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October 30, 2023

Ms. A. Shonta Dunston  
Chief Clerk  
North Carolina Utilities Commission  
430 N. Salisbury Street, Room 5063  
Raleigh, NC 27603

Via Electronic Submittal

**Re: In the Matter of  
Joint Application by Pluris Hampstead, LLC for Authority to Acquire the  
Sewer Utility Systems Serving Majestic Oaks Hampstead Shopping  
Center, Forest Sound (formerly Southside Commons and formerly Grey  
Bull), Majestic Oaks West, and Salter's Haven at Lea Marina in Pender  
County, North Carolina, from Old North State Water Company, Inc., and  
Approval of Rates  
Docket Nos. W-1300, Sub 69 and W-1305, Sub 29  
Notice of Decommissioning Delay**

Dear Ms. Dunston:

On behalf of Old North State Water Company, Inc. ("ONSWC"), I am herewith submitting a Notice of Decommissioning Delay for filing in the above referenced dockets.

If you should have any questions concerning this filing, please let me know.

Thank you and your staff for your assistance.

Sincerely,  
*/s/ David T. Drooz*  
David T. Drooz  
Attorney for  
Old North State Water Company, Inc.

pbb  
Enclosure

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada  
New Jersey New York North Carolina Pennsylvania South Carolina Texas Virginia Washington



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cc: All parties and counsel of record  
NC Public Staff

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

Docket No. W-1300, Sub 69

Docket No. W-1305, Sub 29

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

In the Matter of		
Joint Application by Pluris	)	
Hampstead, LLC, 5950	)	
Berkshire Lane, Suite 800,	)	
Dallas, Texas, 75225, for	)	
Authority to Acquire the Sewer	)	
Utility Systems Serving	)	
Majestic Oaks and Hampstead	)	
Shopping Center, Forest Sound	)	
(formerly Southside Commons	)	
and formerly Grey Bull),	)	
Majestic Oaks West, and	)	
Salter's Haven at Lea Marina in	)	
Pender County, North Carolina,	)	
from Old North State Water	)	
Company, Inc., and Approval of	)	
Rates	)	
		NOTICE OF DECOMMISSIONING DELAY

NOW COMES Old North State Water Company, Inc. ("ONSWC" or "Company"), and notifies the North Carolina Utilities Commission that decommissioning of certain assets associated with the Majestic Oaks wastewater system will be delayed. In particular:

1. On May 19, 2023, the Commission issued its ORDER APPROVING STIPULATION, APPROVING TRANSFER, GRANTING FRANCHISES, APPROVING RATES, AND REQUIRING CUSTOMER NOTICE in Docket Nos. W-1300, Sub 69, and W-1305, Sub 29 ("Transfer Order"). The Transfer Order

approves transfer of the wastewater utility franchises for the above-captioned systems from ONSWC to Pluris Hampstead, LLC ("Pluris").

2. The Transfer Order in decretal paragraph 10 provides:

That after closing of the sale of the subject ONSWC assets to Pluris, and within the time specified below:

(a) ONSWC shall decommission the Majestic Oaks WWTP. Such decommissioning of the Majestic Oaks WWTP shall include, but not necessarily be limited to: (i) removal of the Majestic Oaks WWTP; (ii) removal of all fences, and (iii) leveling and placing seed with straw cover over the two ponds on the Majestic Oaks WWTP site; and

(b) For the infiltration pond located on Majestic Oaks Drive on land owned by the Majestic Oaks Property Owners Association ONSWC shall: (i) totally remove the fence around the existing infiltration pond; (ii) remove the dam or pond walls; (iii) level the pond site; (iv) create positive drainage to the easterly ditch, and (v) place seed with straw cover over the infiltration pond site;

3. Further, the Transfer Order in decretal paragraph 14 provides:

That ONSWC shall notify the Commission when the decommissioning of the Majestic Oaks WWTP, infiltration pond, and related activities specified herein has been completed by making a filing in these dockets upon completion but no later than November 1, 2023.

4. The closing for the transfer occurred on September 15, 2023.

5. According to Company management, the wastewater treatment plant is offline, cleaned out, and partially cut up. Originally ONSWC concluded an erosion control and sedimentation permit was not required due to the size of the site being less than one acre. However, in assessing the full scope of the grading, dirt, and drainage work that had to be performed to completely fill in the ponds and regrade the site to drain properly, ONSWC determined it was very close to the limit of one acre of disturbance. Out of an abundance of caution, ONSWC stopped

work and applied for the permit in the week of October 9, 2023. The permit requires surveyed, stamped engineering drawings to accompany the permit application and ONSWC has engaged an engineer to produce the required drawings within 30 days. ONSWC anticipates the permit will be delivered within 45 days of the permit application and then decommissioning work can resume. The resumption of work is entirely dependent upon receiving the required sedimentation and erosion control permit from Pender County. The Company estimates that it will have the decommissioning completed within 45 days of receiving the required permit, depending on weather. ONSWC will promptly file with the Commission a notice of decommissioning and all activities required in decretal paragraph 10 of the Transfer Order upon completion of those activities.

WHEREFORE, ONSWC asks that the Commission accept this Notice. If it is more appropriate for the Notice to be characterized as a motion to waive the November 1, 2023, deadline for a decommissioning notice, ONSWC asks that the Commission so characterize it and issue an order granting such motion.

Respectfully submitted, this the 30<sup>th</sup> day of October, 2023.

FOX ROTHSCHILD LLP

By: /s/ David T. Drooz  
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*Old North State Water Company, Inc.*

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Decommissioning Delay has been served on all counsel of record for all parties in these dockets by either depositing same in a depository of the United States Postal Service, first-class postage prepaid, or by electronic delivery.

This the 30<sup>th</sup> day of October, 2023.

By: /s/ David T. Drooz  
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