

1 PLACE: Via Video Conference
2 DATE: Wednesday, February 28, 2024
3 TIME: 7:00 p.m. - 7:47 p.m.
4 DOCKET: W-1263, Sub 4
5 BEFORE: Hearing Examiner Jenny Li
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10 IN THE MATTER OF:

11 Application by JPC Utilities, LLC,
12 for Authority to Adjust and Increase Rates
13 for Water and Wastewater Utility Service in its
14 Service Areas in Guilford County, North Carolina
15

16 VOLUME 1
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1 A P P E A R A N C E S:

2 FOR JPC UTILITIES, LLC:

3 David Drooz, Esq.

4 Fox Rothschild LLP

5 434 South Salisbury Street, Suite 2800

6 Raleigh, North Carolina 27601

7

8 FOR THE USING AND CONSUMING PUBLIC:

9 James Bernier, Esq.

10 Davia Newell, Esq.

11 Public Staff - North Carolina Utilities Commission

12 4326 Mail Service Center

13 Raleigh, North Carolina 27699-4326

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NORTH CAROLINA UTILITIES COMMISSION

T A B L E O F C O N T E N T S

E X A M I N A T I O N S

PAGE

DREW LACKLEN

Direct Examination by Mr. Bernier12

Cross Examination by Mr. Drooz15

CLANCY LAIZURE

Direct Examination by Mr. Bernier17

Examination by Hearing Examiner Li21

CONG LI

Direct Examination by Mr. Bernier23

Examination by Hearing Examiner Li26

BRENDA CHANEY

Direct Examination by Mr. Bernier28

E X H I B I T S:

IDENTIFIED/ADMITTED

Laizure Exhibit 119 19

Chaney Exhibit 230 30

P R O C E E D I N G S

HEARING EXAMINER LI: Good evening. Let's come to order, please, and go on the record. My name is Jenny Li, a Hearing Examiner with the North Carolina Utilities Commission, and I have been assigned to preside over this hearing tonight. With me tonight by remote means is the Director of Operations Division, Freda Hilburn.

I now call for hearing Docket Number W-1263, Sub 4, in the Matter of an Application of JPC Utilities, LLC, or JPC, or I may refer to them as, the Company, for its Authority to Increase its Rates for Water and Sewer Utility Service.

On August 2, 2023, the Company filed its 30-day notice of intent to file a general rate case Application pursuant to the Commission Rule R1-17(a).

On September 6, 2023, the Company filed an Application with the Commission seeking authority to increase its rates for providing water and sewer utility service in the service area in Guilford County, North Carolina. The Company states that JPC only serves commercial customers, and at the end of the test year of December 31, 2022, JPC served a total of 67 commercial water customers and 58 commercial

1 sewer customers.

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

8 On October 20, 2023, the Commission issued
9 an Order Scheduling Hearings, Establishing Discovery
10 Guidelines, and Requiring Customer Notice, which is
11 the scheduling Order.

12 On October 27, 2023, JPC filed its
13 certificate of service, indicating that customer
14 notice had been provided as required by Commission's
15 October 20, 2023, Order.

16 On January 4, 2024, the Public Staff filed a
17 motion to cancel the public witness hearing scheduled
18 for January 17, 2024, in Greensboro, North Carolina.
19 In its motion, the Public Staff stated that one
20 consumer statement had been filed in connection with
21 this matter, which identified concerns with the
22 proposed rates. The Public Staff commented that the
23 issue set forth in the consumer statement is well
24 explained and can be considered the merits by the

1 Commission. The Public Staff stated that it is
2 unaware of any other customer protests or comments
3 made in connection with this matter.

4 On January 5, 2024, the Commission issued an
5 Order Canceling Public Witness Hearing, Rescheduling
6 Expert Witness Hearing, Amending Certain Filing Dates,
7 and Requiring Customer Notice.

8 On January 8, 2024, JPC filed its
9 certificate of service, indicating that customer
10 notice had been provided as required by the
11 Commission's January 5, 2024, Order.

12 On January 17, 2024, Public Staff filed a
13 letter with the Commission stating that on January 12,
14 2024, the Public Staff received the letter from Clancy
15 Laizure, a commercial customer of the Company, and an
16 accompanying petition appearing to have been signed by
17 35 other individuals. The Public Staff commented
18 that, based on the postmark, it appears that the
19 letter was received by the U.S. Post Office on or
20 before December 22, 2023. The Public Staff
21 recommended that a public witness hearing be
22 rescheduled and suggested that the Commission consider
23 holding a hearing remotely due to time concerns.

