



**NORTH CAROLINA  
PUBLIC STAFF  
UTILITIES COMMISSION**

October 11, 2023

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

Re: Docket No. W-1263, Sub 4 – General Rate Increase Application

Dear Ms. Dunston:

The Public Staff has reviewed the Application for Authority to Adjust and Increase Rates for Water and Wastewater Utility Service filed by JPC Utilities, LLC on September 6, 2023, and recommends that the Commission approve the Public Staff's Proposed Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice. Due to the time sensitive nature of this Application, the Public Staff requests that the Commission issue an order as soon as possible in lieu of the Public Staff presenting the recommendation for approval at the next regular Staff Conference.

A copy of this letter is being forwarded to all parties of record.

Sincerely,

Electronically submitted  
/s/ Davia A. Newell  
Staff Attorney  
[davia.newell@psncuc.nc.gov](mailto:davia.newell@psncuc.nc.gov)

Attachment

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

## **CERTIFICATE OF SERVICE**

I certify that I have served a copy of the following on all parties of record in accordance with Commission Rule R1-39, by United States mail, postage prepaid, first class; by hand delivery; or by means of facsimile or electronic delivery upon agreement of the receiving party.

This the 11th day of October, 2023.

Electronically submitted  
/s/ Davia A. Newell

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-1263, SUB 4

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application by JPC Utilities, LLC, Post	)	ORDER SCHEDULING
Office Box 345, Oak Ridge, North	)	HEARINGS, ESTABLISHING
Carolina 27310, for Authority to Adjust	)	DISCOVERY GUIDELINES,
and Increase Rates for Water and	)	AND REQUIRING
Wastewater Utility Service in its Service	)	CUSTOMER NOTICE
Areas in Guilford County, North Carolina	)	

BY THE COMMISSION: On September 6, 2023, JPC Utilities, LLC (JPC or Company), filed an application with the Commission seeking authority to increase its rates for providing water and wastewater utility service to its approximately 68 metered water customers and 57 metered wastewater customers in its service areas in Guilford County, North Carolina.

On October 3, 2023, the Commission issued an Order Establishing General Rate Case and Suspending Rates, which declared this proceeding to be a general rate case and suspended the proposed new rates for up to 270 days pursuant to N.C. Gen. Stat. § 62-137 and 134, respectively.

The present water and wastewater rates for JPC were approved in Docket Nos. W-1263, Sub 1 and M-100, Sub 138, and have been in effect since February 13, 2015. The present and proposed rates are as follows:

	<u>Present</u>	<u>Proposed</u>
<u>Monthly Metered Water Rates:</u>		
Base Charge, Zero Usage		
5/8-inch meter	\$22.80	\$54.93
1-inch meter	\$57.00	\$137.32
1 1/2-inch meter	\$114.00	\$274.64
2-inch meter	\$182.40	\$439.42
Usage Charge, per 1,000 gallons	\$3.80	\$10.40
<u>Monthly Metered Wastewater Rates:</u>		
Base Charge, Zero Usage		
5/8-inch meter	\$28.20	\$57.01
1-inch meter	\$56.40	\$114.02
1 1/2-inch meter	\$103.40	\$209.03
2-inch meter	\$159.80	\$323.05
Usage Charge, per 1,000 gallons	\$15.08	\$29.45
<u>Water Connection Fee:</u>	\$600.00	\$600.00

Note: Sewer Connection charge included in Water Connection Charge

The proposed rates would increase the average residential monthly bill for water and wastewater by \$144.82 per month, or 114% based on an average monthly usage of 4,000 gallons. The average residential monthly bill for water and wastewater with the present rates is \$126.52 and \$271.34 with the proposed rates.

The Public Staff – North Carolina Utilities Commission (Public Staff) presented this matter to the Commission by letter on October 11, 2023. The Public Staff recommended that the matter be scheduled for a customer hearing for the sole purpose of receiving testimony from customers, subject to cancellation if no significant protests are received subsequent to customer notice; that the matter should also be scheduled for an expert witness hearing for the sole purpose of receiving expert witness testimony from JPC, the Public Staff, and other intervenors, if any, and that JPC should be required to provide notice to all affected customers of the Application, including the applied for rates and the scheduled hearings.

