



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**
February 4, 2022

Ms. A. Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina, 27699-4300

RE: Docket No. W-1333, Sub 0 and Docket No. W-1130, Sub 11

Dear Ms. Dunston:

On behalf of the Public Staff, enclosed herewith for filing are the exhibits admitted into evidence during the public witness hearings held on February 2, 2022:

- (1) Public Witness Lickfeld Exhibit 1, which was admitted into evidence during the first session of the public witness hearings; and
- (2) Public Witness Shepherd Exhibit 1, which was admitted into evidence during the second session of the public witness hearings.

By copy of this letter, we are forwarding a copy to all parties of record. If you need additional information, please advise.

Sincerely,

Electronically submitted
/s/ Gina C. Holt
Staff Attorney
gina.holt@psncuc.nc.gov

/s/ Munashe Magarira
Staff Attorney
munashe.magarira@psncuc.nc.gov

Enclosures

Executive Director
(919) 733-2435

Accounting
(919) 733-4279

Consumer Services
(919) 733-9277

Economic Research
(919) 733-2267

Energy
(919) 733-2267

Legal
(919) 733-6110

Transportation
(919) 733-7766

Water/Telephone
(919) 733-5610

From: [Franklin, Mike](#)
To: [Harvell, Jessica](#)
Subject: FW: [External] Sewer Impact Chart
Date: Monday, January 31, 2022 11:13:09 AM
Attachments: [Sewer Impact Dates and Issues New Chart 12-06-21.docx](#)
Importance: High

Jessica - see below and attached.

Mike Franklin
Water, Sewer & Telephone Division - Public Staff
430 N. Salisbury Street, Suite 2074
4326 Mail Service Center
Raleigh, NC 27699-4300
Ph: (919) 715-2666

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-----Original Message-----

From: Lisa & Gary Lickfeld <hockeyman1973@embarqmail.com>
Sent: Wednesday, December 29, 2021 7:14 PM
To: Franklin, Mike <Mike.Franklin@psncuc.nc.gov>
Subject: [External] Sewer Impact Chart
Importance: High

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.<<mailto:report.spam@nc.gov>>

Mike,

I wasn't sure if you had the most current chart with the 2 dates in December. On this date my boy cat Cooper (named after D.B. Cooper) woke me for breakfast for him and my other cat at 5:15 am. After I fed them, I went back to bed only to be woken up by both the 1/2 bath and master bathroom toilets gurgling like crazy. Something told me to go outside and check the backflow valve (see attached pictures) and there was wastewater dripping from the candy cane. So, like I always do I gloved up and stood back while I pulled the top part of the candy cane off. When I did it erupted at the base of the pipe like a volcano (almost like those experiments you did as a kid in school). So, I ran back inside and called my neighbor to let them know that the system was down and to not send any more water and I had also asked if they were using the toilet or something. My neighbor Debi had answered the phone and said her husband Don had used the toilet and that he was taking a shower getting ready for work (their master bedroom and bathroom are on the second floor of their house mine is on the first floor). So, she let him know to shut the water off. She called me back a short time later after I had already called in the after-hours emergency# for Envirolink to report the problem and she said they had a ton of wastewater come up from underneath the toilet in their downstairs bathroom which all came from what they were sending. I hadn't used a toilet yet. The only thing I did was dump the cat's water bowls down the kitchen sink along with clean their breakfast plates after they finished eating their soft food. So, the backflow valve worked again for me to protect my house since I hadn't sent any large amounts of wastewater down at that point yet. My neighbor was a little ticked after that incident off that I had the backflow valve installed. However, I gave him all the information as to where to order it from, how much it would cost and had a person (an Envirotech technician that put mine in for me in 2010 or 2011 {it happened to be his first day on the job back then when my pit had collapsed in the ground} and I had to call DEQ since Sandler told me they didn't have money to fix it) to install it for him too. It's not my fault they never did it. Back then I approached the tech and asked if there was anything that I could install to protect my home from backups inside the residence since a majority of homes never had a backflow valve installed when they were built

mine included. So, it might be a total crap shoot as to which way the shit is going to flow (pun intended) or like I stated in my earlier email it was because I hadn't sent any sizable amounts of wastewater on that given morning (someone was looking out for me that day). Hope this helps.

