

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

**STAFF CONFERENCE AGENDA
June 22, 2020**

***IMPORTANT NOTE: STAFF CONFERENCE
WILL BE CONDUCTED VIA WEBEX.
INSTRUCTIONS FOR PARTICIPATION AND A LINK TO VIEW THE
MEETING WILL BE POSTED ON THE COMMISSION'S WEBSITE,
NCUC.NET***

COMMISSION STAFF

NO AGENDA ITEMS

PUBLIC STAFF

E. WATER

- P1. DOCKET NO. W-1160, SUBS 47, 48, 49, and 51 – KDHWTP, LLC – NOTIFICATION OF INTENTION TO BEGIN OPERATIONS IN CONTIGUOUS SERVICE AREA EXHIBIT NO. P-1
- P2. DOCKET NO. W-1305, SUB 2 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY EXHIBIT NO. P-2
- P3. DOCKET NO. W-1305, SUB 11 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY EXHIBIT NO. P-3
- P4. DOCKET NO. W-1305, SUB 13 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY EXHIBIT NO. P-4
- P5. DOCKET NO. W-1305, SUB 17 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY EXHIBIT NO. P-5
- P6. DOCKET NO. W-1305, SUB 21 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY EXHIBIT NO. P-6
- P7. DOCKET NO. W-1305, SUB 23 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY EXHIBIT NO. P-7

TO: Agenda – Commission Conference – June 22, 2020

FROM: PUBLIC STAFF – North Carolina Utilities Commission

E. WATER

P1. DOCKET NO. W-1160, SUBS 47, 48, 49, and 51 – KDHWTP, LLC – NOTIFICATION OF INTENTION TO BEGIN OPERATIONS IN CONTIGUOUS SERVICE AREA

EXPLANATION: On September 23, 2019, KDHWTP, LLC (KDH), filed a notification of intention to begin operations in areas contiguous to its present service area in Docket No. W-1160, Sub 51. The present application is intended to consolidate KDH's previously filed notifications for contiguous extensions in Docket No. W-1160, Subs 47, 48, and 49. KDH desires to expand sewer utility service at 1207, 1209, and 1213 South Virginia Dare Trail, Kill Devil Hills, Dare County, North Carolina. The service areas covered are the areas shown on the plans attached as Exhibit B to the notification forms filed in this docket.

KDH's proposed rates are the same as currently approved in its present franchised service area. KDH states that there are no other sewer service providers, public either utility or municipal, in the location, which KDH proposes to serve.

KDH has entered into three agreements with SAGA Construction (SAGA) each executed April 2, 2019, (collectively, the Developer Agreements) to sell capacity from its wastewater treatment plant at its Commission approved capacity fee of \$12.98 per gallons per day (gpd). The Developer Agreements allocate the capacity as follows: 3,960 gpd of capacity for a purchase price of \$51,401 for 1213 S. Virginia Dare Trail; 3,240 gpd of capacity for a purchase price of \$42,055 for 1207 S. Virginia Dare Trail; and 3,240 gpd of capacity for a purchase price of \$42,055 for 1209 S. Virginia Dare Trail. Pursuant to the Developer Agreements, SAGA will install any required wastewater pump stations as well as necessary piping and equipment to connect to the existing KDH collection system. Upon completion and upon request of KDH, the pump stations and pipes will be conveyed to KDH at no cost. The pump stations will require a North Carolina Department of Environmental Quality, Division of Water Resources (DWR) permit prior to connecting to the KDH system.

The Commission by Order dated October 5, 2018, in Docket No. W-100, Sub 57, required in Ordering Paragraph No. 2, that "all certificated water and wastewater companies shall collect the income tax on CIAC [Contributions in Aid of Construction] from contributors of plant for new contributions contracted for on or after the date of this Order using the full gross-up method on an interim basis until the Commission makes a final decision after comments are received on this matter." On August 26, 2019, in Docket No. W-100, Sub 57, the Commission issued an Order Addressing Federal Income Taxes on Contributions in Aid of Construction, which required in Ordering Paragraph No. 2 that "all certificated water and wastewater utilities shall collect from contributors the income tax on CIAC for new contributions contracted for on or after October 5, 2018 using the full gross up method."

Each of the three Developer Agreements were executed after October 5, 2018. All of these three Developer Agreements require the Developer to pay to KDH the full gross up on the CIAC. On June 12, 2020, KDH filed with the Commission three First Amendment to Purchase Agreements between Saga Construction and KDH, each executed on June 9, 2020, for 1207, 1209, and 1213 S. Virginia Dare Trail. Each of these amended purchase agreements provided for the payment of the full gross up.

The Public Staff recommends that the Commission require KDH to obtain ownership and operational responsibility for the pump stations and lines from the pump stations to the KDH collection system along with DWR permits for the pump stations issued in the name of KDH prior to accepting 1207, 1209, and 1213 S. Virginia Dare Trail onto the KDH system. In addition, KDH should file with the Commission copies of the pump station bills of sale, the recorded deeds or easements, and the DWR permits, within 20 days after these requirements have been met.

KDH presently holds a sewer franchise serving approximately 63 customers in Dare County, North Carolina, and its record of service is satisfactory.

Under Permit No. WQ0002829, dated July 14, 2017, the DWR approved modifying the KDH disposal capacity from 500,000 gpd to 660,000 gpd.

The Public Staff recommends that the Commission require posting of bond in the amount of \$25,000. KDH on March 4, 2020, filed a \$50,000 bond and irrevocable letter of credit surety from First National Bank of Pennsylvania for Docket No. W-1160, Subs 50 and 51, which brings the total KDH posted bond amount to \$250,000.

KDH has requested waiver of filing the five-year projected income and cash flow statements as only three customers are being added using 10,440 gpd of capacity, which will not have a significant impact on KDH's revenues and expenses. The Public Staff supports this request.

The Public Staff is of the opinion that KDH has the technical, managerial, and financial capacity to provide sewer utility service in this contiguous area.

EXHIBIT: A copy of the proposed order is attached as [Exhibit No. P-1](#).

RECOMMENDATION: (Casselberry/Henry/Grantmyre) That the Commission issue the proposed order recognizing the contiguous extension.

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P2. DOCKET NO. W-1305, SUB 2 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

EXPLANATION: On December 20, 2016, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service in Coastal Plantation Subdivision in Pender County, North Carolina, and approval of rates. On February 7, 2017, Pluris Hampstead filed the wastewater collection system extension permit from the North Carolina Department of Environmental Quality, Division of Water Resources (DWR). On October 11, 2017, information in response to Public Staff questions was filed in the docket. On January 30, 2020, Pluris Hampstead filed a Deed of Easement and Transfer Agreement. On June 16, 2020, Pluris Hampstead filed a complete map of the service area, which consists of 103 lots.

