

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-1305, SUB 12

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of Application by Pluris Hampstead, LLC, ) 5950 Berkshire Lane, Suite 800, Dallas, Texas,) ) 75225 for Authority to Increase Rates for ) Sewer Utility Service in All of Its Service Areas ) in Pender County, North Carolina. ) )	ORDER SCHEDULING HEARINGS, ESTABLISHING DISCOVERY GUIDELINES, AND REQUIRING CUSTOMER NOTICE
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BY THE CHAIR: On January 23, 2020, Pluris Hampstead, LLC (Pluris or the Company), filed an application with the Commission seeking authority to increase its rates for providing sewer utility service in all of its service areas in Pender County, North Carolina. Pluris serves approximately 524 residential flat-rate sewer customers and 58 metered commercial sewer customers in Pender County, North Carolina.

On February 17, 2020, the Commission issued an Order Establishing General Rate Case and Suspending Rates.

Pluris is proposing to increase the monthly flat rate for residential customers from \$63.95 to \$84.42 and to change the monthly base rate for commercial customers from \$25.24 for all meter sizes to a monthly base rate based on the size of the meter.

In addition, Pluris is proposing to increase the commercial customers' commodity charge per 1,000 gallons from \$9.68 to \$16.50.

Pluris's present and proposed rates are as follows:

	Present	Proposed
	<u>Rates</u>	<u>Rates</u>
<u>Monthly Residential Flat Rate:</u>	\$ 63.95	\$ 84.42 (1)

(1) All residential flat rate customers

Monthly Commercial Metered Rates:  
Base charge, zero usage (minimum charge)

< 1"	\$ 25.24	\$ 10.00
1"	\$ 25.24	\$ 25.00
1.5"	\$ 25.24	\$ 50.00
2"	\$ 25.24	\$ 80.00

4"	\$ 25.24	\$250.00
6"	\$ 25.24	\$500.00
Usage charge, per 1,000 gallons	\$ 9.68	\$ 16.50

Based upon the foregoing and the record in this proceeding, the Commission hereby establishes the procedural schedule, including filing requirements of Pluris and other parties, and requires public notice.

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 Public Staff – North Carolina Utilities Commission (Public Staff) and other intervenor testimony, or as agreed to by the parties should the Company require depositions. A notice of deposition shall be served on all parties at least seven business days prior to the taking of the deposition.

2. Any motion for subpoena of a witness to appear at the evidentiary 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. N.C.G.S. § 62-62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within one business day of the filing of such motion.

3. Formal discovery requests related to the general rate case application and the Company's pre-filed direct and supplemental testimony shall be served on the Company by hand delivery, facsimile, or electronic delivery with the Company's agreement, no later than 14 calendar days prior to the filing of Public Staff and other intervenor testimony. The Company shall have up to ten calendar 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 ten calendar days prior to the deadline for the filing of Public Staff and other intervenor testimony.

4. Formal discovery requests of the Public Staff or other intervenors shall be served by hand delivery, facsimile, or electronic delivery with the agreement of the receiving party, no later than five calendar 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 nine calendar days after the filing of that party's testimony.

5. Formal discovery requests related to pre-filed rebuttal testimony shall be served by hand delivery, facsimile, or electronic delivery with the Company's agreement, no later than two calendar days after the filing of such testimony. The party served shall have up to two calendar 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 three 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 Chair urges all parties to work in a cooperative manner and to try to accommodate discovery within the time available. The Chair 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 the guidelines.

Further, the Chair finds good cause to require the Company and all other parties who file exhibits and workpapers that include tables of numbers and calculations to provide the Commission Staff, 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 expert witness hearing as follows:

*Raleigh, North Carolina:* Beginning at 10:00 a.m., on Tuesday, August 4, 2020, and continuing as necessary until conclusion in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street;

2. That the following hearing is scheduled for customer testimony as follows:

*Hampstead, North Carolina:* at 7:00 p.m., on Thursday, June 11, 2020, in the Auditorium, Hampstead Annex of Pender County Government, 15060 US Highway 17;

3. The hearing scheduled for Thursday, June 11, 2020, shall be for the sole purpose of receiving the testimony of public witnesses. The hearing scheduled for August 4, 2020, shall be for the sole purpose of receiving expert witness testimony from Pluris, the Public Staff, and any other parties of record;

4. That the Commission will determine not only the justness and reasonableness of the Company's overall requested changes in rates, but also the appropriate level of rates to be established for each individual rate class;

5. That the parties shall comply with the discovery guidelines established herein and shall work in a cooperative manner as to discovery;

6. 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 Pluris 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;

7. That Pluris's updates to its actual revenues, expenses, rate base, and cost of capital for the period ending April 30, 2020, shall be filed on or before May 27, 2020. This requirement shall not apply to events that are neither foreseeable nor within the Company's control. This requirement shall not prevent the Company from providing evidence showing changes in costs, including plant in service additions, pursuant to N.C.G.S. § 62-133(c);

8. That the direct testimony and exhibits of the Public Staff and other intervenors on all subjects except the subject of the public witness hearing shall be filed on or before Thursday, June 25, 2020, and that the rebuttal testimony of Pluris, if any, shall be filed on or before Wednesday, July 15, 2020;

