

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. W-1141, SUB 8

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Application by 904 Georgetown Treatment Plant, LLC, for Authority to Adjust and Increase Rates for Wastewater Utility Service in Sandpiper Bay Golf and Country Club in Brunswick County, North Carolina	)	ORDER SCHEDULING HEARINGS, ESTABLISHING DISCOVERY GUIDELINES, AND REQUIRING CUSTOMER NOTICE
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BY THE COMMISSION: On July 7, 2023, 904 Georgetown Treatment Plant, LLC (Applicant or Georgetown), filed an application with the Commission seeking authority to increase its rates for providing wastewater utility service to its approximately 795 residential customers in the Sandpiper Bay Golf and Country Club in Brunswick County, North Carolina.

On July 31, 2023, the Commission issued an Order Establishing General Rate Case and Suspending Rates, which declared this proceeding to be a general rate case and suspended the proposed new rates for up to 270 days pursuant to N.C. Gen. Stat. § 62-137 and 134, respectively.

The present wastewater rates for Georgetown were approved in Docket Nos. W-1141, Sub 6 and M-100, Sub 138, and have been in effect since January 1, 2017. The present and proposed rates are as follows:

	<u>Present</u>	<u>Proposed</u>
<u>Monthly Flat Rate for Wastewater Utility Service:</u>		
Residential	\$25.04	\$37.97
<u>Connection Fee:</u>	\$1,675.00	\$1,675.00

The proposed rates would increase the average monthly bill for residential wastewater service by \$12.93 per month, or 51.6%.

The Public Staff – North Carolina Utilities Commission (Public Staff) presented this matter at the Commission’s Staff Conference on August 7, 2023. The Public Staff recommended that the matter be scheduled for a customer hearing for the sole purpose of receiving testimony from customers; that the matter should also be scheduled for an expert witness hearing for the sole purpose of receiving expert witness testimony from Georgetown, the Public Staff, and other intervenors, if any, and that Georgetown should be required to provide notice to all affected customers of the Application, including the applied for rates and the scheduled hearings.

Based on the foregoing and the recommendation of the Public Staff, the Commission hereby establishes the procedural schedule, including filing requirements of Georgetown, the Public Staff, and other intervenors, and requires that Georgetown provide public notice to all customers affected by the Application, including the applied for rates and the scheduled hearings.

The guidelines regarding discovery in this docket, subject to modification for good cause shown, are as follows:

1. Any deposition which a party desires to take shall be taken before the deadline for filing of the Public Staff and intervenor testimony. Notice of deposition shall be served on all parties at least 7 calendar days prior to the taking of the deposition. Notice of deposition and all other discovery notices, requests and motions shall be served on the appropriate parties by hand delivery or facsimile, or by electronic delivery if the receiving party has agreed to receipt by electronic delivery.

2. Any motion for subpoena of a witness to appear at the expert witness hearing shall be filed with the Commission before the deadline for the filing of the Public Staff and intervenor testimony, shall be served by hand delivery or facsimile to the person sought to be subpoenaed at or before the time of filing with the Commission, and shall make a reasonable showing that the evidence of such person will be material and relevant to an issue in the proceeding. See N.C. Gen. Stat. § 62-62. Unless an objection is filed, the Chief Clerk shall issue the requested subpoena within 1 business days of the filing of such motion.

3. Formal discovery requests related to the Application and Georgetown's prefiled direct and any supplemental testimony shall be served on Georgetown not later than 14 calendar days prior to the deadline for filing of the Public Staff and intervenor testimony. Georgetown shall have up to 10 calendar days to file with the Commission objections to discovery requests on an item-by-item basis, but in no event shall objections be filed later than 10 calendar days prior to the deadline for the filing of the Public Staff and intervenor testimony.

4. Formal discovery requests related to the prefiled direct testimony of the Public Staff and intervenors shall be served not later than 5 calendar days after such testimony is filed. The party served shall have up to 3 business days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than 9 calendar days after the filing of that party's testimony.

