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 SEWER SYSTEM PURSUANT TO IND. CODE § 8-1.5-6 *ET SEQ.*	**CAUSE NO. 45992**

REBUTTAL TESTIMONY AND EXHIBITS OF MICHAEL P. DUFFY JR., PROFESSIONAL ENGINEER

Rebuttal Testimony of Michael P. Duffy, Jr.	Petitioner's Exhibit 60
Diagram of Improvements	Petitioner's Exhibit 61
DLZ Cost Estimates for Service East of the Disputed Area	Petitioner's Exhibit 62
Crown Point PER Excepts	Petitioner's Exhibit 63
Crown Point's Response to Winfield Data Request 9.6	Petitioner's Exhibit 64

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REBUTTAL TESTIMONY

OF

MICHAEL P. DUFFY, JR.

ON BEHALF OF

THE TOWN OF WINFIELD, LAKE COUNTY, INDIANA

I.
INTRODUCTION

1. Q PLEASE STATE YOUR NAME.

A My name is Michael P. Duffy, Jr.

2. Q ARE YOU THE SAME MICHAEL P. DUFFY, JR. WHO PREVIOUSLY PREFILED AMENDED AND RESTATED PREFILED DIRECT TESTIMONY AND EXHIBITS ON APRIL 21, 2025, AND RESPONSIVE TESTIMONY AND EXHIBITS ON AUGUST 19, 2025, ON BEHALF OF THE TOWN OF WINFIELD, LAKE COUNTY, INDIANA ("TOWN" OR "WINFIELD") IN THIS CAUSE?

A Yes.

3. Q YOU PREVIOUSLY TESTIFIED THAT YOU ARE BOTH A PROFESSIONAL ENGINEER AND MANAGER OF THE WATER (PUBLIC WORKS) DEPARTMENT AT DLZ INDIANA, LLC'S ("DLZ") FORT WAYNE OFFICE. WOULD YOU PLEASE DESCRIBE DLZ?

A DLZ is a nationally recognized architecture and engineering firm that serves public and private clients. With over 900 people in 31 offices, we are one of the largest design firms in the Midwest. Approximately 85% of DLZ's work is with local, state, and federal clients and 15% is in the private sector. DLZ's Fort Wayne Office focuses on communities around the Midwest that are about the size of Winfield.

4. Q PLEASE DISCUSS DLZ'S WATER AND WASTEWATER SERVICES.

A DLZ is intimately familiar with designing wastewater projects to serve growing communities. We offer expertise in hydrologic and hydraulic analysis, through which we have completed a variety of systems for water and sanitary sewer conveyance, wastewater treatment plant ("WWTP") design; combined sewer overflow design and management; and tunnel and underground structure design. We have completed well over 125 wastewater conveyance and treatment projects.

5. Q WHAT INDIANA MUNICIPALITIES CONSULT WITH DLZ FOR WASTEWATER ADVICE AND RECOMMENDATIONS?

A DLZ advises a number of growing communities, including Fort Wayne, Chesterton, Valparaiso, Bluffton, Grabill, Galveston, Topeka, Mishawaka, Markle, and Shipshewana regarding wastewater issues.

6. Q YOU PROVIDED SOME BIOGRAPHICAL INFORMATION IN YOUR APRIL 21, 2025 TESTIMONY. IS THERE ANYTHING ABOUT YOUR BACKGROUND THAT WOULD LIKE TO HIGHLIGHT FOR THE INDIANA UTILITY REGULATORY COMMISSION ("COMMISSION")?

A Yes. I spent the first half of my career (1998-2011) working in private real estate project development and design. While working in private sector development for thirteen years, I was responsible for, among other things, designing the layout of utility services, including sewer and water, within a proposed development. After joining DLZ in 2011, I have spent the second half of my career working with

municipalities, including Winfield, to plan, design, and administer wastewater, water, stormwater, and site development projects throughout the State of Indiana. I therefore have experience assisting developers and municipalities with economic development projects.

