PLACE: Via Webex

DATE: Wednesday, October 19, 2022

TIME: 6:30 p.m. - 7:29 p.m.

DOCKET NO.: W-354, Sub 400

BEFORE: Commissioner Floyd B. McKissick, Jr., Presiding

Chair Charlotte A. Mitchell

Commissioner ToNola D. Brown-Bland

Commissioner Daniel G. Clodfelter

Commissioner Kimberly W. Duffley

Commissioner Jeffrey A. Hughes

Commissioner Karen M. Kemerait

IN THE MATTER OF:

Application by

Carolina Water Service, Inc. of North Carolina,

4944 Parkway Plaza Boulevard, Suite 375

Charlotte, North Carolina 28217

for Authority to Adjust and Increase Rates

for Water and Sewer Utility Service

in All Its Service Areas in North Carolina

and for Approval of a Water and Sewer Investment Plan

VOLUME: 2



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PROCEEDINGS

COMMISSIONER MCKISSICK: Good evening.

I'm gonna go ahead and call this public hearing to order. I am Commissioner Floyd B. McKissick, Jr., presiding commissioner for this hearing. With me this evening are Commissioners

ToNola D. Brown-Bland, Jeffrey A. Hughes, and Karen M. Kemerait.

I now call for hearing Docket Number W-354, Sub 400, in the matter of application by Carolina Water Service, Inc. of North Carolina for authority to adjust and increase rates and charges for water and sewer utility service in all service areas of North Carolina, and approval of a three-year water and sewer investment plan.

On July 1, 2022, Carolina Water Service, Inc. of North Carolina, which I shall refer to at times as CWSN or the Company, filed an application with the Commission seeking authority to adjust and increase its rates for providing water and sewer utility service in all of its North Carolina service areas, and for approval to establish and implement a water and sewer investment plan pursuant to North Carolina General Statute

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§6-21 133.1B [sic] and Commission Rule R-17 -excuse me, R1-17A.

Carolina Water Service proposes new rates for a base year and three rate years included in its water and sewer investment plan. Carolina Water Service serves approximately 34,565 water customers and 21,469 sewer customers in 38 counties throughout the state of North Carolina from Corolla in Currituck County to Bear Paw in Cherokee County. The proposed rate increase is based on a test period ending March 31, 2022.

On July 26, 2022, the Commission issued an order establishing a general rate case and suspending rates.

On September 2, 2022, the Commission issued an order scheduling hearing, establishing intervention and testimony due dates, as well as discovery guidelines and requiring notice. order scheduled hearings for the purpose of taking public witness testimony in Raleigh, Boone, Jacksonville, and Charlotte, as well as tonight's hearing, which is being conducted virtually via Webex.

The September 22nd order further

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scheduled a hearing for the purpose of accepting expert witness testimony to begin on

November 28, 2022, in Raleigh, beginning at 2 p.m.

On September 15, 2022, Carolina Water

Company filed a certificate of service showing that

customer notice has been provided.

On September 19, 2022, Carolina Water Company provided updated information regarding its rate case application that brings us to today.

Pursuant to North Carolina General

Statute 138A-15(e), I remind members of the

Commission of our duty to avoid conflicts of

interest and inquire at this time as to whether any

Commissioner has a known conflict of interest with

respect to this docket.

(No response.)

COMMISSIONER MCKISSICK: Let the record reflect that I have no such conflict and that my fellow Commissioners have not identified any such conflict.

I now call upon counsel for the parties to announce their appearance for the record, beginning with the applicant.

MR. ALSON: Thank you. Hello. My name

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is Mark Alson, and I am a regulatory attorney representing Carolina Water Service, Inc. of North Carolina. Participating with me tonight is Mr. Donald Denton, who is the state president of Carolina Water Service.

If I may, there are other Company personnel who are viewing this public hearing in real time, and if this were a nonvirtual hearing, those same Company personnel would make themselves available to customers following the hearing in order to attempt to address issues that were raised.

Because we can't do that in a physical sense in this forum, I note that those Company personnel are amenable to contacting customers who testify tonight in order to seek to resolve issues.

So on behalf of the Company, we thank the Commission, the Public Staff, and our customers who have signed up to participate in this important process.

COMMISSIONER McKISSICK: Would you like to identify any of those Company personnel individually at this time, just for the record?

MR. ALSON: I'm not sure if I will be

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fully inclusive, but Matthew Schellinger and Deb Clark. Thank you.

COMMISSIONER McKISSICK: Thank you.

From the Public Staff?

MS. HOLT: Good evening. I'm Gina Holt with the Public Staff, here on behalf of the using and consuming public. And participating here tonight is Public Staff engineer Lindsay Darden, who will also be availability for customer questions. Thank you.

COMMISSIONER McKISSICK: Thank you,
Ms. Holt.

Are there any preliminary matters that we need to address this evening before we get started?

MR. ALSON: Not from the Company. Thank you.

COMMISSIONER McKISSICK: Public Staff?

MS. HOLT: At the appropriate time,

Commissioner McKissick, a customer contacted the

Commission this afternoon who would like to speak

tonight, a Mr. -- sorry. Andrew Huff. He

encountered a -- he was under the impression that

he did not need to preregister, and he'd like to

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speak tonight. I have contacted the Company attorneys, and I understand they have no objection.

COMMISSIONER McKISSICK: Thank you,
Ms. Holt. After we hear from all of those who
preregistered, we will certainly hear from this
particular person who has reached us today. So
thank you for bringing that to our attention.

Before we begin, I'd like to say a few words regarding the process for the hearing tonight, since this is a virtual hearing, and it's a little bit unique in terms of what we traditionally do.