5. Formal discovery requests related to Georgetown's prefiled rebuttal testimony shall be served on Georgetown not later than 2 business days after such testimony is filed. The party served shall have up to 2 business days to file with the Commission objections to the discovery requests on an item-by-item basis, but in no event shall objections be filed later than 4 business days after rebuttal testimony was filed. Discovery related to rebuttal testimony shall be limited to new material introduced in such rebuttal testimony and will be carefully scrutinized upon objection that such discovery should have been sought during the initial period of discovery.

6. Discovery requests need not be filed with the Commission when served; however, any party filing objections shall attach a copy of the relevant discovery request to

the objections. Each discovery request, or part thereof, to which no objection is filed, shall be answered by the time objections are due, subject to other agreement of the affected parties or other order of the Commission. Upon the filing of objections, the party seeking discovery shall have 2 business days to file with the Commission a motion to compel, and the party objecting to discovery shall have 1 business day thereafter to file a response. All objections, motions to compel, and responses shall be served on the other affected at or before the time of filing with the Commission.

7. A party shall not be granted an extension of time to pursue discovery due to that party's late intervention or other delay in initiating discovery.

The Commission urges all parties to work in a cooperative manner and to try to accommodate discovery within the time available. The Commission recognizes that in the past, most discovery has been conducted in an informal manner without the need for Commission involvement or enforcement, and that such has been generally successful. The above guidelines are without prejudice to the parties conducting informal discovery or exchanging information by agreement at any time with the understanding that such will not be enforceable by the Commission if outside these guidelines.

Further, the Commission finds good cause to require all parties who file exhibits and workpapers that include tables of numbers and calculations to provide the Commission Staff, the Public Staff, and any other party upon request from such party an electronic version of all such exhibits and workpapers, with formulas intact.

IT IS, THEREFORE, ORDERED as follows:

1. That a hearing for the purpose of receiving public witness testimony on Georgetown's shall be and is hereby scheduled to begin at 7:00 p.m. on Wednesday, September 27, 2023, at the Brunswick County Courthouse, Courtroom 2, 310 Government Center Drive NE, Bolivia, North Carolina 28422. *This hearing may be canceled if no significant protests are received on or before Wednesday, September 20, 2023;*

2. That the customer hearing will be conducted solely for the purpose of receiving the testimony of customers in accordance with Commission Rule R1-21(g). The Commission reserves the right to limit testimony at the customer hearing pursuant to Commission Rule R1-21(g)(5);

3. That Georgetown is required to file a verified report addressing all customer service and service quality complaints expressed during the customer hearing held on Wednesday, September 27, 2023 within 14 days of the conclusion of the customer hearing. The Public Staff shall and other intervenors may file a verified response and any comments to Georgetown's report on or before Wednesday, October 25, 2023;

4. That a hearing for the purpose of receiving expert witness testimony on Georgetown's Application is scheduled for an expert witness hearing beginning at 1:00 p.m., on Monday, November 13, 2023, and continuing as necessary until its conclusion. The hearing will be held in Commission Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina 27603;

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

6. That on or before Wednesday, September 20, 2023, any persons 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;

7. The Public Staff and intervenors, if any, shall file their testimony on or before Tuesday, October 17, 2023 which is 30 days prior to the expert witness hearing, and Georgetown shall file its rebuttal testimony, if any, on or before Wednesday, November 1, which is 15 days prior to the expert witness hearing;

8. That Georgetown shall consult with all other parties and file, no later than Monday, November 6, 2023, a list of witnesses to be called at the expert witness hearing, the order of witnesses, and each party's estimated time for cross-examination. If the parties cannot agree, the remaining parties shall, no later Thursday, November 9, 2023 to make a filing indicating their points of disagreement with Georgetown's filing;

9. That an officer or representative of Georgetown 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;

10. That any parties filing supporting exhibits in Excel format shall provide the Commission Staff electronic versions of the exhibits filed in native Excel format via email at NCUCexhibits@ncuc.net, including all of the supporting tabs and formulas, within three days of the filing of such exhibits (or within three days of the issuance of this order if already filed with the Commission); and that any parties filing exhibits and workpapers that include tables of numbers and calculations shall provide the Public Staff and any other party upon request an electronic version of all such exhibits and workpapers, with formulas intact;

11. That the Notice to Customers, attached hereto as Appendix A, shall be mailed with sufficient postage or hand delivered by Georgetown to all affected customers no later than ten days after the date of this Order and that Georgetown shall submit to the Commission the attached Certificate of Service, properly signed and notarized, not later than 20 days after the date of this Order.