Based on the foregoing and the recommendation of the Public Staff, the Commission hereby establishes the procedural schedule, including filing requirements of JPC, the Public Staff, and other intervenors, and requires that JPC provide public notice to all customers affected by the Application, including the applied for rates and the scheduled hearings.

The guidelines regarding discovery in this docket, subject to modification for good cause shown, are as follows:

1. Any deposition shall be taken before the deadline for the filing of the Public Staff and other intervenor testimony. Notice of deposition and all other discovery notices, request and motions shall be served on the appropriate parties by hand delivery or facsimile, or by electronic delivery if the receiving party has agreed to receipt by electronic delivery.

2. Any motion for subpoena of a witness to appear at the expert witness hearing shall be filed with the Commission before the deadline for the filing of the Public Staff and other intervenor testimony, shall be served by hand delivery or facsimile to the person sought to be subpoenaed at or before the time of filing with the Commission, and shall make a reasonable showing that the evidence of such person will be material and relevant to an issue in the proceeding. See N.C. Gen. Stat. § 62-62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within two business days of the filing of such motion.

3. Formal discovery requests related to the Application and JPC's prefiled direct and any supplemental testimony shall be served on JPC by hand delivery, facsimile, or electronic delivery with JPC's agreement, no later than 14 calendar days prior to the filing of Public Staff and other intervenor testimony. JPC shall have up to ten calendar days to file with the Commission objections to discovery requests on an item-by-item basis, but in no event shall objections be filed later than ten calendar days prior to the deadline for the filing of Public Staff and other intervenor testimony.

4. Formal discovery requests related to the prefiled direct testimony of the Public Staff and other intervenors shall be served by hand delivery, facsimile, or electronic delivery with the agreement of the receiving party no later than three business days after the filing of that party's testimony. The party served shall have up to three business days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than six business days after the filing of that party's testimony.

5. Formal discovery requests related to prefiled rebuttal testimony shall be served by hand delivery, facsimile, or electronic delivery with JPC's agreement, no later than two business days after the filing of such testimony. The party served shall have up to two business days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than four business days after the filing of such rebuttal testimony. Discovery related to rebuttal testimony shall be limited to new material introduced in such rebuttal testimony and will be carefully scrutinized upon objection that such discovery should have been sought during the initial period of discovery.

6. Discovery requests need not be filed with the Commission when served; however, objections shall be filed with the Commission and the objecting party shall attach a copy of the relevant discovery request to the objections. Each discovery request, or part thereof, to which no objection is filed, shall be answered by the time objections are due, subject to other agreement of the affected parties or other order of the Commission. Upon the filing of objections, the party seeking discovery shall have two business days to file with the Commission a motion to

compel, and the party objecting to discovery shall have one business day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected party by hand delivery, facsimile, or electronic delivery with the agreement of the receiving party, at or before the time of filing with the Commission.

7. A party shall not be granted an extension of time to pursue discovery due to that party's late intervention or other delay in initiating discovery.

The Commission urges all parties to work in a cooperative manner and to try to accommodate discovery within the time available. The Commission recognizes that in the past, most discovery has been conducted in an informal manner without the need for Commission involvement or enforcement, and that such has been generally successful. The above guidelines are without prejudice to the parties conducting informal discovery or exchanging information by agreement at any time with the understanding that such will not be enforceable by the Commission if outside these guidelines.

Further, the Commission finds good cause to require all parties who file exhibits and workpapers that include tables of numbers and calculations to provide the Commission Staff, the Public Staff, and any other party upon request from such party an electronic version of all such exhibits and workpapers, with formulas intact.



