

1 PLACE: Held via Videoconference
 2 DATE: Wednesday, September 23, 2020
 3 DOCKET NO.: W-1314, Sub 4
 4 TIME IN SESSION: 6:30 p.m. to 7:30 p.m.
 5 BEFORE: Commissioner ToNola D. Brown-Bland, Presiding
 6 Commissioner Lyons Gray
 7 Commissioner Kimberly W. Duffley
 8 Commissioner Jeffrey A. Hughes
 9 Commissioner Floyd B. McKissick, Jr.

10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24

IN THE MATTER OF:
 Application by Pluris Webb Creek, LLC,
 5950 Berkshire Lane, Suite 800
 Dallas, Texas 75225
 for Authority to Adjust and Increase Rates
 for Sewer Utility Service in All Service Areas
 in Onslow County, North Carolina
 VOLUME 1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

A P P E A R A N C E S:
FOR PLURIS WEBB CREEK, LLC:
Daniel Higgins, Esq.
Burns, Day & Presnell, PA
Post Office Box 10867
Raleigh, North Carolina 27605

FOR THE USING AND CONSUMING PUBLIC:
William E. H. Creech, Esq.
North Carolina Utilities Commission
4326 Mail Service Center
Raleigh, North Carolina 278699-4326

1	T A B L E O F C O N T E N T S	
2	E X A M I N A T I O N S	
3		PAGE
4	DAVID COTE	
5	Direct Examination by Mr. Creech.....	15
6	Examination by Commissioner Brown-Bland.....	19
7		
8	ROBERT SHAKE	
9	Direct Examination by Mr. Creech.....	20
10		
11	KAREN ZORNES	
12	Direct Examination by Mr. Creech.....	27
13		
14	DANIEL SWOKLA	
15	Direct Examination by Mr. Creech.....	35
16		
17	DEBBIE PHILLIPS	
18	Direct Examination by Mr. Creech.....	39
19		
20	ARLENE SPEHAR	
21	Direct Examination by Mr. Creech.....	45
22	Examination by Commissioner Brown-Bland.....	47
23		
24		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

E X H I B I T S

IDENTIFIED / ADMITTED

Shake Exhibit 1..... 24/24

P R O C E E D I N G S

1
2 COMMISSIONER BROWN-BLAND: Let's go on the
3 record. Good evening. Let's come to order and go on
4 record. I am Commissioner ToNola D. Brown-Bland, the
5 presiding Commissioner for this hearing. With me by
6 remote means are Commissioners Lyons Gray, Kimberly W.
7 Duffley, Jeffrey A. Hughes, and Floyd B. McKissick,
8 Jr.

9 I now call for hearing Docket Number W-1314,
10 Sub 4, In the Matter of Application by Pluris Webb
11 Creek, LLC, 5950 Berkshire Lane, Suite 800, Dallas,
12 Texas, 75225, for Authority to Adjust and Increase
13 Rates for Sewer Utility Service in All of Its Service
14 Areas in Onslow County, North Carolina.

15 On April 27th, 2020, Pluris Webb Creek, LLC,
16 hereafter Pluris or Applicant or sometimes I may refer
17 to them as Company, filed an Application with the
18 Commission seeking authority to adjust and increase
19 its rates for sewer utility service in all of its
20 service areas in Onslow County, North Carolina.

21 Effective August 8th, 2016, Pluris Webb
22 Creek, LLC, was appointed by the Commission as the
23 emergency operator of the wastewater system's
24 franchise to Webb Creek Water & Sewage, Incorporated;

1 hereafter I'll refer to the initial franchisee as Webb
2 Creek.

3 The Webb Creek Wastewater System had a
4 history of operational and maintenance issues and was
5 not in compliance with the State required
6 environmental standards and regulations when Pluris
7 became the emergency operator. There were serious
8 environmental compliance issues at that time. To
9 further complicate the situation, the only known
10 officer of Webb Creek was incarcerated and unable to
11 operate Webb Creek. The Webb Creek Utility owed over
12 \$2 million to the bank and owed taxes to Onslow County
13 such that the Utility faced tax foreclosure actions.
14 Due to these circumstances and many others, an
15 emergency operator was needed and Pluris was appointed
16 to make sure sewer service continued and that the
17 system was put in a position to comply with applicable
18 law.

19 It was ultimately determined that the old
20 Webb Creek system could not be brought into full
21 compliance, and so Pluris sought approval and was
22 allowed to build a new plant which serves the Legacy
23 Webb Creek service area in a nearby development known
24 as The Pines.

1 In this general rate case proceeding,
2 Pluris, which is now the owner and operator of the
3 Utility, seeks to adjust its current rates to allow
4 recovery of the capital improvements made and the
5 reasonable operating expenses it found necessary to
6 serve the customers.

7 In its filed Application, the Company
8 proposes to increase its monthly flat rate for
9 residential customers from \$37.69 to \$73.38, and to
10 charge the monthly base rate for commercial
11 customers -- to change the monthly base rate for
12 commercial customers from \$28.34 for all meter sizes
13 to a monthly flat rate based on the size of the meter
14 over the total revenue generated by the current rates.
15 In addition, Pluris is proposing to increase the
16 commercial customer's commodity charge from 1,000
17 gallons -- charge per 1,000 gallons from \$9.04 to
18 \$16.50.

19 The Company filed with its Application the
20 direct testimony of Maurice W. Galarda and Daniel J.
21 Winters.

22 On May 26, 2020, the Commission issued an
23 Order Establishing General Rate Case and Suspending
24 Proposed Rates.

1 On August 10th, 2020, the Commission issued
2 an Order Scheduling Hearings and Requiring Customer
3 Notice. That Order set this public hearing for this
4 day and time by remote means on September 23rd, 2020
5 at 6:30 p.m. for the purpose of receiving customer
6 testimony and schedule the expert witness hearing to
7 begin at 2:00 p.m. on Monday, November the 2nd, 2020
8 either by remote means or in the Commission hearing
9 room in Raleigh to be determined on or before October
10 the 12th, 2020.

11 The Public Staff whose intervention and
12 participation on behalf of the Using and Consuming
13 Public is recognized pursuant to North Carolina
14 General Statute 62-15(d) and Commission Rule R1-19(e)
15 is a party in this proceeding. There are not other
16 intervenors.