Pluris Hampstead is billing its current rates approved for its other service areas in Docket No. W-1305, Sub 0.

DWR has issued permit number WQ0038968, dated February 1, 2017, to Pluris Hampstead. The permit is for the construction and operation of approximately 55 linear feet of 8-inch gravity sewer, an 85 gallon per minute (gpm) pump station, as well as approximately 1,630 linear feet of 4-inch force main to serve the existing development and eliminate use of the community's failing on-site community septic system. The permit also includes the continued operation of approximately 5,717 linear feet of 8-inch gravity sewer and an existing 30 gpm pump station as well as approximately 300 linear feet of 4-inch force main to serve 37 of the two-bedroom residences with a total potential discharge of 12,480 gallons per day (gpd) of collected domestic wastewater into Pluris Hampstead's existing sewerage system.

Pluris Hampstead has entered into an Agreement for Sanitary Sewer Service with Jensen's, Inc. (Developer), dated September 9, 2016, in which Pluris Hampstead constructed/re-constructed two lift stations at the existing Coastal Planation development and an interconnect pipeline from the lift stations to Pluris Hampstead's existing force main. Developer transferred to Pluris Hampstead the existing *wastewater* collection system, and will also construct and install the collection system for one or more future phases of the development at no charge to Pluris Hampstead. Developer paid Pluris Hampstead a non-refundable capacity reservation fee in the amount of \$110,931 for 12,480 gpd of capacity to serve the existing units. Developer also paid a reuse water return fee to Blake Farms in the amount of \$700 per connection.

Pluris Hampstead holds wastewater franchises serving approximately 582 customers in North Carolina. Its record of service is satisfactory.

Pluris Hampstead has filed all exhibits required with the application.

The Public Staff is of the opinion that Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service in Coastal Plantation Subdivision and recommends that the certificate of public convenience and necessity be issued.

The Public Staff recommends that the Commission require posting of bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

EXHIBIT: A copy of the proposed order is attached as [Exhibit No. P-2](#).

RECOMMENDATION: (Furr/Morgan/Creech) That the Commission issue the proposed order accepting and approving bond, granting the franchise, and approving Pluris Hampstead's proposed rates.

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P3. DOCKET NO. W-1305, SUB 11 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

EXPLANATION: On September 5, 2018, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service at 14535 US Hwy 17 South, (Hardee's), Hampstead, in Pender County, North Carolina, and for approval of rates. The service area is shown on plans filed with the application. On June 16, 2020, Pluris Hampstead filed its Certification of Completion and its permit issued by the North Carolina Department of Environmental Quality, Division of Water Resources (DWR).

Pluris Hampstead is billing the customer its current commercial rate approved for its other service areas in Docket No. W-1305, Sub 0.

DWR has issued Permit No. WQ0040226, dated September 27, 2018, to Boddie-Noell Enterprises Inc. (Owner), for the construction and operation of a 16 gallon per minute (gpm) lift station and wastewater collection extension to serve an existing 30-seat restaurant as part of the Hampstead Hardee's Private Pump Station project.

Owner satisfied Pluris Hampstead's requirements for sewer service and was provided a Certification of Completion by Pluris Hampstead on December 19, 2018. Owner paid the approved tap fee of \$3,200 per single-family equivalent (SFE) for two commercial taps, and the reused water fee of \$700 per SFE for two commercial taps. The lift station and force main on the property will be the responsibility of the Owner.

Pluris Hampstead holds wastewater franchises serving approximately 582 customers in North Carolina and its record of service is satisfactory.

Pluris Hampstead has filed all exhibits required with the application.

The Public Staff is of the opinion that Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service at 14535 US Hwy 17 South, (Hardee's), and recommends approval of the certificate of public convenience and necessity.

The Public Staff recommends that the Commission require posting of bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

EXHIBIT: A copy of the proposed order is attached as [Exhibit No. P-3](#).

RECOMMENDATION: (Casselberry/Henry/Creech) That the Commission issue the proposed order accepting and approving bond, granting the franchise, and approving Pluris Hampstead's proposed rates.

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P4. DOCKET NO. W-1305, SUB 13 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

EXPLANATION: On February 5, 2020, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service in Sparrows Bend Mixed Residential Development in Pender County, North Carolina, and for approval of rates. On June 16, 2020, Pluris Hampstead filed Recorded Affidavit, dated July 3, 2018; Recorded Deed of Dedication, dated July 30, 2018; and Recorded Deed of Dedication, Phase 2, dated January 20, 2020. Pluris Hampstead expects to eventually serve 149 single-family residences and 228 multi-family units (Apartments). The service area is shown on plans filed with the application.

Pluris Hampstead bills approximately 60 single-family residential customers and 204 multi-family units its current rates approved for its other service areas in Docket No. W-1305, Sub 0.

The N.C. Department of Environmental Quality, Division of Water Resources has issued to Pluris Hampstead Permit No. WQ0039180, dated May 4, 2018, for the construction and operation of a 230 gallon per minute lift station and wastewater collection extension to serve 149 single family residences, 36 one-bedroom, 114 two-bedroom, and 78 three-bedroom apartment units, and two pool/clubhouse complexes in Sparrows Bend Mixed Residential Development.

Pluris Hampstead has entered into an Agreement for Sanitary Sewer Service, dated April 19, 2017, with DRC Hampstead, LLC (DRC), by which DRC will construct and install all of the sewer collection facilities at no charge to Pluris Hampstead to serve 149 single-family residences and pool/club house complex. On November 30, 2017, Pluris Hampstead entered into an Agreement with Sparrows Bend, LLC, (SB), and on June 16, 2020, Pluris Hampstead filed First Amendment to the Sanitary Sewer Agreement replacing the name Sparrows Bend, LLC with Sparrows Bend Developers, LLC (SBD) by which SBD will construct and install all of the sewer collection facilities at no charge to Pluris Hampstead to serve 36 one-bedroom, 114 two-bedroom, 78 three-bedroom apartment units and a pool/clubhouse complex in Sparrows Bend Mixed Residential Development. DRC and SBD will pay the approved sewer connection fee of \$3,200 per three-bedroom single-family equivalent (SFE) and an additional \$1,067 for each additional bedroom beyond a SFE.

