

**SANFORD LAW OFFICE, PLLC**

Jo Anne Sanford, Attorney at Law

August 24, 2022

**Via Electronic Filing**

Ms. A. Shonta Dunston, Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4325

Re: Aqua North Carolina, Inc.  
Docket No. M-100, Sub 163  
Verified Reply Comments to Investigation Regarding the Ability of  
North Carolina's Electricity, Natural Gas, and Water/Wastewater  
Systems to Operate Reliably During Extreme Cold Weather

Dear Ms. Dunston:

On January 26, 2022, the Commission entered an *Order Opening Investigation, Scheduling Technical Conferences, Requiring Responses, and Allowing Comments and Reply Comments* in Docket Nos. E-100, Sub 173 and M-100, Sub 163. Aqua North Carolina, Inc. ("Aqua" or "Company") was made a party to Docket No. M-100, Sub 163 and was required to file a response to the questions set forth in Appendix A of the January 26<sup>th</sup> Order on or before February 23, 2022. The Commission Order further provided that representatives of Aqua were required to present their responses and answer Commission and Public Staff questions at a technical conference to be held on March 15, 2022, starting at 9:30 a.m., in Commission Hearing Room 2115.

On February 23, 2022, Aqua filed the Company's Verified Response to the questions posed by the Commission. The Company's Response was verified by Joseph R. Pearce, Aqua's Director of Operations.

On March 15, 2022, Aqua appeared before the Commission at the Technical Conference wherein the Commission, the Public Staff, and Aqua discussed matters related to the reliability of water and wastewater operations provided by the Company during extremely cold weather.<sup>1</sup> During and after the Conference, Aqua was requested to answer additional questions and to file responses to those questions in the docket. Aqua's responses to questions and requests posed by the Commission and the Public Staff were filed with the Commission on April 22, 2022. The Company's Response was verified by Mr. Pearce. On May 10, 2022, Aqua made a supplemental confidential filing in this docket.

On May 12, 2022, the Commission entered an Order Requesting Comments directing the parties to this docket, including Aqua, to address the question of whether the Commission's rules require revision in order to ensure reliable utility operations during extreme cold weather. The Commission noted that the water and sewer utility industry, unlike the electric and natural gas industries, has no analogous rules addressing emergency operations.

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<sup>1</sup> Shannon V. Becker, Aqua's President, and Joseph R. Pearce, Aqua's Director of Operations, appeared on behalf of the Company and responded to questions from the Commission and the Public Staff.

On June 29, 2022, Aqua submitted comments in response to the May 12, 2022 Commission Order, stating that the Company did not have any further information to provide.

On June 29, 2022, the Public Staff submitted comments with the following recommendation for water and wastewater utilities:

20. There is no analogous rule for water and wastewater utilities to Commission Rules R8-40, 40A, and 41 and R6-36. In lieu of creating a new rule in order to ensure reliable utility operations during extreme cold weather, the Commission should order the water and wastewater utilities to verify on an annual basis that they have contacted on no less than an annual basis all of their electric service providers to ensure that: (1) contact information is up to date (particularly for communication leading up to and during extreme weather events and outages); and (2) service addresses and critical infrastructure served have been accurately identified for prioritization of restoration. The Public Staff recommends that the Commission add a question requesting this information to the annual report forms maintained by the Commission.

Aqua submits the following comments in reply to and in general agreement with the Public Staff's recommendations submitted on June 29, 2022. Aqua agrees with the Public Staff's first recommendation that it would be good practice for the Company to update contact information with its electric service providers on an annual basis.

Regarding the Public Staff's proposed second recommendation, Aqua notes that the Company's critical infrastructure does not always have a United States mail service address which can be used to determine an asset's physical location. Aqua conferred with the Company's Duke Energy customer representatives who noted that the account number is the preferable method for reporting service loss locations to electric utility providers during storm

events. Therefore, Aqua will provide the account number as the preferred locator of its critical infrastructure to its electric service providers when reporting an outage.

Aqua partially agrees with the Public Staff's third recommendation that a question requesting this information should be added to the annual report forms maintained by the Commission. Specifically, Aqua agrees that it is appropriate to add an item to the Commission's annual report forms whereby a utility is required to verify that (a) the utility has updated the contact information with its electric service providers on an annual basis and (b) the service addresses and critical infrastructure served have been accurately identified for prioritization of restoration. However, requiring utilities, such as Aqua, to provide specific account information (>1500 active power accounts) for critical infrastructure invokes issues of confidentiality, undue burden, and unnecessary detail which adds little observable value to the content of the annual report. This information and billing details are readily maintained by utilities and can be made available to the Commission and/or Public Staff upon request.

Accordingly, Aqua respectfully requests that the Commission carefully consider these Verified Reply Comments during its decision-making process in this rulemaking docket.

I hereby certify that this filing has been provided today to each of the parties of record to Docket No. M-100, Sub 163 by means of electronic service.

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

Sincerely,

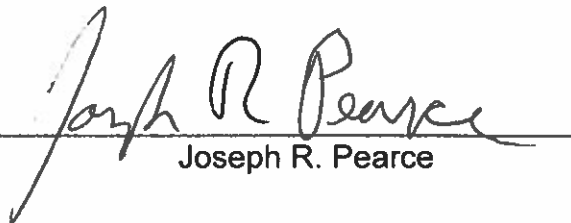
**Electronically Submitted**  
/s/ Jo Anne Sanford  
Sanford Law Office, PLLC  
State Bar No. 6831

Attorney for Aqua North Carolina, Inc.

**VERIFICATION**


**Joseph R. Pearce**, being duly sworn, deposes and says:

That he is the Director of Operations for Aqua North Carolina, Inc.; that he is familiar with the facts set out in the foregoing **VERIFIED REPLY COMMENTS TO INVESTIGATION REGARDING THE ABILITY OF NORTH CAROLINA'S ELECTRICITY, NATURAL GAS, AND WATER/WASTEWATER SYSTEMS TO OPERATE RELIABLY DURING EXTREME COLD WEATHER**, filed in Docket No. M-100, Sub 163; that he has read the foregoing Reply Comments and knows the contents thereof; and that the same are true of his knowledge, except as to those matters stated therein on information and belief, and as to those he believes them to be true.

  
Joseph R. Pearce

Sworn to and subscribed before me this

The 24<sup>th</sup> day of August 2022.

  
Robyn E. Lambeth  
Notary Public

My Commission Expires: May 13, 2026