17 On August 17th, 2020, the Company filed the
18 Certificate of Service verifying that all affected
19 customers had been served with the required notice as
20 ordered by the Commission.

21 Pursuant to the State Government Ethics Act,
22 I remind members of the Commission of our duty to
23 avoid conflicts of interest and inquire at this time
24 as to whether any Commissioner has any known conflict

1 of interest with respect to this docket.

2 The record will reflect that no conflicts
3 have been identified.

4 I'll now call on the parties to announce
5 their appearances for the record beginning with the
6 Applicant, Pluris.

7 MR. HIGGINS: Good evening, Commissioner
8 Brown-Bland. Dan Higgins with Burns, Day & Presnell
9 appearing for Pluris Webb Creek, LLC.

10 COMMISSIONER BROWN-BLAND: All right. And
11 do you have others with you? Is your client with you?

12 MR. HIGGINS: Mr. Galarda, Maurice Galarda
13 is also attending as is Mr. Randy Hoffer who is the
14 North Carolina Operations Manager for Pluris.

15 COMMISSIONER BROWN-BLAND: All right. Thank
16 you. Public Staff?

17 MR. CREECH: Good evening, Presiding Chair
18 Brown-Bland and Commissioners and Mr. Higgins, and
19 others on here, on the call tonight. My name is
20 William "Zeke" Creech. I'm a Staff Attorney with the
21 Public Staff. Normally, we would have attorneys and
22 engineers in person, but, of course, we're virtual
23 tonight and we are virtually joined by Michael
24 Franklin with the Water, Sewer, and Telephone Division

1 of the Public Staff. He's an engineer. And I would,
2 if I may, Presiding Chair Brown-Bland, indicate that
3 we will continue to talk to customers about service
4 quality issues if they have any and they in particular
5 can contact Mr. Franklin via email at
6 mike.franklin@psncuc.nc.gov and telephone at
7 919-733-5610. But again, thank you for having us this
8 evening.

9 COMMISSIONER BROWN-BLAND: Mr. Creech, just
10 once more, would you repeat the contact information?

11 MR. CREECH: Yes. Thank you. It's mike. --
12 the email address is mike.franklin@psncuc.nc.gov and
13 the telephone number is 919-733-5610. Again,
14 mike.franklin@psncuc.nc.gov and telephone
15 919-733-5610. Thank you.

16 COMMISSIONER BROWN-BLAND: All right. Thank
17 you. Counsel, do we have any preliminary matters that
18 we need to address before we begin?

19 MR. HIGGINS: I'm not aware of any,
20 Commissioner Brown-Bland.

21 COMMISSIONER BROWN-BLAND: Mr. Creech, I --
22 I understand that we already have 12 customers signed
23 up for this evening; is that correct?

24 MR. CREECH: Correct.

1 COMMISSIONER BROWN-BLAND: All right.
2 Before we begin, before you call the first witness,
3 just a little bit about our procedure for their
4 benefit assuming they are on the line and can hear me.
5 To the customers, after your name is called and you
6 have been unmuted by our Webex host, I will seek your
7 affirmation that your testimony will be the truth, and
8 then Mr. Creech will go over preliminary questions to
9 get you identified for the record. When he has done
10 that, he will indicate that you are free to start
11 providing your testimony or what it is that you want
12 to say to the Commission, and at that point you will
13 begin and you will have three minutes to testify, make
14 your statement.

15 Around the two-minute mark, I'll try to be
16 vigilante, you will be given an indication that will
17 let you know you have one minute remaining and you
18 should start to wrap up your remarks. When your time
19 is up and you have completed your testimony, each of
20 the parties, that is the Public Staff's Mr. Creech or
21 Pluris' counsel Mr. Higgins will be able to ask you
22 any questions that they may have pertaining to your
23 testimony. Then the Commissioners will have a similar
24 opportunity to ask questions of you. These questions

1 are not to embarrass you or challenge you, but are
2 primarily to clarify your testimony for the record and
3 to be sure that we understand what it is you want us
4 to know.

5 After the questions are answered, you will
6 be excused from the virtual witness stand. You may
7 continue to follow the hearing, if you should leave
8 the phone call. You can stay on the line, but if you
9 do, you'll be muted, and so we won't hear you after --
10 after you've been excused. Or you may leave the
11 hearing or the call if you wish and you can attend --
12 or if you wish you can attend by Webex or you can
13 watch us on You Tube to be able to see what transpires
14 and what others have to say. The links for that are
15 on the first page of the Commission's website and you
16 may have already received that website link in your
17 customer notice, but that is at www.ncuc.net.

18 Now, we are holding this public hearing
19 tonight because we want to hear from you and your
20 views on Pluris' Application are important and need to
21 be heard. But this proceeding is in the nature of a
22 court proceeding. We have a court reporter attending
23 and she will take down every word of this proceeding
24 and will later produce a verbatim transcript of your

1 testimony and all that is said during this hearing.
2 You will provide your testimony as witnesses and
3 questions may be asked of you, but the Commission is
4 in the place of the judge and, as you are likely
5 aware, the judge does not answer questions. Instead
6 the Commission is here to listen.

7 However, if you have questions, Mr. Creech
8 who is part of the Public Staff and actually
9 represents you all as part of the Using and Consuming
10 Public and Mr. Higgins who represents Pluris will tell
11 you how to be in touch with them following this
12 proceeding, so they can assist you in having your
13 questions or any service issues addressed.

14 And the last thing that I'll say to you is
15 about the Public Staff. The Public Staff is the
16 advocate for the consumers, nonresidential and
17 residential, and they are -- the Public Staff means
18 it's an independent organization and they have their
19 own experts as Mr. Creech referenced an engineer a
20 moment ago. They also have accountants, attorneys.
21 They have experts that they bring to bear to help them
22 in their representation of the public. And these
23 experts will pour over the Application to verify the
24 information to see that it supports the Company's

1 Application or not and they will be filing their
2 testimony. It happens to be due on Friday. And at
3 that point you will be able to see the position they
4 are taking in this case by going to the Commission's
5 website. And if you enter the Commission's -- or the
6 docket number for this case which is W-1314, Sub 4,
7 you will follow it through, you'll be able to go there
8 and see all of the testimony that has been prefiled in
9 the case, including what it is the Public Staff may
10 have to say about the case. As I say, that is due on
11 Friday.