The Agreement with DRC states that the Developer shall pay the final installment (tap-fee) on or before December 31, 2019. The final installment, in the amount of \$201,600, was paid on August 9, 2019; and the gross-up tax, in the amount of \$59,787, was paid on April 24, 2020. Sparrows Bend Developers, LLC paid the final installment (tap-fee) on September 4, 2018, and no gross-up tax is required.

Pluris Hampstead holds wastewater franchises serving approximately 582 customers in North Carolina and its record of service is satisfactory.

Pluris Hampstead has filed all exhibits required with the application.

The Public Staff is of the opinion that Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service in Sparrows Bend Mixed Residential Development and recommends approval of the certificate of public convenience and necessity.

The Public Staff recommends that the Commission require posting of bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

EXHIBIT: A copy of the proposed order is attached as [Exhibit No. P-4](#).

RECOMMENDATION: (Casselberry/Henry/Creech) That the Commission issue the proposed order accepting and approving bond, granting the franchise, and approving Pluris Hampstead's proposed rates.

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P5. DOCKET NO. W-1305, SUB 17 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

EXPLANATION: On February 4, 2020, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service at 14477 US Hwy 17 (Speedway) and 14579 US Hwy 17 (BP Station #1), Hampstead, in Pender County, North Carolina, and for approval of rates. The service areas are shown on plans filed with the application.

Pluris Hampstead is billing both customers its current commercial rate approved for its other service areas in Docket No. W-1305, Sub 0.

The North Carolina Department of Environmental Quality, Division of Water Resources (DWR) has issued Permit No. WQ0039835, dated March 21, 2018, to Speedway North Carolina LLC (Speedway NC), for the construction and operation of a 38 gallon per minute (gpm) lift station and wastewater collection extension to serve an existing 3,000 square foot convenience store with food service as part of the Speedway #8187 Private Pump Station Project. The DWR also issued Permit No. WQ0038831, dated December 7, 2016, to Holt Oil Company Inc. (HOC or Owner) for the construction and operation of a 34 gpm lift station and wastewater collection extension to serve an existing convenience store as part of the Hampstead C-store (BP Station # 1) Private Pump Station Project.

Speedway NC satisfied Pluris Hampstead's requirements for sewer service and was provided a Sewer Service Permit by Pluris Hampstead on November 7, 2017. Speedway NC paid the approved tap fee of \$3,200 per single-family equivalent (SFE) for two commercial taps, and the reuse water fee of \$700 per SFE for two commercial taps. The lift station and force main on the property will be the responsibility of the owner, Speedway NC.

HOC satisfied Pluris Hampstead's requirements for sewer service and was provided a Sewer Service Permit by Pluris Hampstead on September 29, 2016. HOC paid the approved tap fee of \$3,200 per SFE for two commercial taps, and the reuse water fee of \$700 per SFE for two commercial taps. The lift station and force main on the property will be the responsibility of the owner, HOC.

Pluris Hampstead holds wastewater franchises serving approximately 582 customers in North Carolina, and its record of service is satisfactory.

Pluris Hampstead has filed all exhibits required with the application.

The Public Staff is of the opinion that Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service at 14477 and 14579 US Hwy 17, Hampstead, and recommends approval of the certificate of public convenience and necessity.

The Public Staff recommends that the Commission require posting of bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of

this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

EXHIBIT: A copy of the proposed order is attached as [Exhibit No. P-5](#).

RECOMMENDATION: (Casselberry/Henry/Creech) That the Commission issue the proposed order accepting and approving bond, granting the franchise, and approving Pluris Hampstead's proposed rates.

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P6. DOCKET NO. W-1305, SUB 21 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

EXPLANATION: On February 4, 2020, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service at 18737 US Hwy 17 (All Saints Catholic Church), Hampstead, in Pender County, North Carolina, and for approval of rates. The service area is shown on plans filed with the application.

Pluris Hampstead is billing the customer its current commercial rate approved for its other service areas in Docket No. W-1305, Sub 0.

The North Carolina Department of Environmental Quality, Division of Water Resources (DWR) has issued Permit No. WQ0040239, dated March 12, 2019, to the Diocese of Raleigh and Catholic Schools (Owner), for the construction and operation of a 31 gallon per minute lift station and wastewater collection extension to serve an existing 418-seat church as part of the All Saints Catholic Church Private Sewer and Pump Station project.

Owner satisfied Pluris Hampstead's requirements for sewer service and was provided a Sewer Service Permit by Pluris Hampstead on March 27, 2019. Owner paid the approved tap fee of \$3,200 per single-family equivalent (SFE) for three commercial taps and the reuse water fee of \$700 per SFE for three commercial taps. Owner also paid \$2,000 per SFE for three commercial taps as required under the Agreement for Reimbursement of Wastewater Force Main Infrastructure Extension filed in Docket W-1305, Sub 1. The lift station and force main on the property will be the responsibility of Owner.

Pluris Hampstead holds wastewater franchises serving approximately 582 customers in North Carolina, and its record of service is satisfactory.

Pluris Hampstead has filed all exhibits required with the application.

The Public Staff is of the opinion that Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service at 18737 US Hwy 17 (All Saints Catholic Church), and recommends approval of the certificate of public convenience and necessity.

The Public Staff recommends that the Commission require posting of bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

EXHIBIT: A copy of the proposed order is attached as [Exhibit No. P-6](#).

RECOMMENDATION: (Casselberry/Henry/Creech) That the Commission issue the proposed order accepting and approving bond, granting the franchise, and approving Pluris Hampstead's proposed rates.

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P7. DOCKET NO. W-1305, SUB 23 – PLURIS HAMPSTEAD, LLC – APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

EXPLANATION: On February 4, 2020, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service at 15075 US Hwy 17 (Circle K) and 14985 US Hwy 17 (McDonald's), Hampstead, in Pender County, North Carolina, and for approval of rates. The service areas are shown on plans filed with the application.

Pluris Hampstead is billing both customers its current commercial rate approved for its other service areas in Docket No. W-1305, Sub 0.

The North Carolina Department of Environmental Quality, Division of Water Resources (DWR) has issued Permit No. WQ0037870, dated July 6, 2015, to The Pantry Inc. (The Pantry), for the construction and operation of a 7 gallon per minute lift station and wastewater collection extension to serve a convenience store, with potential food service, as part of the Hampstead Kangaroo Express project. The DWR also issued Permit No. WQ0035062, dated September 11, 2017, to Cypress Coex LLC (Cypress Coex), for the construction and operation of a 30 gallon per minute lift station and wastewater collection extension to serve an existing 69-seat restaurant as part of the Cypress Station Commercial Center project.

