

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-1333, SUB 5

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application by Currituck Water and Sewer, LLC for a Certificate of Public Convenience and Necessity to Provide Water and Sewer Utility Service in Currituck County, North Carolina, and for Approval of Rates	) ) ) ) ) )	SECOND ORDER FINDING APPLICATION INCOMPLETE AND REQUEST FOR ADDITIONAL INFORMATION
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BY THE PRESIDING COMMISSIONER: On August 16, 2023, Currituck Water and Sewer, LLC (CWS or Applicant) filed an Application for a Certificate of Public Convenience and Necessity and for Approval of Rates (Application) to provide water and sewer utility service to Carolina Village subdivision in Currituck County, North Carolina in accordance with N.C. Gen. Stat. § 62-110.

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 the grant or transfer of certificates of public convenience and necessity (CPCN) for certain water and wastewater systems.

Section 1.(a) of the Act amends N.C.G.S. § 62-111 and applies to applications for the grant or transfer of CPCNs for water and wastewater systems filed on or after June 30, 2023.

On September 8, 2023, the Public Staff filed a letter outlining the deficiencies in the Application and indicating that the Public Staff considers the Application incomplete.

On September 20, 2023, CWS filed additional information in response to the letter outlining deficiencies filed by the Public Staff.

On October 5, 2023, the Public Staff filed a letter outlining additional deficiencies in the Application and indicating that the Public Staff considers the Application incomplete.

On October 6, 2023, the Commission issued an Order Finding Application Incomplete and Request for Additional Information.

On November 14, 2023, CWS filed an amended application and confidential exhibit in response to the Public Staff’s letter outlining deficiencies.

Subsequently, on December 1, 2023, the Public Staff filed a letter indicating that CWS did not serve the Public Staff with its November 14, 2023 filing.

Based on the foregoing, and review of the Application and the subsequent filings in the docket, the Presiding Commissioner finds that the Application is incomplete. The Applicant shall serve upon the Public Staff the amended application and confidential exhibit filed in this docket on November 14, 2023, and address any deficiencies noted by the Public Staff. No later than 5 business days after the additional information is filed, the Public Staff shall file with the Commission and serve upon the Applicant a notice stating that the Application is considered complete with the additional information, or a notice stating that the Application is incomplete with the deficiencies identified.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 5th day of December, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "A. Shonta Dunston". The signature is written in black ink and is positioned above the printed name of the signatory.

A. Shonta Dunston, Chief Clerk