Gary

We had a good Christmas (thanks for asking) hope you had one too and have a safe and Happy New Year as well!!!!!!!!!!!!!!!

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Sewer Impact Dates and Issues since 01/01/21

Date	Back-Up Inside House	Back-up B.F. Valve & into Yard	Low Vac. Pressure	8 Inch Line Issues	Conserve Water	Controller & Valve Changed	Can't Flush/Send any Waste Water	Other Issue
01/04/21	X		X				X	
01/26/21					X		X	
01/27/21			X		X		X	
01/28/21				X	X		X	
01/29/21					X	X	X	
01/30/21					X	X	X	
01/31/21		X					X	
02/01/21	X						X	
02/02/21	X						X	
02/08/21			X		X		X	
02/09/21		X			X		X	
02/14/21					X	X	X	
02/17/21			X		X		X	
03/12/21	X				X		X	
03/13/21					X	X	X	
03/14/21					X	X	X	
04/10/21		X	X		X		X	
04/11/21		X	X		X		X	
04/12/21			X		X		X	
06/03/21					X		X	
06/04/21			X	X			X	
06/12/21			X		X		X	
06/13/21			X	X			X	
06/14/21			X	X			X	
06/15/21			X	X			X	
06/23/21			X		X		X	
06/24/21		X	X				X	
06/25/21				X			X	
06/27/21				X			X	
06/28/21					X		X	
08/01/21					X		X	
09/04/21	X	X			X		X	
09/06/21				X	X		X	
09/07/21				X	X		X	
09/10/21				X	X		X	
09/11/21				X	X		X	
09/13/21				X	X		X	
09/22/21				X	X		X	



12/08/2021 6:10 am



12/08/2021 6:10 am

**Written testimony of David Shepheard to be orally presented at
Utilities Commission Hearing, Docket number (W-1333, Sub 0)
Wednesday, February 2, 2022**

Good Evening, my name is David Shepheard, and my wife Janet and I have lived at 173 Saint Andrews Rd in Eagle Creek since purchasing our home in 2002. My son, Matthew Shepheard and my daughter, Elizabeth Edwards also own and live in Eagle Creek. I have been the Drainage Committee Chairman for the Eagle Creek HOA since 2006 and have been on the HOA Board of Directors since 2015, and have worked to understand the operation of our sewer system and its dependence on a working drainage system throughout that time.

I am speaking to you tonight because I oppose the sale of our system to Currituck Water and Sewage. While I supported the connection of a force main to our plant to service the Fost and Flora developments in order to provide more efficient and less expensive sewage treatment for our community, I can't at this time support the purchase of our system by CWS for a number of reasons.

First and foremost is my opposition to the hard proposal by CWS to replace our existing vacuum collection system with a gravity collection system. From the beginning of the discussion several years ago to the present, CWS has shown no interest in the proper operation of our collection system or truly entertained the wishes of the community to retain our current vacuum system. Instead, they have proposed replacement options that include primarily varied gravity system layouts and, more recently, a low

pressure system which, in addition to excavation/boring at roadways and possibly the golf course, includes large tanks and grinder pumps in every yard. Their town halls and meetings have concentrated on selling the concept of gravity replacement and providing mis-information and outright falsehoods on vacuum collection systems to promote their replacement plan. We have been told that our system is at the end of its life, that vacuum systems only last 10-12 years. I have no idea where this belief comes from except the possible maintenance requirement that valves and controllers be rebuilt or replaced around this time. A controller rebuild at a cost of approx \$35 parts cost + less than 30 minute tech rebuild each around 10 years and valve rebuild at 15 years, cost \$40 parts, far less than 30 minute tech time to rebuild. There are active working vacuum systems in the US installed in the 70's that are still operating efficiently. There is a 9,000 pit system in Florida that requires about 20 calls per month for ALL reasons, testifying to the low daily manpower requirement. Eagle Creek is experiencing more calls than that in a week and only AirVac or FloVac can be trusted to tell us exactly why. Clearly, our system has many years left before it needs to be torn out.

