimony and Exhibits and Extension of Discovery Deadlines Nunc Pro Tunc (Extension Order). The Extension Order extended the deadline for filing the Public Staff's testimony and exhibits to March 2, 2022, and the deadline for filing the Companies' rebuttal testimony and exhibits, if any, to March 22, 2022.

5. The Commission's Extension Order also provided that formal discovery requests of the Public Staff shall be served on the receiving party no later than five calendar days after the filing of that party's testimony.

6. On March 2, 2022, the Public Staff filed the direct testimony of Public Staff witnesses, Michael Franklin, Iris Morgan, and Phat Tran (public and confidential versions), and the joint testimony of David May and Robert Tankard.

7. On March 7, 2022, Currituck and Sandler served the Public Staff with discovery within the five days prescribed by the Extension Order.

8. Currituck in particular served the Public Staff with an eight-page data request consisting of 75 questions, some containing subparts, which requests a substantial amount of information.

9. Discovery Guideline 4, of the Procedural Order, provides that formal discovery requests of the Public Staff and other intervenors shall be served no later than five calendar day after the filing of that party's testimony and the party

served with discovery shall have up to three business days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than nine calendar days after the filing of that party's testimony. Pursuant to the foregoing discovery timeframe requirements, which were preserved by the Extension Order, the Public Staff would be required to file with the Commission objections to the discovery requests of Sandler and Currituck by March 10, 2022.

10. Due to the press of other matters and the magnitude of Currituck's discovery request in particular, the Public Staff needs additional time to comprehensively review and formulate responses to all discovery requests and file objections, if any, to any specific discovery requests.

11. The Public Staff, therefore, respectfully requests that the Commission extend the due date for the filing of objections, if any, that the Public Staff might have to specific data requests to March 15, 2022.

12. The Public Staff requests that the Commission preserve the remaining dates and deadlines regarding the milestones and discovery guidelines set forth in the Procedural Order and Extension Order.

13. The Public Staff has contacted counsel for the Companies. Counsel for Currituck and Sandler have indicated they have no objection to the extension of time.

14. WHEREFORE, for the reasons set forth above, the Public Staff respectfully requests that the Commission: (1) extend the time for the filing of

objections, if any, to discovery requests to March 15, 2022; and (2) preserve the remaining dates and deadlines regarding the milestones and discovery guidelines set forth in the Procedural Order and Extension Order, and for any further relief the Commission deems necessary.

Respectfully submitted this 10th day of March, 2022.

PUBLIC STAFF
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Electronically submitted
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CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the foregoing Motion upon each of the parties of record in this proceeding or their attorneys of record by emailing them an electronic copy or by causing a paper copy of the same to be hand-delivered or deposited in the United States Mail, postage prepaid, properly addressed to each.

This the 10th day of March, 2022.

Electronically submitted
/s/ Gina C. Holt