24 On January 31, 2024, the Public Staff filed

1 Notice of Affidavit, and Affidavit of Gregory Reger,
2 Public Utilities Analyst with the Economic Research
3 Division; the testimony and exhibit of Lindsay Darden,
4 Public Utilities Engineer - Water, Sewer, and
5 Television Division, and David Lentz, Public Utilities
6 Regulatory Analyst with the Accounting Division.

7 On February 7, 2024, the Commission issued
8 an Order scheduling remote public witness hearing, and
9 requiring customer notice. In that Order, it states
10 that a public witness hearing for the sole purpose of
11 receiving testimony from the Company's service area
12 customer -- in that Order -- for the sole purpose of
13 receiving testimony from the Company's service area
14 customer is scheduled beginning at 7 p.m., on
15 Wednesday, February 28, 2024. The Order also states
16 that the public witness hearing will be held remotely
17 via Webex.

18 On February 9, 2024, the Company filed the
19 Certificate of Service, verifying that all affected
20 customers had been served with the required notice as
21 ordered by the Commission.

22 On February 29 [sic], 2024, JPC filed the
23 rebuttal testimony and exhibits of Darlene Peedin,
24 Principal Consultant with Peeding & Perry, LLC.

1 That brings us up-to-date. Before we move
2 on, I just want to mention a little bit about our
3 remote hearing procedure for the public witness's
4 benefit, assuming they are all on the line and can
5 hear me. After introductions, the Webex administrator
6 will send a request to unmute a public witness caller.
7 The message to the caller is: You are being asked to
8 unmute yourself. To unmute, press star 6. Please
9 listen for this message. Once you unmute yourself,
10 please follow the verbal instructions. Please pay
11 attention when we ask for the next witness caller.

12 After you have been asked to be unmuted by
13 our Webex administrator, I will seek your affirmation
14 that your testimony will be the truth, and then the
15 Public Staff counsel will go over preliminary
16 questions to get you identified for the record.

17 After, you're free to start to provide your
18 statement. And at that point, you will begin, and you
19 will have five minutes to testify and make your
20 statement.

21 When your time is up, you have completed
22 your testimony, each of the parties, that is Public
23 Staff's and the Company's counsel, will be able to ask
24 you any question that they may have pertaining to your

1 testimony. Then I will have a similar opportunity to
2 ask you questions. These questions are not to
3 embarrass you or challenge you, but are primarily to
4 clarify your testimony for the record and to be sure
5 we understand that -- what it is you want us to know.

6 After the questions are answered, you will
7 be excused from the virtual witness stand. You may
8 continue to follow the hearing by staying on the line,
9 but you will be muted, and we won't hear you after you
10 have been excused.

11 We are holding this public hearing tonight
12 because we want to hear from you, and your views are
13 important and need to be heard, but this proceeding is
14 in the nature of a court proceeding. We have a Court
15 Reporter attending with us, and she will take down
16 every word of this proceeding and will later produce a
17 verbatim transcript of your testimony and all that is
18 said during this hearing.

19 You will provide your testimony as
20 witnesses, but the Hearing Examiner on behalf of the
21 Commission is in the place of the Judge, and, as you
22 are likely to be aware, the Judge does not answer
23 questions. Instead, the Commission is here to listen.

24 However, if you have questions, Mr. Bernier,

1 who is the part of the Public Staff and actually
2 represents you-all in this proceeding as part of Using
3 and Consuming Public, and Mr. Drooz, who represents
4 JPC Utilities, will tell you how to be in touch with
5 them following this proceeding so you can -- they can
6 assist you in having your questions answered.

7 And the last thing that I would like to say
8 is about the Public Staff. The Public Staff is the
9 advocate for the consumers, both nonresidential and
10 residential. And Public Staff means it's an
11 independent organization, and they have their own
12 experts like, engineers, accountants, and attorneys to
13 help them in their representation of the public.

14 Now, will the parties please announce their
15 appearance for the record, beginning with the Company,
16 JPC Utilities, LLC.