First, I'd like to say that we appreciate you participating in this virtual hearing to voice your views and perspectives relating to this important matter, and we welcome your testimony and want to hear from you. In conducting this hearing, the Commission functions as in its judicial capacity as we are required to do by North Carolina law.

Because the Commission functions as a court, we cannot respond to your questions.

Instead, we are here to receive evidence from you all in the form of your testimony. The Public

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Staff, which represents the using and consuming

public, is made a party to this proceeding pursuant

to North Carolina General Statute 62-15(d).

In this proceeding, the Public Staff represents you, the using and consuming public, and the Public Staff will assist you in providing your testimony this evening. In order to facilitate a full and fair opportunity for all speakers to participate, we will use the following procedures:

Number one, public witnesses will be appearing by audio connection only. Commissioners and attorneys will be appearing by video and audio connection. Any public witnesses that wish to view a live video of the proceeding may access it on your computer via YouTube, which is linked from the Commission's home web page www.NCUC.net. Now, be sure to mute your computer when you are called to testify to avoid feedback. Please, this is very important. This hearing is being transcribed by a court reporter, and it is critical that we limit all interference with her ability to hear me and those who are testifying.

Number 2, in order to allow each person an equal amount of time, there will be a limit of

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three minutes for each witness to speak. 1

> Therefore, witnesses should endeavor to avoid cumulative, repetitive, and redundant testimony.

Number 3, public witnesses will be called upon to testify in the order that you have all called in tonight. When it is your turn to speak, you will be unmuted by the Webex administrator. You will hear two beeps on your phone line indicating that you have been unmuted at that time. I will ask the witness to state his or her name, then I will deliver the affirmation. Once you have been affirmed, the attorney for the Public Staff will ask you a series of questions, and then you will be allowed to testify. To ensure that this hearing runs as efficiently as possible, please pay close attention during the course of the hearing and be ready to respond as soon as you hear the beeps unmuting your phone line.

Number 4, counsel for any party may ask questions of the witnesses tonight. In addition, the Commission will have the opportunity to ask questions. This means that, if you provide testimony, you may be asked questions by the attorneys or by the Commissioners.

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Number 5, testimony is being recorded by a court reporter. Therefore, to ensure accuracy of the record, we ask that you not engage in any unconventional modes of communication, other than just providing the testimony that you are going to share with us this evening.

As a final reminder, the Commission and attorneys for the parties are not allowed to respond to your questions during this hearing.

However, both the Public Staff and the Company have representatives who will be available at a future time to respond to inquiries which you have raised.

With that understanding, let us begin.

Do Carolina Water Service or the Public Staff wish
to provide an opening statement?

MR. ALSON: The Company does not. Thank you, Commissioner.

COMMISSIONER McKISSICK: All right.

MS. HOLT: Public Staff does not.

COMMISSIONER McKISSICK: All right. In that case, we're gonna go ahead and recognize the first person who is in the queue. John, could you unmute that person?

(Pause.)

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1	COMMISSIONER McKISSICK: John, do we
2	have people in the queue that need to be unmuted at
3	this time? I know there were, I believe, earlier
4	this week seven people who had preregistered.
5	MR. MCCOY: We do. I'm just trying to
6	get him unmuted.
7	COMMISSIONER MCKISSICK: Okay.
8	MR. MCCOY: Sir, can you hear me?
9	MR. GUMBEL: Can you say who you're
10	trying to unmute?
11	COMMISSIONER McKISSICK: You can
12	announce your name, sir.
13	MR. GUMBEL: Okay. My name is
14	John Gumbel.
15	COMMISSIONER McKISSICK: Okay.
16	John Gumbel. Okay.
17	Whereupon,
18	JOHN GUMBEL,
19	having first been duly affirmed,
20	testified as follows:
21	COMMISSIONER MCKISSICK: All right.
22	Now, can you state your full name for the record,
23	
	and provide your address, if you could.

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1	which is G-U-M, like Mary; B, like boy; E-L. And
2	I'm at 107 Boros Landing, and that's in New Bern.
3	COMMISSIONER MCKISSICK: In New Bern.
4	And are you a customer of Carolina Water Service?
5	MR. GUMBEL: I am for fixed rate sewer.
6	COMMISSIONER McKISSICK: For fixed rate
7	sewer. Okay. Let me see if the Public Staff has
8	further questions of this gentleman before we begin
9	his testimony.
LO	MS. HOLT: Yes. Mr. Gumbel, in what
L1	subdivision do you live?
L2	MR. GUMBEL: It's called Carolina Pines.
L3	MS. HOLT: Thank you. If you have a
L4	statement to make, please proceed.
L5	DIRECT STATEMENT
L6	MR. GUMBEL: Okay. First of all, my
L7	clock's not running yet. I did send a copy of a
L8	presentation to the Public Staff and asked that it
L9	be distributed to the Commissioners, and I planned
20	on speaking to that tonight. So do the
21	Commissioners have my presentation?
22	COMMISSIONER McKISSICK: The
23	Commissioners have been provided your presentation,
24	sir. And it's part of your public statement, from

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what I understand, so it will be a part of the record in this proceeding.

MR. GUMBEL: Very good. If we could go to slide 3 on that, which is a graphic of my annual utilities cost. When you're ready for that, let me know.

COMMISSIONER McKISSICK: Well, I don't think it's gonna be displayed. You'll just have to go ahead and talk from it, sir. It's not gonna be displayed on the screen.

MR. GUMBEL: Yeah, I was kind of hoping, since they distribute it to the individuals, that you people would have it on your computers and could see it from there.

COMMISSIONER McKISSICK: Commissioners do have access to it, sir. They were provided that access. So feel free to go ahead and provide your testimony.

MR. GUMBEL: Okay.