II.
Purpose

7. Q WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?

A The purpose of my rebuttal testimony is to provide my analysis of the prefiled direct testimony and exhibits of LBL Development, LLC ("LBL") witnesses John Lotton and Mark Jacob; the responsive testimony and exhibits of City of Crown Point, Indiana ("Crown Point") witness Albert Stong; and the direct testimony of Indiana Office of Utility Consumer Counselor ("OUCC") witness Kristin Willoughby. My testimony has the additional purpose of explaining why Winfield would be the better provider of wastewater collection and treatment service to its requested territory ("Winfield Regulated Territory"), including the area that overlaps with a similar request from Crown Point ("Disputed Area").

III.
OVERVIEW OF SERVICE PLANS TO DISPUTED AREA AND REGULATED TERRITORY

8. Q PLEASE PROVIDE A HIGH-LEVEL OVERVIEW OF WINFIELD'S PLANS TO SERVE THE AREA ("WINFIELD REGULATED

TERRITORY") OVER WHICH IT IS SEEKING EXCLUSIVE JURISDICTION.

A Winfield developed plans to serve the entire proposed "Winfield Regulated Territory," as defined in Winfield's regulatory ordinance (Ordinance No. 358). As described by Mr. Beaver in his testimony, Winfield has unfortunately had very little input from LBL on: (i) the size of its development; (ii) the pace of development; (iii) location or starting point within the proposed development; (iv) timing and need for service; and (v) costs of extending service and an appropriate Main Extension Agreement. Due to new and changing information that Winfield received both during discovery and in LBL's prefilings, Winfield has developed a series of alternatives to accommodate the LBL Development (the area of LBL's proposed development in the Disputed Area) and the LBL's planned development within Winfield. Below is a description of each alternative, divided by service area, which may be installed in phases.

Winfield's expansion plan to serve the LBL Development in the near-term consists of the following:

Service to LBL Development in the Near-Term—Phase I

1. Construct Lift Station #3 along 129th Avenue near the edge of the LBL Development. This includes the installation of pumps totaling 1,300 GPM (1,500 ERU) to serve the initial stages of the planned development in conjunction with interim pump upgrades planned for Gibson Street LS, as described below. The installed pumps would use variable frequency drives to meet the differing flow amounts from the LBL Development. The proposed wet well for this lift station will be approximately 30' deep in the location as generally shown on Petitioner's Exhibit 8.
2. Install 10,000 feet of an equivalent 16-inch force main from Lift Station #3 to the Gibson Street Lift Station. The equivalent force main will consist of two

pipes (one smaller and one larger), having an approximate capacity totaling a16-inch pipe. These pipes will enable Winfield to efficiently meet the initial low flows from the LBL Development as well as providing sufficient capacity for LBL Development at the proposed full buildout of 3,150 ERU

3. Upgrade Gibson Street Lift Station.
   i. Option 1: Upgrade the Gibson Street Lift Station 700 GPM (815 ERU) capacity pumps with three (3) pumps [two (2) in service, 1 standby totaling 2,700 GPM (3,150 ERU) capacity. As with the Lift Station #3 pumps, the upgraded Gibson Street Lift Station pumps will use variable frequency drives. These pumps would be turned down from their full flow capabilities with VFDs to align with the interim pump capacity at 117th Avenue Lift Station.
   ii. Option 2: Instead of adding pumps for the interim condition as outlined in Option 1, the final buildout of the station could take place. In that scenario the existing pumps would be removed and two (2) – 4,300 GPM pumps would be installed for an ultimate pumping capacity of 5,000 ERU's.
4. Install 6,500 feet of an equivalent 16-inch force main from the Gibson Street Lift Station to the 117th Street Lift Station. The same size force main(s) are needed for Winfield to either handle interim flow from the LBL Development or the flows from the LBL Development final buildout. These new force mains will be used in lieu of the existing 6-inch force main currently installed at the Gibson Street Lift Station once Winfield receives flows exceeding the 6-inch pipe capacity. At that time, Winfield would abandon the 6-inch the pipe.
5. 117th Street Lift Station Options
   a. Option 1: Continue operating the lift station up to its current capacity of 1,700 GPM (2,000 ERU).
   b. Option 2: Upgrade the 117th Street Lift Station pumps from a combined 1,700 GPM (2,000 ERU) to a 2,800 GPM (3,300 ERU) capacity pumps.
   c. Option 3: Forgo Option 2. Once flows approach 1,700 GPM (2,000 ERU), replace the existing pumps with pumps sized for 5,200 GPM pumps (6,100 ERU)) to meet the anticipated full buildout of the LBL Development and local service area flows.
6. Utilize the existing 8" and 12" force mains from the 117th Avenue Lift Station to the Winfield Wastewater Treatment Plant that allow for a pumping capability of (2,800 GPM (3,300 ERU)).