17 MR. DROOZ: My name is David Drooz. I'm an
18 attorney in this proceeding for JPC Utilities.

19 HEARING EXAMINER LI: Good evening,
20 Mr. Drooz. Do you have your client with you tonight?

21 MR. DROOZ: Yes, Mr. Cooke is online.

22 MR. COOKE: Yes, I am.

23 HEARING EXAMINER LI: Good evening,
24 Mr. Cooke.

1 MR. COOKE: Good evening.

2 HEARING EXAMINER LI: Public Staff.

3 MR. BERNIER: Good evening. Attorney James
4 Bernier, Jr., with the Public Staff, Staff Attorney.
5 Also present with me is Attorney Davia Newell, also
6 Staff Attorney. Also present is Lindsay Darden, she
7 is the Utilities Engineer with the Public Staff.

8 Just -- I can provide it up front. Any
9 questions, follow-up can be sent to Ms. Darden at --
10 I'll give you a fax number and phone number -- phone
11 number (919)-733-0889. That's (919)733-0889. Fax
12 number is, (919)-715-6704. That's (919)-715-6704.
13 And that's Lindsay.Darden@psncuc.nc.gov. I'll say
14 that again. It's Lindsay, L-I-N-D-S-A-Y. Darden,
15 D-A-R-D-E-N, at psncuc.nc.gov.

16 Thank you.

17 HEARING EXAMINER LI: Thank you, Mr.
18 Bernier. Thank you for that information. All right.
19 Now, I'm asking both parties, counsel, do we have any
20 preliminary matters that we need to address before we
21 begin?

22 MR. DROOZ: None from the Company.

23 MR. BERNIER: None from the Public Staff.

24 HEARING EXAMINER LI: Mr. Bernier, I

1 understand that we have four customers signed up for
2 this hearing; is that correct?

3 MR. BERNIER: Yes, that is correct.

4 HEARING EXAMINER LI: We are ready to begin.
5 Our Webex Administrator, John, would you please unmute
6 the first witness, please?

7 MR. LACKLEN: Hello.

8 HEARING EXAMINER LI: Hello. Do you hear
9 me.

10 MR. LACKLEN: Yes.

11 HEARING EXAMINER LI: May I have your name,
12 first.

13 MR. LACKLEN: My name is Drew Lacklen,
14 L-A-C-K-L-E-N.

15 HEARING EXAMINER LI: Hi, Mr. Lacklen.

16 DREW LACKLEN;
17 having been duly affirmed,
18 testified as follows:

19 HEARING EXAMINER LI: Thank you.

20 Mr. Bernier, your witness, please.

21 DIRECT EXAMINATION BY MR. BERNIER:

22 Q Thank you. Good evening, Mr. Lacklen. Could I
23 have you repeat, again, your full name for the
24 record, please?

1 A Drew, D-R-E-W. Flynn, F-L-Y-N-N. Lacklen,
2 L-A-C-K-L-E-N.
3 Q Thank you. And what is your address?
4 A My business address or my personal address?
5 Q The address that receives services from JPC
6 Utilities.
7 A 2205-L --
8 Q And is that a --
9 A -- Oak Ridge --
10 Q I'm sorry, sir.
11 A Suite L. 2205 Suite L.
12 Q Is that a business or is that your resident
13 address?
14 A That's the business address for Ridge Shimp &
15 Oyster.
16 Q And -- I'm sorry. So that is, you are a customer
17 of JPC Utilities?
18 A Yes.
19 Q Are you affiliated with either the Company or
20 Public Staff or any other parties to this docket?
21 A No. No.
22 Q Okay. And are you speaking on your own behalf?
23 A On my businesses' behalf, yes, sir.
24 Q Please proceed with your statement.

1 A Okay. I own Ridge Shrimp & Oyster in the
2 shopping center. I pay about \$350 a month for
3 water and sewer, and I use about 16 to 18
4 gallons. I pay -- for every dollar of supply, I
5 pay \$3 for it going down the drain.

6 From my understanding, it's much more than
7 what the local municipalities charge. This would
8 make my rate more than double, and I haven't seen
9 any cost figures from JPC Utilities on why they
10 need a rate increase and whether it's going to
11 come out after they have more info as to that.

12 That's probably all I got to say.

13 Q Thank you, very much. I had a couple just
14 follow-ups. So you mentioned the cost; what
15 about the service itself? Are you -- everything
16 okay with the service?