COMMISSIONER HUGHES: This is

Commissioner Hughes. I can confirm that I have it up and I'm looking at it.

MR. GUMBEL: Okay. Thank you very much. I'm on slide 3, which is the graphic of my annual

utilities cost. That chart represents what I paid for utilities at my address on an annual basis

1 September through 31 August of each of the years that are displayed on that.

I've got Duke Energy for power, and that's the blue line on that graphic. Mallard Gas for propane, which is an orange line. Sewer, which is Carolina Water Service, which is a yellow line on that graphic. And a gray line, which is my water, which is Craven County.

And you can see, if you're looking at the graphic, that the trend lines for the power, the propane and my water are all going down. From 2005 through 2022, they are all trending down. The only one that's trending up -- and there's trend lines on all those -- is my sewer service.

So it's important to note that consumers have control over their use of power, propane, and water. You can see my annual cost for power, gas, and water all trending down. We can turn down the thermostat in the winter and improve our home's insulation to save gas, we can keep the thermostat high in the summer, and those who can afford it can replace AC units, appliances, light bulbs with more

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energy-efficient ones to save electricity. We can buy water-efficient washers, do less laundry, install water-efficient faucets and shower heads. Take shorter showers, water lawns less or not at all to save water. But there's absolutely nothing we can do about fixed rate sewer costs. Only the sewer cost trend line is pointed up of my utilities.

By February 2026, we'll be paying \$1,327 per year for sewer costs if this latest rate is approved. That affects my home value. The average income in the area I live in is \$65,000 a year, from July of 2009 when the fixed rate sewer rate was \$33.13 to February 2022 when the latest rate increase of \$85.12 went into effect, rates have risen 157 percent over 13 years with a 56 percent increase in just over the last two years. If this latest request is approved, rates will have risen 234 percent over 16 years.

That level of rate increase is not just, fair, reasonable, or sustainable for the customers, and it's a violation of NC General Statutes Chapter 62, Article 7.

If you go to slide 5, slide 5, I have

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listed those portions of NC General Statutes
Chapter 62, Article 7. As slide 5 shows,
Chapter 62, Article 7 of the NC General Statutes
instructs that the rates must, M-U-S-T, must -- and
that's in law -- be just, reasonable, and fair to
the consumer. And that rates should result in
lower costs of new facilities and lower rates over
the operating lives of the new facilities.

I won't go over the statistics again about the percentages of rates, but the percentages are indicative of a failure by the North Carolina Utilities Commission to uphold NC law with respect to the reasonableness or fairness of rate increases for customers of North Carolina Water Service's fixed rate sewer service.

While Chapter 62, Article 7 spells out in great detail how to determine rates that are fair and reasonable for the utilities investor, it is silent on how to determine rates that are fair and reasonable for the consumer. That is left up to the North Carolina Utilities Commission to determine. There's not even a requirement for the North Carolina Utilities Commission to look at the cumulative effect of past rate increases in

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determining the reasonableness of future rate increases.

The results of Article 7 not prescribing how to determine fair and reasonable -- what is fair and reasonable for the consumer, and not requiring rate increase requests to be examined in relation to past increases, is that the North Carolina Utilities Commission appears to have no process for determining what is fair and reasonable for the consumer.

The North Carolina Utilities Commission appears to be in violation of Article 7 requirement to fix rates that shall be fair to both the public utilities and to the consumer. The North Carolina has been excessively fair to Carolina Water Service with the last seven years of consistent rate increases. It's time for the North Carolina Utilities Commission to also be fair to the consumer as required by law. That's my statement.

COMMISSIONER McKISSICK: Thank you, Mr. Gumbel. Thank you for providing your testimony. Let me see if there are any questions.

Is there any questions from the Company's attorney.

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1 MR. ALSON: We have no questions. Thank

2 you.

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COMMISSIONER McKISSICK: Any questions

from the Public Staff? 4

5 MS. HOLT: Yes.

EXAMINATION BY MS. HOLT:

- Mr. Gumbel, have you experienced any Ο. service-related problems?
- I get asked this question every year, Gina, Α. and it's sewer. I mean, it's pretty not complex. So I don't have to complain about water quality or back-ups or, you know, anything like that. This is -- this is pretty simple. My issue is the rates. The rates are phenomenal. I mean, even with the last rate increase, from 2009 through, you know, 2022, those rate increases were five-and-a-half times the rate of inflation. And I know we don't want to compare the rate of inflation to anything, but the rate -- those rate increases are just completely out of line.

And like I said, the problem is, you do not have a prescribed method for determining what is fair to the consumer. Everything in Chapter 62 is related to the providers. Nothing for the consumers. And we rely on you -- rely on the Commission to be fair to us

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Now, in the last hearing for their last rate increase, which was in February of -- their last rate increase was last February -- we -- there was a lot of focus on how Carolina Water Service had shifted a lot of their costs on those variable rate customers to the fixed portion of that rate. So the Utilities Commission said, okay, let's try to shift that back and make that fair so the customers can control some of these rates by their usage.

I have no control because I'm fixed rate. I rely on you to do the right thing. And so far all I've seen is a violation of the law.

COMMISSIONER McKISSICK: Ms. Holt, do you have any further questions?

MS. HOLT: I don't. But at the appropriate time, I would like to have Mr. Gumbel's handout marked as an exhibit and be entered into evidence.

COMMISSIONER McKISSICK: If that's your motion, it's allowed.

MS. HOLT: Thank you.

COMMISSIONER McKISSICK: Let's see if there are any questions from any of the

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Commissioners.

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Go right ahead, Commissioner Hughes.