Why do I oppose their gravity replacement option? This starts with the "if it isn't really broken, why fix it?" question and the answer depends on whether it is really broken and, if not, why replace it. Many, including many residents, would say our vacuum system is broken since we have experienced service interruptions, backups in houses, spills in yards, and constant disruption in our lives, ie, no showers, limited toilet flushes, not washing clothes for extended periods, canceled family visits, dinners, and parties over a 16 month timeframe. My answer would be that, for over 20 years we seldom had any issues, only

suffering single pit VERY temporary disruptions with the exception of major storm events which resulted in widespread flooding over most of Currituck county. With the understanding that our current system experiences aging and wear with every day it operates, it still makes no sense to suggest that, even with the lack of maintenance and new parts our system suffered over those 20 odd years, that it would suddenly suffer a catastrophic failure in the middle of dry weather 7 months after Envirolink purchased Envirotech, the previous operator of the system, and began to oversee operations. Between the operational changeover and the failure, the knowledgeable technicians formerly employed by Envirotech and now employed by Envirolink resigned or were fired and, when the system began to go into distress, no one knew how to fix it. One pit after another failed to operate due to low suction in the system, then entire lines went down, and the whole system waterlogged, suction pumps failed, and there was 0 working sewer in the neighborhood for weeks. So, what actually broke the system? While the failure to do proper preventative maintenance over time was a contributing factor, it appears evident to me that it was the failure of the operator at the time, Envirolink, that pushed the system to total failure. Is the system sick, yes, does it need work, yes, is it broken beyond repair, no, it needs new parts and pieces, upgrades, and, very importantly, proper operation. This can be accomplished at a FAR lower cost in \$ and neighborhood disruption than completely replacing a system that is still functioning after all the abuse it has suffered. New vacuum pumps, new controllers, new valves in the pits, some new pits, new monitoring system and our existing system is as dependable as any gravity system. Thus, in lieu of a complete and utter disruption of our neighborhood roads, utilities, yards,

driveways and drainage we get basically a brand new system that, with standard maintenance, is designed to last 50+ years.

This now leads to the second reason I oppose the sale. While I understand that Sandler at Mill Run LLC has no interest in continuing to own a sewage treatment system, they are currently, under court order and judicial supervision, making the first real upgrades that have been made to our system in years. While the upgrades ordered fall short of making the system as new, it's a giant leap in the right direction, and the Sandler employees I have communicated with appear to have a genuine interest in trying to improve the situation. I have serious concerns that, if ownership is transferred to CWS and is still under Envirolink operation, all improvements will stop, as CWS presses forward with their stated mission of replacing vacuum with gravity and simply throwing away all of the improvements made to that date. As Sandler began to provide funds and replacement parts to restore the system efficiency, Envirolink has continued to operate it in such a manner that many of the new parts were rendered useless until rebuilt or replaced. Parts installed or rebuilt incorrectly, certain deficiencies (pits with on-going problems not repaired or replaced), help from AirVac or FloVac grudgingly accepted. Why has this shoddy work and operation continued until recently? Because, again in my opinion, Envirolink had no interest in bettering the system since their end game is to replace it, and the worse it operates the easier it will be for them to get approval to do so.

Finally, and already referred to, the total disruption of the neighborhood. Roads re-paved 4 years ago, miles of vegetated ditches to rebuild, existing sewage service disruption (they tell us 4 hours to shift but that isn't possible), internet disruption

(lots of people working from home), cable, phone, county water to every home. An average lot frontage of 100' with 5 underground utility connections each x 422 homes equals well over 2000 opportunities to sever a utility. In addition, Eagle Creek is a conservation subdivision with side yard swales between every house feeding water to roadside ditches which take the water to outlet ditches and to our major canals. The ditch disruption for 9 months plus and the major impact of dewatering in our high groundwater community open the door for disastrous flooding if we experience any heavy rainfall during the course of construction.

It now seems that we are caught in a frying pan/fire situation. We stay with Sandler as the unwilling owner and Envirolink as the operator and continue to see court ordered improvements and supervision until the court and state authorities determine the job is done, or ownership is transferred to CWS with Envirolink as the operator the community being protected only by the conditions of sale determined reasonable by the Utilities Commission and other invested state agencies. I can only be hopeful that, with the ordered improvements and upgrades, our system will be able to demonstrate it's worth and any justification to change it out will disappear.