IT IS, THEREFORE, ORDERED as follows:

1. That the Application is scheduled for a customer hearing beginning at 7:00 p.m. on Wednesday, January 17, 2024, at the Guilford County Courthouse, Courtroom 1C, 201 South Eugene Street, Greensboro, North Carolina 27401. *This hearing may be canceled if no significant protests are received on or before Wednesday, January 3, 2024;*
2. That the customer hearing will be conducted solely for the purpose of receiving the testimony of customers in accordance with Commission Rule R1-21(g). The Commission reserves the right to limit testimony at the customer hearing pursuant to Commission Rule R1-21(g)(5);
3. That JPC Utilities, LLC is required to file a verified report addressing all customer service and service quality complaints expressed during the customer hearing held on Wednesday January 17, 2024, within 14 days of the conclusion of the customer hearing. The Public Staff shall and other intervenors may file a verified response and any comments to JPC Utilities LLC's report on or before Wednesday, February 14, 2024;
4. That the Application is scheduled for an expert witness hearing beginning at 10:00 a.m., on Tuesday, March 5, 2024, and continuing as necessary until its conclusion. The hearing will be held in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, 27603;
5. That the parties shall comply with the discovery guidelines established herein and shall work in a cooperative manner as to discovery;

6. That on or before Monday, January 29, 2024, any persons having an interest in this matter may file petitions to intervene in this proceeding pursuant to Commission Rules R1-5, R1-7, and R1-19;

7. The Public Staff and intervenors, if any, shall file their testimony on or before Monday, January 29, 2024, which is at least 30 days prior to the expert witness hearing, and JPC Utilities, LLC shall file its rebuttal testimony, if any, on or before Monday, February 19, 2024, which is at least 15 days prior to the expert witness hearing;

8. That JPC Utilities, LLC shall consult with all other parties and file, no later than Tuesday, February 27, 2024, a list of witnesses to be called at the expert witness hearing, the order of witnesses, and each party's estimated time for cross-examination. If the parties cannot agree, the remaining parties shall, no later than noon on Friday, March 1, 2024, make a filing indicating their points of disagreement with JPC Utilities, LLC's filing;

9. That an officer or representative of JPC Utilities, LLC is required to appear before the Commission at the time and place of the expert witness hearing to testify concerning any of the information contained in the Application;

10. That all parties filing supporting exhibits in Excel format shall provide the Commission Staff electronic versions of the exhibits filed in native Excel format, including all of the supporting tabs and formulas, within three days of the filing of such exhibits and that the Applicant and all other parties filing exhibits and workpapers that include tables of numbers and calculations shall provide the

Public Staff and any other party upon request an electronic version of all such exhibits and workpapers, with formulas intact;

11. That all parties filing supporting exhibits in PDF format shall provide to the Commission Staff electronic versions of the exhibits filed in native Excel format via email at NCUCexhibits@ncuc.net, where applicable, including all of the supporting tabs and formulas, within three days of the filing of such exhibits; and that JPC Utilities, LLC and all other parties filing exhibits and workpapers that include tables of numbers and calculations shall provide the Public Staff and any other party upon request an electronic version of all such exhibits and workpapers, with formulas intact; and

12. That the Notice to Customers, attached hereto as Appendix A, shall be mailed with sufficient postage or hand delivered by JPC Utilities, LLC to all affected customers no later than ten days after the date of this Order and that JPC Utilities, LLC shall submit to the Commission the attached Certificate of Service, properly signed and notarized, not later than 20 days after the date of this Order.

ISSUED BY ORDER OF THE COMMISSION.

This the \_\_\_\_ day of October, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A. Shonta Dunston, Chief Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

**NOTICE TO CUSTOMERS  
DOCKET NO. W-1263, SUB 4**

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

Notice is hereby given that JPC Utilities, LLC (JPC or Company), Post Office Box 345, Oak Ridge, North Carolina filed for Authority to Increase Water and Wastewater Utility Service Rates in its service areas in Guilford County, North Carolina.