EXAMINATION BY COMMISSIONER HUGHES:

- Yes. Mr. Gumbel, do you have a rough idea Ο. of -- I imagine you do, given the amount of data that you've analyzed -- what your monthly consumption of water has been over that time? And you mentioned doing some things to save water. Do you have any estimates of what it was, you know, say in the late 200 aughts and then down?
- What I can tell you is -- what I can tell you Α. is that it's decreased. The water is a public utility here, it's Craven County water, and they've had one rate increase which was so minor you couldn't see it in 2011. From 2005 to now, they had one in 2011.

So what I've been tracking is my annual water costs, and if you have my graphic, you can see that that's trended down over all those years. So I could -- you know, with enough effort, I could pull up my gallons usage, but I'm almost at their minimum charge. My water bill is about \$21 a month. And usually what I hear back that's not apples-to-apples, that's a public utility, you know, that's Craven County, you can't compare to the cost of the sewer.

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Well, yeah, I tell you what, they're welcome to meter
me any day. They can put a meter in here any day they

want. And if I have -- if I have a variable rate, I'm

going to be doing a lot better.

- Q. I appreciate that. But you don't know the -- I mean, I can -- we can -- whatever Craven County's rate structure is. But you're usually at the minimum what they charge. I think I'm just very curious about how much -- how many gallons a month you use.
- A. Okay. Last -- my last bill was for 5,100 gallons. The bill was \$21.30.

12 COMMISSIONER HUGHES: Okay. No further
13 questions. Thank you for that.

COMMISSIONER McKISSICK: Thank you,

Commissioner Hughes. What we're gonna do, for the

record, is identify the document that has been

displayed this evening, which was attached to his

personal statement. By motion of attorney Holt, we

will identify that as Gumbel Exhibit 1 just for

purposes of clarity.

MS. HOLT: Thank you.

(Gumbel Exhibit 1 was marked for

identification.)

COMMISSIONER McKISSICK: Absolutely.

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1	John, if you could go ahead and unmute
2	the next witness, please.
3	MR. CONNER: Hello.
4	COMMISSIONER McKISSICK: Hello. How are
5	you this evening, sir?
6	MR. CONNER: Just fine. My name is
7	Danny Conner, C-O-N-N-E-R.
8	COMMISSIONER McKISSICK: All right.
9	Very good. Let me give you the affirmation.
10	Whereupon,
11	DANNY CONNER,
12	having first been duly affirmed,
13	testified as follows:
14	COMMISSIONER McKISSICK: Absolutely.
15	And if you could state, once again, your name for
16	the record and provide your residential address.
17	MR. CONNER: First name is Danny, last
18	name is Conner, C-O-N-N-E-R. 231 Long John Silver
19	Drive, that's Wilmington 28411.
20	COMMISSIONER McKISSICK: And are you a
21	customer of Carolina Water company?
22	MR. CONNER: Carolina Water Service
23	COMMISSIONER MCKISSICK: Yes.
24	MR. CONNER: water only.

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1 COMMISSIONER MCKISSICK: Water only.

2 Okay. Thank you. Ms. Holt, any additional

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MS. HOLT: Yes. Mr. Conner, what subdivision do you live?

6 MR. CONNER: It's Treasure Cove in New

7 Hanover County.

> MS. HOLT: Thank you. Please proceed with your statement.

DIRECT STATEMENT:

MR. CONNER: I'll begin by saying that I've spoken against every rate request by CWS for the -- for years, except for one that I never received a notification. It appears that no one seems to be listening, and the excessive requests are granted at the earliest opportunities in favor of the utility. Customers do not appear to be protected.

No one, including CWS, appears to know that Treasure Cove does not have sewer from CWS, only water. Treasure Cove sewer is provided by Cape Fear public utilities, thankfully, or it would be overpriced as well. Each time a rate request is filed, it includes -- increases the Treasure Cove

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for sewer, which is not supplied by CWS. This probably falsifies the overall financial information being presented to the Utilities Commission.

CWS was given an increase in May 2022 of over 60 percent per 1,000, plus the increase base. I'm currently paying about \$70 a month for bottled water for drinking and cooking. Added to the CWS fee, I'm at about \$130, \$140 a month. At the rate that we're going with these increases, my water will soon exceed my electrical.

Cape Fear public utility serves most of the water in the county, and their rate is 30 percent lower than the current CWS rate, and I would not have to buy bottled water. Cape Fear has to pipe much of their water over 20 miles, undergoes extensive treatment now, including PFOS, PFAS removal.

CWS simply pumps the water from two wells, moves it around a few-block area. I walk the neighborhood daily, I've not seen any repairs or improvements, either physical structure or water quality. I have no idea when the system was last flushed. We have red mud and mineral residue from

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time to time.

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It is rare to see a CWS employee. contract with a company to read the meters once monthly. Their expenditures must be minimal for electricity and pump maintenance. There is a generator on well number 1, which is in a flood There is no generator on the second well, zone. which would be critical in the event of a flood or outage. It has happened in the past that the one with the generator has gone down, water has been contaminated.

Before previous rate request, I asked a number of questions from CWS; some were answered, some were answered incorrectly, some were not answered due to being a private company and privileged information. One question was to provide specific financial information for Treasure They refused to answer. Cove.

I took the available data concerning the rates, number of houses, estimated cost of electricity, maintenance, et cetera, and my guess is that CWS probably has a net profit of around about 80 percent for Treasure Cove. This has to be one of the highest rates of return of any of their

systems.

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At the same time, they expect Treasure

Cope to subsidize the cost of operation and

maintenance on other systems, mainly sewer, through

the outrageous rate increases on Treasure Cove

water. All of the projects that are shown for

upgrades and expenditures on the CWS website are

for sewer and not located anywhere close to

Treasure Cove.

CWS has already had a large rate increase this year. They're now insisting they want a return of 10.7 percent on their investment, and that's not to mention any left over from overestimated rate increases that goes unused. There are very few investments that currently offer that kind of a return on investment.

