



**NORTH CAROLINA  
PUBLIC STAFF  
UTILITIES COMMISSION**

July 27, 2022

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

Re: Docket No. W-1125, Subs 9 and 10

Dear Ms. Dunston:

During the hearing on July 22, 2022, the Commission requested the following late filed exhibits from Public Staff witness Charles M. Junis: 1) DEQ correspondence regarding the pond adjacent to the wastewater treatment plant property; 2) information regarding Permit No. WQ0023934; 3) DEQ notices of violation not included as exhibits to the Complaint and Motion for Injunctive Relief filed in the Dare County Superior Court (Complaint and Motion), which was entered into evidence as HOA Exhibit No. 1; and 4) analysis of electric power usage by the Kinnakeet Shores Wastewater Treatment Plant. In response, the Public Staff provides the following:

- 1) Public Staff Late Filed Exhibit No. 1 – Copies of (a) an email dated January 13, 2020, from Sarah Toppen, Environmental Specialist (DEQ), to Josh Coltrain, Environmental Health Supervisor (Dare County DHHS); and (b) an email dated January 21, 2020, from Josh Coltrain to Pat Weston, President of the Greater Kinnakeet Shores Home Owners, Inc., with her response. The location of the pond is identified as "Pond - not part of WWTF/ownership under Outer Banks/Kinnakeet Associates, LLC" on page 8 of the Complaint and Motion.
- 2) Public Staff Late Filed Exhibit No. 2 – Copy of the Town of Pikeville WWTP Permit No. WQ0023934 issued October 14, 2020. DEQ staff advised the Public Staff that the first paragraph of the Notification of Sewer Moratorium dated August 25, 2021, which is Exhibit K to the

Executive Director  
(919) 733-2435

Communications  
(919) 733-5610

Economic Research  
(919) 733-2267

Legal  
(919) 733-6110

Transportation  
(919) 733-7766

Accounting  
(919) 733-4279

Consumer Services  
(919) 733-9277

Electric  
(919) 733-2267

Natural Gas  
(919) 733-4326

Water  
(919) 733-5610

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Complaint and Motion, erroneously references Permit No. WQ0023934.  
This permit is unrelated to Kinnakeet Shores.

- 3) Public Staff Late Filed Exhibit No. 3 – Copies of Notices of Violation and Assessments of Civil Penalty dated April 5, 2022, and July 20, 2022, and a Notice of Violation & Intent to Assess Civil Penalty dated July 20, 2022.
- 4) The Public Staff has requested copies of the electric power bills from Outer Banks/Kinnakeet Associates, LLC, and is awaiting a response.

By copy of this letter, we are forwarding copies to all parties of record.

Sincerely,

Electronically submitted  
s/ Elizabeth D. Culpepper  
Staff Attorney  
[elizabeth.culpepper@psncuc.nc.gov](mailto:elizabeth.culpepper@psncuc.nc.gov)

Attachments

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JUL 27 2022