The Pantry satisfied Pluris Hampstead's requirements for sewer service and was provided a Certification of Completion by Pluris Hampstead on May 4, 2016. The Pantry paid the approved tap fee of \$3,200 per single-family equivalent (SFE) for nine commercial taps, and the reuse water fee of \$700 per SFE for nine commercial taps. The lift station and force main on the property will be the responsibility of The Pantry.

Cypress Coex satisfied Pluris Hampstead's requirements for sewer service and was provided a Sewer Service Permit by Pluris Hampstead on February 6, 2018. Cypress Coex paid the approved tap fee of \$3,200 per single-family equivalent (SFE) for five commercial taps, and the reuse water fee of \$700 per SFE for five commercial taps. The lift station and force main on the property will be the responsibility of Cypress Coex.

Pluris Hampstead has filed all exhibits required with the application.

The Public Staff is of the opinion that Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service at 15075 and 14985 US Hwy 17, Hampstead, (Circle K and McDonald's, respectively), and recommends approval of the certificate of public convenience and necessity.

The Public Staff recommends that the Commission require posting of bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

EXHIBIT: A copy of the proposed order is attached as [Exhibit No. P-7](#).

RECOMMENDATION: (Casselberry/Henry/Creech) That the Commission issue the proposed order accepting and approving bond, granting the franchises, and approving Pluris Hampstead's proposed rates.

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1160, SUB 47
DOCKET NO. W-1160, SUB 48
DOCKET NO. W-1160, SUB 49
DOCKET NO. W-1160, SUB 51

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Notification by KDHWTP, LLC, Post Office)	
Box 3629, Kill Devil Hills, North Carolina 27948,)	
of Intention to Begin Operations in an Area)	ORDER RECOGNIZING
Contiguous to a Present Service Area to)	CONTIGUOUS EXTENSION
Provide Sewer Utility Service at 1207, 1209,)	
and 1213 South Virginia Dare Trail, Kill Devil)	
Hills, Dare County, North Carolina)	

BY THE COMMISSION: On September 23, 2019, KDHWTP, LLC (KDH), filed a notification of intention to begin operations in areas contiguous to a present service area. The present application is intended to consolidate KDH's notifications for contiguous extensions in Docket No. W-1160, Subs 47, 48, and 49. KDH desires to expand sewer utility service at 1207, 1209, and 1213 South Virginia Dare Trail, Kill Devil Hills, Dare County, North Carolina. The service areas covered are the areas shown on the plans attached as Exhibit B to the notification forms filed in this docket.

The Public Staff presented this matter at the Commission's Staff Conference on May 26, 2020. The Public Staff recommended that the Commission issue an order recognizing the contiguous extension, requiring a \$25,000 bond, and approving rates.

Based upon the verified notification and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. KDH presently holds a sewer franchise serving approximately 63 customers in Dare County, North Carolina, and its record of service is satisfactory.

2. KDH's proposed rates are the same as currently approved in its present franchised service area. KDH states that there are no other sewer service providers, either public utility or municipal, in the locations that KDH proposes to serve.

3. Under Permit No. WQ0002829, dated July 14, 2017, the North Carolina Department of Environmental Quality, Division of Water Resources (DWR) approved modifying the KDH disposal capacity from 500,000 gallons per day (gpd) to 660,000 gpd.

4. KDH has entered into three agreements with SAGA Construction (SAGA) each executed on April 2, 2019, (collectively, the Developer Agreements) to sell capacity from its wastewater treatment plant at its Commission approved capacity fee of \$12.98 per gallons per day (gpd). The Developer Agreements allocate the capacity as follows: 3,960 gpd of capacity for a purchase price of \$51,401 for 1213 S. Virginia Dare Trail; 3,240 gpd of capacity for a purchase price of \$42,055 for 1207 S. Virginia Dare Trail; and 3,240 gpd of capacity for a purchase price of \$42,055 for 1209 S. Virginia Dare Trail. Pursuant to the Developer Agreements, SAGA will install any required wastewater pump stations as well as necessary piping and equipment to connect to the existing KDH collection system. Upon completion, and upon request of KDH, the pump stations and pipes will be conveyed to KDH at no cost. The pump stations will require a DWR permit prior to connecting to the KDH system.

5. The Commission by Order dated October 5, 2018, in Docket No. W-100, Sub 57, required in Ordering Paragraph No. 2, that "all certificated water and wastewater companies shall collect the income tax on CIAC [Contributions in Aid of Construction] from contributors of plant for new contributions contracted for on or after the date of this Order using the full gross-up method on an interim basis until the Commission makes a final decision after comments are received on this matter." On August 26, 2019 in Docket No. W-100, Sub 57, the Commission issued an Order Addressing Federal Income Taxes on Contributions in Aid of Construction which required in Ordering Paragraph No. 2 that "all certificated water and wastewater utilities shall collect from contributors the income tax on CIAC for new contributions contracted for on or after October 5, 2018 using the full gross up method."

6. Each of the three Developer Agreements was executed after October 5, 2018. All of these three Developer Agreements require the Developer to pay to KDH the full gross up on the CIAC. On June 12, 2020, KDH filed with the Commission three First Amendment to Purchase Agreements between Saga Construction and KDH, each executed on June 9, 2020, for 1207, 1209, and 1213 S. Virginia Dare Trail. Each of these amended purchase agreements provided for the payment of the full gross up.

7. KDH should be required to obtain ownership and operational responsibility for the pump stations and lines from the pump stations to the KDH collection system along with a DWR permit for the pump stations issued in the name of KDH prior to accepting 1207, 1209, and 1213 South Virginia Dare Trail onto the KDH system. In addition, KDH should file with the Commission copies of the pump station bill of sales, the recorded deeds or easements, and the DWR permits, within 20 days after these requirements have been met.

8. KDH has requested waiver of filing the five-year projected income and cash flow statements as only three customers are being added using 10,440 gpd of capacity, which will not have a significant impact on KDH's revenues and expenses. The Public Staff supported this request, and the Commission finds the request reasonable under the circumstances.

9. KDH has the technical, managerial, and financial capacity to provide sewer utility service for the proposed service connection.