17 A The service works, but for every dollar that
18 comes out of the tap, I pay \$3 for it going down
19 the drain right now. And that's going to double
20 from what I understand, and the local
21 municipalities charge much less than what I'm
22 paying now.

23 MR. BERNIER: Thank you. I don't have any
24 other questions.

1 THE WITNESS: Okay. Thank you.

2 MR. BERNIER: The Company may have
3 questions.

4 HEARING EXAMINER LI: Mr. Drooz, do you have
5 any questions?

6 CROSS EXAMINATION BY MR. DROOZ:

7 Q Just one question. Can you hear me, Mr. Lacklen?

8 A Yes, I can.

9 Q Okay. I just wanted to know if you were aware
10 that the cost justifications from the Company
11 have been filed with the Commission and are
12 available for public review on the Commission's
13 website?

14 A Okay. I appreciate that.

15 MR. DROOZ: Okay. Thank you. That's all I
16 had.

17 HEARING EXAMINER LI: I don't have any
18 questions. Mr. Lacklen, we appreciate you taking time
19 to tell us what you think about this Application and
20 some of your concerns.

21 Thank you. You're excused.

22 THE WITNESS: Thank you.

23 HEARING EXAMINER LI: John, next witness,
24 please. John, we are ready to connect with the next

1 witness. Maybe there are some technical difficulties
2 because I just learned that we have a new procedure
3 for logging into the Webex for dial in for customer,
4 so maybe it takes a little bit longer time to connect.

5 MR. MCCOY: Hello. Are you there?

6 HEARING EXAMINER LI: Oh. Good.

7 THE WITNESS: Yes.

8 HEARING EXAMINER LI: Hello. Can you hear
9 me?

10 THE WITNESS: Hello, yes.

11 HEARING EXAMINER LI: Hello. May I have
12 your name, first?

13 THE WITNESS: Yeah. My name is Clancy,
14 C-L-A-N-C-Y. Conde, C-O-N-D-E. Laizure,
15 L-A-I-Z-U-R-E.

16 HEARING EXAMINER LI: Hello, Mr. Laizure.

17 CLANCY LAIZURE;

18 having been duly sworn,

19 testified as follows:

20 HEARING EXAMINER LI: So we will let Public
21 Staff Counsel, Mr. Bernier, kind of walk you through
22 our procedure because he will need you to answer a few
23 questions to get started.

24 Mr. Bernier?

1 DIRECT EXAMINATION BY MR. BERNIER:

2 Q Good evening, Mr. Laizure. Am I saying that
3 correct? Laizure.

4 A Yeah. Laizure; that's correct.

5 Q Great. Can I please have you state your full
6 name for the record?

7 A Clancy Conde Laizure.

8 Q And spell the last name for me.

9 A L-A-I-Z-U-R-E.

10 Q Thank you. And what is the address that receives
11 service from JPC?

12 A Well, I have two. 2205 Q, and 2205 R, Oak Ridge
13 Road.

14 Q And are both of those businesses?

15 A Yes.

16 Q And what is the business name at each address?

17 A The -- that Q is -- was called Oak Ridge -- the
18 Oak Ridge Room, which is just an event center,
19 and then the second one is Bistro 150, the
20 restaurant.

21 Q And are you a cust- -- are these businesses
22 customers of JPC Utilities, LLC?

23 A Yes.

24 Q And are you affiliated with either the Company or

1 the Public Staff?

2 A No, I'm not.

3 Q And are you speaking on behalf of your
4 businesses?

5 A Yes.

6 Q I believe you filed a statement with the -- with
7 the Commission that was mailed on December 22,
8 2003, and filed with the Commission on
9 January 17, 2024; does that sound familiar?

10 A Yes, it does.

11 Q And I think there was one page that seemed like
12 it was directly from you on behalf of your
13 business, Oak Ridge Road; is that correct?

14 A Yes.

15 Q And there was another mailing, the cover page,
16 and about 35 signatures; is that also from you?

17 A Yes.

18 Q Would you like to have either or both of these
19 admitted to the record in this matter?

20 A Yes.

21 HEARING EXAMINER LI: Without objection, it
22 will be so identified and received in the record.

23 MR. BERNIER: I was going to move to have it
24 identified and marked as Clancy Laizure Public Hearing

1 Exhibit 1.

2 HEARING EXAMINER LI: Yes, thank you. Yes,
3 it will be so identified and received into the record
4 as Laizure Exhibit 1.

