

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF THE )  
TOWN OF WINFIELD, LAKE COUNTY, )  
INDIANA, FOR APPROVAL OF A REGULATORY )  
ORDINANCE ESTABLISHING A SERVICE )  
TERRITORY FOR THE TOWN'S MUNICIPAL ) CAUSE NO. 45992  
SEWER SYSTEM PURSUANT TO IND. CODE 8- )  
1.5-6 ET. SEQ.

**AFFIDAVIT OF ALBERT STONG P.E. IN SUPPORT OF CITY OF CROWN  
POINT'S PETITION TO INTERVENE AND MOTION TO VACATE  
PROCEDURAL SCHEDULE**

1. I am Albert Stong and I am over Eighteen (18) years of age, and my business address is 7256 Company Drive, Indianapolis, Indiana 46143.
2. I am a Professional Engineer, licensed in the State of Indiana, and a Senior Project Manager for Commonwealth Engineers, Inc. where I have been employed for the past 27 years.
3. I have provided professional engineering, design, construction support and all engineering services associated with the design, construction, expansion and operations of sewer and water utilities throughout Indiana.
4. I have worked with and provided engineering services to the City of Crown Point, Indiana ("Crown Point") for over 25 years.
5. I am very familiar with Crown Point's water and sewer systems, their service areas, their future plans and their customers.
6. I am generally familiar with the utility systems which operate near Crown Point, such as those operated by the Town of Winfield, Indiana ("Winfield").
7. Crown Point's leadership and I did not become aware of the Town of Winfield's Regulatory Ordinance ("Regulatory Ordinance") or its request for Indiana Utility Regulatory Commission ("IURC or Commission") approval of its Regulatory Ordinance until March 29, 2024.

8. This sworn statement is based on my very quick review of the scant and incomplete testimony Winfield filed in this Cause, publicly available documents, my knowledge of Crown Point's sewage utility, the area it serves and my engineering experience.
9. The current procedural schedule in this Cause requires any intervenors to file their testimony and exhibits by April 4, 2024. I need more time to conduct further investigation of the Winfield's proposal, its deficiencies and accurately describe how Crown Point can serve the area south of Winfield with better quality, more efficient, more available, lower capital cost sewage service.
10. On August 7, 2023 Crown Point passed a Regulatory Ordinance ("Crown Point Ordinance") to establish Crown Point's service rights to an expanded sewage and water service area.
11. Shortly thereafter on August 28, 2024, Crown Point provided copies of the Crown Point Ordinance to all nearby sewage and water utilities including Winfield.
12. It is my understanding that municipalities which establish a regulated territory are encouraged to reach agreement with neighboring utilities regarding the proposed regulated territory. Crown Point has written agreements with three neighboring utilities resulting in them having no objections to the Crown Point Ordinance. Those agreements will be filed with the Commission in Crown Point's testimony in support of the proposed Crown Point Ordinance.
13. Winfield did not provide a copy of or notice of its Regulatory Ordinance to Crown Point.
14. Winfield did not advise Crown Point of its Petition in this Cause seeking approval of its Regulatory Ordinance.
15. Since at least August 28, 2023, Winfield has been aware the Crown Point Ordinance seeks, in part, to provide sewage service to the area of SR 231 and the I 65 intersection, which is part of the proposed regulated territory sought by Winfield. Attachment 1 shows this Disputed Area sought by both Winfield and Crown Point. I note on Attachment 1 there is a small triangular area below the Disputed Area that is in Winfield's requested regulated territory. If deemed appropriate Crown Point is willing to include and serve that area in its sewer territory.
16. Winfield is and has been aware that a 44 acre parcel north west of the Disputed Area, is the location of Crown Point's new 2 MGD sewage treatment plant. That land was provided to Crown Point by a major area developer in exchange for Crown Point's written agreement to extend sewage and water service to the developer's real estate development in the Disputed Area (See Attachment 1). Thus a large land developer in the Disputed Area has already requested and committed to sewage service from Crown Point.