Phase I Timeline: Phase I could be entirely placed in service within 12 months.

Winfield's expansion plan to serve the LBL Development in the long-term consists of the following Phase II:

Service to LBL Development in the Long-Term—Phase II

1. Upgrade Lift Station #3 by replacing the installed pumps with (2) – 2,600 GPM (3,000 ERU) submersible pumps. These pumps may be adjusted to accommodate additional ERU's if determined in talks with LBL
2. If not previously installed, implement the Gibson Street Lift Station Option 2.
3. Replace the existing 8-inch and 12-inch force mains force main from 117th Avenue Lift Station to the Winfield Wastewater Treatment Plant once flows exceed 2,800 GPM (3,300 ERU) with 19-inch equivalent force mains (5,200 GPM (6,000 EDU)).

Phase II Timeline: This long-term service plan could be entirely placed in service within 12 months.

Should development first occur to the east of the LBL Development in the Winfield Regulated Territory, then Winfield could implement the following Phase I and, if development needs higher capacity, then also through the following Phase II:

Service to the Area East of the LBL Development—Phase I[1]

1. Construct Lift Station #3 as discussed above in Phase I of Winfield's expansion plan to serve the LBL Development in the near-term.
2. Install two force main lines with the combined equivalent of an 18-inch line from Proposed Lift Station #3 to Proposed Lift Station #1.
3. Install Proposed Lift Station #1 with an interim capacity of 5 MGD. These pumps would use a variable frequency drive.
4. Install two 13,500 force main lines with the combined equivalent of 24-inch piping.

Service to the Area East of the LBL Development—Phase II

1. Upgrade the Lift Station #1 pumps to buildout capacity of 11.1 MGD
2. Construct Lift Station #2 to buildout capacity of 7.4 MGD again utilizing pumps on variable frequency drive.
3. Install 10,000 feet of combined equivalent 21 – inch between Lift Station #2 and Lift Station #1.

[1] This scenario assumes all wastewater flow from the LBL Development goes to Lift Station No. 3 and then to Lift Station No. 1 with no infrastructure upgrades to Gibson Street Lift Station nor 117th Avenue Lift Station (this scenario provides for service to both the LBL Development and the northern part of the Winfield Regulated Territory that is east of the LBL Development.

IV.
WINFIELD'S PLAN ADJUSTMENTS DUE TO EVOLVING INFORMATION

9. Q HAS LBL EVER REQUESTED WINFIELD TO PROVIDE WASTEWATER SERVICE TO ANY OF ITS PROPERTIES INSIDE WINFIELD OR IN THE WINFIELD REGULATED TERRITORY?

A No. As Winfield's town engineer, I have not been approached with a submittal for wastewater service. LBL has never requested service to any property, either inside or outside of Winfield's corporate boundaries of which I am aware. LBL recently submitted a request for rezoning of the approximately 400 acres of the LBL Development that are within Winfield's corporate boundaries and are only approximately 3,000 feet from Winfield's existing wastewater infrastructure.

