

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-218, SUB 645  
DOCKET NO. W-1063, SUB 6

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

|                                              |   |                             |
|----------------------------------------------|---|-----------------------------|
| In the Matter of                             |   |                             |
| Joint Application of Aqua North              | ) | ORDER SCHEDULING HEARINGS,  |
| Carolina, Inc. and C&P Enterprises for       | ) | ESTABLISHING PROCEDURAL AND |
| Transfer of Public Utility Franchise and for | ) | FILING REQUIREMENTS, AND    |
| Approval of Rates                            | ) | REQUIRING CUSTOMER NOTICE   |

BY THE CHAIRMAN: On December 31, 2025, Aqua North Carolina, Inc. (Aqua) and C&P Enterprises (C&P, and together with Aqua, Joint Applicants) filed with the Commission a joint application for transfer of public utility franchise and for approval of rates (Application) seeking authority to transfer the wastewater utility system serving Ocean Glen Condominiums (Ocean Glen) and Ocean Bay Villas (Ocean Bay) in Carteret County, North Carolina, from C&P to Aqua pursuant to N.C. Gen. Stat. § 62-111.

Aqua currently serves two commercial wastewater customers, the Homeowners Association (HOA) for Ocean Glen and the HOA for Ocean Bay, under temporary operating authority (TOA). Ocean Glen consists of 38 residential customers, and Ocean Bay consists of 51 residential customers. Aqua proposes to charge the uniform water rates and the fees approved by Commission order on July 6, 2026, in Docket No. W-218, Subs 629 and 631.

On January 20, 2026, the Commission issued a procedural order directing the Public Staff to determine whether the Application was complete and requesting the Public Staff provide additional information.

On January 30, 2026, the Public Staff filed a letter with the Commission indicating that the Application was complete and provided the additional information requested by the Commission.

On March 10, 2026, Aqua filed a letter amending its Application and requesting that its uniform rates and fees, as approved by the Commission in Docket No. W-218, Subs 629 and 631, be applied.

On April 27, 2026, Aqua filed a verified motion for TOA and approval of interim rates, which was granted by Commission order on May 11, 2026.

Also on April 27, 2026, Aqua filed a Supplemental Request for Utilization of Acquisition Incentive Account and Acquisition Adjustment Account.

On May 14, 2026, Aqua filed an amended exhibit to its Application.

Based upon the foregoing and the entire record in this proceeding, the Chairman finds that good cause exists to set the Application for hearing, establish the procedural and filing requirements, and require the Joint Applicants to provide customer notice of the Application.

The guidelines regarding discovery in the above-captioned dockets, subject to modification for good cause shown, are as follows:

1. Any deposition shall be taken before the deadline for filing of Public Staff and other intervenor testimony. Notice of deposition shall be served on all parties at least seven business days prior to the taking of the deposition. Notice of deposition and all other discovery notices, requests, and motions shall be served on the appropriate parties by hand delivery or facsimile, or by electronic delivery if the receiving party has agreed to receipt by electronic delivery.

2. Any motion for subpoena of a witness to appear at the expert witness hearing shall be filed with the Commission before the deadline for filing of Public Staff and other intervenor testimony, shall be served on the person sought to be subpoenaed at or before the time of filing with the Commission, and shall make a reasonable showing that the evidence of such person will be material and relevant to an issue in the proceeding. See N.C.G.S. § 62-62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within 24 hours after such a motion is filed.

3. Formal discovery requests related to the Application and Joint Applicants' prefiled direct and supplemental testimony, if any, shall be served on the Joint Applicants not later than 14 calendar days prior to the deadline for filing of Public Staff and other intervenor testimony. The parties served shall have up to ten calendar days to file with the Commission objections to the discovery requests on an item-by-item basis.

4. Formal discovery requests related to the Public Staff or other intervenors' prefiled direct testimony shall be served not later than five calendar days after such testimony is filed. The party served shall have up to three business days to file with the Commission objections to the discovery requests on an item-by-item basis.

5. Formal discovery requests related to the Joint Applicants' prefiled rebuttal testimony shall be served not later than three business days after such testimony is filed. The parties served shall have up to three business days to file with the Commission objections to the discovery requests on an item-by-item basis. Discovery related to rebuttal testimony shall be limited to new material introduced in such rebuttal testimony and will be carefully scrutinized upon objection that such discovery should have been sought during the initial period of discovery from the Joint Applicants.

6. Discovery requests need not be filed with the Commission when served; however, any party filing objections shall attach a copy of the relevant discovery request

to the objections. Each discovery request, or part thereof, to which no objection is filed shall be answered by the time objections are due, subject to other agreement of the affected parties or other order of the Commission. Upon the filing of objections, the party seeking discovery shall have two calendar days to file with the Commission a motion to compel, and the party objecting to discovery shall have one calendar day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected party at or before the time of filing with the Commission.