17. The majority of the overlap Disputed Area belongs to the developer who provided the 44 acre parcel to Crown Point in exchange for Crown Point's agreement to extend water and sewer service to his development in the Disputed Area. Winfield has been aware of this Crown Point service extension agreement but their filing for the area was mute on the matter.

18. Furthermore, as shown on **Attachment 2**, the location in which Crown Point has negotiated land purchase for its Iowa Lift Station [its largest lift station], which will pump flow to Crown Point's new SE waste water treatment plant {"WWTP"} is either in or directly adjacent to the Disputed Area. **Attachment 2** can be referenced to compare distances between the service area in question from Crown Point's planned lift station and WWTP versus Winfield's planned lift station and WWTP. This Attachment clearly illustrates Crown Point facilities are much closer to the Disputed Area than the uncertain and very distant future Westfield facilities. These Crown Point facilities must be installed to meet Crown Point's regional service phase in plan and IDEM Requirements. It would be inefficient to not use that lift station to serve the adjacent Disputed area.

19. For many reasons Crown Point will be a much better provider of sewage service to the Disputed Area including but not limited to:

- a. A major land developer who owns the majority of the Disputed Area has already transferred land for Crown Point's new sewage treatment plant in exchange for Crown Point extending water and sewage service to his development in the Disputed Area.
- b. Crown Point could immediately grant connections in the Disputed Area to its existing sewer (See Attachment 1), where as it would require Winfield to first design and install tens of thousands of feet of sewer collection, conveyance, with lift stations and treatment improvements that are not only cost prohibitive but also would require years of planning, design, and construction before Dispute Area connections are made available. Crown Point has the sewage capacity now to connect users in the Dispute Area.
- c. If Winfield was granted the Disputed Area, development on the SR 231/ I 65 corridor, would come to a stand still until Winfield could install a huge amount of sewers, force mains, with new lift stations and increased treatment capacity. Conversely, Crown Point can promote that areas economic development by immediately granting connection to existing sewers at that interchange.
- d. To serve the Disputed Area will require Winfield to install 16,600 lineal feet of force main and 67,530 feet of gravity sewer of along with two (2) lift stations and some type of capacity upgrade at the existing WWTP. All those major capital costs will need to be incurred before Winfield can serve any new customer in the Disputed Area. Fortunately, Crown Point can serve that area with just an extension of a gravity sewer from an existing

manhole located along SR 231. Winfield's phased improvement plans will be cost prohibitive.

e. Winfield transporting flows the long distance it describes will result in technical challenges such as odor generation due to high residence time for the initially extremely low sewage flows in the system and corresponding hydrogen sulfide generation that will result in system degradation. Operations will be extremely challenging. Crown Point on the other hand will not have those challenges.

f. Winfield's sewage treatment plant expansion from 0.4 MGD to 0.8 MGD was described in Winfield's August 2019 Master Plan as being necessary for projected population increases within its current sewage service area, not to accommodate flow from the Disputed Area service area expansion or anywhere else in the ten mile radius its Ordinance seeks.

*"After evaluation of the available data and the before mentioned population and growth rate analysis, it is our recommendation that the WWTP be expanded to provide additional capacity for an average daily flow rate of 0.80 mgd for the next 10-year planning period."*

g. Based on gross flow analyses of Winfield's requested service area and planned gravity sewer, lift stations, force mains, and WWTP capacity improvements, a full build out sewage system for Winfield's proposed territory I roughly estimated in the \$150-\$200 million dollar range. See **Attachment 3**.

h. The Winfield information filed does not show an ability to pay for the major capital investments it would need to make to serve the Disputed Area short term or long term.

i. Winfield has only 2,217 sewage customers while Crown Point has about 15,159 customers with major new growth expected. That allows Crown Point to spread fixed and variable costs over a broader customer base lowering customer impact.

j. Until recently, Winfield was in discussion with Crown Point, for Crown Point to provide sewer service within Winfield's southwest corporate limits / existing service area due to a stated lack of Winfield's ability to provide sanitary sewer service. I am unaware of any Winfield sewage capability changes.