10. The Public Staff recommended a bond in the amount of \$25,000. KDH on March 4, 2020, filed a \$50,000 bond and irrevocable letter of credit surety from First National Bank of Pennsylvania for Docket No. W-1160, Subs 50 and 51, which brings the total KDH posted bond amount to \$250,000.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission is of the opinion that the bond should be accepted and that KDH should obtain ownership and operational responsibility for the pump stations and lines from the pump stations to the KDH collection system, and DWR permits issued in the name of KDH, prior to accepting 1207, 1209 and 1213 South Virginia Dare Trail onto the KDH system. Additionally, the Commission concludes KDH should file with the Commission written notification, including copies of the pump station bill of sales, the recorded deeds or easements, and the DWR permits, within 20 days after such requirements have been met, and upon receipt of the filings, the notification to provide sewer service at 1207, 1209 and 1213 South Virginia Dare Trail, Kill Devil Hills, Dare County, North Carolina should be recognized.

IT IS, THEREFORE, ORDERED as follows:

1. That the \$50,000 bond and irrevocable letter of credit surety filed on March 4, 2020, to cover the service expansion in this notification and also in Docket No. W-1160, Sub 50, is hereby accepted and approved.
2. That the contiguous extension of sewer utility service from KDH's existing service area to 1207, 1209, and 1213 South Virginia Dare Trail in Kill Devil Hills, Dare County, North Carolina, is hereby recognized as meeting the Commission's criteria for the contiguous extension.
3. That Appendix A attached hereto acknowledges the contiguous extension to 1207, 1209, and 1213 South Virginia Dare Trail in Kill Devil Hills, North Carolina pursuant to N.C. Gen. Stat. § 62-110(a) to KDH's Certificate of Public Convenience and Necessity covering the contiguous extension.
4. That the Schedule of Rates previously approved for KDH (see Docket Nos. W-1160, Sub 24 and M-100, Sub 138 Order Approving Tariff Revision and Requiring Customer Notice dated December 7, 2016) is recognized as being applicable for service to a commercial customer and is approved for sewer service at 1207, 1209, and 1213 S. Virginia Dare Trail, Kill Devil Hills, Dare County, North Carolina. These are the same rates approved by the Commission for KDH's other franchised areas.
5. That prior to accepting each customer, KDH shall obtain ownership and operational responsibility for the pump station and line from the pump station to the KDH collection system and shall obtain the DWR permit issued in the name of KDH. Further, KDH shall file a written notification with the Commission with copies of the pump station bill of sale, the recorded deed or easement, and the DWR permit, within 20 days after these requirements have been met.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1160, SUB 51

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

KDHWWT, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

for

1207 SOUTH VIRGINIA DARE TRAIL, KILL DEVIL HILLS
1209 SOUTH VIRGINIA DARE TRAIL, KILL DEVIL HILLS
1213 SOUTH VIRGINIA DARE TRAIL, KILL DEVIL HILLS

Dare County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 2

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application by Pluris Hampstead, LLC, 5950)	ORDER ACCEPTING AND
Berkshire Lane, Suite 800, Dallas, Texas 75225, for)	APPROVING BOND,
a Certificate of Public Convenience and Necessity)	GRANTING FRANCHISE
to Provide Sewer Utility Service in Coastal)	AND APPROVING RATES
Plantation in Pender County, North Carolina)	

BY THE COMMISSION: On December 20, 2016, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service in Coastal Plantation Subdivision in Pender County, North Carolina, and approval of rates. On February 7, 2017, Pluris Hampstead filed the wastewater collection system extension permit from the North Carolina Department of Environmental Quality, Division of Water Resources (DWR). On October 11, 2017, information in response to Public Staff questions was filed in the docket. On January 30, 2020, Pluris Hampstead filed a Deed of Easement and Transfer Agreement. On June 16, 2020, Pluris Hampstead filed a complete map of the service area which consists of 103 lots.

The Public Staff presented this matter at the Commission’s Regular Staff Conference on June 22, 2020. The Public Staff recommended that the Commission issue an order accepting and approving bond, granting the franchise, and approving the proposed rates.

Based upon the verified application and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. Pluris Hampstead presently holds wastewater franchises serving approximately 582 customers in North Carolina, and its record of service is satisfactory.
2. The service area is shown on the map filed in this docket on June 16, 2020.

3. Pluris Hampstead is billing customers its current rates approved for its other service areas in Docket No. W-1305, Sub 0.

4. DWR has issued permit number WQ0038968, dated February 1, 2017, to Pluris Hampstead. The permit is for the construction and operation of approximately 55 linear feet of 8-inch gravity sewer, an 85 gallon per minute (gpm) pump station, as well as approximately 1,630 linear feet of 4-inch force main to serve the existing development and eliminate use of the community's failing on-site community septic system. The permit also includes the continued operation of approximately 5,717 linear feet of 8-inch gravity sewer and an existing 30 gpm pump station as well as approximately 300 linear feet of 4-inch force main to serve 37 of the two-bedroom residences with a total potential discharge of 12,480 gallons per day (gpd) of collected domestic wastewater into Pluris Hampstead's existing sewerage system.

5. Pluris Hampstead has entered into an Agreement for Sanitary Sewer Service with Jensen's, Inc. (Developer), dated September 9, 2016, in which Pluris Hampstead constructed/reconstructed two lift stations at the existing Coastal Planation development and an interconnect pipeline from the lift stations to Pluris Hampstead's existing force main. Developer transferred to Pluris Hampstead the existing *wastewater* collection system, and will also construct and install the collection system for one or more future phases of the development at no charge to Pluris Hampstead.

6. Developer paid Pluris Hampstead a non-refundable capacity reservation fee in the amount of \$110,931 for 12,480 gpd of capacity to serve the existing units. Developer also paid a reuse water return fee to Blake Farms in the amount of \$700 per connection.

7. Pluris Hampstead has filed all exhibits required with the application.

8. Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service in this franchise location.

9. The Public Staff has recommended that the Commission require posting of bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and 340,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission concludes that \$10,000 of Pluris Hampstead's unassigned bond surety

should be assigned to Coastal Plantation Subdivision; that the sewer utility franchise requested by Pluris Hampstead in Coastal Plantation Subdivision should be granted; and that Pluris Hampstead's rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$10,000 of Pluris Hampstead's unassigned surety bond is assigned to Costal Plantation Subdivision. The remaining unassigned bond surety shall be \$330,000.
2. That Pluris Hampstead is granted a certificate of public convenience and necessity to provide sewer utility service in Costal Plantation Subdivision in Pender County, North Carolina.
3. That Appendix A constitutes the Certificate of Public Convenience and Necessity.
4. That Pluris Hampstead's existing Schedule of Rates approved by the Commission's Order issued on November 5, 2015, in Docket No. W-1305, Sub 0, is approved for utility service in Costal Plantation Subdivision.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 2

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

PLURIS HAMPSTEAD, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

in

COASTAL PLANTATION SUBDIVISION

Pender County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ___ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 11

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Pluris Hampstead, LLC, 5950)
Berkshire Lane, Suite 800, Dallas, Texas)
75225, for a Certificate of Public Convenience)
and Necessity to Provide Sewer Utility Service)
at 14535 US Hwy 17 South, Hampstead,)
Pender County, North Carolina)

ORDER ACCEPTING AND
APPROVING BOND,
GRANTING FRANCHISE,
AND APPROVING RATES

BY THE COMMISSION: On September 5, 2018, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service at 14535 US Hwy 17 South, (Hardee’s), Hampstead, Pender County, North Carolina, and for approval of rates. On June 16, 2020, Pluris Hampstead filed its Certification of Completion and its permit issued by the North Carolina Department of Environmental Quality, Division of Water Resources (DWR).