**EFFECT OF RATES:**

The present water and wastewater rates for JPC were approved in Docket Nos. W-1263, Sub 1 and M-100, Sub 138, and have been in effect since February 13, 2015. The present and proposed rates are as follows:

	<u>Present</u>	<u>Proposed</u>
<b><u>Monthly Metered Water Rates:</u></b>		
Base Charge, Zero Usage		
5/8-inch meter	\$22.80	\$54.93
1-inch meter	\$57.00	\$137.32
1 1/2-inch meter	\$114.00	\$274.64
2-inch meter	\$182.40	\$439.42
Usage Charge, per 1,000 gallons	\$3.80	\$10.40
<b><u>Monthly Metered Wastewater Rates:</u></b>		
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5/8-inch meter	\$28.20	\$57.01
1-inch meter	\$56.40	\$114.02
1 1/2-inch meter	\$103.40	\$209.03
2-inch meter	\$159.80	\$323.05
Usage Charge, per 1,000 gallons	\$15.08	\$29.45
<b><u>Water Connection Fee:</u></b>	<b>\$600.00</b>	<b>\$600.00</b>

Note: Sewer Connection charge included in Water Connection Charge

The proposed rates would increase the average residential monthly bill for water and wastewater by \$144.82 per month, or 114% based on an average monthly usage of 4,000 gallons. The average residential monthly bill for water and wastewater with the present rates is \$126.52 and \$271.34 with the proposed rates.

#### **PROCEDURES FOR PUBLIC HEARINGS:**

The Commission has scheduled the following hearings on the Application:

Customer hearing beginning at 7:00 p.m. on Wednesday, January 17, 2024, to be held at the Guilford County Court House, Courtroom 1C, 201 South Eugene Street, Greensboro, North Carolina 27401. This hearing may be cancelled if no significant protests are received on or before Wednesday, January 3, 2024.

The *customer hearing* on Wednesday, January 17, 2024, Will be solely for the purpose of receiving the testimony of customers in accordance with Commission Rule R1-21(g). The Commission reserves the right to limit testimony at the customer hearing.

*Expert witness hearing* beginning at 10:00 a.m. on Tuesday, March 5, 2024, and continuing as necessary until its conclusion. The hearing will be held in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. The hearing scheduled for Tuesday, March 5, 2024, shall be conducted solely for the purpose of receiving testimony of JPC, the Public Staff–North Carolina Utilities Commission (Public Staff), and any other parties of record.

The Public Staff is authorized by statute to represent consumers in proceedings before the Commission. Consumer statements to the Public Staff should include the customer's name, contact information, and any information that the writer wishes to be considered by the Public Staff in its investigation of the matter, and such statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300. Consumer statements may also be faxed to (919) 715-6704.

Consumer statements may be submitted to the Commission via the web form at <https://www.ncuc.net/contactus.html>. Consumer statements are not evidence unless those persons appear at a customer hearing and testify concerning the information contained in their consumer statements.

The Attorney General is also authorized by statute to represent the consumers in proceedings before the Commission. Statements to the Attorney General should be addressed to The Honorable Josh Stein, Attorney General, c/o Utilities Section, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001. Written statements may also be e-mailed to [utilityAGO@ncdoj.gov](mailto:utilityAGO@ncdoj.gov).

Persons desiring to intervene in this proceeding as formal parties of record should file a petition to intervene pursuant to Commission Rules R1-5, R1-7, and R1-19, on or before Monday, January 29, 2024. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. The direct testimony and exhibits of expert witness to be presented by intervenors should also be filed with the Commission on or before [Date]. Information regarding this proceeding can also be accessed from the Commission's website at [www.ncuc.net](http://www.ncuc.net) under Docket Number "W-1263 Sub 4."

This the \_\_\_\_ day of \_\_\_\_\_, 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 the attached Notice to Customers issued by the North Carolina Utilities Commission in Docket No. W-1263, Sub 4, and the Notice 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 Notice to Customers was mailed or hand delivered to all affected customers, as required by the Commission Order dated \_\_\_\_\_ in Docket No. W-1263, Sub 4.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

(SEAL) My Commission Expires:

\_\_\_\_\_  
Date