

# OFFICIAL COPY

October 28, 2019

M. Lynn Jarvis  
Chief Clerk  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, North Carolina 27699-4300

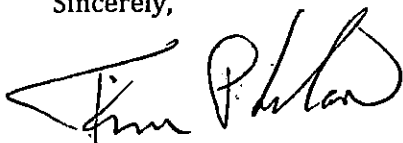
**FILED**  
**NOV 04 2019**  
Clerk's Office  
N.C. Utilities Commission

Re: Docket No. W-1274 Sub 7  
Application of Lake Junaluska Assembly, Inc. for Certificate to Provide Water and Sewer  
Services and for Approval of Rates (Haywood County)

Dear Ms. Jarvis:

Find enclosed for filing an original of a Motion to Intervene by Timothy F. Phelan. Thank  
you for your assistance.

Sincerely,



Timothy F. Phelan  
PO Box 598  
Lake Junaluska, NC 28745  
timfphe@icloud.com

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. W-1274, Sub 7

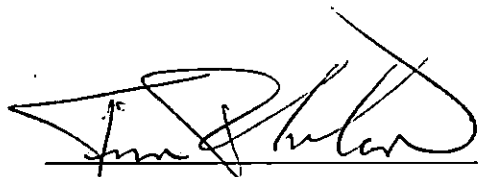
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|--|---|------------------------|
| In the Matter of                             | ) |                        |
| Application of Lake Junaluska Assembly, Inc. | ) | Motion to Intervene by |
| for a Certificate of Public Convenience      | ) | Timothy F. Phelan      |
| And Necessity, and for Approval of Rates     | ) |                        |

Pursuant to North Carolina Utilities Commission Rule R1-19 comes Timothy F. Phelan with a motion to authorize him to intervene in this docket. In support of this motion is the following:

1. Timothy F. Phelan and Judith D. Phelan are customers of Lake Junaluska Assembly Inc.'s water and sewer systems and are directly and materially affected by Lake Junaluska Assembly Inc.'s application and proposed rates. Mr. Phelan lives in the residence, pays the bills, and has an interest in the outcome.
2. If authorized to intervene in this docket, Timothy F. Phelan will advocate that the Commission fully investigate:
  - a. the application by Lake Junaluska Assembly, Inc. to determine if the costs incurred were reasonably and prudently incurred,
  - b. the proposed cost basis of the proposed rates, and
  - c. determine if Lake Junaluska has incurred these costs with the aim of providing the best long-term services at the lowest long-term costs.

Wherefore, Timothy F. Phelan respectfully requests that the Commission grant him the authority to intervene in this matter in accordance with Commission rules.

Respectfully submitted, this the 28th day of October, 2019.



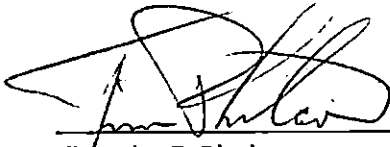
Timothy F. Phelan  
PO Box 598  
Lake Junaluska, North Carolina, 28745

# CERTIFICATE OF SERVICE

I certify that I have this day served copies of the foregoing Motion to Intervene by Timothy F. Phelan by both email and by placing a copy of same in the U.S. Mail, properly addressed and postage paid upon the following:

Daniel C. Higgins  
Burns, Day, and Presnell, P.A.  
Attorneys for Lake Junaluska Assembly, Inc.  
Post Office Box 10867  
Raleigh, NC 27605  
E-mail: dhiggins@bdppa.com

This the 28 day of October, 2019.

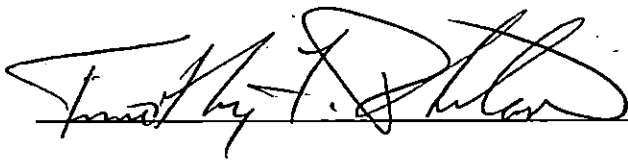


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Timothy F. Phelan  
PO Box 598  
Lake Junaluska, NC 28745  
timfphe@icloud.com

VERIFICATION OF MOTION


I, Timothy F. Phelan, undersigned below, being first duly sworn, state that the contents of the Motion to Intervene by Timothy F. Phelan are true to my own knowledge, except to matters stated on information and belief and to these, I believe them to be true.



Timothy F. Phelan

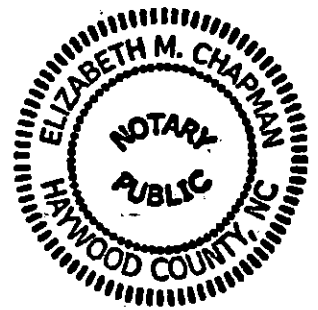
State of North Carolina  
County of Haywood

Sworn and subscribed to me this the 29<sup>th</sup> day of October, 2019.

  
Notary Public

My commission expires:

Elizabeth M Chapman





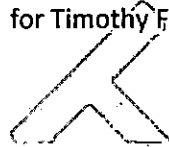
BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

DOCKET NO. W-1274, Sub 7

In the Matter of  
Application of Lake Junaluska Assembly, Inc.  
for a Certificate of Public Convenience  
And Necessity, and for Approval of Rates

)  
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)  
)

Order Granting Motion to Intervene  
for Timothy F. Phelan



BY THE PRESIDING COMMISSIONER: On October 28, 2019 Timothy F. Phelan filed a Motion to Intervene (Motion) in the above captioned proceeding. The Presiding Commissioner has reviewed the record and is of the opinion that good cause exists to grant the Motion to Intervene. In this proceeding Mr. Phelan will be authorized to intervene to the extent relevant to Lake Junaluska Assembly, Inc.'s application for a certificate of public convenience and necessity, and approval of rates, as the movant stated in enumerated paragraphs 2.a, 2.b, and 2.c of his Motion.

THEREFORE, ORDERED as follows:

1. That Timothy F. Phelan is hereby authorized to intervene in the above-captioned proceeding, subject to the limitation noted above in this Order.
2. That the name and address of Mr. Phelan is as follows:  
Timothy F. Phelan  
PO Box 598  
Lake Junaluska, N.C. 28745  
timfphe@icloud.com
3. That all pleadings and other filings may be served on Mr. Phelan either by electronic service, first class U.S. Mail or both.

ISSUED BY ORDER OF THE COMMISSION.  
This the \_\_\_\_ day of November, 2019.

NORTH CAROLINA UTILITIES COMMISSION

Linnetta Threatt, Deputy Clerk