All of the current requests for the next three years for Treasure Cove should be denied. There is no reason, including cost of living, to justify the current rates, much less any increases. If CWS is unable to run the Treasure Cove water business at the current rates, they can consider a sale to a much more safe and competent Cape Fear public utilities. Thank you.

COMMISSIONER McKISSICK: Thank you. We appreciate your testimony.

Are there any questions from the attorney for the Company?

MR. ALSON: We have no questions,

Commissioner.

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COMMISSIONER McKISSICK: Any questions

8 from the Public Staff?

MS. HOLT: Yes.

EXAMINATION BY MS. HOLT:

- Q. Mr. Conner, you stated that you spend \$70 a month on bottled water. Why is that?
- A. Well, first off, the mineral content in the neighborhood is very bad. There are three or four minerals in it. It results in me having to replace -- rebuild toilets, showers, everything else. And from a safety standpoint, we haven't drank the water in probably 20 years. If you make ice cubes with it, there's residue in the bottom of the tray. I cut my ice maker off years ago. I just make it with bottled water in trays.

But the -- and also, they have -- I think it was 2019, they showed that there are PFAS, PFOS, although in quantities at that point not above the

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1	limits, but I choose not to drink any water with any of
2	those GenX chemicals.
3	Q. Okay. And how long have you been living in
4	Treasure Cove?
5	A. 1981. At that point, it was a \$6-a-month
6	flat rate.
7	MS. HOLT: Thank you. I don't have any
8	further questions.
9	COMMISSIONER McKISSICK: Thank you.
10	Are there any questions from any of the
11	Commissioners?
12	(No response.)
13	COMMISSIONER McKISSICK: Not seeing any,
14	let me thank you, sir, for your testimony.
15	John, if you could unmute the next
16	witness.
17	MR. LOTSPEICH: Larry Lotspeich.
18	COMMISSIONER MCKISSICK: Okay. Thank
19	you, sir. Let me go ahead and give you the oath of
20	affirmation.
21	Whereupon,
22	LARRY LOTSPEICH,
23	having first been duly affirmed,
24	testified as follows:

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1	COMMISSIONER McKISSICK: All right. If
2	you could state your full name for the record and
3	your residential address.
4	MR. LOTSPEICH: My name is
5	Larry Lotspeich. That's L-O-T, as in Tom; S, as in
6	Sam; P, as in Peter; E-I-C-H. Address is 246
7	Falmouth Road, F-A-L-M-O-U-T-H, Road in Mooresville
8	28817.
9	COMMISSIONER McKISSICK: And are you a
10	customer of Carolina Water Services?
11	MR. LOTSPEICH: Water only.
12	COMMISSIONER MCKISSICK: Okay. Thank
13	you.
14	Ms. Holt, any questions?
15	MS. HOLT: Yes. Mr. Lotspeich, in what
16	subdivision do you live?
17	MR. LOTSPEICH: We're in The Pointe.
18	MS. HOLT: The Pointe?
19	MR. LOTSPEICH: Yes.
20	MS. HOLT: Okay. Thank you. Please
21	proceed with your statement.
22	DIRECT STATEMENT:
23	MR. LOTSPEICH: Yeah. I don't have the
24	details that the few you know, that both

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Mr. Gumbel and Mr. Conner had. I'm impressed with their research and their knowledge. I will say that our water is undrinkable. I don't know anybody in our neighborhood that drinks the water unless they have installed water purification system.

We drink bottled water only, and we consume a lot of it. We don't even give our pets water out of the tap. The water out of the tap pretty much stains everything, our sinks, our toilets. And we don't use it for much of anything else.

I do have a written statement I'd like to read through. I think I've learned that there are set rates for different areas, which I didn't know, but I'll read my statement anyway and you can correct it as you need to.

My wife and I sent via your website link
a letter dated October 10th, which had -- it says
"Subject to Formal Complaint for Carolina Water
Services." I hope you have all had an opportunity
to read it. Attached to this letter was an
August 23 letter we wrote to the Commission noting
our concern and disagreement with the Commission's

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approval of a 41 percent increase in Carolina Water rates starting this past July.

We asked the Commission to re-evaluate this rate increase based upon, amongst other things, the much lower rates of other water carriers in the area. Or, at a minimum, introduce a lesser yearly increase over time or a tiered rate increase. We do not know if the Commission has considered this.

But now, less than a few months later,
Carolina Water is asking for another 30 percent
increase over three years, resulting in over
70 percent increase in four years. The 41 percent
increase is unprecedented without the potential
70 percent increase over four years, which is
unconscionable.

We would hope the Commission would, one, re-evaluate the 41 percent increase, and then fully justify it, and I don't know how you do that, do a detailed audit. How you evaluate their request and how they implement. But I can't understand how they can ask for one 41 percent increase that's in July, and ask for 30 percent more a few months later. But if justified, institute a thorough way

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to implement the increase in smaller percentages over time by a tiered rate.

Second, if the 41 percent increase stands, then understand how in practice it was budgeted and being used in association with the new increases being requested. You know, it's just such a huge increase at one time with an influx of money, you know, how is it being used, and is it being used effectively and for what benefit.

And lastly, third, evaluate if the Commission can justify an equal rate of cost -- increase to all users versus rate increases by region based on infrastructure investment by type of user, such as water only versus water and sewage, or some other fair way to allocate the rate increases.

Now, this may already be in practice. From the information I had, I just could not tell if there was uniform rates or how the rates were being allocated.