12 I think that's enough to get us started.
13 So, Mr. Creech, you may call your first witness.

14 MR. CREECH: Thank you, Madam Chair. Our
15 first witness tonight and we actually have not seen
16 his number come up quite yet is Anthony Cardinal.

17 Mr. Cardinal, are you on the line?

18 MR. BIRCKBICHLER: Mr. Creech, this is Dan
19 in IT. He has not joined. The first witness on your
20 list is the fourth one down and I do have confirmation
21 on joining and I can unmute them if you're fine to
22 proceed.

23 MR. CREECH: That would be David Cote or
24 Cot?

1 MR. BIRCKBICHLER: Yes, sir.

2 MR. CREECH: Okay. If that's all right, we
3 will -- Madam Chair, we would like to see if we can
4 call upon those witnesses if they do join us here
5 shortly.

6 COMMISSIONER BROWN-BLAND: We will come back
7 to them.

8 MR. CREECH: Okay. David, are you on the
9 line?

10 MR. COTE: Yes. It's David Cote.

11 MR. CREECH: Cote.

12 DAVID COTE; Having been duly affirmed,

13 Testified as follows:

14 DIRECT EXAMINATION BY MR. CREECH:

15 Q Mr. Cote, will you please state
16 and spell your name for the record, and then also
17 provide your physical address as well as your
18 subdivision, please?

19 A David L. Cote, C-O-T-E, last name.
20 Fox Trace is the subdivision and the address is 503
21 Nuthill Drive. I'm not sure if that was in the order
22 of the questions you asked.

23 Q Thank you. And that's in Hubert,
24 North Carolina?

1 A Correct.

2 Q And Mr. Cote, did you have a
3 statement that you wanted to provide to the Commission
4 this evening?

5 A I do.

6 Q Please proceed.

7 A So I'm honored to kind of have
8 this first act here. I appreciate everybody's time
9 and this information process here. I'm kind of torn
10 on how to present this material. It's not so much
11 factual based. I do have some facts, but I didn't --
12 I didn't dig into this like some of the other
13 counterparts that I know that are probably going to
14 testify.

15 What is the anticipated rate increase for
16 the duration? Because I understand, you know,
17 expenses get paid after a certain time period. And if
18 I'm not mistaken, Pluris was a volunteer for this
19 emergency appointment per se, so they probably knew
20 what they were getting into before they volunteered
21 for it I would assume. And I believe that in some of
22 the documents that I had read stated they did maybe
23 one to two site surveys, so they might've seen what
24 was going to happen.

1 I see this rate increase and I look at it
2 and I understand that Pluris had just built a park for
3 the -- not the community, which a lot of people
4 thought it was for, but it was donated to the County,
5 which was kind of a slap in the face for, you know,
6 the community to think that hey they're doing a great
7 thing. They're building a park. And they handed it
8 over to the County. This is private property, but yet
9 it was given to the County so we're -- we're on the
10 hook to maintain these roads and these streets, and
11 yet the County has access to this park that Pluris has
12 established.

13 You know, mind you, it's only a couple of
14 swings and a picnic table; nothing glamorous. But
15 just the whole -- it's kind of insulting.

16 I also understand that Pluris is a donator
17 to the Fishstrong Foundation and they're a diamond
18 plus rating. Meaning to be at the diamond level
19 that's to at least \$5,000 in contribution to make that
20 mark. And if they have enough money to donate
21 property and parks to the County and be at the diamond
22 level to donate to the Fishstrong Foundation, it seems
23 like they're a no-fail business model and they can
24 push their rates down on the consumers. It doesn't

1 matter how bad they fail, they're just going to pass
2 it off to the homeowner who is paying for the service
3 and has no choice but to pay for Pluris' services. It
4 -- it's just kind of mind blowing to me.

5 And I get it, you know, clean water back
6 into the community. Protect the environment. They're
7 all important things. I just -- at a 95 percent
8 increase. I'm held accountable. Pluris isn't held
9 accountable for my bad decision making and my
10 finances. If I want to put a new roof on my house and
11 I go with the most expensive roof there is and put a
12 \$20,000 metal roof, then that's my fault. I could've
13 easily done it for less than 10 grand with some
14 three-tab shingles. It seems excessive to -- to have
15 such a high-dollar water treatment facility for 1,500
16 consumers knowing that they're not going to fail and
17 they're just going to pass that rate down to their --
18 you know, the homeowner.

19 COMMISSIONER BROWN-BLAND: Mr. Cote, your
20 time is up.

21 A I appreciate it. Thank you.

22 COMMISSIONER BROWN-BLAND: All right. Hold
23 on a minute. Let's see if we have questions for you.
24 Mr. Higgins, do you have any questions for Mr. Cote?

1 MR. HIGGINS: I don't have any questions for
2 Mr. Cote.

3 COMMISSIONER BROWN-BLAND: Mr. Creech.

4 MR. CREECH: None other than to thank you,
5 Mr. Cote. Appreciated your comments.

6 COMMISSIONER BROWN-BLAND: All right. Any
7 questions from Commissioners?

8 EXAMINATION BY COMMISSIONER BROWN-BLAND:

9 Q Mr. Cote, I would just ask, you
10 made a reference to the possibility that the Company
11 may have been able to supply its service for less. Do
12 you have any evidence or reason to believe they could
13 have done so?

14 A I don't and I wish I did. I wish
15 was an engineer and could come up with that, that
16 dollar amount that they're associating with the whole
17 new plant. And I'm just -- I don't have quantifiable
18 numbers. I'm not well educated. But I -- no. To
19 answer your question, no, I do not.

20 Q All right. I thank you for that.
21 Now, Mr. Cote, as I indicated earlier, the Public
22 Staff will look into it and they will have engineers
23 to look into it, so they will help us understand
24 what's -- what the Application is all about here.

1 But we'd like to thank you for coming out.
2 There are no questions for you, so you may be excused.
3 Thank you.

4 THE WITNESS: Thank you.

5 (The witness is excused)

6 MR. CREECH: Madam Chair, the next witness -
7 and, Dan, you can confirm - the next witness we'd like
8 to call is Amy Clifton. Amy, are you on the line?
9 Ms. Clifton?

