

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. W-1343, SUB 1

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of)	
Application by GWWTP, LLC, for a)	VERIFIED RESPONSE OF
Certificate of Public Convenience and)	THE PUBLIC STAFF TO
Necessity to Provide Wastewater Utility)	VERIFIED REPORTS ON
Service to Southern Shores Landing)	CUSTOMER COMMENTS
and Ginguite Mixed Use Development)	FROM PUBLIC HEARING BY
in Dare County, North Carolina, and for)	GWWTP, LLC
Approval of Rates)	

NOW COMES the Public Staff – North Carolina Utilities Commission (Public Staff), by and through its Executive Director, Christopher J. Ayers, and files this response to the verified report filed on April 2, 2024, by GWWTP, LLC (GWWTP or Company). The verified report addresses customer testimony at the public hearing held on March 18, 2024, in connection with the application filed by GWWTP seeking a certificate of Public Convenience and Necessity to provide wastewater utility service to Southern Shores Landing subdivision and Ginguite Mixed Use Development, (collectively Ginguite Woods), in Dare County and approval of rates.

PURPOSE OF RESPONSE

The Commission's Order Scheduling Hearings, Establishing Discovery Guidelines, and Requiring Customer Notice issued on February 14, 2024, states that GWWTP is required to file a verified report addressing all customer service and service quality complaints expressed in the customer hearing held on March 18, 2024. The purpose of the Public Staff's response is to provide the results of

the Public Staff's review of GWWTP's verified report (Report) regarding the public hearing, and the Public Staff's opinion on whether the responses adequately address the customers' concerns.

SUMMARY OF VERIFIED REPORTS AND PUBLIC STAFF RESPONSE

Approximately 21 customers attended the hearing, as well as two reporters. Five customer witnesses testified during the public hearing. All customers who testified were residents of Southern Shores Landing subdivision.

Each of the five customers testified that they were concerned about the proposed rate increase. The Report did not address concerns regarding rates raised by customers during the hearing. The Report addresses service and service-related complaints.

ODOR

Two customers who testified at the public witness hearing expressed concern about odor from the wastewater treatment plant. The Report adequately addresses these customers' concerns by stating the Company will continue to monitor the wastewater treatment plant to identify and address any odor related issues that result from inappropriate treatment. GWWTP also stated that it is not possible to eliminate all odor. Further, a representative of GWWTP, Mr. Robert Howsare, had been on site dozens of times in the last year and noticed an earthy odor that can be expected at a wastewater treatment plant.

OVERFLOWS

One customer described sewage overflow occurring at a manhole located on Landing Trail. GWWTP states in the Report that since GWWTP became the Division of Water Resources (DWR) permittee, its operator is aware of two instances in which the manhole nearest the lift station had a medium sized puddle around it. GWWTP states that the puddle likely arose due to unusually heavy rain. GWWTP also stated that on at least one of the instances a lift station float switch had malfunctioned, and on each instance, the overflow was far less than 5,000 gallons, the threshold that requires a report to be filed with DWR.

One customer, who stated they received information from others, described an incident of a sewage overflow from the infiltration pond along Highway 158. GWWTP stated in the Report that the total flow for the plant per day would not raise the water level by a quarter of an inch and that a substantial flow in excess of that level would be required to cause the infiltration pond to overflow onto the bypass.

The Company's response is consistent with the operator's description of the overflow instances described to the Public Staff at a site visit conducted on March 19, 2024. The Report reasonably addresses customer concerns related to overflows.

IRRIGATION SYSTEM

One customer expressed concern that the irrigation system has not been operable for several years. The Report adequately addresses this customer's concern by stating that the irrigation system was abandoned more than a decade

ago due to the small amount of flow from the plant that did not produce sufficient effluent to run the system. GWWTP states that it is in the process of refurbishing the irrigation system and that the addition of flow from the proposed commercial development will provide sufficient effluent to operate the irrigation system.

VEGETATION

One customer testified about the vegetation around the infiltration pond and the need for maintenance. The Report adequately addresses this customer's concern by stating that after DWR brought this issue to the Company's attention, the Company cleared the area and ensures the operator will continue to maintain the area. The work associated with clearing the vegetation was reviewed and addressed in the Public Staff's audit of the Application through discovery.

CONCLUSION

The Public Staff has reviewed the verified report of GWWTP addressing the concerns testified to by customers during the March 18, 2024, public hearing. The Public Staff believes the response adequately addresses the concerns.

VERIFICATION

STATE OF NORTH CAROLINA)
)
COUNTY OF WAKE)

I, Lindsay Darden, state and attest that this Verification is filed on behalf of Public Staff – North Carolina Utilities Commission, as required by the North Carolina Utilities Commission; that I have reviewed the attached response to the GWWTP, LLC's verified report addressing the March 18, 2024 customer hearing held in Docket No. W-1343, Sub 1, and, in the exercise of due diligence, have made reasonable inquiry into the accuracy of the information provided therein and in any exhibits, documents, and statements thereto attached; and that, to the best of my knowledge, information, and belief, all of the information contained therein is accurate and true, and no material information or fact has been knowingly omitted or misstated therein.

Lindsay Darden

Signature of Person Making Verification

Lindsay Darden

Typed or Printed Name

4/15/24

Date

Subscribed and sworn before me this the 15 day of April, 2024.

Sydney N Sager
Notary Public

My Commission Expires: 10/24/2027



CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing on all parties of record or to the attorney of record of such party 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 16th day of April, 2024.

Electronically submitted
/s/ Davia A. Newell
Staff Attorney