In summary, with the information provided to us, it's difficult to understand why such a dramatic increase in Carolina Water costs and rates can be justified in such a short period

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of time. Also, it is unclear whether rates are the same for water-only users versus those users of sewage infrastructure. Uses -- users of water only should not bear the cost of disproportional investment in sewage treatment plants or other infrastructure that is not required by water-only users.

We ask the Commission to seriously consider these concerns and of others in evaluating any rate increases for North Carolina Water.

And that's my statement, but, you know, I -- you know, my water bill went from \$300 to \$700 in August after that rate increase. And, you know, I now know that I had notification of the rate increase. I, apparently, didn't pay close enough attention, and when I got my August -- my July -- my August bill, I pretty much panicked, a and our water usage has gone down since.

But I think these rate increases are just, you know, unconscionable. And to have it all in one fail swoop without some kind of a rate increase -- you know, smaller rate increases over time, is just unconscionable. So anyway, thank you for listening to me.

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1	COMMISSIONER McKISSICK: Thank you for
2	your testimony. And I've been a little bit
3	flexible with this three-minute limitation, but if
4	callers could try to respect that, that would be
5	appreciated. With that said, are there any
6	questions from the Company's attorney?
7	MR. ALSON: No questions, Commissioner.
8	Thank you.
9	COMMISSIONER McKISSICK: Any questions
10	from Public Staff?
11	MS. HOLT: No questions.
12	COMMISSIONER McKISSICK: Any questions
13	from Commissioners?
14	(No response.)
15	COMMISSIONER McKISSICK: Seeing no
16	questions of you, sir, we appreciate your
17	testimony, and we will give it thoughtful
18	consideration as this proceeding moves forward.
19	MR. LOTSPEICH: Thank you.
20	COMMISSIONER McKISSICK: John, if you
21	could unmute the next witness.
22	(Pause.)
23	MR. MCCOY: David Biernat, are you
24	there?

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1	MR. BIERNAT: Yes, I'm here.
2	COMMISSIONER McKISSICK: Okay.
3	Mr. Biernat, let me give you the oath of
4	affirmation.
5	Whereupon,
6	DAVID BIERNAT,
7	having first been duly affirmed,
8	testified as follows:
9	COMMISSIONER McKISSICK: All right. Can
10	you state your full name for the record as well as
11	your residential address?
12	MR. BIERNAT: David Biernat. 101
13	Butternut Circle, Jacksonville, North Carolina
14	28546.
15	COMMISSIONER McKISSICK: And are you a
16	customer of Carolina Water Services?
17	MR. BIERNAT: Yes, I am.
18	COMMISSIONER McKISSICK: Okay.
19	Ms. Holt?
20	MS. HOLT: Hi, Mr. Biernat, in what
21	subdivision do you live?
22	MR. BIERNAT: Aragona Village.
23	MS. HOLT: Okay. Thank you. Please
24	proceed with your statement.

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DIRECT STATEMENT:

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MR. BIERNAT: Okay. Yeah, I'm just calling to strongly oppose the application by Carolina Water for their price increase -- rate increases. I'm currently a sewer customer only. Ι receive my water through ONWASA, which is very good quality, by the way, and very reasonable rates. The only billing I do receive is through ONWASA, who bills on behalf of Carolina Water Services, and that is for the fixed rate sewer charges.

Those fixed rates seem to be excessive compared to any other places that I've lived in any other jurisdictions in North Carolina or any other state I've ever lived in. I've never paid such excessive fees for sewer service.

I projected out the cost of the -- of my sewer services, this fixed rate over the next three years, and it looks like it will be -- it will be my second-highest charge right behind my mortgage, which seems outrageous. It's -- actually will be, by next year, more than my property taxes in Jacksonville here, in Onslow County; more than my property insurance; more than my power bill, my entire power bill; and more than -- well, other

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than my mortgage and my food cost, this combined water and sewer fee will be my second-highest -- excuse me, third-highest charge, monthly charge.

I've looked at their proposals, and it looks like they're actually going on -- well, the other witnesses have already stated all of the rate increase facts, so I won't repeat all of those due to time restraints.

I will notice that the -- I do notice that the water company doesn't seem to reflect being -- using a fixed sewer rate. They don't seem to reflect by region at all any infrastructure projects done near -- in, near, or in the Jacksonville area. The only one I could find that was documented or that was admitted directly in my phone contact with Carolina Water was in Morehead City.

They had some other ones, I think, in Bear Paw and in some other parts near Charlotte, but I haven't seen any infrastructure projects, any activity at all, either observed or documented by this company. So I don't really see how it's -- their rate -- their fixed rate fees across all customers, all sewer customers, can be justified

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1	based on their proposed projects in the state.
2	I also don't think that the their
3	fixed rate fees reflect the population, the
4	different types of people that use their services.
5	We have a lot of fixed-income, low-income people in
6	the area, in the Jacksonville area here. So their
7	fixed rate system that they seem to be moving
8	towards doesn't seem to take that into regard at
9	all, and I just can't see it justified.
10	So that is basically my stance on their
11	rate increases.
12	COMMISSIONER McKISSICK: Thank you, sir.
13	Any questions from the Company's
14	attorney?
15	MR. ALSON: No questions, Commissioner.
16	Thank you.
17	COMMISSIONER McKISSICK: Any questions
18	from the Public Staff?
19	MS. HOLT: No questions.
20	COMMISSIONER McKISSICK: Any questions
21	from fellow Commissioners?
22	COMMISSIONER HUGHES: Just one. And
23	it's the same one I asked earlier.
24	EXAMINATION BY COMMISSIONER HUGHES:

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- Sir, do you, by chance, know your monthly Ο. water use that --
- It's calculated over the year. It's about Α. 3,000 gallons per month. And I'm averaging right now on my water bill \$25.49. The sewer fee is the excessive fee, which is -- well, proposed at right now standing at 90 -- was it \$98.41. And, of course, their increases, you know, reflect that.