10 MR. BIRCKBICHLER: Mr. Creech, the
11 next witness I have confirmed on the line is Robert
12 Shake.

13 MR. CREECH: All right. My
14 apologies. Mr. Shake, are you on the line?

15 MR. SHAKE: Yes, sir.

16 ROBERT SHAKE; Having been duly affirmed,

17 Testified as follows:

18 DIRECT EXAMINATION BY MR. CREECH:

19 Q Mr. Shake, good evening. If you
20 could please state and spell your name for the record
21 and also provide your physical address as well as your
22 subdivision, please.

23 A Robert Shake, S-H-A-K-E, Fox Trace
24 Subdivision, and my physical address is 303 Fox Ridge

1 Lane in Hubert, North Carolina 28539.

2 Q Thank you, Mr. Shake. And do you
3 have a statement you'd like to provide for the
4 Commission this evening?

5 A Yes, sir.

6 Q Please proceed.

7 A I'm going to talk fast. Thank you
8 for this time. The rate increase is excessive by
9 industry standards and I -- and it serves to minimize
10 actual future profits by holding 1,358 residents
11 hostage to an unfair monopoly. I'm asking the
12 Commission to -- to side with both Pluris and the
13 residents in a -- in a middle ground rate increase of
14 \$58.38, which would still be an increase of over 55
15 percent.

16 I want to state two -- two real quick
17 things. The APR system I believe is necessary. The
18 rate increase is actually necessary, but a fair rate
19 increase is what is necessary. A \$20 increase for the
20 residents and \$15 from the proposed rates, let's meet
21 in the middle. Here's the -- here's the reasons why.

22 Pluris is stating that the rate of return
23 requested is 6.5 percent and they're using Aqua's
24 recent approval to say that this is a reasonable rate

1 to the Commission. However, I will say that if the 95
2 percent increase doesn't -- they didn't have a 95
3 percent increase and they did not break the \$70 value.

4 According to UNC Chapel Hill, North
5 Carolina, 2020 Water and Wastewater Rates, median in
6 this area is \$38 and the max is \$48, meaning this is
7 over \$73 rate increase is well outside the excess --
8 of the industry standards.

9 Number two, the rate of return of 6.5
10 percent is, according to Mr. Winter's financial
11 accounting, has Pluris' equity of 2.7 million in the
12 construction in progress is actually receiving 9.6
13 percent rate of return if this rate is approved where
14 the cost of long-term debt is only 4.1 percent. A
15 rate increase of \$58.38 would bring the return of
16 equity on Pluris' \$2.7 million back to that norm of
17 4.1 percent or approximate thereof long-term debt.

18 In addition, and this is the third and final
19 reason, and very important, the capacity of the MBR is
20 actually 1,800 but there's only 1,358 current users.
21 Now, they will add more users to this, but they're not
22 annotating that in their -- their rate of return that
23 they will get in the future. They added 271 users in
24 2019. They will add more users to the capacity of

1 this rate. And what I'm asking for is the 1,800 users
2 to spread the rate of return so they can get a fair
3 and value return.

4 Four hundred and forty-two users deficiency
5 on this current system. There's \$309,000 in pure
6 profits at the \$58.38 return bringing the -- the rate
7 of return overall in this proposal to 11.4 percent and
8 Pluris' personal rate of return over 17 percent on
9 their equity. That's -- that's above and that's not
10 fair market.

11 I'm asking the Utilities Commission to find
12 for the residents and with Pluris where we both can
13 have the win/win and we can meet right in the middle
14 where it actually should be. And I don't understand
15 why this hasn't been already evaluated and the
16 financial accounting been scrutinized to this degree.

17 COMMISSIONER BROWN-BLAND: All right. Thank
18 you, Mr. Shake. Are there any questions, Mr. Higgins?

19 MR. HIGGINS: No, ma'am.

20 COMMISSIONER BROWN-BLAND: Mr. Creech.

21 MR. CREECH: Please, Madam Chair.

22 BY MR. CREECH:

23 Q Mr. -- Mr. Shake, you had emailed
24 to the Public Staff late today, and I forwarded it on

1 to counsel for the Commission as well as Company
2 counsel, a statement that is headed as Final and
3 Correct Submission, A Consumer Statement of Position.
4 Is that something you would like to have part of the
5 record this evening?

6 A Yeah, please, sir. Three minutes
7 isn't enough to cover all the details that I would
8 like to have had, but that statement does absolutely.
9 If you can make it part of the record, I would
10 appreciate it.

11 MR. CREECH: Presiding Chair Brown-Bland, I
12 would -- I would propose that I will also share this
13 with the court reporter and have this marked as Shake
14 Exhibit 1 if that's possible.

15 COMMISSIONER BROWN-BLAND: It will be so
16 identified and received into the record.

17 (WHEREUPON, Shake Exhibit 1 was
18 marked for identification as
19 prefiled and received into
20 evidence.)

21 COMMISSIONER BROWN-BLAND: Mr. -- I mean,
22 are there questions from the Commissioners?

23 Mr. Creech, are you done? Did you have any
24 questions?

1 MR. CREECH: Just thank you for your
2 statement and -- and both verbal and written, Mr.
3 Shake. Thank you.

4 COMMISSIONER BROWN-BLAND: All right. Do
5 any of Commissioners have questions for this witness?

6 (No response)

7 All right. Mr. Shake, we appreciate your
8 coming out. You made a comment that you didn't
9 understand why it hadn't already been looked into, but
10 a part of information that I usually give out and I
11 did not this time would have explained to you that
12 this is just part of the process. Once the
13 Application is filed, it follows a process and, as I
14 indicated, the Public Staff will be filing their
15 position looking into perhaps some of these things
16 that you have raised and they will file their position
17 on Friday. So they are looking into it and the timing
18 is just such that the public hearing comes before
19 that, so that we can also hear from you and have what
20 the customers have to say, to be able to take it into
21 account when we take into account the other
22 information that will be filed in the docket. That is
23 the answer to that question.

24 All right. There are no further

1 questions from you, so you may be excused.