k. The timing, hasty preparation and lack of detail in Winfield's proposal in my engineering opinion is reactionary to Crown Point's August 2023 Regulatory Ordinance. Conversely, in 2021 Crown Point completed an extensive detailed analysis of its service area and areas within Lake County which resulted in Crown Point's comprehensive plan for servicing the area identified in the Crown Point Ordinance, including the Disputed



Area along the southeast corridor of SR 231. See **Attachment 1** for a clear depiction of the Disputed Area.

l. Crown Point's system improvements are part of a completed detailed comprehensive four (4) phase regional sewage improvements project prepared with input from Lake County, which started with improvements at its existing WWTP and partial installation of interceptor and interconnecting sewer. This work represents over \$35 million in capital improvements and includes a west side lift station in coordination with Lake County. The West Side Lift Station allows Crown Point to take flows from the County to eliminated areas of failed septic systems.

m. The County has approximately a dozen areas of septic system environmental concern. When the County received its ARPA funds, the County decided to sewer these areas as funding permitted, but required a treatment center to receive the effluent. To support the County's environmental / public health efforts, and to promote economic development Crown Point offered to serve as this treatment center.

n. Crown Point's four phase regional sewage service approach and the major benefits it provides is dependent upon sewage service customer revenue, including the customers that will connect to Crown Point sewers in the Disputed area.

o. This Crown Point project's regional impact has been recognized by the Indiana Finance Authority with a loan forgiveness amount of \$5 million dollars. This project is also under consideration by the READI Grant Program for financing.

p. Crown Point's four (4) phase project scored very high on the SRF PPL due to need, regional impact, and elimination of failed septic systems. A sum total of \$15.2 Million Dollars between IFA, County, and Crown Point ARPA dollars has already been allocated and utilized to this end and the City in turn has borrowed an additional \$20 Million dollars for this project. Future sewer customer revenues, including those from the Disputed Area are critical to the expansion / regionalization plan.

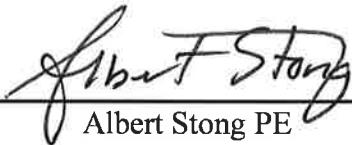
q. Crown Point's four phase sewage projects are part of and in compliance with an IDEM Order.

r. Crown Point's largest capacity lift station will be located immediately adjacent to this Disputed Area and will pump directly to Crown Point's new 2MGD WWTP. The lift station is located to allow installing a short run of gravity sewer along US 231 into the lift station to service the Disputed Area versus the approximate 8-miles of gravity sewer and force main that would otherwise be required to transmit flow from this area to Winfield's distant WWTP.

s. Crown Point has already received its effluent limits for its new WWTP It is highly probable that these parameters are more stringent than those afforded to Winfield – in turn making Crown Point's facility more environmentally friendly.

20. As I stated earlier I have assembled these abbreviated comments in the very short period of time based on Winfield's scant filing since becoming aware of this Cause on March 29, 2024. I cannot complete my analysis of the issues in the case prior to the current April 4, 2024, date for prefilling of intervenor's testimony and exhibits.

I swear under the penalties for of perjury that my foregoing statements are true and accurate to the best of my knowledge and belief.

  
Albert Stong PE

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Petition to Intervene was served upon the following by electronic delivery this second day of April 2024, to:

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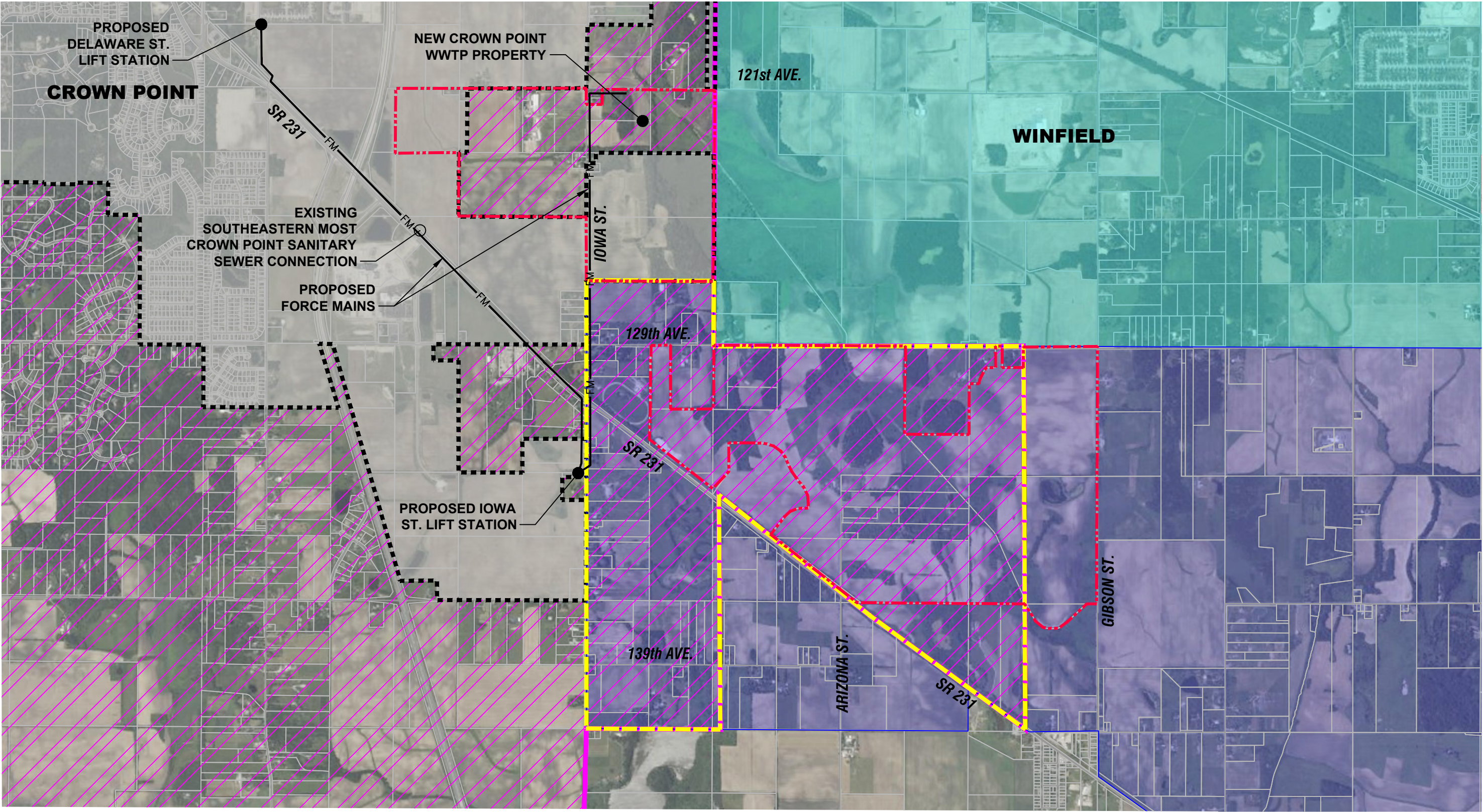
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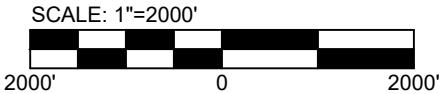
# ATTACHMENT 1



## LEGEND

- EXISTING SERVICE AREA
- EXTENT OF PROPOSED SERVICE AREA
- NEW SERVICE AREA - CROWN POINT
- PROPOSED WINFIELD EXPANSION AREA
- SERVICE AREA OVERLAP