5 (WHEREUPON, Laizure Exhibit
6 1 is identified and
7 received into evidence.)

8 MR. BERNIER: Thank you.

9 Q Mr. Laizure, please proceed with your statement.

10 A Yes. Well, as a business owner, I have costs to
11 cover, and when I received the letter from JPC
12 with 114 percent increase, that just floored me.
13 That's exorbitant. Especially since what we are
14 paying now is more than -- as Drew said --
15 anybody else is paying in Greensboro or Guilford
16 County. I don't mind that they would need to
17 raise, well, you know, yearly, but 114 percent,
18 that will hurt our -- that will put some people
19 out of business because they can't cover that
20 because they make so little as it is. And with
21 my business to cover that cost, I would have to
22 raise my cost to the customers which won't --
23 they won't sit with, and I will lose customers
24 because that's just that's -- that's a lot of

1 money. I'm paying about 350 bucks a month and a
2 bill for \$600 a month. That's exorbitant. And
3 there's going to be another talker -- friend
4 that -- who's going to give you all the details,
5 but as far as I'm concerned, I think at least for
6 our businesses, all the small businesses, that is
7 just not right to charge that much increase for
8 water and sewage.

9 I mean, I wouldn't think the government
10 would raise their prices that high but, anyway,
11 saying that, you know, I would -- a little
12 increase would be needed. But I haven't seen the
13 books, so I don't know how much profit he's
14 making off of this anyway. And that -- that
15 concerns me.

16 So I just think that this should not be
17 allowed to increase that much and hurt those --
18 all of our businesses. And that's about it.

19 Q Thank you for your statement, Mr. Laizure. The
20 only follow-up question I have, you've spoken
21 about the cost. How has the service been?

22 A It's been okay. We pay a lot, plus it's been
23 noted that we have to pay for the grease trap
24 drain, which is another -- it's almost -- I think

1 it's \$400 now because that's going up. So --
2 but, you know, the service has been okay, but it
3 just isn't my home service is the same, just
4 okay.

5 MR. BERNIER: Thank you.

6 I don't -- the Public Staff doesn't have any
7 further questions.

8 HEARING EXAMINER LI: Thank you.

9 Mr. Drooz?

10 MR. DROOZ: No questions. Thank you.

11 EXAMINATION BY HEARING EXAMINER LI:

12 Q Mr. Laizure, I do have one question for you. May
13 I ask how long you have been a customer of JPC
14 Utilities?

15 A Since 2016.

16 Q Since 2016. Okay. Thank you.

17 A Yes. Yes.

18 HEARING EXAMINER LI: We appreciate your
19 coming out, and thank you so much for your statement.
20 There are no further questions for you. You may be
21 excused. Thank you.

22 THE WITNESS: Thank you.

23 HEARING EXAMINER LI: John, next witness,
24 please.

1 MR. MCCOY: Is there a Cong Li on the line?
2 Your line is open.

3 HEARING EXAMINER LI: Hello. Can you hear
4 me? Hello. I just want to maybe repeat the Webex
5 instructions one more time for unmute yourself. This
6 probably a new instruction for you. The Webex
7 administrator will send you a request to unmute a
8 public witness caller. The message to the caller is,
9 "You are being asked to unmute yourself." This is
10 something we cannot do on our side. You have to
11 unmute yourself. To unmute, press star 6. Please
12 listen for this message. Once you unmute yourself,
13 please follow the verbal instruction. I'm assuming
14 it's Mr. Li. Are you there? Can you hear me?

15 THE WITNESS: Yes. Asking me?

16 HEARING EXAMINER LI: Oh, yes. Hi.

17 THE WITNESS: Hi.

18 HEARING EXAMINER LI: State your name first.

19 THE WITNESS: My name is Cong Li. But
20 nobody calls -- Just Li.

21 CONG LI;

22 having been duly sworn,

23 testified as follows:

24 HEARING EXAMINER LI: Mr. Bernier, your

1 witness.