2 THE WITNESS: Thank you very much.

3 COMMISSIONER BROWN-BLAND: You're welcome.

4 (The witness is excused)

5 COMMISSIONER BROWN-BLAND: Mr. Creech?

6 MR. CREECH: Dan, is Debbie Phillips on the
7 line?

8 MR. BIRCKBICHLER: Yes, sir, I have Debbie
9 Phillips on the line. She's available.

10 MR. CREECH: Ms. Phillips, good evening.

11 COMMISSIONER BROWN-BLAND: Ms. Phillips, can
12 you hear us?

13 MR. CREECH: May need to unmute, Ms.
14 Phillips.

15 COMMISSIONER BROWN-BLAND: I believe the
16 host would unmute her.

17 MR. CREECH: Right.

18 COMMISSIONER BROWN-BLAND: Ms. Phillips, are
19 you with us? Does she appear to be with us, Mr. --

20 MR. BIRCKBICHLER: I have two phone numbers
21 with the same six digits, so we may have a Daniel -- I
22 don't want to mispronounce the last name, but it's
23 your last witness who has the same first six digits of
24 his phone number. It might be Daniel that is on the

1 line now.

2 MR. CREECH: That would be Daniel Swokla.

3 Let's come back to him if we can then.

4 MR. BIRCKBICHLER: Okay.

5 MR. CREECH: Next, I do believe that we have
6 Karen Zornes on the line.

7 MR. BIRCKBICHLER: Yes, sir, let me unmute
8 her.

9 MR. CREECH: Ms. Zornes, are you on the
10 line?

11 MS. ZORNES: Yes, sir.

12 MR. CREECH: Good evening.

13 KAREN ZORNES; Having been duly affirmed,

14 Testified as follows:

15 COMMISSIONER BROWN-BLAND: Mr. Creech, your
16 witness.

17 MR. CREECH: Thank you.

18 DIRECT EXAMINATION BY MR. CREECH:

19 Q Ms. Zornes, if you can please
20 state and spell your name for the record and also
21 provide your physical address as well as your
22 subdivision, please.

23 A Karen Zornes. It's Z-O-R-N-E-S.

24 156 Parnell Road, Hubert, North Carolina, Fox Trace

1 Division (sic).

2 Q Thank you, Ms. Zornes. And did
3 you have a statement that you wanted to provide to the
4 Commission this evening?

5 A Yes.

6 Q Please proceed.

7 A I want to thank Pluris -- okay. I
8 want to thank Pluris for taking over. We appreciate
9 what they've done so far. But I do apologize that I'm
10 not sure that I heard or if there had to be a public
11 hearing notice about building a new plant. I've
12 looked over the documents and I understand the plant
13 was in bad shape. But what I'd like to know is that
14 there was any possible way that the tank could've been
15 repaired, if the equipment could've been repaired,
16 replaced, at maybe a cheaper cost because you're only
17 dealing with 1,358 customers. And since this was an
18 emergency appointment that was taken over, did anybody
19 look into a possible grant to rebuild this? There was
20 a bond on the plant and I understand that they used
21 it. There is now a \$200,000 bond on the plant, but is
22 that enough and what will stop -- what will -- how
23 will we keep from this happening again? Somebody
24 taking over, not being responsible. I'm not sure who

1 is responsible for watching over the sewer plants, but
2 either the County, the State, somebody didn't do their
3 job when the previous owner had this place.

4 And so with that why are they not being part
5 of the payment plan? They should have followed
6 through. They did not. And have all the means of
7 collecting any assets from this previous owner. Has
8 that been exhausted? That it could go towards the new
9 plant? I Understand that there is about 50 homes that
10 are not paying or that are vacant. That means that
11 down the road they'll need another increase because
12 they'll have to recoup those people that are not
13 paying and the homes that are empty. I would like to
14 know what the annual operating cost is normally for
15 the plant without the \$5 million to rebuild it
16 included. Is there -- they say that they have
17 increased the payment plan for us which is a way for
18 them to really make sure they get their money, and
19 that they have better communication which is not
20 necessarily true, because I called and wanted to know
21 some things about the roads and I was just put off and
22 told to call the County instead of somebody speaking
23 to me. They emailed me and I had to keep on calling
24 and emailing to get an answer.

1 Webb Creek used to help with the paving of
2 the roads and cleaning out the ditches, and now Pluris
3 does not. So why are they not helping if that was
4 Pluris -- if that was Webb Creek's job at one time?

5 And my last comment is that I
6 knew -- I do not know anywhere in this state where a
7 sewer amount is this high that at least -- that does
8 not include water at least. I don't know how many
9 years they're looking to repay themselves back, but
10 can't it be put over a longer period of time like 10
11 years instead of five years? And people have, you
12 know, this is a pandemic. People have lost their
13 jobs. People are hurting. It's an awful lot of money
14 to be asking for something that not so sure something
15 else could have been done or rebuilt a little bit
16 cheaper.

17 COMMISSIONER BROWN-BLAND: All right. Ms.
18 Zornes, your time is up and thank you. Mr. Higgins,
19 do you have questions for this witness?

20 MR. HIGGINS: No, ma'am, I do not.

21 COMMISSIONER BROWN-BLAND: Mr. Creech?

22 BY MR. CREECH:

23 Q Ms. Zornes, thank you so much for
24 your comments tonight. You had -- you had a number of

1 questions that you wrote that the -- that -- that you
2 hoped that the Company could -- or that you would like
3 to get answered. And you were wondering whether --
4 just to confirm your questions, you were wondering
5 whether the customers that received notice about the
6 scale of the plant; is that correct?

7 A I -- I don't remember ever --

8 Q I don't want to put words in your
9 mouth.

10 A I don't remember ever hearing
11 anything about the plant wanting to rebuild. I
12 would -- I would think that we would've gotten a
13 public hearing notice that they wanted to do this and
14 that we would have some sort of say in that. I don't
15 know politically what is correct and not correct. But
16 I assumed that we would get some sort of notice that
17 they were building a new plant and that we could ask,
18 hey, have you done everything possible to verify you
19 can't replace these tanks? You can't replace these --
20 these -- these pieces of equipment that are damaged?
21 Wouldn't that be cheaper? I mean, 1358 people that
22 pay for a \$5 million dollar plant is a lot.

23 Q And that's the third comment in a
24 row that we've had this evening, so would you say

1 that's -- that's a -- well, I just -- I just note
2 that. So thank you for that, Ms. Zornes. You had
3 several other questions --

4 A I just want to make --

5 Q Go ahead.

6 A I just want to make sure that that
7 \$200,000 bond is enough cover whatever might happen in
8 the future with what the past owner did. Somebody is
9 supposed to be overseeing these sewer plants, but
10 somebody has failed in their job to do that that man
11 got away with not paying his bills. And why are we
12 the ones that have to cover the cost, you know? You
13 know, the County or the State is responsible. Isn't
14 there a grant they could've used; something?

