

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-1063, SUB 5

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	
Application by C & P Enterprises, Inc.,	)	
Post Office Box 31563, Raleigh, North	)	
Carolina 27622, for Authority to Adjust	)	ORDER SCHEDULING
and Increase Rates for Sewer Utility	)	HEARINGS AND REQUIRING
Service at Ocean Bay Villas and Ocean	)	CUSTOMER NOTICE
Glen Condominiums in Carteret County,	)	
North Carolina	)	

BY THE COMMISSION: On August 27, 2021, C & P Enterprises, Inc. (Applicant), filed an application with the Commission seeking authority to increase its rates for providing sewer utility service in Carteret County, North Carolina. The Applicant serves two customers, Ocean Bay Villas Owners Association, Inc. (Ocean Bay Villas), and Ocean Glen Condominiums.<sup>1</sup> The present sewer rates have been in effect since January 1, 2017.<sup>2</sup>

On September 20, 2021, the Commission issued an Order Establishing General Rate Case and Suspending Rates.

The Applicant's present and proposed rates for sewer utility service are as follows:

	<u>Present Rates</u>	<u>Proposed Rates</u>
<u>Monthly Flat Rate Sewer Utility Service:</u>		
Ocean Bay Villas	\$2,912.31	\$3,526.65
Ocean Glen Condominiums	\$2,169.96	\$2,627.70

The Commission concludes that the matter should be scheduled for a customer hearing for the sole purpose of receiving testimony from customers, subject to cancellation if no significant protests are received; that the matter should also be scheduled for an expert witness hearing for the sole purpose of receiving expert testimony

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<sup>1</sup> There are 51 residential units in Ocean Bay Villas and 38 residential units in Ocean Glen Condominiums.

<sup>2</sup> In its Order Approving Tariff Revision and Requiring Customer Notice issued in Docket Nos. W-1063, Sub 4 and M-100, Sub 138, on December 6, 2016, the Commission approved rates effective for service rendered on and after January 1, 2017.

from the Applicant, the Public Staff – North Carolina Utilities Commission (Public Staff), and intervenors, if any; and that the Applicant should be required to provide notice to its customers of the application, including the applied-for rates and the scheduled hearings.

Based on the current state of uncertainty regarding future requirements to assist in preventing the spread of COVID-19, the customer hearing scheduled for January 5, 2022, will be held remotely via Webex and the expert witness hearing scheduled for February 8, 2022, will be held in person.

IT IS, THEREFORE, ORDERED as follows:

1. That the test year period is established as the 12-month period ending December 31, 2020;

2. That a customer hearing for the sole purpose of receiving testimony from the Applicant's service area customers is scheduled beginning at 7:00 p.m., on Wednesday, January 5, 2022. *This hearing may be canceled if no significant protests are received on or before 5:00 p.m. on Wednesday, December 29, 2021.* The customer hearing will be held remotely via WebEx. A link to view the customer hearing will be available at [www.ncuc.net](http://www.ncuc.net). Members of the public that would like to testify must register in advance of the hearing, no later than 5:00 p.m. on Wednesday, December 29, 2021, either by email at [ncucpublichearing@ncuc.net](mailto:ncucpublichearing@ncuc.net) or by calling 919-733-0837. Individuals registering to testify must provide their name, docket number (W-1063, Sub 5), the exact telephone number they will use to participate in the hearing, and the topic of your testimony. Witnesses calling from any number different from the number provided at registration may be delayed or experience other difficulty in providing their testimony;

**Only individuals registered by 5:00 p.m. on Wednesday, December 29, 2021, will be allowed to testify at the hearing.**

3. That an expert witness hearing for the sole purpose of receiving expert testimony from the Applicant, the Public Staff, and intervenors, if any, is scheduled beginning at 10:00 a.m., on Tuesday, February 8, 2022, and continuing as necessary until conclusion. The hearing will be held in the Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina;

4. That on or before Monday, January 10, 2022, any person 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;

5. That the Applicant shall file its testimony on or before Wednesday, December 22, 2021, pursuant to Commission Rule R1-24;

6. The Public Staff and intervenors, if any, shall file their testimony on or before Wednesday, January 19, 2022;

7. That the Applicant shall file its rebuttal testimony, if any, on or before Friday, January 28, 2022;

8. That an officer or representative of the Applicant 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. If the Applicant desires to cross-examine any witnesses at the hearing, the Applicant shall be represented by legal counsel at this hearing;

9. That the Notice to Customers, attached hereto as Appendix A, shall be mailed with sufficient postage or hand delivered by the Applicant to all customers no later than ten days after the date of this Order; and

10. That the Applicant shall submit to the Commission the attached Certificate of Service, properly signed and notarized, no later than 15 days after the date of this Order.