So even though I can control from month to month, I have lower months during the year and other months where I use a little bit more, depending on projects I have around the house. But basically, yeah, for 3,000 -- 3,000 gallons, a fixed rate fee, which is totally uncontrollable, like there isn't anything I can do to lower my fixed rate sewer fee based on my usage, water usage.

- Okay. And when you get a bill, you said you Q. receive a bill from ONWASA, so you see the -- you know, you'll see how much -- well, will you see the amount of gallons you used, and then will you just see for the sewer charge just a single line with no mention of usage; is that what it looks like?
- That's correct, right. Α.
 - Q. And you get that from ONWASA?

- A. From ONWASA, right. There's just a single line that says sewer charge on behalf of Carolina Water and a flat fee.
 - Q. Okay. Thank you. No further questions.

5 COMMISSIONER McKISSICK: All right.

Since there don't appear to be any further

7 questions --

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8 COMMISSIONER BROWN-BLAND: I have a guestion, Commissioner.

COMMISSIONER McKISSICK: Oh, excuse me.

Go right ahead, Commissioner Brown-Bland.

EXAMINATION BY COMMISSIONER BROWN-BLAND:

- Q. Mr. Biernat, just to be clear, you are a sewer-only customer of CWS?
 - A. That's correct.
 - Q. And then you said that sewer bill is your second-highest bill?
 - A. Well, combined with the water. My combined water and sewer fee will be my second-highest bill behind my mortgage. The only -- oh, go ahead.
- Q. No, that's what I was trying to clear up. So that's your combined water and sewer when you give us that?
 - A. Right. Right. My average monthly water

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charge is \$25.49. My combined bill this year will be \$124.07. So the bulk of it is the \$85 -- at the current rate, \$85.41 sewer fee. And, of course, their proposed rates of increases are nearly 16 percent, 15.8 percent this year, 5.8 percent the following year, 6.1 percent -- or .17 percent the third year.

forward, I strongly disagree with going forward projecting out three years in advance, not knowing what the economic -- economic status of the country will be. They're proposing 15.8 percent increase this year. Social security has only approved and allocated an 8 --I believe 8.7 percent for the year, based on the CPI urban workers, I believe.

And I didn't mention that, but the -- going

So being those -- that increased rate of 15.8 percent, it's just out of whack with what fixed income people are dealing with right now. So we have a -- you know, a tough go of it, you know, with companies doing this kind of thing. And I don't know, maybe they just aren't aware of what the impact on the public and the consumers and what they're doing. But it just weighs heavily on fixed-income people like myself, so.

COMMISSIONER BROWN-BLAND: All right.

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1	Thank you.
2	COMMISSIONER McKISSICK: Any further
3	questions from Commissioners?
4	(No response.)
5	COMMISSIONER MCKISSICK: Any questions
6	about Commissioners' questions from anyone?
7	(No response.)
8	COMMISSIONER MCKISSICK: Not hearing
9	any, we're gonna go ahead and move on to the next
10	witness. Thank you, sir, we appreciate your
11	testimony.
12	John, if you could unmute the next
13	witness, please.
14	MR. KAHRIMANIAN: Yes, hi, this is
15	Michael Kahrimanian.
16	COMMISSIONER McKISSICK: Okay. Let me
17	give you the oath of affirmation.
18	Whereupon,
19	MICHAEL KAHRIMANIN,
20	having first been duly affirmed,
21	testified as follows:
22	COMMISSIONER McKISSICK: All right. Can
23	you state your full name for the record and provide
24	us with your residential address?

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MR. KAHRIMANIAN: Yes. My name is Michael Kahrimanian, that's K-A-H-R-I-M-A-N-I-A-N. My address is 913 Sea Holly Court, New Bern in Fairfield Harbor.

COMMISSIONER McKISSICK: Okay. And you're a customer of Carolina Water Services? MR. KAHRIMANIAN: Yes, I am.

COMMISSIONER McKISSICK: All right.

Ms. Holt?

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MS. HOLT: Please proceed with your statement, Mr. Kahrimanian.

DIRECT STATEMENT:

MR. KAHRIMANIAN: Yes, hi. participated in the last rate increase call. time I had ever done so, and I was very impressed with the testimony by the -- by the consumers of CWS, and I didn't think there was a chance at all that that rate increase would have been approved, but, of course, it was. So that's the first thing.

Second thing, I purchased this house, and I'm not a full-time resident -- purchased this house four years ago. At that time, I was paying \$3.36 per thousand dollars or per 1,000 gallons of water usage, and \$41.37 for wastewater. My current

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bill, the usage is now up -- is now up to \$6.68 per 1,000, which is a 99 percent increase in four years. My wastewater charge is up 49 percent over that four-year time period. All compared with an

So I would like to propose that the rates -- and I'm sure there's gonna be some snickering about this. I would like to propose the rates go back to the May of 2020 rates, which would fall in line with -- with current inflation rates.

Third, being that I have water and wastewater and I am not a full-time resident, I think it's grossly unfair that I am paying an exorbitant amount for wastewater when there are months out of the year where I have zero usage or less than 100 gallons. I think that's unfair.