15 Q And you had some other questions,
16 what are the other -- one of the final questions that
17 you had related to the amount that's being charged in
18 this instance and are there -- how does that compare
19 to other -- other customers across the state.

20 A Yeah.

21 Q Is that correct?

22 A Yes. I don't know -- I don't know
23 of anybody that has a \$74 bill for just sewer. I did
24 see that there were some -- a little bit higher rate,

1 but they included water. So we -- this doesn't even
2 include our water bill. It's really kind of
3 outrageous. And why can't it just be over a 10-year
4 or a longer period of time to recoup their finances?

5 COMMISSIONER BROWN-BLAND: All right. Is
6 that it for you, Mr. Creech?

7 MR. CREECH: Yes. Yes. Thank you.

8 COMMISSIONER BROWN-BLAND: Are there any
9 questions from the Commissioners?

10 (No response)

11 All right. Ms. Zornes, we appreciate you
12 coming out and speaking with us this evening. And as
13 I said --

14 THE WITNESS: Thank you.

15 COMMISSIONER BROWN-BLAND: -- you can
16 certainly follow these proceedings and see what the
17 Public Staff has to say as early as Friday.

18 THE WITNESS: Thank you.

19 COMMISSIONER BROWN-BLAND: And you are
20 excused. Thank you.

21 THE WITNESS: Thank you.

22 COMMISSIONER BROWN-BLAND: You're welcome.

23 (The witness is excused)

24 MR. CREECH: Dan, is Alberta Houck on the

1 line?

2 MR. BIRCKBICHLER: They were, but it looks
3 like they disconnected.

4 MR. CREECH: Although I see they may have
5 come back on. Is that possible? Caller four?

6 MR. BIRCKBICHLER: No. That's a different
7 witness, sir. I'm not seeing anything coming up with
8 their call-in information for that individual.

9 MR. CREECH: Who do you have? We may need
10 to come back to that. Who do you have next on the
11 list, please?

12 MR. BIRCKBICHLER: I believe it is the last
13 witness Daniel. I have a matching phone number. At
14 least the first six are matching --

15 MR. CREECH: Correct.

16 MR. BIRCKBICHLER: -- so I can unmute them
17 now for confirmation.

18 MR. CREECH: Thank you. Daniel, are you on
19 the line, Mr. Swokla?

20 MR. SWOKLA: Yes, I am.

21 COMMISSIONER BROWN-BLAND: All right.

22 MR. SWOKLA: Can you hear me?

23 COMMISSIONER BROWN-BLAND: Yes, we hear you.

24 DANIEL SWOKLA; Having been duly affirmed,

1 Testified as follows:

2 COMMISSIONER BROWN-BLAND: Mr. Creech.

3 DIRECT EXAMINATION BY MR. CREECH:

4 Q Mr. Swokla, good evening. If you
5 could please state and spell your name for the record
6 as well as provide your physical address and
7 subdivision please.

8 A My first name is Daniel, last name
9 is Swokla, S-W-O-K-L-A. I live at 167 Parnell Road in
10 Hubert, North Carolina in the Fox Trace Subdivision.

11 COMMISSIONER BROWN-BLAND: All right. Mr.
12 Creech?

13 Q Mr. Swokla, do you have a
14 statement you'd like to provide for the Commission
15 this evening?

16 A Yes.

17 Q Please proceed.

18 Q Okay. Yeah. My concern on this
19 is certainly the massive increase from \$37 up to
20 almost \$80 increase in the service. I've lived here
21 since '93, and I've see the rate start at \$25 and then
22 10 years ago under the emergency injunction the State
23 included them to go up to \$37 and change. And now
24 they're asking for a large increase. I'm not so naive

1 to believe that the Company can't function without
2 increases. Certainly they can and -- and they --
3 their abilities and maintain them, they do from time
4 to time need to have rate increases.

5 COMMISSIONER BROWN-BLAND: Mr. Swokla, could
6 you just speak up a little bit? Let's make sure our
7 court reporter is able to hear you.

8 A Okay.

9 COMMISSIONER BROWN-BLAND: Thank you.
10 Continue.

11 A Okay. My ear, they're both loud
12 in my ear. Okay. But usually the -- the big increase
13 in the price has really concerned me. And, you know,
14 the other thing too is, is this very expensive plant
15 intended just to service Fox Trace and The Pines or do
16 they have plans to extend services elsewhere with this
17 plant with the capability that it has? And I know,
18 you know, I start -- when I moved in here I knew the
19 developer which was also they guy that run the plant.
20 And of all the time I knew him he was a shoddy
21 operator and he left us not only with a bad plant that
22 had to be taken over after being so delinquent, but
23 also he also gifted us with private streets out here,
24 private roads, and they were in a lot of disrepair, so

1 we're having to look at that too as private citizens.
2 Too, there's no federal funding and there's no state
3 funding, there's no county money, there's no grant,
4 and there is no -- as far as we know no miracle, so
5 it's going to have to come out of our pockets.

6 Also, you know -- is it over?

7 COMMISSIONER BROWN-BLAND: No. You have a
8 minute.

9 A Okay. All right. Now Pluris has
10 helped us quite a bit since they've been here. They
11 haven't done so much in the last probably six months,
12 but -- you know, because they knew how bad our
13 situation was out here and also some of our street
14 problems. They -- they did -- they seemed to be
15 (inaudible) oriented as well and, you know, they did
16 buy -- built that nice little park. Although they
17 turned it over to the County, the County will take
18 good care of that. It will not be a nuisance. I used
19 to work with -- around the boys that take care of the
20 parks, and they're a wonderful bunch of people and the
21 County is proud keep their parks nice, so I don't
22 think that'll be an issue.

23 That's my biggest concern is, you
24 know, the rate, because of the limited income out here

1 for residents and retirees.