ISSUED BY ORDER OF THE COMMISSION.

This the 21st day of August, 2023.

NORTH CAROLINA UTILITIES COMMISSION



Tamika D. Conyers, Deputy Clerk

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

**NOTICE TO CUSTOMERS  
DOCKET NO. W-1141, SUB 8**

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

Notice is hereby given that 904 Georgetown Treatment Plant, LLC (Applicant or Georgetown), 800 N. Sandpiper Club Drive, Sunset Beach, North Carolina filed for Authority to Increase Wastewater Utility Service Rates in Sandpiper Bay Golf and Country Club in Brunswick County, North Carolina.

**EFFECT OF RATES:**

The present wastewater rates for Georgetown were approved in Docket Nos. W-1141, Sub 6, and M-100, Sub 138, and have been in effect since January 1, 2017. The present and proposed rates are as follows:

	<u>Present</u>	<u>Proposed</u>
<u>Monthly Flat Rate for Wastewater Utility Service:</u>		
Residential	\$25.04	\$37.97
<u>Connection Fee:</u>	\$1,675.00	\$1,675.00

The proposed rates would increase the average monthly bill for residential wastewater service by \$12.93 per month, or 51.6%.

**PROCEDURES FOR PUBLIC HEARINGS:**

The Commission has scheduled the following hearings on the Application:

*Customer hearing* beginning at 7:00 p.m., on Wednesday, September 27, 2023, to be held at the Brunswick County Court House, Courtroom 2, 310 Government Center Drive NE, Bolivia, North Carolina 28422. *This hearing may be cancelled if no significant protests are received on or before Wednesday, September 20, 2023.*

The customer hearing on Wednesday, September 27, 2023, will be solely for the purpose of receiving the testimony of customers in accordance with Commission Rule R1-21(g). The Commission reserves the right to limit testimony at the customer hearing.

*Expert witness hearing* beginning at 1:00 p.m., on Monday, November 13, 2023, and continuing as necessary until its conclusion. The hearing will be held in Commission

Hearing Room 2115, Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina. The hearing scheduled for Monday, November 13, 2023, shall be conducted solely for the purpose of receiving testimony of Georgetown, the Public Staff, and any other parties of record.

The Public Staff – North Carolina Utilities Commission (Public Staff) is authorized by statute to represent consumers in proceedings before the Commission. Consumer 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 such statements should be addressed to Mr. Christopher J. Ayers, Executive Director, Public Staff, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300. Consumer statements may also be faxed to (919) 715-6704.

Consumer statements may be submitted to the Commission via the web form at <https://www.ncuc.net/contactus.html>. Consumer statements are not evidence unless those persons appear at a customer hearing and testify concerning the information contained in their consumer statements.

The Attorney General is also authorized by statute to represent the 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 this proceeding as formal parties of record should file a petition to intervene pursuant to Commission Rules R1-5, R1-7, and R1-19, on or before Wednesday, September 20, 2023. Such petitions should be filed with the Chief Clerk of the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4300. The direct testimony and exhibits of expert witness to be presented by intervenors should also be filed with the Commission on or before October 17, 2023. Information regarding this proceeding can also be accessed from the Commission’s website at [www.ncuc.gov](http://www.ncuc.gov) under Docket Number “W-1141 Sub 8.”

This the 21st day of August, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Tamika D. Conyers". The signature is written in a cursive, flowing style.

Tamika D. Conyers, 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-1141 Sub 8, and the Notice was mailed or hand delivered by the date specified in the Order.

This the \_\_\_\_ day of \_\_\_\_\_, 2023.

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-1141, Sub 8.

Witness my hand and notarial seal, this the \_\_\_\_ day of \_\_\_\_\_, 2023.

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

\_\_\_\_\_  
Printed Name

(SEAL) My Commission Expires:

\_\_\_\_\_  
Date