

DOCKET NO. W-354, SUB 364

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application by Carolina Water Service, Inc. of)	
North Carolina, 4044 Parkway Plaza Boulevard,)	MOTION TO EXCUSE
Suite 375, Charlotte, North Carolina 28217, for)	WITNESSES CASSELBERRY
Authority to Adjust and Increase Rates for)	DARDEN, AND FEASEL
Water and Sewer Utility Service in All Service)	
Areas in North Carolina)	

NOW COMES the Public Staff, through its acting Executive Director, David Drooz, respectfully requests the Commission to enter an order excusing Public Staff witnesses Gina Casselberry, Lindsay Darden, and Lynn Feasel from appearing at the hearing in this matter, set to begin Monday, December 2, 2019, at 2:00 p.m. Carolina Water Service, Inc. of North Carolina (“CWSNC”) authorizes the undersigned to state that the Company supports this Motion.

In support of this Motion, the Public Staff states the following:

A. On January 17, 2019, in Docket No. W-354, Sub 363, CWSNC filed a Petition for an Accounting Order to Defer Unplanned Incremental Hurricane Florence Storm Damage Expenses, Capital Investments, and Revenue Loss (“Petition”).

B. On May 24, 2019, CWSNC gave 30-days’ notice of its intent to file a general rate case in Docket No. W-354, Sub 364.

C. On June 6, 2019, the Commission issued an Order consolidating Docket Nos. W-354, Sub 363, and Sub 364.

D. On June 28, 2019, CWSNC filed its Application for general rate relief in Docket No. W-354, Sub 364, including testimony by the following:

1. Catherine E. Heigel,¹ President of CWSNC, Tennessee Water Service, Inc., and Blue Granite Water Company;

2. Dante M. DeStefano, Manager of Financial Planning and Analysis for CWSNC;

3. Gordon R. Barefoot,² President and CEO of Corix Infrastructure, Inc.;

4. J. Bryce Mendenhall, Vice President of Operations for CWSNC, Tennessee Water Service, Inc., and Blue Granite Water Company;

5. Anthony Gray, Senior Financial and Regulatory Analyst, CWSNC; and

6. Dylan W. D'Ascendis, Director, ScottMadden, Inc.

E. On June 28, 2019, CWSNC filed a Petition for Deferred Accounting Order to Defer Post-In-Service Depreciation and Financing Costs Relating to major new projects.

F. On July 15, 2019, the Commission issued its Order Suspending Rates and Establishing a General Rate Case, and on August 2, 2019, the Commission issued an Order Scheduling Hearings and Requiring Customer Notice.

¹ On November 1, 2019, CWSNC filed notice that Donald H. Denton would adopt the pre-filed direct testimony of Catherine E. Heigel.

² On November 8, 2019, CWSNC filed notice that Shawn EliceGUI would adopt the pre-filed direct testimony of Gordon R. Barefoot.

G. Also on August 2, 2019, CWSNC witness DeStefano filed Supplemental Testimony, and on August 23, 2019, CWSNC filed an Amended Exhibit to his Supplemental Testimony.

H. On August 22, 2019, Corolla Light Community Association (“CLCA”) filed a Motion to Intervene, and on September 5, 2019, the intervention was allowed by order of the Commission.

I. Public hearings were held in Charlotte, Manteo, Boone, Asheville, Raleigh, and Jacksonville. They are concluded and CWSNC has filed timely, researched, and detailed responses to concerns raised at the public hearings. The final response, addressing the Jacksonville hearing, was submitted on November 8, 2019.