Winfield was led to believe that it should anticipate an average development rate of 160 homes per year for the LBL Development. However, Mr. Lotton surprisingly testified just last month (page 6 of his prefiled direct testimony) that "We could add more than 300 sanitary connections to single-family residences per year when constructing a large, multi-phase housing development like The Gates of St. John or the development planned in the Winfield Requested Territory" and that "the total number of wastewater connections per year could be much greater than 300 when all connections are accounted for," due to the type of users at the development site. I am troubled by Mr. Lotton's statement for a few reasons:

- First, he asserted that the number of new connections could nearly double from 160 to 300 new annual connections without providing any indication as to why such an increase would occur.
- Second, his statement is not even a commitment or a projection of the development's rate of growth. Instead, all he provided is what appears to be a statement that theoretically there "could" be 300 new connections each year. He provided no information as to the likelihood of such a growth pattern nor why LBL has any confidence that this will be the actual growth pattern.
- Third, Mr. Lotton's suggestion of how many new connections there "could" be is also questionable because LBL has not projected a construction timeline for the development. In response to Winfield's Data Request 2.2, LBL stated, in part, that "As noted in response to Data Request No. 2.1, LBL currently has no projected timeline for construction of the master-planned community it intends to build in the Development Area."

Thus, not only is LBL not sharing information with Winfield, but the information Winfield receives is subject to change without an explanation, and the information is vague and unsubstantiated which is not all that uncommon during the embryonic states of a development. Until LBL firms up and shares its plans with Winfield, Winfield cannot and should not create Mr. Stong's recommended detailed plans as doing so would be too speculative.

What Winfield has done, which is consistent with industry practice, is create a system that may be expanded incrementally, leveraged by its use of (1) adaptable force mains and (2) lift stations that utilize variable frequency drive pumps. In terms of time, not only can Winfield implement service, but Winfield's ability to meet these timeframes will be enhanced by the utility's current excess capacity, tight wastewater system, and the fact that it is not a combined stormwater-sewer system.

10. Q MR. STONG ASSERTS ON PAGES 16-18 OF HIS RESPONSIVE TESTIMONY THAT WINFIELD'S PLANS TO SERVE THE LBL DEVELOPMENT CHANGED DURING THE COURSE OF THE CURRENT CAUSE. IS THIS ACCURATE?

A Winfield's plans changed only to the extent necessary to adjust to new information it received regarding the LBL Development. Presenting alternative solutions that align with LBL's development plans is not a sign of a lack of planning or poor planning. Instead, it shows Winfield's efforts and ability to change course and respond to the developers' needs as those needs change or are better understood. Planning for improvements should be fluid and adaptable so as not to install either undersized or oversized facilities in appropriate or inappropriate locations and times. As I indicated above, Winfield was unaware of the LBL's plans regarding the Development Area when Winfield filed its December 2023 case-in-chief

evidence, including my original direct testimony. As such, the LBL Development was not part of my planning documents at that time and, in fact, LBL was not referenced in my direct testimony. If I had known of the LBL Development at that time, I would have included the development in my testimony. Once Winfield received information from LBL about the LBL Development through the discovery process in April 2025, Winfield provided alternatives on how to serve this area.

11. Q PLEASE ELABORATE.

A Mr. Stong states on page 16 of his responsive testimony that "Initially Winfield's proposal to serve the entirety of its service area, including LBL Development, as described in Mr. Duffy's December 27, 2023 testimony . . ." This statement is inaccurate. While my December 2023 plan included the Disputed Area, it did not take into consideration what later would be identified as the LBL Development because Winfield and I were unaware of such a potential development. Winfield's subsequent creation of alternative plans were incorporated into Winfield's plans in response to information it received regarding the LBL Development. Up until that point this area was only looked at from high level planning perspective.