UNCLAIMED OVERLAP AREA CROWN POINT HAS AGREEMENT WITH DEVELOPER TO SERVE WATER AND WASTEWATER

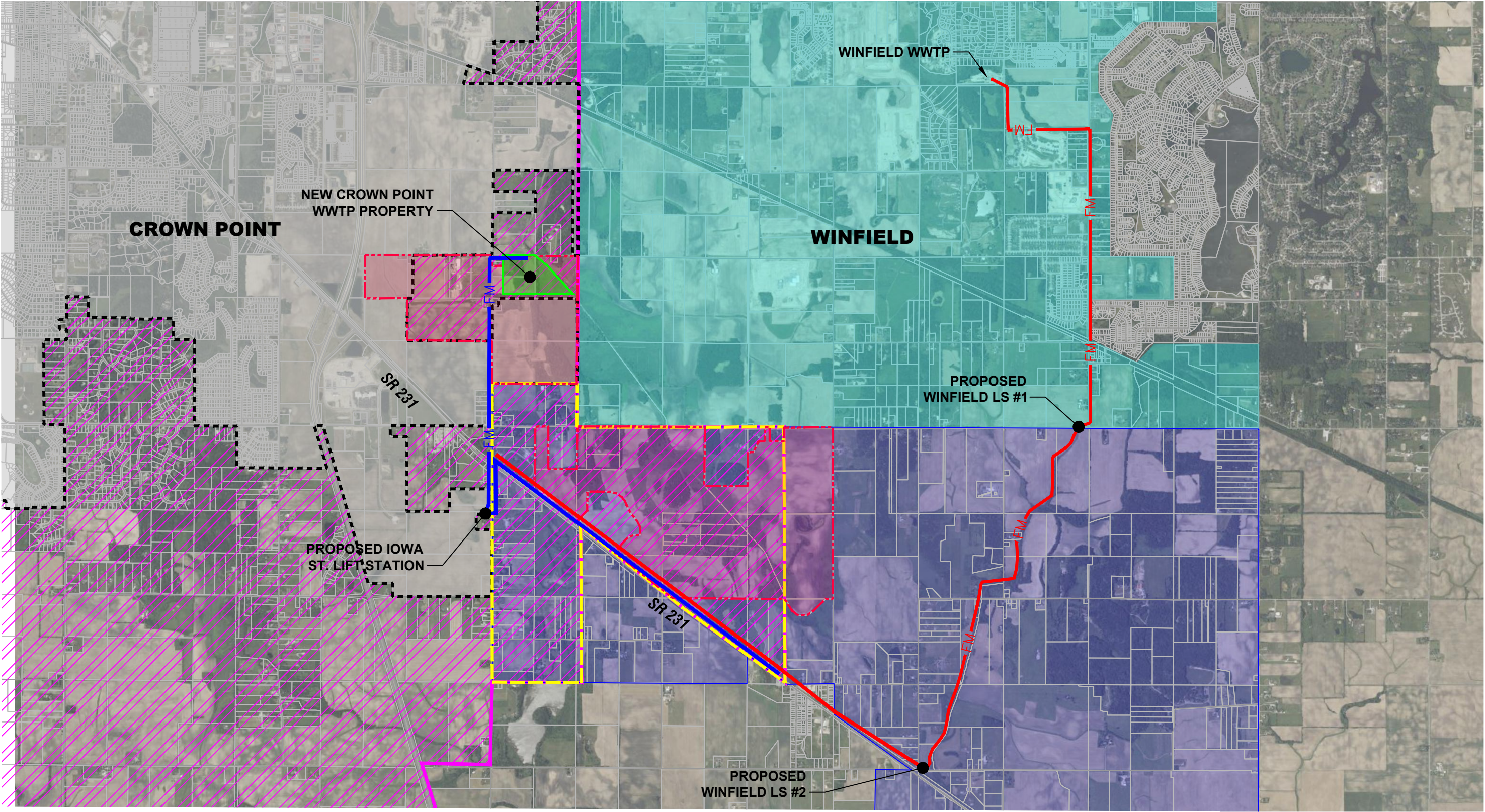


CITY OF CROWN POINT LAKE COUNTY, INDIANA
ATTACHMENT 1
SERVICE AREA CONFLICT MAP



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# ATTACHMENT 2



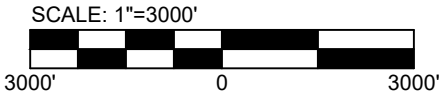
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UNCLAIMED OVERLAP AREA CROWN POINT HAS AGREEMENT WITH DEVELOPER TO SERVE WATER AND WASTEWATER