2 MR. BERNIER: Thank you.

3 DIRECT EXAMINATION BY MR. BERNIER:

4 Q Good evening, Mr. Li. Can you hear me?

5 A Yes, good evening.

6 Q Good evening. What's your full name, for the
7 record?

8 A Actually, my full name is Cong Jin Li. It's
9 C-O-N-G J-I-N L-I.

10 Q Thank you. And what is the address of the
11 service by JPC Utilities?

12 A It's 2205 Oak Ridge Road, Suite O and Suite L,
13 Oak Ridge.

14 Q And is that one business or more than one
15 business?

16 A It's two units in the one business.

17 Q And are you affiliated with the -- with JPC
18 Utilities or Public Staff?

19 A Yeah.

20 Q In what way are you affiliated?

21 A I been have business on the shopping center since
22 2004, you know, and then the utility bill I think
23 that's been increased one time before. And then
24 this time increase again is -- it cost a lot, you

1 know. I have family [indiscernible] business in
2 High Point -- actually, it's my, before, you
3 know, before my previous owned business, and I
4 compare the utility here is way high. You know,
5 and, you know, I'm -- we are the small business.
6 And then also the utility -- it will increase too
7 much. That will cost, you know, kind of high for
8 our business. That's what we were thinking, they
9 will pay, like, we just stay on the same rate,
10 you know, then tenants will maintain the same,
11 you know, that will be a lot easier. But we
12 don't know why and the tenants -- maybe need to
13 increase theirs and may cost more to spend. You
14 know, we understand, you know, that everything
15 will increase, but not that much, like, more than
16 100 percent increase. That's way too much, you
17 know. In the past, my business, you know, right
18 now we cannot open up the dining. We -- utility
19 bill, right now we don't have that much usage,
20 but if we open our regular dining, we will use
21 more water, you know, that will cost a lot for
22 our business, you know, which is a small
23 business, you know.

24 Q Thank you for that. And just to be clear, your

1 businesses are separate from JPC Utilities. You
2 just get service from them; is that correct?

3 A Yeah. Yeah. Yeah. We got service from them,
4 yeah.

5 Q And you're speaking on behalf of your own
6 business; is that correct?

7 A Exactly, yes.

8 Q Thank you. Did you -- you've already given out
9 some information. Do you have anything else that
10 you would like to say?

11 A Just that, what I'd just say, you know, I think,
12 you know, because compared to like the same, the
13 company in High Point. We have the business
14 there, you know, the -- the utility bill is a lot
15 different. That's what I want to say.

16 Q What is the name of the business, again?

17 A My business in Oak Ridge is called China Gourmet.

18 Q China Gourmet.

19 A Yeah. China Gourmet.

20 Q And what has your experience been with this
21 service; the water service?

22 A Service everything is fine. You know, everything
23 is fine because we operate the restaurant, you
24 know, is like what the other gentleman say, like,

1 we need to pay, like, we check, you know, for
2 every quarter, you know, that cost extra too, or,
3 you know, like, spend, like, those stuff. And if
4 increase the utility and the sewage stuff like
5 that, that will be kind of too much for us, you
6 know.

7 Q And the grease trap that you and the other
8 gentlemen mentioned, who do you pay that service
9 to? Is that JPC Utilities or some other company?

10 A Some other company, but we pay through JPC
11 Utility. You know, as they require, we need to
12 do the grease trap, stuff like that, you know,
13 because we do in the restaurants, you know.

14 MR. BERNIER: Thank you.

15 I don't have any other questions for Mr. Li.

16 THE WITNESS: Thank you so much.

17 HEARING EXAMINER LI: Mr. Drooz, do you have
18 any questions?

19 MR. DROOZ: No questions, thank you.

20 HEARING EXAMINER LI: Thank you.

21 EXAMINATION BY HEARING EXAMINER LI:

22 Q Mr. Li, I do have one question. It's same as the
23 question I asked Mr. Laizure. So could you
24 please let us know when you became a customer of

1 JPC Utilities?

2 A I think since 2004.

3 Q Since 2014.

4 A 4.

5 Q 4.

6 A No, 2004. 2004.

7 Q 2004. Got you. Thank you.

8 A Yes.

9 Q Okay.

10 A Thank you.

11 HEARING EXAMINER LI: Thank you so much for
12 attending this hearing and expressing your views, and
13 you may be excused. Thank you.

14 THE WITNESS: Thank you so much.

15 HEARING EXAMINER LI: John, next witness,
16 please.

17 MR. MCCOY: Is there a Brenda Chaney there?

18 THE WITNESS: Absolutely. Brenda Chaney
19 here.

20 HEARING EXAMINER LI: Hi, Ms. Chaney.

21 BRENDA CHANEY;

22 having been duly sworn,

23 testified as follows:

24 HEARING EXAMINER LI: Mr. Bernier?

1 (Pause.)