12. Q MR. STONG ASSERTS ON PAGE 16 OF HIS RESPONSIVE TESTIMONY THAT WINFIELD'S PLANS CHANGED FROM THE TIME OF YOUR ORIGINAL TESTIMONY (PREFILED DECEMBER 27, 2023) AND YOUR

APRIL 2, 2024 AFFIDAVIT FILED IN THE CURRENT CAUSE. IS THIS ACCURATE?

A To assert that Winfield "changed" its plans does not provide proper context and is misleading. Winfield's plan was adjusting to the extent it responded to new information from Crown Point. My original testimony and sponsored exhibits indicated Winfield's plan to serve its entire proposed Winfield Regulated Territory. After my testimony, Crown Point filed Mr. Stong's April 2, 2024 Affidavit and its Petition to Intervene in this Cause. These filings identified the Disputed Area in which Crown Point and Winfield each sought Commission approval to exert exclusive jurisdiction. Mr. Stong newly raised the issue that a "large land developer" (without identifying the developer by name nor details regarding the developer's plans) had property in the Disputed Area that it apparently intended to develop. My April 8, 2024 affidavit responded to this new information and, in part, addressed how Winfield could serve this newly identified Disputed Area. I provided this plan, which now includes service through the Gibson Street Lift Station. Ironically, had I not adjusted my plans to reflect the changed circumstances, Mr. Stong likely would have criticized Winfield for failing to adjust and plan for the new circumstances.

13. Q MR. STONG FURTHER CONTENDS ON PAGE 16 OF HIS RESPONSIVE TESTIMONY THAT WINFIELD CHANGED ITS PLAN TO SERVE THE DISPUTED AREA BETWEEN THE DATE OF YOUR APRIL 8, 2024

AFFIDAVIT AND WINFIELD'S SUBSEQUENT RESPONSES TO CROWN POINT DATA REQUESTS 1.28, 1.51, 2.13, AND 2.23. DID WINFIELD CHANGE ITS PLAN AND WAS THIS A CHANGE TO THE PLAN DESCRIBED IN YOUR APRIL 8, 2024 AFFIDAVIT?

A Again, Winfield's plans changed to the extent they incorporated the newly received information about the LBL Development. LBL first provided Winfield information about the LBL Development through its April 7, 2025 response to Winfield's Data Request 1. Consistent with the Presiding Officers' procedural schedule, my revised testimony and sponsored exhibits based on LBL's newly supplied information. Winfield's April 30, 2025 response to Crown Point Data Requests 1.51[2], its June 9, 2025 response to Crown Point Data Request 2.13, and its June 9 and 10, 2025 responses to Crown Point Data Request 2.23 also incorporated Winfield's plans to serve the LBL Development that were based upon LBL's April 7, 2025 information.

14. Q IS IT COMMON FOR ENGINEERING PLANS TO CHANGE?

A Yes. Utilities must remain agile enough to change course when, for example, actual development does not match the utility's prior expectations. Winfield's responses as noted above are a good example of a utility not locking itself into in a particular course of action by expending a lot of time and effort prematurely planning and designing infrastructure that may not later match actual economic development needs.

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[2] Mr. Stong alleges that Winfield also presented a changed plan in Data Request 1.28; however, that data request concerned Winfield's existing facilities, not Winfield's service plans.

15. Q MR. JACOB ASSERTS ON PAGE 40 OF HIS TESTIMONY THAT CROWN POINT HAS A DEFINITIVE CONSTRUCTION PLAN TO SERVE THE LBL DEVELOPMENT WHILE WINFIELD ONLY HAS "WHAT-IF SCENARIOS." WHY IS WINFIELD OFFERING DIFFERENT ALTERNATIVES OF ITS PLANS?

A Crown Point has specific plans to serve LBL because it was a 'condition' to serve LBL in the donation agreement. Winfield's alternatives exemplify the very reason it does not prematurely commit to infrastructure investment alternatives. The plans are not "what-if" scenarios, they are Winfield's responses to new information and new understandings of the LBL Development and to they allow for fluidity in the development of the overall service territory.