2 COMMISSIONER BROWN-BLAND: All right. Thank
3 you. Mr. Creech?

4 MR. CREECH: Only one clarifying question.

5 BY MR. CREECH:

6 Q You trailed off there at the end.
7 Did you indicate you're a retiree; is that correct?

8 A Yes, I am.

9 Q Okay. Very good. Thank you.
10 Thank you, Mr. Swokla.

11 A Okay.

12 COMMISSIONER BROWN-BLAND: All right. Mr.
13 Higgins, do you have any questions for this witness?

14 MR. HIGGINS: No, ma'am, I do not.

15 COMMISSIONER BROWN-BLAND: Mr. Creech.

16 MR. CREECH: No further questions at this
17 time.

18 COMMISSIONER BROWN-BLAND: And
19 Commissioners, any questions?

20 (No response)

21 Mr. Swokla, we appreciate you coming out to
22 tell us what you think about this Application and some
23 of your concerns, and you are excused. You may leave.

24 THE WITNESS: Okay. Thank you.

1 COMMISSIONER BROWN-BLAND: Thank you.

2 (The witness is excused)

3 COMMISSIONER BROWN-BLAND: All right. Let's
4 go back from the top of the list and see if we have
5 any others who haven't been able to testify yet.

6 MR. BIRCKBICHLER: I have confirmed, I
7 believe it is Ms. Phillips that has reconnected, but I
8 do have two phone numbers out there, so I'm going to
9 unmute the one in which I believe is Ms. Phillips.
10 She is now unmuted.

11 MR. CREECH: Ms. Phillips, are you there?

12 MS. PHILLIPS: Yes, I am.

13 DEBBIE PHILLIPS; Having been duly affirmed,
14 Testified as follows:

15 COMMISSIONER BROWN-BLAND: Mr. Creech.

16 DIRECT EXAMINATION BY MR. CREECH:

17 Q Ms. Phillips, good evening. If
18 you can please state and spell your name for the
19 record as well as provide your physical address and
20 subdivision please.

21 A Debbie Phillips, D-E-B-B-I-E,
22 Phillips, P-H-I-L-L-I-P-S. I live in the Fox Trace
23 Subdivision in Hubert, North Carolina. My address is
24 437 Dion Drive.

1 Q Thank you, Ms. Phillips. And do
2 you have a statement you'd like to provide for the
3 Commission this evening?

4 A Yes, sir.

5 Q Go ahead.

6 A The stockholders in this Company
7 in the Pluris Webb Creek, LLC, are they not at all
8 being contacted, would be interested in donating any
9 money towards this building of this new plant to help
10 reduce the cost? And also I have Googled online and
11 there are plenty of grants that are available. And my
12 question is could they not have applied for a grant in
13 the building of this new plant to help, you know, in
14 the cost of this or to offset some of this cost?

15 Also referring to case law here, Article 7,
16 §62-131 and §62-132, it states that the Public relies
17 on the North Carolina Utilities Commission to increase
18 and to be fair with all intentions of any utility
19 company requesting for an increase. So I am asking
20 that the Utilities Commission, by all means, listen
21 and take into consideration all the witnesses that
22 have spoken here tonight, you know, for various
23 reasons and, of course, some of mine were some of the
24 ones that have already been stated.

1 It is a large jump. It is a most
2 unopportune (sic) time. People are struggling from
3 COVID. And if you also will refer to the North
4 Carolina Water and Wastewater Rates website, this is
5 not a normal increase. However, Pluris has come in as
6 emergency operator. They did have to dig through a
7 lot in the purchase of the plant due to the previous
8 owner. Which I do understand they are a
9 community-oriented company. They have done a lot of
10 good things. We would like to see them, you know,
11 extend out more to us, you know, in helping us out.

12 We are a military company -- a military
13 community. You know, we can't even supply our
14 military men and women in uniform with decent roads
15 out here. And then on top of that here comes a rate
16 increase in our sewer. So I think the priorities are
17 a little bit -- or will need to be readjusted. And
18 hopefully a compromise between the Utilities
19 Commission, the consumers, and Pluris Webb Creek can
20 be made where there's a happy medium in this.

21 COMMISSIONER BROWN-BLAND: All right. Mr.
22 Creech?

23 MR. CREECH: Just wanted to clarify one
24 question.

1 BY MR. CREECH:

2 Q Ms. Phillips, thank you. One of
3 the questions that you had for the Company was whether
4 the Company was able to or availed itself of possible
5 grant applications or apply for grants?

6 A That's correct.

7 Q All right. Thank you.

8 A You're welcome.

9 COMMISSIONER BROWN-BLAND: All right. Mr.
10 Higgins, do you have questions for this witness?

11 MR. HIGGINS: No, ma'am, I don't have any
12 questions for Ms. Phillips.

13 COMMISSIONER BROWN-BLAND: All right. Any
14 questions from the Commissioners?

15 (No response)

16 All right. I'm not seeing any. So, Ms.
17 Phillips, we thank you and thank you for your patience
18 in getting back on. We're glad we had the opportunity
19 to hear from you. Again, as I've indicated to some of
20 the others, please continue to follow these
21 proceedings. You'll be hearing more from the Public
22 Staff later this week. And you're excused. Thank you
23 for coming out.

24 THE WITNESS: And thank you.

1 (The witness is excused)

2 COMMISSIONER BROWN-BLAND: All right. Do we
3 have others -- other witnesses?

4 MR. BIRCKBICHLER: Madam Chair and Mr.
5 Creech, this is Dan in IT. I have gone back through
6 the witness list and no one else is connected to the
7 Webex meeting at this time. I can take a pause and
8 reverify here in another minute if you would like.

9 COMMISSIONER BROWN-BLAND: Is there anyone
10 on that you need to unmute that hasn't already
11 testified?

12 MR. CREECH: Is it possible that -- excuse
13 me. I'm sorry. Dan, is it possible that the 910-330
14 number is Alberta Houck and that we just have the
15 wrong prefix there? What I had received and what I
16 believe is the case is 333, but I wonder if that is --
17 if that is -- just was a typo on their part.

18 MR. BIRCKBICHLER: Alberta Houck. Let me
19 verify so --

20 MR. CREECH: It should be 910-330's.

21 MR. BIRCKBICHLER: 910-330?

22 MR. CREECH: I'm just wondering if that was
23 a typographical error that we received.

24 MR. BIRCKBICHLER: Yes, sir. So I do have

1 confirmation of 910-330. They are connected on the
2 line. I can unmute them for confirmation.