The Public Staff presented this matter at the Commission’s Staff Conference on June 22, 2020. The Public Staff recommended that the Commission issue an order accepting and approving bond, granting the franchise, and approving the proposed rates.

Based upon the verified application and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. Pluris Hampstead presently holds wastewater franchises serving approximately 582 customers in North Carolina, and its record of service is satisfactory.
2. Pluris Hampstead is billing the customer its current commercial rate approved for its other service areas in Docket No. W-1305, Sub 0.

3. DWR has issued Permit No. WQ0040226, dated September 27, 2018, to Boddie-Noell Enterprises Inc. (Owner), for the construction and operation of a 16 gallon per minute lift station and wastewater collection extension to serve an existing 30-seat restaurant as part of the Hampstead Hardee's Private Pump Station project.

4. Owner satisfied Pluris Hampstead's requirements for sewer service and was provided a Certification of Completion by Pluris Hampstead on December 19, 2018. Owner paid the approved tap fee of \$3,200 per single-family equivalent (SFE) for two commercial taps, and the reuse water fee of \$700 per SFE for two commercial taps. The lift station and force main on the property will be the responsibility of the Owner.

5. Pluris Hampstead has filed all exhibits required with the application.

6. Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service in this franchise location.

7. The Public Staff recommended a bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission is of the opinion that \$10,000 of Pluris Hampstead's unassigned bond surety should be assigned to 14535 US Hwy 17 South, Hampstead; that the new franchise should be granted; and that Pluris Hampstead's rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$10,000 of Pluris Hampstead's unassigned surety bond is assigned to 14535 US Hwy 17 South, Hampstead. The remaining unassigned bond surety shall be \$330,000.

2. That Pluris Hampstead is granted a certificate of public convenience and necessity to provide sewer utility service at 14535 US Hwy 17 South, Hampstead, in Pender County, North Carolina.

3. That Appendix A constitutes the Certificate of Public Convenience and Necessity.

4. That Pluris Hampstead's existing Schedule of rates approved by the Commission Order issued on November 5, 2015, in Docket No. W-1305, Sub 0, is approved for utility service at 14535 US Hwy 17 South, Hampstead, North Carolina.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 11

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

PLURIS HAMPSTEAD, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

in

14535 US Hwy 17 South, Hampstead

Pender County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ___ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 13

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Pluris Hampstead, LLC, 5950)	
Berkshire Lane, Suite 800, Dallas, Texas)	ORDER ACCEPTING AND
75225, for a Certificate of Public Convenience)	APPROVING BOND,
and Necessity to Provide Sewer Utility Service)	GRANTING FRANCHISE AND
in Sparrows Bend Mixed Residential)	APPROVING RATES
Development in Pender County, North Carolina)	

BY THE COMMISSION: On February 5, 2020, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service in Sparrows Bend Mixed Residential Development in Pender County, North Carolina, and for approval of rates. On June 16, 2020, Pluris Hampstead filed Recorded Affidavit, dated July 3, 2018; Recorded Deed of Dedication, dated July 30, 2018; and Recorded Deed of Dedication, Phase 2, dated January 20, 2020. Pluris Hampstead expects to eventually serve 149 single-family residences and 228 multi-family units (Apartments). The service area is shown on plans filed with the application.

The Public Staff presented this matter at the Commission’s Regular Staff Conference on June 22, 2020. The Public Staff recommended that the Commission issue an order accepting and approving bond, granting the franchise, and approving the proposed rates.

Based upon the verified application and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. Pluris Hampstead presently holds wastewater franchises serving approximately 582 customers in North Carolina. Its record of service is satisfactory.

2. Pluris Hampstead expects to eventually serve 149 single-family residences, 36 one-bedroom, 114 two-bedroom, and 78 three-bedroom apartment units, and two pool/clubhouse complexes in Sparrows Bend Mixed Residential Development. The service area is shown on plans filed with the application.

3. Pluris Hampstead bills approximately 60 single-family residential customers and 204 multi-family units its current rates approved for its other service areas in Docket No. W-1305, Sub 0.

4. The North Carolina Department of Environmental Quality, Division of Water Resources (DWR) has issued to Pluris Hampstead Permit No. WQ0039180, dated May 4, 2018, for the construction and operation of a 230 gallon per minute lift station and wastewater collection extension to serve 149 single family residences, 36 one-bedroom, 114 two-bedroom, and 78 three-bedroom apartment units, and two pool/clubhouse complexes in Sparrows Bend Mixed Residential Development.

5. Pluris Hampstead has entered into an Agreement for Sanitary Sewer Service, dated April 19, 2017, with DRC Hampstead, LLC (DRC), by which DRC will construct and install all of the sewer collection facilities at no charge to Pluris Hampstead to serve 149 single-family residences and pool/club house complex. On November 30, 2017, Pluris Hampstead entered into an Agreement with Sparrows Bend, LLC, (SB), and on June 16, 2020 Pluris Hampstead filed First Amendment to the Sanitary Sewer Agreement replacing the name Sparrows Bend, LLC with Sparrows Bend Developers, LLC (SBD) by which SBD will construct and install all of the sewer collection facilities at no charge to Pluris Hampstead to serve 36 one-bedroom, 114 two-bedroom, 78 three-bedroom apartment units and a pool/clubhouse complex in Sparrows Bend Mixed Residential Development. DRC and SBD will pay the approved sewer connection fee of \$3,200 per three-bedroom single-family equivalent (SFE) and an additional \$1,067 for each additional bedroom beyond a SFE.

6. DRC paid the gross-up tax, in the amount of \$59,787, on April 24, 2020 as required. No gross-up tax was required for Sparrows Bend, LLC.