7. A party shall not be granted an extension of time to pursue discovery due to that party's late intervention or other delay in initiating discovery.

The Chairman urges all parties to work in a cooperative manner and to attempt to accommodate discovery within the time available. The Chairman recognizes that in the past, most discovery has been conducted in an informal manner without the need for Commission involvement or enforcement, and that such has been generally successful. The above guidelines are without prejudice to the parties' conducting informal discovery or exchanging information by agreement at any time with the understanding that such will not be enforceable by the Commission if outside the guidelines.

Furthermore, the Chairman finds good cause to require the Joint Applicants and all other parties who file exhibits and workpapers that include tables of numbers and calculations to provide the Commission Staff, the Public Staff, and any other party upon request from such party an electronic version of all such exhibits and workpapers, with formulas intact.

IT IS THEREFORE, ORDERED as follows:

1. That a hearing for the purpose of receiving public witness testimony on the Joint Applicants' Application is scheduled to begin at 6:30 p.m. on Monday, August 17, 2026, via Webex. A link to view the hearing will be available at [www.ncuc.gov](http://www.ncuc.gov);

Members of the public that would like to testify must register in advance of the hearing, no later than 5:00 p.m. on August 10, 2026. To register, complete the electronic Remote Public Witness Registration form located on the Commission's website at [www.ncuc.gov/hearings/remotepublicregister.html](http://www.ncuc.gov/hearings/remotepublicregister.html). If assistance is needed, contact 919-733-0837;

**Only the first 20 individuals registered by 5:00 p.m. on August 10, 2026, will be allowed to testify at the August 17, 2026, remote public witness hearing. This hearing will be canceled if no one registers to testify by 5:00 p.m. on August 10, 2026;**

2. That the public witness hearing will be conducted solely for the purpose of receiving the testimony of public witnesses in accordance with Commission Rule R1-21(g). The Commission reserves the right to limit testimony at the public witness hearings pursuant to Commission Rule R1-21(g)(5);

3. That the Joint Applicants are required to file a verified report addressing all customer service and service quality complaints expressed during the public witness hearing held on August 17, 2026, within 14 days of the conclusion of the public witness hearing. The Public Staff shall, and other intervenors may, file a verified response and any comments to the Joint Applicants' report on or before September 14, 2026;

4. That a hearing for the purpose of receiving expert witness testimony on the Joint Applicants' Application is scheduled to begin at 10:00 a.m., on Friday, September 11, 2026, and continuing as necessary until conclusion. The hearing will be held in Commission Hearing Room 2115, Second Floor, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina;

5. That the parties shall comply with the discovery guidelines established herein and shall work in a cooperative manner as to discovery;

6. That petitions to intervene in this proceeding shall be filed pursuant to Commission Rules R1-5 and R1-19 not later than August 21, 2026;

7. That the Joint Applicants' prefiled direct testimony and exhibits shall be filed on or before August 11, 2026;

8. That the Public Staff and other intervenors' prefiled direct testimony and exhibits shall be filed on or before August 21, 2026;

9. That the Joint Applicants' prefiled rebuttal testimony and exhibits, if any, shall be filed on or before September 1, 2026;

10. That an officer or representative from C&P and Aqua are required to appear before the Commission at the time and place of the expert witness hearing to testify concerning any of the information contained in the Application;

11. That all parties filing supporting exhibits in Excel or PDF format shall provide to the Commission Staff electronic versions of the exhibits filed in native Excel format via email at [NCUCexhibits@ncuc.gov](mailto:NCUCexhibits@ncuc.gov), including all of the supporting tabs and formulas, within three days of the filing of such exhibits (or within three days of issuance of this Order if already filed with the Commission). The Joint Applicants, and all other parties filing exhibits and workpapers that include tables of numbers and calculations, shall provide the Public Staff and any other party upon request an electronic version of all such exhibits and workpapers, with formulas intact;

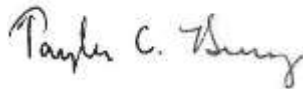
12. That the Joint Applicants shall consult with all other parties and file, no later than September 4, 2026, a list of witnesses to be called at the expert witness hearing, the order of witnesses, and each party's estimated time for cross-examination of each witness. If the parties cannot reach agreement, the remaining parties shall, no later than noon on September 8, 2026, make a filing indicating their points of disagreement with the Joint Applicants' filing; and

13. That the Joint Applicants shall consult with the Public Staff to develop a Notice to Customers to be delivered to all affected customers and file the proposed Notice to Customers for approval by the Commission no later than three business days after the date of this Order.

ISSUED BY ORDER OF THE COMMISSION

This the 20th day of July, 2026.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, appearing to read "Taylor C. Berry". The signature is written in a cursive, flowing style.

Taylor C. Berry, Deputy Clerk