When Winfield initiated this Cause, Winfield was unaware that LBL had any plans to develop the LBL Development Area, nor the scope of such a development. Consequently, the scenario outlined in my original testimony did not account for the LBL Development. It only accounted for the area in which it sits but not that there was a pending development seeking immediate service in that area.

16. Q DID CROWN POINT CHANGE ITS PLANS TO SERVE THE LBL DEVELOPMENT DURING THE COURSE OF THIS CAUSE?

A Yes. Crown Point first alternatively stated during the discovery process of this Cause that it: (1) would not install a lift station to serve the LBL Development (Response to Winfield Data Request 4.6); (2) would install three lift stations to serve the LBL

Development (Response to Winfield Data Request 5.17); and (3) would install one lift station to serve the Disputed Area. In response to Winfield's request for a clarification regarding these inconsistencies, Crown Point stated on August 1, 2025 that "*Based on newly acquired information*, Crown Point hereby amends and supplements prior Responses as follows: No lift stations are needed to serve the Disputed Area. Two lift stations are within Crown Point corporate boundaries and will not receive Disputed Area flows. A third lift station is not needed." Even though Crown Point had been in discussions with LBL regarding service to the LBL Development since at least 2023 (two years ago), Crown Point just last month changed the manner in which it intended to serve the LBL Development.

What is concerning about these facts is not that Crown Point changed its service plan, but rather, that Mr. Stong so forcibly attacked Winfield for changing its plans despite the fact Crown Point engaged in the exact same conduct.

17. Q MR. STONG STATES ON PAGE 5 OF HIS RESPONSIVE TESTIMONY THAT WINFIELD'S PLANS ARE "UNREASONABLY COMPLEX." HOW DO YOU RESPOND?

A Mr. Stong's statement is overly dramatic and, quite frankly, just wrong. As an initial matter, Winfield proposal to serve the Disputed Area involves one new lift station, pump upgrades to two lift stations, and the extension of force main to the Disputed Area. The description of the facilities and estimated cost are contained on 2 pages. (See Petitioner's Exhibit 59.) In comparison, Mr. Strong prepared a preliminary

engineering report ("PER") detailing the Crown Point's new WWTP and related improvements. The PER was 2,000 pages of maps, drawings and related materials. Not only is Crown Point's proposed improvements much more complicated, but Crown Point has also not provided any plans or costs on how it plans to provide water or sewer service to the entirety of its requested service area. When asked about Crown Point's estimated costs of serving its entire area during discovery, Crown Point objected to the request.

To serve its entire service area (including the Disputed Area), Winfield is proposing a total of three lift stations and force mains to convey the flow from the service territory is neither unusual nor difficult to design, maintain, or operate. Despite Mr. Stong's statements to the contrary, most design firms, and certainly DLZ, is accustomed to designing such networks. As I describe in more detail below, such networks are used throughout Indiana, including northern Indiana. As I also describe below, Winfield, its construction contractor, and maintenance crews are accustomed to working with lift stations. Any network of sewers, lift station(s) or in the case of Crown Point's proposed improvement plans set forth in its PER will have their own elements to be considered during design. Concerns about design, maintenance, or operational "complexity" is therefore misplaced. All projects are engineering scenarios where proper attention to the design and implementation of them provides the engineering team the ability to develop solutions or strategies to address.

Although Crown Point has not yet submitted its PER into evidence (an excerpt from the PER is attached to my testimony of Petitioner's Exhibit 34 and 35.) there are a number of pages and exhibits that undermine Mr. Stong's argument. For example, the PER details a series of improvements (i.e. Phase IV Improvements) that must be completed by Crown Point in the relatively near future to satisfy its Agreed Judgement and Agreed Order with the Indiana Department of Environmental Management ("IDEM"). The Phase IV Project consists of diverting flows from inside the City to the new WWTP. Due to the far away location of the WWTP, the costs of these projects is $64,000,000 ("$64 Million Diversion Project"). The 64 Million Dollar Diversion Project consists of series of "daisy-chain lift stations" connecting to five (5) miles of force main. While Witness Stong describes Winfield's extension project as "to complex", Crown Point is proposing an even more expensive complex extension of daisy-chain lift stations and force main. Mr. Stong's statement that Winfield's project is to complex is simply wrong and hypocritical.