2 MR. BERNIER: Sorry. I was muted, and I saw
3 the stenographer waiving at me.

4 DIRECT EXAMINATION BY MR. BERNIER:

5 Q Good evening, Ms. Chaney. Can I have you state
6 your name for the record.

7 A Brenda Chaney. C-H-A-N-E-Y.

8 Q Thank you. And what is the address that JPC
9 Utilities services?

10 A It's Mailboxes & More, located at 2205 Oak Ridge
11 Road, Suite K.

12 Q And it's one business there?

13 A Correct.

14 Q And I think you already said Mailboxes & More?

15 A Correct.

16 Q Thank you. And so your business is, in fact, a
17 customer of JPC Utilities.

18 A Correct.

19 Q Are you affiliated with JPC or the Public Staff
20 in any way other than being a customer?

21 A I am not.

22 Q And are you speaking on behalf of your own
23 business?

24 A I'm speaking on behalf of my business, and there

1 were a couple other businesses that could not
2 call-in tonight that asked me to share their
3 information also.

4 Q Do you -- can you share the names of those
5 businesses?

6 A I can. LA Nails, Hot Rocks Tanning, you've
7 already spoken with Clancy from Bistro 150, he
8 asked that I share some of his information, you
9 just spoke with Chef Li, he asked me to confirm
10 his stats from China Gourmet, and those are the
11 ones. The other businesses never confirmed with
12 me in writing, so I will not be referring to any
13 others.

14 Q And I think I have a statement here that you
15 submitted; it looks like on or about December 29,
16 2023. That's a one-page statement; do you recall
17 that?

18 A Absolutely, yes.

19 Q Would you like to have that statement included in
20 the record?

21 A That will be fine, thank you.

22 Q I move to have the previously filed statement of
23 Ms. Chaney marked and admitted as Chaney Public
24 Hearing Exhibit 2.

1 HEARING EXAMINER LI: Without objection, it
2 will be so identified and received in the record as
3 Chaney Exhibit 2.

4 (WHEREUPON, Chaney Exhibit
5 2 is identified and
6 received into evidence.)

7 MR. BERNIER: Thank you.

8 Q Ms. Chaney, please proceed with your statement.

9 A I might want to proceed by stating that it's
10 definitely not Ms. It can be either Miss or
11 Mrs., but, my husband's been around for 35 years.
12 Okay.

13 So I'm the owner of Mailboxes & More. It's
14 a small entity at Oak Ridge Commons. And so we
15 probably have one of the smallest impacts with
16 this request for an increase, well, quite
17 frankly, with the State's economy, the smallest
18 impact is serious for any business. So I took
19 all of my billings and my usage and wanted to
20 compare to what we're currently paying, what the
21 proposed rate would change it to, and also shall
22 we compare to other municipalities and other
23 unincorporated areas surrounding us.

24 To that end, I notice that the cost -- we do

1 not have a public restroom. We do not use water
2 in any of our services. We're mailboxes,
3 printing, and shipping. So our water usage --
4 both water and wastewater -- is solely a bathroom
5 provided for the one employee who mans the desk.
6 Our usage is usually anywhere from \$54 to \$57 a
7 month, so it averages \$55. Well, I compared that
8 with the published rate for Greensboro,
9 Winston-Salem, Kernersville, also for Forsyth
10 County purchasing from Winston, and for Guilford
11 County purchasing from Greensboro.

12 To that end, I found out that I pay three
13 times the rate of what I would pay if my store
14 was in Greensboro. I pay almost three times what
15 I would pay if I was in Winston-Salem.
16 Kernersville has a higher rate because it
17 purchases water from Winston-Salem. So I pay
18 twice as much as I would pay in Kernersville.

19 Forsyth County, I pay 1.8 times what I would
20 pay there. Guilford County water, outside of
21 Greensboro is the highest rate. It almost is
22 equal, but I'm still paying more with my current
23 rate at JPC.

24 If the increased request goes through, I

1 will go from paying \$55 a month to \$121 a month.
2 Annually, I will go from \$665 to \$1,456, which is
3 more than double. That will then make me paying
4 seven times what my business friends in
5 Greensboro pay. Six times the Winston-Salem
6 rate. Four and a half times the Kernersville
7 rate. Even the expensive Guilford County rate, I
8 would be at two and a third times what they do.
9 If my store was in Greensboro, I would be paying
10 \$355.

