

UTILITIES COMMISSION
RALEIGH

DOCKET NO. W-567, SUB 8

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application by Prior Construction)
Company, Inc., 957 Rand Road, Garner,)
North Carolina 27529, for Authority to)
Increase Rates for Water Utility Service in)
Deerfield Park, Paynes Park Landing,)
and Little John Acres Subdivisions in)
Wake County, North Carolina)

MOTION IN SUPPORT OF
APPLICANT'S REQUEST TO
WITHDRAW APPLICATION FOR
RATE INCREASE AND CANCEL
HEARING

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission, by and through its Executive Director, Christopher J. Ayers, respectfully submits the following motion in support of the request filed by Prior Construction, Inc. (“Prior”). In support of this motion the Public Staff Offers the following:

1. On March 15, 2018, Prior filed an application with the Commission seeking authority to increase its rates for water utility service in Deerfield Park, Paynes Park Landing, and Little John Acres Subdivisions in Wake County, North Carolina. On April 10, 2018, the Commission issued an *Order Establishing General Rate Case, Suspending Rates, Scheduling Hearing, and Requiring Customer Notice* (the “Order”). The Order required customer notice to be filed in 30 days, by May 10, 2018.
2. Customer notice was not provided by the date required on the Order. The Commission issued a second *Order Requiring Customer Notice*. This Order was sent to customers indicating that the Hearing, scheduled for July 18, 2018, would not be subject to cancellation.

3. On June 13, 2018, Prior filed the Certificate of Service that customer notice was provided to all customers.

4. On June 19, 2018, the Commission received a consumer statement of position describing service issues and opposing the rate increase. On June 24, 2018, the Public Staff received an additional email from another customer describing service issues and opposing the rate increase.

5. The Public Staff conducted an audit of Prior's application and informed Prior that it would not recommend a full rate increase as requested by Prior.

6. On June 28, 2018, Prior filed a letter with the Commission requesting to withdraw its application to increase rates and requesting cancellation of the Hearing.

7. The Public Staff recommends the Commission allows the withdrawal of the application to increase rates and cancel the Hearing scheduled for Wednesday, July 18, 2018.

8. The Public Staff will continue to work with the customers and Prior to address and resolve customer complaints regarding water utility service provided by Prior.

WHEREFORE, the Public Staff respectfully requests that the Commission issue an order:

1. Allowing Prior to withdraw the application.
2. Canceling the public hearing scheduled for July 18, 2018, In Raleigh, North Carolina.

3. Requiring that Prior provide customer notice of the Order no later than 5 business days after the date of the Order; and that Prior submit to the Commission the Certificate of Service no later than 7 business days after the date of the Order.

4. For any further relief the Commission may deem just and proper.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

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Electronically submitted
/s/ Layla Cummings
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CERTIFICATE OF SERVICE

I certify that a copy of this Motion in Support has been served on all parties of record or their attorneys, or both, by United States mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 28th day of June, 2018.

Electronically submitted
/s/ Layla Cummings