ISSUED BY ORDER OF THE COMMISSION.

This the 16th day of November, 2021.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink, appearing to read "Joann R. Snyder". The signature is written in a cursive, flowing style.

Joann R. Snyder, Deputy Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

**NOTICE TO CUSTOMERS**

**DOCKET NO. W-1063, SUB 5  
BEFORE THE NORTH CAROLINA UTILITIES COMMISSION**

Notice is hereby given that C & P Enterprises, Inc. (Applicant), Post Office Box 31563, Raleigh, North Carolina, has filed an application with the North Carolina Utilities Commission (Commission) on August 27, 2021, for authority to increase its rates for providing sewer utility service in all of its service areas in Carteret County, North Carolina.

The Applicant's present and proposed rates are as follows:

	<u>Present Rates</u>	<u>Proposed Rates</u>
<u>Monthly Flat Rate Sewer Utility Service:</u>		
Ocean Bay Villas	\$2,912.31	\$3,526.65
Ocean Glen Condominiums	\$2,169.96	\$2,627.70

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 the Applicant. However, any rate structure considered will not generate more overall revenues than requested.

**Effect of the Rates**

The proposed rates would increase the average residential bill for sewer utility service by 21.1% for both customers.

**Procedure for Public Hearing**

The Commission has scheduled the following hearings on the Application:

*Customer Hearing* at 7:00 p.m., on Wednesday, January 5, 2022. The hearing will be held remotely via Webex and **is subject to cancellation if no significant protests are received on or before 5:00 p.m. on Wednesday, December 29, 2021.** A link to view the customer hearing will be available at [www.ncuc.net](http://www.ncuc.net). Members of the public that would

like to testify must register in advance of the hearing, no later than 5:00 p.m. on Wednesday, December 29, 2021, either by email at [ncucpublichearing@ncuc.net](mailto:ncucpublichearing@ncuc.net) or by calling 919-733-0837. Individuals registering to testify must provide their name, docket number (W-1063, Sub 5), the exact telephone number they will use to participate in the hearing, and the topic of your testimony. Witnesses calling from any number different from the number provided at registration may be delayed or experience other difficulty in providing their testimony.

**Only individuals registered by 5:00 p.m. on Wednesday, December 29, 2021, will be allowed to testify at the hearing.**

*Expert witness hearing* beginning at 10:00 a.m., on Tuesday, February 8, 2022, and continuing as necessary until conclusion. The hearing will be held in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina.

The hearing scheduled for Wednesday, January 5, 2022, shall be for the sole purpose of receiving the testimony of public witnesses. The hearing scheduled for Tuesday, February 8, 2022, shall be for the sole purpose of receiving expert witness testimony from the Applicant, 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, 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 Ms. Dianna Downey, Chief Counsel, Public Staff – North Carolina Utilities Commission, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300. Written statements may also be faxed to (919) 715-6704 or e-mailed to [statements@ncuc.net](mailto:statements@ncuc.net).

Persons desiring to present testimony concerning their opinions on this application, or on any service problems they may be experiencing, may appear via WebEx at the January 5, 2022 remote public hearing and give such testimony.

Written statements are not evidence unless those persons appear at the public hearing and testify concerning the information contained in their written statements.

Commission hearings are subject to change because of COVID-19. Any changes to scheduled hearings will be posted on the Commission website (<https://www.ncuc.net>).

The Attorney General is also authorized by statute to represent 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 the matter as formal parties of record should file a motion under Commission Rules R1-5, R1-7, and R1-19 no later than Monday, January 10, 2022. Any such motion 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) under Docket Number "W-1063 Sub 5."

This the 16th day of November, 2021.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Joann R. Snyder". The signature is written in a cursive, flowing style.

Joann R. Snyder, 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-1063, Sub 5, and the Notice was mailed or hand delivered by the date specified in the Order.

This the \_\_\_\_ day of \_\_\_\_\_, 2021.

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-1063, Sub 5.

Witness my hand and notarial seal, this the \_\_\_\_ day of \_\_\_\_\_, 2021.

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

\_\_\_\_\_  
Printed or Typed Name

(SEAL) My Commission Expires: \_\_\_\_\_  
Date