11 In the letter that we received, it indicated
12 that this proposal should only increase \$144.82 a
13 month for the businesses involved, but that takes
14 averaging all the small entities with the big
15 water users, and the big water users are going to
16 see some substantially higher payments come
17 through. I mentioned to you that several of the
18 businesses had sent me their billings and asked
19 for me to give them input.

20 So China Gourmet, that you spoke with Mr.
21 Chef Li, and he mentioned his usage is very
22 similar to Mailboxes. His will double. He'll go
23 from \$85 a month to \$184 a month. And that's
24 just in one of his units. I only did the one

1 that has the greater usage. He will go from
2 \$1,023 a year, to \$2,210. So, once again, he
3 will double.

4 Hot Rocks Tanning, they have a public
5 bathroom, and they use water for their services.
6 Currently, their monthly is about 143 and their
7 annual is 1,700. They're going to go to 306 per
8 month, and 3,676 a year. Once again, over
9 double. That's almost \$2,000 more a month. In
10 Greensboro -- and I understand there's a
11 difference between Greensboro municipality, I'm
12 only doing these for comparisoin. In Greensboro,
13 it would be less than a \$1,000 a month.

14 Clancey's restaurant, Bistro 150, is a
15 full-service sit-down restaurant. They're
16 currently paying \$283 a month, and the new rates
17 will see that go to \$600. The annual usage is
18 just under 3,400, and that's going to go to
19 7,220. So that's \$3,800 more annually for the
20 same service.

21 I don't think anybody's having issue with
22 the service, but for the same service, that's a
23 substantial increase.

24 LA Nails, the nail salon. Their current

1 rate are \$363 a month. They're going to see that
2 going to \$771 a month. Their annual is 4,350,
3 and that is going to go to 9,250. Almost \$5,000
4 more.

5 As a resident of Oak Ridge, I hear the
6 residents of Oak Ridge complain about the high
7 prices. The Commons is the only shopping area
8 for Oak Ridge, and I hear them complaining, and I
9 try to explain to them that the cost have to
10 mirror what we are paying.

11 The issue that we're having is not the
12 service of the water, but that our current rate
13 is way higher. We are currently paying two to
14 three times what other municipalities are paying.
15 This proposed increase would move us up to six
16 times or seven times Winston-Salem and
17 Greensboro, and that's why we are asking that
18 this increase not be allowed.

19 MR. BERNIER: Thank you for the statement,
20 Mrs. Chaney.

21 THE WITNESS: Thank you.

22 Q You answered one of the questions that I was
23 going to ask about the service. When did you
24 become -- when did your business become a

1 customer of JPC Utilities?

2 A Mailboxes has been there for a while. We
3 purchased it and began ranning [sic] it in August
4 of 2021.

5 MR. BERNIER: Thank you. I don't have any
6 further questions. I don't know if, Mr. Drooz or the
7 Hearing Examiner does.

8 MR. DROOZ: No questions. Thank you.

9 HEARING EXAMINER LI: Thank you. I don't
10 think I have questions for Ms. Chaney. Thank you so
11 much for providing very detailed information, and
12 thank you so much for your comments tonight. If you
13 don't have any other information to provide, then you
14 may be excused.

15 Thank you.

16 THE WITNESS: Thank you, very much.

17 HEARING EXAMINER LI: Again, we appreciate
18 all customers taking time tonight and share your
19 thoughts with -- concerning this proceeding with the
20 Commission. Please note that the customer may follow
21 the progress of this proceeding on the Commission's
22 website, www.ncuc.gov, using Docket Number W-1263, Sub
23 4, which was noted on your customer notice. The
24 transcript of today's hearing will be on the website

1 once it is completed.

2 If there's nothing further to come before
3 the Commission tonight, we will be adjourned.

4 Thank you.

5 (The proceedings were adjourned.)
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C E R T I F I C A T E

I, KAYLENE CLAYTON, do hereby certify that
the Proceedings in the above-captioned matter were
taken before me, that I did report in stenographic
shorthand the Proceedings set forth herein, and the
foregoing pages are a true and correct transcription to
the best of my ability.

Kaylene Clayton
Kaylene Clayton