

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1300, SUB 60

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:

Application by Old North State)	
Water Company, LLC, 3212 6th)	JOINT MOTION TO EXTEND
Avenue South, Suite 200,)	TESTIMONY FILING DEADLINES
Birmingham, Alabama 35222, for)	AND RESCHEDULE EXPERT
Authority to Adjust and Increase)	WITNESS HEARING
Rates for Water Utility Service in All)	
of Its Service Areas in North)	
Carolina.)	

NOW COME Old North State Water Company, LLC (ONSWC or Company), and the Public Staff of the North Carolina Utilities Commission (Public Staff) (collectively, Movants), through undersigned counsel, and respectfully move the North Carolina Utilities Commission ("Commission") to extend testimony filing deadlines and reschedule the expert witness hearing that is currently scheduled for 10:00 a.m. on December 2, 2021, in the above-captioned proceeding. In support of this request, the Movants show:

1. On June 29, 2021, ONSWC filed an application with the Commission seeking authority to adjust and increase its rates for providing water utility service in all of its service areas in North Carolina (Application).

2. A hearing to receive testimony from customers and other members of the public in this matter was held as scheduled on October 7, 2021. On September 21, 2021, the Commission issued an Order Establishing Discovery Guidelines, Scheduling Hearings, and Requiring Customer Notice (September 21, 2021 Scheduling Order). The Scheduling Order scheduled a hearing to receive testimony from customers and other members of the public on October 7, 2021, followed by an expert witness hearing to begin at 10:00 a.m. on December 2, 2021.

3. The Public Staff has sent 60 data requests to the Company. ONSWC has not previously filed a rate case, despite owning water systems in North Carolina for many years, and does not have an in-house accountant familiar with the specialized requirements of utility regulatory accounting and the expectations for responses to Public Staff data requests. Consequently, there have been substantial delays in providing the Public Staff with the information needed to complete its investigation and analysis of the Company's Application. At the same time, employees of ONSWC and its parent company have been working long hours and in good faith in their attempt to provide the Public Staff with the information it needs.

4. On October 13, 2021, the Public Staff filed a motion requesting an extension of time to file testimony in this case. The requested extension would require the Public Staff to file its direct testimony by November 2, 2021, and

ONSWC to file its rebuttal testimony (if any) by November 15, 2021.

5. In an effort to resolve the discovery issues, the Company has retained an experienced regulatory accountant who worked many years for the Public Staff before retiring. This consultant began working with ONSWC personnel the week of October 18, 2021, and will be the Company's primary contact point with the Public Staff.

6. The Movants believe that the addition of the experienced accounting consultant will enable the Company to provide the Public Staff with the information it needs. The consultant will also be able to assist the Company with filing a revised update to revenues, expenses, and rate base. However, the previous difficulties in the discovery process mean the Public Staff will not be able to file testimony based on complete data responses by the current deadline of October 28, 2021, or by the November 2, 2021, deadline it requested in the motion filed October 13, 2021.

7. With the additional discovery assistance ONSWC will receive from its accounting consultant, the Movants estimate that the Company can file a revised update by November 23, 2021, and, if the update is filed no later than November 23, 2021, the Public Staff will be able to file its testimony as early as January 14, 2022. If the Public Staff files its testimony no later than January 14, 2022, the Company will be able to file its rebuttal testimony and exhibits (if any) as

early as January 24, 2022.

8. To alleviate any potential time pressure on issuance of a final order in this matter, as a condition of the Commission granting this Joint Motion, ONSWC will waive its right under N.C. Gen. Stat. § 62-134 to put new rates into effect upon expiration of the 270-day period that began on June 29, 2021, the date on which its Application was filed.

9. ONSWC further acknowledges that any rate increase approved in this matter cannot result in more than \$512,619 in additional annual revenues, as that is the amount of increase sought in the Application, regardless of whether pro forma adjustments would justify a greater increase.

10. ONSWC will seek to put into effect interim rates, pursuant to N.C.G.S. § 62-135, subject to Commission approval of an undertaking and notice to customers. If the Commission approves rescheduling of the testimony filing dates and expert witness hearing in this proceeding, ONSWC requests that it be allowed to provide customer notice of the rescheduled dates and customer notice of interim rates in a single combined mailing. ONSWC will file a request for approval of an undertaking and draft combined customer notice in a separate motion.

THEREFORE, ONSWC and the Public Staff respectfully move the Commission for an order allowing a revised Company update to be filed on November 23, 2021, extending the deadlines for filing testimony, and rescheduling the expert witness hearing and related deadlines in this matter.

This the 27th day of October, 2021.

FOX ROTHSCHILD LLP

/s/ David T. Drooz

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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 27th day of October 2021.

Electronically submitted
/s/ Reita D. Coxton