7. Pluris Hampstead has filed all exhibits required with the application.

8. Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service in this franchise location.

9. The Public Staff recommended that the Commission require posting of bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission is of the opinion that \$10,000 of Pluris Hampstead's unassigned bond surety should be assigned to Sparrows Bend Mix Residential Development, that the new franchise should be granted, and that Pluris Hampstead's rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$10,000 of Pluris Hampstead's unassigned surety bond is assigned to Canter Crest Subdivision. The remaining unassigned bond surety shall be \$330,000.
2. That Pluris Hampstead is granted a certificate of public convenience and necessity to provide sewer utility service in Sparrows Bend Mix Residential Development in Pender County, North Carolina.
3. That Appendix A constitutes the Certificate of Public Convenience and Necessity.
4. That Pluris Hampstead's existing Schedule of Rates approved by the Commission Order issued on November 5, 2015, in Docket No. W-1305, Sub 0, is approved for utility service in Sparrows Bend Mixed Residential Development.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 13

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

PLURIS HAMPSTEAD, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

in

SPARROWS BEND MIXED RESIDENTIAL DEVELOPMENT

Pender County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ___ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 17

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Pluris Hampstead, LLC, 5950)	
Berkshire Lane, Suite 800, Dallas, Texas)	ORDER ACCEPTING AND
75225, for a Certificate of Public Convenience)	APPROVING BOND,
and Necessity to Provide Sewer Utility Service)	GRANTING FRANCHISE, AND
at 14477 and 14579 US Hwy 17, Hampstead, in)	APPROVING RATES
Pender County, North Carolina)	

BY THE COMMISSION: On February 4, 2020, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service at 14477 US Hwy 17 (Speedway) and 14579 US Hwy 17 (BP Station #1), Hampstead, in Pender County, North Carolina, and for approval of rates. The service areas are shown on plans filed with the application.

The Public Staff presented this matter at the Commission’s Regular Staff Conference on June 22, 2020. The Public Staff recommended that the Commission issue an order approving and accepting bond, granting the franchise approving, and approving the proposed rates.

Based upon the verified application and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. Pluris Hampstead presently holds wastewater franchises serving approximately 582 customers in North Carolina, and its record of service is satisfactory.
2. Pluris Hampstead is billing both customers its current commercial rate approved for its other service areas in Docket No. W-1305, Sub 0.

3. The North Carolina Department of Environmental Quality, Division of Water Resources (DWR) has issued Permit No. WQ0039835, dated March 21, 2018, to Speedway North Carolina LLC (Speedway NC), for the construction and operation of a 38 gallon per minute (gpm) lift station and wastewater collection extension to serve an existing 3,000 square foot convenience store with food service as part of the Speedway #8187 Private Pump Station Project. The DWR also issued Permit No. WQ0038831, dated December 7, 2016, to Holt Oil Company, Inc. (HOC), for the construction and operation of a 34 gpm lift station and wastewater collection extension to serve an existing convenience store as part of the Hampstead C-store (BP Station # 1) Private Pump Station Project.

4. Speedway NC satisfied Pluris Hampstead's requirements for sewer service and was provided a Sewer Service Permit by Pluris Hampstead on November 7, 2017. Speedway NC paid the approved tap fee of \$3,200 per single-family equivalent (SFE) for two commercial taps, and the reuse water fee of \$700 per SFE for two commercial taps. The lift station and force main on the property will be the responsibility of the owner, Speedway NC.

5. HOC satisfied Pluris Hampstead's requirements for sewer service and was provided a Sewer Service Permit by Pluris Hampstead on September 29, 2016. HOC paid the approved tap fee of \$3,200 SFE for two commercial taps, and the reuse water fee of \$700 per SFE for two commercial taps. The lift station and force main on the property will be the responsibility of the owner, HOC.

6. Pluris Hampstead has filed all exhibits required with the application.

7. Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service in these franchise locations.

8. The Public Staff recommended a bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission is of the opinion that \$10,000 of Pluris Hampstead's unassigned bond surety should be assigned to 14477 US Hwy 17 and 14579 US Hwy 17, Hampstead; that the new franchise should be granted; and that Pluris Hampstead's rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$10,000 of Pluris Hampstead's unassigned surety bond is assigned to, 14477 US Hwy 17 and 14579 US Hwy 17, Hampstead, in Pender County North Carolina. The remaining unassigned bond surety shall be \$330,000.
2. That Pluris Hampstead is granted a certificate of public convenience and necessity to provide sewer utility service at 14477 US Hwy 17 and 14579 US Hwy 17, Hampstead, in Pender County, North Carolina.
3. That Appendix A constitutes the Certificate of Public Convenience and Necessity.
4. That Pluris Hampstead's existing Schedule of rates approved by the Commission Order issued on November 5, 2015, in Docket No. W-1305, Sub 0, is approved for utility service at 14477 US Hwy 17 and 14579 US Hwy 17, Hampstead, in Pender County North Carolina.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 17

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

PLURIS HAMPSTEAD, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

at

14477 US Hwy 17, Hampstead
14579 US Hwy 17, Hampstead

Pender County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ___ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 21

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Pluris Hampstead, LLC, 5950)	
Berkshire Lane, Suite 800, Dallas, Texas)	ORDER ACCEPTING AND
75225, for a Certificate of Public Convenience)	APPROVING BOND,
and Necessity to Provide Sewer Utility Service)	GRANTING FRANCHISE AND
at 18737 US Hwy 17, Hampstead, Pender)	APPROVING RATES
County, North Carolina)	

BY THE COMMISSION: On February 4, 2020, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service at 18737 US Hwy 17 (All Saints Catholic Church), Hampstead, Pender County, North Carolina, and for approval of rates.

The Public Staff presented this matter at the Commission’s Regular Staff Conference on June 22, 2020. The Public Staff recommended that the Commission issue an order accepting and approving bond, granting the franchise, and approving the proposed rates.

Based upon the verified application and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. Pluris Hampstead presently holds wastewater franchises serving approximately 582 customers in North Carolina, and its record of service is satisfactory.
2. Pluris Hampstead is billing the customer its current commercial rate approved for its other service areas in Docket No. W-1305, Sub 0.
3. The North Carolina Department of Environmental Quality, Division of Water Resources (DWR) has issued Permit No. WQ0040239, dated March 12, 2019, to Diocese of Raleigh and Catholic Schools (Owner), for the construction and operation of a 31 gallon per minute lift station and wastewater collection extension to serve an existing 418-seat church as part of the All Saints Catholic Church Private Sewer and Pump Station project.