And I guess the last thing I would like to say is, Carolina Water Service is the only utility bill I have of any bill that I have that I have to pay a service charge if I pay online out of my own checking account. There isn't one other bill that I have that I have to pay a service charge. I just think that's unconscionable as well. I mean, they're, like, grabbing -- I don't

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1	even want to say it. But I guess that's all I
2	have.
3	COMMISSIONER McKISSICK: Okay. Thank
4	you, sir.
5	Any questions from the Company's
6	attorney?
7	MR. ALSON: No questions, Commissioner.
8	Thank you.
9	COMMISSIONER McKISSICK: Any questions
10	from the Public Staff?
11	MS. HOLT: Yes.
12	EXAMINATION BY MS. HOLT:
13	Q. Mr. Kahrimanian, you say you're not a
14	full-time resident.
15	How many months out of the year approximately
16	do you live in the subdivision?
17	A. I would say about maybe four months.
18	Q. Okay.
19	A. I intend to move down here permanently next
20	year, because I'm going to be selling my house in
21	Western New York. And just for comparison's sake, in
22	the Western New York area, my quarterly bill for water
23	is less than my monthly bill significantly less than

my monthly bill with Carolina Water.

24

Page 48 Okay. And what months do you live in New 1 Ο. 2 Bern? It depends. We come down here, like, four-3 Α. to six-week periods at a time. So I'm here, you know, 4 a good chunk of the winter, some parts of the summer, 5 fall. 6 7 MS. HOLT: Okay. Thank you. MR. KAHRIMANIAN: But it averages out 8 about four months. 9 10 MS. HOLT: Okay. Thank you. 11 COMMISSIONER McKISSICK: Any further 12 questions, Ms. Holt? 13 MS. HOLT: Nothing further. Thank you. 14 COMMISSIONER McKISSICK: Any questions 15 from Commissioners? Go right ahead, Commissioner Hughes. 16 EXAMINATION BY COMMISSIONER HUGHES: 17 Yes. Can you tell me a little bit more about 18 O. 19 the service charge you're being -- you're being charged? So is this an automatic debit or automatic 20 21 withdrawal that you've set up and you're seeing an added charge? 22 23 Α. I refuse to pay the service charge, so I No. 24 mail a check in. It's the only bill that I have to

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- mail a check to avoid a service charge. I could understand if you were paying with a credit card that they would charge you a service, but they charge you a service charge if you take it out of your checking account. So I refuse to pay the service charge, so I mail a check.
- 7 Q. I'm sorry to interrupt. Do you know what that service charge would 8
 - be?

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- I don't know offhand. 10 Α.
- 11 Okay. Thank you. Q.
- I mean, it's probably -- I would say it's 12 Α. 13 probably a couple dollars a month. I mean, it's -it's just the point of it. 14
 - And do you have -- do you have all of your other utility bills set up on automatic -- automatic draft?
 - I don't have -- I go in and pay it monthly Α. based on the usage. So, you know, my cable bill, my Tideland electric bill, and then, of course, my bills back -- my credit card bills and my mortgage. I go online on a monthly basis and pay them.
 - Okay. Do you --O.
 - Α. I don't have any automatic drafts, if that's

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1 what you're referring to.

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- Yeah. Okay. And then you --Ο.
- I guess the only automatic draft I have is Α. for my insurance, my homeowners and wind and hail.
- Okay. But do you write checks for any of the Ο. other utilities?
- No. I do not write a check for anything but Α. Carolina Water Service.
- 9 COMMISSIONER HUGHES: Okay. No further questions. 10
- COMMISSIONER McKISSICK: All right. 11
- Yes, Commissioner Kemerait. 12
- 13 COMMISSIONER KEMERAIT: I have a
- follow-up question for a point of clarification. 14
- 15 EXAMINATION BY COMMISSIONER KEMERAIT:
 - I think you said that your water bill -- your Q. quarterly water bill in Western New York is less than your monthly bill for Carolina Water; did I hear that correctly?
 - Α. Yes, you did. It's significantly less. pay about \$60 a quarter in Western New York, and I'm paying over \$100 a month with Carolina Water Service.
 - And is your provider in Western New York, is 0. it a municipal water service or is it --

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- A. I would say it probably is, because it's Erie County Water Authority, so it is municipal.
 - Q. Okay. Thank you very much.
- A. And also, we pay -- we pay -- our sewer wastewater bill is based on our usage. So if you have a -- if you're a high-usage household, lot of kids, you pay more than, you know, if it's a two-person house and your water usage is lower.

COMMISSIONER KEMERAIT: Thank you very

10 much.

COMMISSIONER McKISSICK: Are there any

12 further questions from Commissioners?

13 (No response.)

14 COMMISSIONER MCKISSICK: Any questions

on Commissioners' questions?

16 (No response.)

17 COMMISSIONER MCKISSICK: Hearing none,

John -- thank you, sir, for providing your

19 testimony.

John, if you could unmute the next

21 witness.

MR. MCCOY: Commissioner, that's the

23 last one.

COMMISSIONER McKISSICK: Okay. I

believe, Ms. Holt, you said there was an additional

	Page 52
1	person. Has that person called in or
2	MS. HOLT: It's my understanding that he
3	has not called in.
4	COMMISSIONER McKISSICK: Okay. Since
5	all witnesses which have signed up and
6	preregistered have spoken, the additional witness
7	that we anticipated, based upon that person's
8	contact with Ms. Holt, has not come online this
9	evening, it looks as if we have concluded the
10	business and purpose of this public hearing.
11	Are there any further matters before us?
12	(No response.)
13	COMMISSIONER McKISSICK: Hearing none,
14	we hereby stand adjourned. Thank you for your
15	participation this evening.
16	
17	(Hearing adjourned at 7:29 p.m.)
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CERTIFICATE OF REPORTER

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STATE OF NORTH CAROLINA

COUNTY OF WAKE 4

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I, Joann Bunze, RPR, the officer before whom the foregoing hearing was conducted, do hereby certify that any witnesses whose testimony may appear in the foregoing hearing were duly sworn; that the foregoing proceedings were taken by me to the best of my ability and thereafter reduced to typewritten format under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

This the 24th day of October, 2022.

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JOANN BUNZE, RPR

Notary Public #200707300112