9. That petitions to intervene in this proceeding shall be filed pursuant to Commission Rules R1-5, R1-7, and R1-19 no later than Thursday, June 25, 2020;

10. That the Company shall consult with all other parties and file, no later than July 28, 2020, a list of witnesses to be called at the hearing, the order of witnesses, and the estimated time for cross-examination. If the parties cannot agree, the remaining parties shall, no later than July 30, 2020, make a filing indicating their points of disagreement with the Company's filing;

11. That Pluris is required to file reports addressing all customer service and/or service quality complaints expressed at the Hampstead customer hearing on or before June 30, 2020. The Public Staff shall and other intervenors may file supplemental testimony on the subject of the customer hearing only on or before July 20, 2020; and

12. That the Notice to Customers, attached as Appendix A, shall be mailed with sufficient postage or hand delivered by Pluris to all affected customers no later than

20 days after the date of this Order; and Pluris shall submit to the Commission the attached Certificate of Service properly signed and notarized no later than 30 days after the date of this Order.

ISSUED BY ORDER OF THE COMMISSION.

This the 18th day of March, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "Janice H. Fulmore". The signature is written in a cursive style with a large initial "J" and a distinct "F".

Janice H. Fulmore, Deputy Clerk

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. W-1305, SUB 12

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of )  
Application by Pluris Hampstead, LLC, )  
5950 Berkshire Lane, Suite 800, Dallas, )  
Texas, 75225 for Authority to Adjust and )  
Increase Rates for Sewer Utility Service in )  
All of Its Service Areas in North Carolina. )

**NOTICE TO CUSTOMERS**

Notice is hereby given that Pluris Hampstead, LLC (Pluris or the Company), 5950 Berkshire Lane, Suite 800, Dallas Texas has filed an Application with the North Carolina Utilities Commission for authority to increase its rates for providing sewer utility service in all of its service areas in Pender County, North Carolina.

Pluris is proposing to increase the monthly flat rate for residential customers from \$63.95 to \$84.42 and to change the monthly base rate for commercial customers from \$25.24 for all meter sizes to a monthly base rate based on the size of the meter.

In addition, Pluris is proposing to increase the commercial customers' commodity charge per 1,000 gallons from \$9.68 to \$16.50.

Pluris's present and proposed rates are as follows:

	<u>Present Rates</u>	<u>Proposed Rates</u>
<u>Monthly Residential Flat Rate:</u>	\$ 63.95	\$ 84.42 (1)

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Monthly Commercial Metered Rates:

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2"	\$ 25.24	\$ 80.00
4"	\$ 25.24	\$250.00
6"	\$ 25.24	\$500.00

	<u>Present Rates</u>	<u>Proposed Rates</u>
Usage charge, per 1,000 gallons	\$ 9.68	\$ 16.50

The Commission may consider additional or alternative rate design proposals which were not included or proposed in the original Application and may order increases or decreases in the utility rate schedules which differ from those proposed by Pluris. However, any rate structure considered will not generate more overall revenues than requested.

### *HEARINGS*

The Commission has scheduled the following hearings on the Application:

*Raleigh, North Carolina:* Beginning at 10:00 a.m., on Tuesday, August 4, 2020, and continuing as necessary until conclusion in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street.

*Hampstead, North Carolina:* at 7:00 p.m., on Thursday, June 11, 2020, in the Auditorium, Hampstead Annex of Pender County Government, 15060 US Highway 17.

The hearing scheduled for Thursday, June 11, 2020, shall be for the sole purpose of receiving the testimony of public witnesses. The hearing scheduled for August 4, 2020, shall be for the sole purpose of receiving expert witness testimony from Pluris, 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. Written statements to the Public Staff should include the customer's name, subdivision, contact information, and any information that the writer wishes to be considered by the Public Staff in its investigation of the matter; and these statements should be addressed to Mr. David Drooz, Chief Counsel, Public Staff-North Carolina Utilities Commission, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300.

Written statements can also be faxed to Public Staff Utilities Engineer, Gina Casselberry, at 919-715-6704 or e-mailed to Ms. Casselberry at [gina.casselberry@psncuc.nc.gov](mailto:gina.casselberry@psncuc.nc.gov).

The Attorney General is also authorized by statute to represent consumers in proceedings before the Commission. Statements/protests 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 are not evidence unless those persons submitting the statements appear at the public hearing and testify concerning the information contained in their written statements.

Persons desiring to present testimony concerning their opinions on this Application, or on any service problems they may be experiencing, may appear at a public hearing and give such testimony.

Persons desiring to intervene in the matter as formal parties of record should file a motion under North Carolina Utilities Commission Rules R1-5, R1-7, and R1-19 no later than June 25, 2020. These motions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300.

Information regarding this proceeding can also be accessed from the Commission's website at [www.ncuc.net](http://www.ncuc.net).

This the 18th day of March, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "Janice H. Fulmore". The signature is written in a cursive style with a large initial "J" and "F".

Janice H. Fulmore, Deputy 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-1305, Sub 12, and the Notice was mailed or hand delivered by the date specified in the Order.

This the \_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name of Utility Company

The above-named Company, \_\_\_\_\_, 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-1305, Sub 12.

Witness my hand and notarial seal, this the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
Printed or Typed Name

My Commission Expires: \_\_\_\_\_  
Date