4. Owner satisfied Pluris Hampstead's requirements for sewer service and was provided a Sewer Service Permit by Pluris Hampstead on March 27, 2019. Owner paid the approved tap fee of \$3,200 per single family equivalent (SFE) for three commercial taps and the reuse water fee of \$700 per SFE for three commercial taps. Owner also paid \$2,000 per SFE for three commercial taps as required under the Agreement for Reimbursement of Wastewater Force Main Infrastructure Extension filed in Docket W-1305, Sub 1. The lift station and force main on the property will be the responsibility of Owner.

5. Pluris Hampstead has filed all exhibits required with the application.

6. Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service in this franchise location.

7. The Public Staff recommended a bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, 170,000 of bond surety is assigned to specific subdivisions, and \$330,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission is of the opinion that \$10,000 of Pluris Hampstead's unassigned bond surety should be assigned to 18737 US Hwy 17, Hampstead; that the new franchise should be granted; and that Pluris Hampstead's rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$10,000 of Pluris Hampstead's unassigned surety bond is assigned to 18737 US Hwy 17, Hampstead. The remaining unassigned bond surety shall be \$330,000.

2. That Pluris Hampstead is granted a certificate of public convenience and necessity to provide sewer utility service at 18737 US Hwy 17, Hampstead, in Pender County, North Carolina.

3. That Appendix A constitutes the Certificate of Public Convenience and Necessity.

4. That Pluris Hampstead's existing Schedule of rates approved by the Commission Order issued on November 5, 2015, in Docket No. W-1305, Sub 0, is approved for utility service at 18737 US Hwy 17, Hampstead, North Carolina.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 21

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

PLURIS HAMPSTEAD, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

in

18737 US HWY 17, HAMPSTEAD

Pender County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ___ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 23

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Application by Pluris Hampstead, LLC, 5950)	
Berkshire Lane, Suite 800, Dallas, Texas)	ORDER ACCEPTING AND
75225, for a Certificate of Public Convenience)	APPROVING BOND,
and Necessity to Provide Sewer Utility Service)	GRANTING FRANCHISE, AND
at 14985 and 15075 US Hwy 17, Hampstead, in)	APPROVING RATES
Pender County, North Carolina)	

BY THE COMMISSION: On February 4, 2020, Pluris Hampstead, LLC (Pluris Hampstead), filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer utility service at 15075 US Hwy 17 (Circle K) and 14985 US Hwy 17 (McDonald's), Hampstead, in Pender County, North Carolina, and for approval of rates. The service areas are shown on plans filed with the application.

The Public Staff presented this matter at the Commission's Staff Conference on June 22, 2020. The Public Staff recommended that the Commission issue an order accepting and approving bond, granting the franchise, and approving the proposed rates.

Based upon the verified application and the entire record in this matter, the Commission makes the following

FINDINGS OF FACT

1. Pluris Hampstead presently holds wastewater franchises serving approximately 582 customers in North Carolina, and its record of service is satisfactory.
2. Pluris Hampstead is billing both customers its current commercial rate approved for its other service areas in Docket No. W-1305, Sub 0.
3. The North Carolina Department of Environmental Quality, Division of Water Resources (DWR) has issued Permit No. WQ0037870, dated July 6, 2015, to The Pantry Inc. (The Pantry), for the construction and operation of a 7 gallon per minute lift station

and wastewater collection extension to serve a convenience store, with potential food service, as part of the Hampstead Kangaroo Express project. The DWR also issued Permit No. WQ0035062, dated September 11, 2017, to Cypress Coex LLC (Cypress Coex), for the construction and operation of a 30 gallon per minute lift station and wastewater collection extension to serve an existing 69-seat restaurant as part of the Cypress Station Commercial Center project.

4. The Pantry satisfied Pluris Hampstead's requirements for sewer service and was provided a Certificate of Completion by Pluris Hampstead on May 4, 2016. The Pantry paid the approved tap fee of \$3,200 per single family equivalent (SFE) for nine commercial taps, and the reuse water fee of \$700 per SFE for nine commercial taps. The lift station and force main on the property will be the responsibility of the Owner.

5. Cypress Coex satisfied Pluris Hampstead's requirements for sewer service and was provided a Sewer Service Permit by Pluris Hampstead on February 6, 2018. Cypress Coex paid the approved tap fee of \$3,200 per single-family equivalent (SFE) for five commercial taps, and the reuse water fee of \$700 per SFE for five commercial taps. The lift station and force main on the property will be the responsibility of the Owner.

6. Pluris Hampstead has filed all exhibits required with the application.

7. Pluris Hampstead has the technical, managerial, and financial capacity to provide sewer utility service in this franchise location.

8. The Public Staff recommended a bond in the amount of \$10,000. Pluris Hampstead currently has \$500,000 of bonds posted with the Commission. Of this amount, \$160,000 of bond surety is assigned to specific subdivisions, and \$340,000 of bond surety is unassigned.

CONCLUSIONS

Based on the foregoing and the recommendations of the Public Staff, the Commission is of the opinion that \$10,000 of Pluris Hampstead's unassigned bond surety should be assigned to 15075 US Hwy 17 and 14985 US Hwy 17, Hampstead; that the new franchises should be granted; and that Pluris Hampstead's rates should be approved.

IT IS, THEREFORE, ORDERED as follows:

1. That \$10,000 of Pluris Hampstead's unassigned surety bond is assigned to 15075 US Hwy 17 and 14985 US Hwy 17, Hampstead, in Pender County North Carolina. The remaining unassigned bond surety shall be \$330,000.

2. That Pluris Hampstead is granted a certificate of public convenience and necessity to provide sewer utility service at 15075 US Hwy 17 and 14985 US Hwy 17, Hampstead, in Pender County, North Carolina.

3. That Appendix A constitutes the Certificate of Public Convenience and Necessity.

4. That Pluris Hampstead's existing rates approved by the Commission Order issued on November 5, 2015, in Docket No. W-1305, Sub 0, are approved for utility service at, 15075 US Hwy 17 and 14985 US Hwy 17, Hampstead, in Pender County North Carolina.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1305, SUB 23

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

PLURIS HAMPSTEAD, LLC

is granted this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

to provide sewer utility service

at

15075 US Hwy 17, Hampstead
14985 US Hwy 17, Hampstead

Pender County, North Carolina,

subject to any orders, rules, regulations,
and conditions now or hereafter lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the ___ day of June, 2020.

NORTH CAROLINA UTILITIES COMMISSION

Kimberley A. Campbell, Chief Clerk

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