PROPOSED CROWN POINT SANITARY SEWER TO SERVE CONFLICT AREA - 12,975'  
PROPOSED CROWN POINT FORCE MAIN TO SERVE CONFLICT AREA - 9,140'

PROPOSED WINFIELD SANITARY SEWER TO SERVE CONFLICT AREA - 16,475'  
PROPOSED WINFIELD FORCE MAIN TO SERVE CONFLICT AREA - 26,583'



CITY OF CROWN POINT  
LAKE COUNTY, INDIANA  
ATTACHMENT 2  
CONFLICTING SERVICE AREA QUANTITIES TO SERVE CUSTOMERS



### Attachment 3

#### Gross Analysis of Windfields Sanitary Sewer and Treatment Plan

**Table 1** below presents the acres within the **Figure 1** sewer sheds, converted the acres to houses, then converted the houses to average and peak flows. **Table 2** identifies contributing sewer basin flow that results in corresponding flows to the two (2) new lift stations - i.e. ultimate build-out sizing requirements. **Table 2** also applies cost curve values based on identified full buildout lift station flows to obtain planning level construction costs. **Table 3** identifies Force Main and Gravity Sewer associated with these improvements and their corresponding costs. **Table 4** identifies WWTP Capacity Improvement Requirements and corresponding costs. **Table 5** then takes all project component costs, applies a 20% margin for planning level nature of the estimate and applies a corresponding non-construction cost place holder of 25% to realize a total project cost. As you can see from Table 5, the cost of the total project to provide full buildout services for the area identified to be claimed by Winfield in the manner illustrated on their aerial map is on the order of \$200 Million.

Granted, infrastructure improvements for the entire service area are likely not going to be performed all at once. However, Winfield has no plan on how they will go about servicing this expansive area. Crown Point on the other hand has been planning has been making arrangement, planning, performing design, and constructing projects since their November 2021 Wastewater Utility Master Plan and Corresponding Preliminary Engineering Report.

Table 1 — Sewer Sheds and Flows

Sewer Shed	Acres	Houses	Flow	Peak Flow (x4) gpd
1	2075	4761	1,475,910	5,903,640
2	421	968	300,173	1,200,692
3	697	1603	496,961	1,987,844
4	387	890	275,931	1,103,724
5	1020	2,346	727,260	2,909,040
6	955		680,915	2,723,660
7	1028	2,364	732,964	2,931,856
SUM			4,690, 1 14	18, 760,456



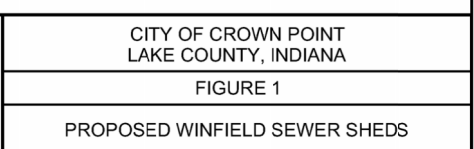




Table 2 — Lift Stations

Lift Station	Contributing Basins	Flows Average	Flows Maximum	Flow Maximum	Cost
2		3.6 MGD	14.5 MGD	10,050 gpm	
1	plus LS 2	4.7 MGD	18.8 MGD	13,055 gpm	\$12M
Total Construction Cost					\$18M

Table 3 — Force Mains and Sanitary Sewer

Item	Unit	Qty	Unit Price	Total Price
Force Main (Lift Station 2) — 36	ft	12,800	\$600	7.68M
Force Main (Lift Station 1) — 42	ft	13,800	\$750	10.35M
Gravity Sewer (assume 36" 20-25' Deep)	ft	67530	\$700	\$47.27M
Total Construction				\$65.3M

Table 4 -WWTP Improvements

Item	Unit	Qty	Cost (\$)	Total Price (\$)
4.7 MGD Capacity Upgrade		4,700,000	\$10	\$47,000,000
Total Cost				\$47.0M



Table 5 -Total Project Cost

Item	Cost (\$)
Lift Stations - Construction	\$18.0M
Force Mains & Sanitary Sewer- Construction	\$65.3M
IMAITP Capacity Upgrades — Construction	\$47.0M
Sub-Total — Construction	130.3
Planning Level Contingency (20%) - Construction	\$26.1M
Total — Construction	\$156.4M
Total — Non-Construction (25%)	\$39.1M
Total Project Cost	\$195.5