3 COMMISSIONER BROWN-BLAND: Let's see who it
4 is.

5 MR. BIRCKBICHLER: It's unmuted.

6 MR. CREECH: Good evening. Would you mind
7 indicating who this is? Hello? Is this Alberta?
8 910-330 number.

9 And there's one other. Same prefix, user
10 two. Will you unmute them?

11 MR. BIRCKBICHLER: That's the one I just
12 unmuted.

13 MR. CREECH: Oh, I'm sorry. I was looking
14 at two and four appeared to have the same first six
15 numbers to me.

16 MR. BIRCKBICHLER: Yes, sir. I'm unmuting
17 caller number four right now.

18 MR. CREECH: Thank you. The 910-330, would
19 you mind please indicating who this is?

20 MS. SPEHAR: Hello.

21 MR. CREECH: Hello. Is this Alberta?

22 MS. SPEHAR: No. This is Arlene
23 Spehar. The 91 -- 330 number.

24 MR. CREECH: Very good. Arlene, did we have

1 you registered -- I don't believe we had you
2 registered for the hearing this evening, did we?

3 MS. SPEHAR: Yes, I -- I received a
4 confirmation by email.

5 COMMISSIONER BROWN-BLAND: Could you state
6 your last name for me?

7 MS. SPEHAR: Yes. Spehar.

8 COMMISSIONER BROWN-BLAND: Spehar?

9 MS. SPEHAR: S as in Sam --

10 COMMISSIONER BROWN-BLAND: Spekar?

11 MS. SPEHAR: S as in Sam, P as in Paul, E as
12 in Eagle, H-A-R.

13 COMMISSIONER BROWN-BLAND: All right.

14 MS. SPEHAR: 130 Charlton Road.

15 COMMISSIONER BROWN-BLAND: Just a moment.
16 Just a moment. I just wanted to give you an
17 affirmation.

18 ARLENE SPEHAR; Having been duly affirmed,

19 Testified as follows:

20 COMMISSIONER BROWN-BLAND: All right now.
21 Mr. Creech will do the honors and get you identified
22 for the record.

23 MS. SPEHAR: All right.

24 DIRECT EXAMINATION BY MR. CREECH:

1 Q Ms. Spehar, thank you for being
2 on the call this evening. I appreciate your being
3 with us. Can you please, again, state and spell your
4 name for the record as well as provide your physical
5 address and your subdivision please?

6 A Yes. It's Arlene, A-R-L-E-N-E-,
7 Spehar, S as in Sam, P as in Paul, E as in eagle,
8 H-A-R at 130 Charlton Road, Hubert, North Carolina
9 28539, Fox Trace Point.

10 Q Thank you, Ms. Spehar. Did you
11 have a comment you cared to provide to the Commission
12 this evening?

13 A Yes. I have four questions. The
14 first question is why didn't Pluris apply for a grant?
15 And there are several out there that are -- are out
16 there for -- to improve infrastructure. And why
17 couldn't we have hooked up to ONWASA? And three, our
18 utility operating rate 1.0 to break even. I would
19 like to know what Pluris' operating rate is. And I
20 would also like to know, there were 495 infractions on
21 Webb Creek since 1995 and I would like to know why no
22 one stepped in before this all happened and now we're
23 paying for it. Fifteen hundred residents are paying
24 for someone else's mistake.

1 grants, we've heard several people mention that grants
2 were available. Do you know -- can you identify for
3 the record any of the grants that you're looking at?

4 A Yeah, I -- that I've got written
5 down.

6 Q All right.

7 A The first one was Mocksville and
8 Davie County. They got \$2 million for sewer for
9 rebuilding their infrastructure. And then there was
10 another one, \$1.5 million given to Johnston County,
11 North Carolina on 4/27/20.

12 Q All right. And were you able --
13 do you know the source of those funds?

14 A The North Carolina -- I only went
15 to the North Carolina Government website.

16 Q Okay. All right.

17 COMMISSIONER BROWN-BLAND: Is
18 there any follow-up questions on the Commission's
19 questions? Not seeing any.

20 MR. HIGGINS: No, ma'am.

21 COMMISSIONER BROWN-BLAND: All right. Ms.
22 Spehar, thank you for your persistence in getting on
23 and I'm glad you were able to come on and share your
24 questions with us. Again, continue to follow this

1 proceeding and --

2 THE WITNESS: Sure will.

3 COMMISSIONER BROWN-BLAND: -- and I believe
4 the hearing was set for November 2nd, so we haven't
5 made a decision whether that will be in person or by
6 remote. It's a good possibility it may be remote, but
7 we'll make that decision by October 12th, so you can
8 continue to follow then.

9 THE WITNESS: Thank you.

10 (The witness is excused)

11 COMMISSIONER BROWN-BLAND: All right. Thank
12 you. Is there anything else to come before the
13 Commission before we adjourn this public hearing?

14 MR. CREECH: Madam Chair, good evening.
15 This is William Creech again. I -- I just want to
16 indicate that it appears that we did have
17 approximately seven individuals who had indicated they
18 would be calling in but had not and they don't
19 appear -- I don't see -- I just want to confirm with
20 Mr. Birckbichler, Dan Birckbichler, our IT
21 professional, whether anyone has raised their hand.
22 Either Alberta Houck, Elizabeth and Ryan Neuendorff,
23 Jennifer Crifante, Amy Clifton, Bryan Allen, Charles
24 Aaron Smith, or Anthony Cardinal. I'm not seeing any

1 additional telephone numbers that have not been
2 unmuted that would indicate that's who they are, but
3 those seven individuals, if they are on the call we
4 don't know that. Dan, can you confirm that?

5 MR. BIRCKBICHLER: Yes, sir. I'm going
6 through the list now. I just checked every number you
7 gave me, again, a verification and there is no one
8 else online.

9 MR. CREECH: Thank you. Thank you.

10 COMMISSIONER BROWN-BLAND: And I think
11 Alberta Houck was another.

12 MR. CREECH: Yes. Yes, Madam Chair.

13 COMMISSIONER BROWN-BLAND: All right. Well,
14 it seems that we've come to an end and we've heard
15 from everybody who -- who's been able to join us and
16 wishes to be heard. So with that said, we will
17 adjourn this public hearing. Thank you all for your
18 participation.

19 (Proceedings were adjourned.)

20

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C E R T I F I C A T E

I, KIM T. MITCHELL, 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.

Kim T. Mitchell

Kim T. Mitchell
Court Reporter