

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

Docket No. W-1125, Sub 9

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the matter of

Greater Kinnakeet Shores Home
Owners Inc. c/o Pat Weston,
P. O. Box 853, Avon, N.C. 27915
Complainant

Petition to Intervene

Complainant

v.

Outer Banks/Kinnakeet
Associates, LLC.

Respondent

NOW COME the below listed customers of Respondent, Outer Banks/Kinnakeet Associates LLC., and property owners within the Kinnakeet Shores subdivision and seek to intervene in this docket in their own right in support of Kinnakeet Shores Home Owners Inc. ("Complainant" or "HOA"), pursuant to NCUC Rule R1-19.

Complainant respectfully requests that the Commission grant the relief sought by Complainant. Petitioners concur with Complainant that consumers of Respondent are in immediate need of the Commission's assistance in addressing the deficiencies outlined in the Complaint.

The North Carolina Division of Environmental Quality has placed the Kinnakeet Shores waste water system of Respondent on moratorium. The wastewater treatment plant major treatment

units are no longer functional. Both clarifiers, the tertiary filter, spray irrigation system, and backup generator are no longer functional. Biosolids have not been removed from the plant for at least seven years. DEQ has placed WWTP on sewer moratorium with no new sewer taps, sewer extensions or additional flow effective as of the date of the moratorium.

Property owners within Kinnakeet Shores who have not constructed homes on their lots are prevented from doing so. The moratorium has a detrimental effect on the community.

The undersigned are directly affected by the actions and inactions of Respondent with respect to its provision of service within the community.

Petitioners participation in this docket will bring critical insight, knowledge, and understanding of the preceding. The address of the spokesman for the undersigned consumers is:

Pursuit Commission Rule R-1-39, Petitioners agreed to electronic service of all pleadings and other filings in this matter.

Wherefore, for the reasons set forth above, Petitioners pray that they be allowed to intervene in this matter.

Respectfully submitted,

Deborah P. Ash

Jonathan A. Farrell

Farrell + Family Construction, LLC
P.O. Box 351
Nags Head, NC 27959
ashdeb@yahoo.com
farrellfamilyconstruction@gmail.com

Properties Owned in Phase 16
of Greater Kinnakeet Shores:

- Lot 16
- Lot 19
- Lot 26
- Lot 20 with house

Attachment: Petition to Intervene

Farrell & Family Construction, LLC
Deborah P. Ashe, Manager/Owner
Jonathan A. Farrell, Manager/Owner
farrellfamilyconstruction@gmail.com

February 28, 2022

North Carolina Utilities Commission:

Farrell & Family Construction Company currently owns three vacant lots in addition to one near completion home in Phase 16 of Greater Kinnakeet Shores, Avon, NC. Our business was immediately affected by the sewer moratorium that went into effect October 13, 2021. We were unable to build homes for clients who had expressed an interest and had begun to move forward with selling their home and getting plans engineered. The moratorium has impacted not only us as a company, the prospective homeowners, but also the livelihoods of the numerous small subcontractors we hire. Not knowing when sewer service will be up and running has created a tremendous hardship for many-builders, property owners, potential buyers, subcontractors and their employees. A speedy resolution of this moratorium is also needed to relieve the demand for homes in the Avon area.

Thank you.

Farrell & Family Construction, LLC


Deborah P. Ashe



Jonathan A. Farrell