J. The Public Staff filed its direct testimony on November 4, 2019, consisting of testimony and exhibits sponsored by the following:

1. Gina Y. Casselberry, Utilities Engineer, Water, Sewer, and Telephone Division;
2. Charles M. Junis, Utilities Engineer, Water, Sewer, and Telephone Division;
3. Lindsay Q. Darden, Utilities Engineer, Water, Sewer, and Telephone Division;
4. Windley E. Henry, Manager, Water, Sewer, and Telephone Section, Accounting Division;
5. Michelle M. Boswell, Staff Accountant, Accounting Division;
6. Lynn L. Feasel, Staff Accountant, Accounting Division; and

7. John R. Hinton, Director, Economic Research Division.

K. On November 15, 2019, the Public Staff filed Supplemental Testimony of Gina Y. Casselberry, addressing service quality and including response to the Company's four filed responses to customer concerns raised at the five public hearings.

L. The Public Staff filed its Revised Exhibits for accounting witnesses Feasel and Henry on November 18, 2019.

M. On Wednesday, November 20, 2019, the Company filed Rebuttal Testimony of Dante M. DeStefano, J. Bryce Mendenhall, and Dylan D'Ascendis.

N. On November 21, 2019, CWSNC and the Public Staff filed a motion to excuse Public Staff witness Michelle Boswell and Company witnesses, Shawn EliceGUI, Donald Denton, and Anthony Gray from appearing at the hearing in this matter. This motion was granted by Commission Order on November 25, 2019.

O. On November 26, 2019, the Public Staff filed the supplemental testimony of John R. Hinton.

P. On November 27, 2019, CWSNC and the Public Staff filed a Joint Partial Settlement Agreement and Stipulation ("Partial Settlement Agreement"), settling many of the issues raised throughout the proceeding and waiving cross-examination of certain witnesses by the respective parties. On the same day, the Public Staff filed Settlement Exhibits and Schedules supporting the Partial Settlement Agreement, and CWSNC filed a witness list with estimates for cross-examination times for each witness..

Q. The agreements reached in settlement discussions, combined with the positions taken in testimony and exhibits already filed in this docket obviate the need for any examination by the Company of Public Staff witnesses Gina Casselberry, Lindsay Darden, and Lynn Feasel.

R. CWSNC and the Public Staff mutually agree in the Partial Settlement Agreement to the entry of these named witnesses' testimony and exhibits into the record without objection, and to waive cross-examination of the other party's named witnesses.

S. Therefore, CWSNC and the Public Staff respectfully request that the Commission enter an Order excusing witnesses Casselberry, Feasel, and Darden from appearing at the evidentiary hearing and allowing their testimony and exhibits to be entered into the record as if given orally from the stand.

T. Counsel for Intervenor Corolla Light Community Association has been consulted about this request, and does not oppose it.

U. The Public Staff and CWSNC recognize that this request is contingent upon the Commission having no questions for the named witnesses.

V. In the event, the Commission has questions for Public Staff witness, Lindsay Darden, Public Staff witness Charles Junis will adopt her testimony.

W. The issues in Mr. Junis' prefiled testimony have been resolved as between the Public Staff and the Company and the Company waives cross-examination of Mr. Junis as to his prefiled testimony; however, the Public Staff intends to call Mr. Junis and Mr. Henry as a panel to defend the unresolved issue regarding the AMR meter deferral.

X. All other CWSNC and Public Staff witnesses (except Elicegui and Gray) will attend the hearing and will be available to answer questions from the parties and the Commission.

WHEREFORE, the Public Staff respectfully requests that the named witnesses be excused from the December 2, 2019, hearing, and that their pre-filed testimony and exhibits be copied into the record and received into evidence as if given under oath and from the stand.

This the 27th day of November, 2019.

Electronically Submitted
s/Gina C. Holt
Staff Attorney, Public Staff

4326 Mail Service Center
Raleigh, North Carolina 27699-4300
Tel: 919/733-0971
gina.holt@psncuc.nc.gov

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing Motion to Excuse Witnesses Casselberry, Darden, and Feasel on all parties of record in accordance with Commission Rule R1-39, by United States mail, postage prepaid, first-class; by hand delivery, or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 27th day of November, 2019.

Electronically submitted
/s/ Gina C. Holt