



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

September 22, 2022

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

Re: Docket No. W-1141, Sub 8 – Application by 904 Georgetown Treatment Plant, LLC to increase rates for providing wastewater utility service in Sandpiper Bay Golf and Country Club in Brunswick County, North Carolina

Dear Ms. Dunston:

Attached for filing is a Motion and Proposed Order of the Public Staff in the above-referenced docket.

By copy of this letter, I am forwarding a copy to all parties of record by electronic delivery.

Sincerely,

Electronically submitted
/s/ James Bernier, Jr.
Staff Attorney
james.bernier@psncuc.nc.gov

Attachment

cc: Parties of Record

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

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET c

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of 904 Georgetown Treatment)
Plant, LLC, 800 N. Sandpiper Club Drive,)
Sunset Beach, North Carolina 28468 for)
Authority to Adjust and Increase Rates for)
Sewer Utility Service in Sandpiper Bay Golf)
and Country Club in Brunswick County,)
North Carolina)

**MOTION TO CANCEL
PUBLIC WITNESS HEARING**

NOW COMES THE PUBLIC STAFF – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and moves the North Carolina Utilities Commission (Commission) to issue an order canceling the September 27, 2023 public witness hearing. In support of this motion, the Public Staff respectfully shows the Commission the following:

1. On July 7, 2023, 904 Georgetown Treatment Plant, LLC (Applicant), filed an application with the Commission seeking authority to increase its rates for providing wastewater utility service in Sandpiper Bay Golf and Country Club in Brunswick County, North Carolina. The Applicant provides wastewater utility service to approximately 795 residential customers.

2. On July 31, 2023, the Commission issued an Order Establishing General Rate Case and Suspending Rates.

3. On August 21, 2023, the Commission issued an Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice (Scheduling Order) setting this matter for public witness hearing on September 27, 2023. The Notice to Customers states that “This hearing may be canceled if no significant protests are received on or before Wednesday, September 20, 2023.”

4. The Scheduling Order directed Applicant to provide the Notice to Customers no later than 10 days after the date of the Scheduling Order and submit a signed and notarized certificate of service not later than 20 days after the date of the Scheduling Order.

5. On August 29, 2023, Applicant filed a Certificate of Service stating the Notice to Customers was mailed or hand delivered as specified in the Scheduling Order.

6. Presently, one consumer statement has been filed in connection with this matter. It identified concerns with the rate proposed.

7. As of the filing of this motion, the Public Staff is unaware of any other customer protests or comments made in connection with this matter. Further, Applicant has represented to the Public Staff that it has not received any other significant customer protests or comments made in connection with this matter.

8. The Public Staff has reviewed the filed consumer statement of position. The Public Staff believes neither the quantity nor content of the filed consumer statement of position constitutes the “significant protests” necessary to

avoid the cancellation provision set forth in the Scheduling Order. Regarding the issue set forth in the consumer statement of position, it is well explained and can be considered on the merits by the Commission.

9. The Public Staff has contacted counsel for the other party in this docket. The Public Staff is authorized to represent that Applicant supports this motion.

10. A proposed order canceling the public witness hearing and directing Applicant to notify customers of the cancelation is attached.

WHEREFORE, the Public Staff respectfully requests:

1. That the Commission cancel the public witness hearing scheduled for September 27, 2023;

2. That 904 Georgetown Treatment Plant, LLC be directed to notify customers that the public witness hearing has been canceled and file proof of the giving of such notice; and

3. For such other and further relief as the Commission may deem just and proper.

Respectfully submitted, this the 22nd day of September, 2023.

PUBLIC STAFF
Christopher J. Ayers
Executive Director

Lucy E. Edmondson
Chief Counsel

Electronically submitted
/s/ James Bernier, Jr.
Staff Attorney

4326 Mail Service Center
Raleigh, North Carolina 27699-4300
Telephone: (919) 733-6110
Email: james.bernier@psncuc.nc.gov

CERTIFICATE OF SERVICE

I certify that I have this day served a copy of the foregoing Motion upon each of the parties of record in this proceeding or the attorney of record of such party in accordance with Commission Rule R1-39, by United States mail, first class or better; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 22nd day of September, 2023.

Electronically submitted
/s/ James Bernier, Jr.

The August 21, 2023 Order stated that the public witness hearing was subject to cancellation if no significant protests were received from customers by the deadline stated in the customer notice.

On September 22, 2023, the Public Staff filed a motion requesting that the public witness hearing scheduled for September 27, 2023, be canceled. In support of its motion, the Public Staff states that it has reviewed one consumer statement of position that had been filed in this proceeding and that the consumer identified a concern regarding the rates proposed by Applicant. The Public Staff further states that the issue set forth in the consumer statement of position is well explained. The Public Staff notes that neither the Public Staff nor Applicant have received any other customer protests made in connection with this proceeding. Finally, the Public Staff considers that neither the quantity nor content of the filed consumer statement of position constitutes the “significant protests” necessary to avoid the cancellation provision set forth in the Commission’s August 21, 2023 Order. The Public Staff represents in its motion that Applicant does not object to canceling the public witness hearing.

Based upon the foregoing, the Chair finds that the public witness hearing scheduled for 7:00 p.m., on September 27, 2023, in Bolivia, North Carolina should be canceled and notice to customers of the cancellation should be required.

IT IS, THEREFORE, ORDERED as follows:

1. That the public witness hearing previously scheduled for 7:00 p.m., on Wednesday, September 27, 2023, at the Brunswick County Courthouse,

Courtroom 2, 310 Government Center Drive NE, Bolivia, North Carolina is hereby canceled;

2. That a copy of this Order should be mailed with sufficient postage or hand delivered by 904 Georgetown Treatment Plant, LLC to all affected customers no later than September 25, 2023, and that 904 Georgetown Treatment Plant, LLC shall submit to the Commission the attached Certificate of Service, properly signed and notarized, no later than September 26, 2023.

ISSUED BY ORDER OF THE COMMISSION.

This the ____ day of September, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

CERTIFICATE OF SERVICE

I, _____, mailed with sufficient postage or hand delivered to all affected customers a copy of the Order issued by the North Carolina Utilities Commission in Docket W-1141, SUB 8, and such Order was mailed or hand delivered by the date specified in the Order.

This the ____ day of _____ 2023.

By: _____
Signature

Name of Utility Company

The above named Applicant, _____, personally appeared before me this day and, being first duly sworn, says that the required copy of the Commission Order was mailed or hand delivered to all affected customers, as required by the Commission Order dated _____ in W-1141, SUB 8.

Witness my hand and notarial seal, this the ____ day of _____ 2023.

Notary Public

Address

(SEAL) My Commission Expires: _____
Date