VI.
Winfield's plans

18. Q WHAT ARE SOME OF THE KEY ADVANTAGES OF WINFIELD'S PLANS?

A The planning level wastewater plans allow Winfield to use a significant amount of its current infrastructure. For example, Winfield can use two existing lift stations

and its existing WWTP. Winfield's installation costs to extend its service area will be further minimized because Winfield has built its system to facilitate future expansion. That is, it included an extra force main stub in Gibson Lift Station to accommodate a future anticipated pipe. The WWTP was expanded to 1.6 MGD in June 2025, and it has a PEL to expand the plant to 4.0 MGD. The plant may also be built in phases. Two other advantages include (1) the use of lift stations and force mains to allowing future flexibility and expansion; and (2) Winfield's plans may be implemented in phases.

19. Q **WHY IS IT IMPORTANT THAT WINFIELD'S EXISTING LIFT STATIONS BE UTILIZED TO IMPLEMENT THESE PLANS?**

A This will help minimize construction costs. As I indicated, all of the scenarios presented above can be accommodated by existing lift stations and various existing components, including site size/location, wet well size, valve vault size, and the generator building. It would appear from a review of engineer Stong's cost summaries for Winfield to service these areas that he assumed that all of these upgrades to the existing lift stations would require a new lift station and associated improvements, inclusive of the site improvements, wet well and valve vault, to be replaced, which is not the case. It is largely this distinction that resulted in the large discrepancy between Crown Point's estimates and the attached estimates. Due to his misunderstanding of Winfield's existing system, Mr. Stong's estimates are overstated.

20. Q WHY IS IT IMPORTANT THAT WINFIELD'S PLANS MAY BE CONSTRUCTED IN PHASES?

A This is important because it allows Winfield to only build or expand its wastewater infrastructure to accommodate the specific location and pace of economic development that is realistically going to be built in the near term. It should be noted that all planning documents that I have been associated with indicate general location and routing for facilities based on assumed development within a study area. This serves as the template for providing wastewater service in an area and in most cases are modified to suit actual conditions, but generally follow the intent of the initial planning. Winfield does not want to commit to building infrastructure until it is confident that the infrastructure will be utilized in a timely fashion. This helps Winfield appropriately size infrastructure, adapt plans (such as adding a stub to lift stations, dual force main capability, etc.), and avoid building assets that could later become stranded. Second, building the infrastructure in phases allows Winfield to strategically time when it incurs expenses (e.g., planning, designing, and constructing) to maximize funding opportunities and to minimize the rate impact of these investments costs. In fact, just because Winfield has planned certain infrastructure does not mean Winfield must build these assets. The intent would also be to take into consideration the specific needs as development plans approach the Town in order to design facilities that make sense both in size and specific location.

21. Q DISCUSS THE EXHIBITS THAT PROVIDE A MAP/VISUALIZATION OF WINFIELD'S ALTERNATIVE PROPOSALS.

A Petitioner's Exhibits 8 and 10 prepared for this expanded service area application are *planning area diagrammatic representations* for the area that Winfield is requesting to serve. This is a common engineering practice to determine service areas. The routing of sewage flow shown on these maps indicates the *general methodology* to serve the areas. For instance, a "gravity" line shown down 137th Avenue or 129th Avenue on the planning area map is not meant to represent an exact route for a sanitary sewer. Instead, it is a "reach map" to generate a tributary for a specific overall collection point, in this case a Lift Station, to capture and serve proposed wastewater flows. The overall topography, streams, drains and roadways are reviewed in general to determine a general conveyance pattern and facility location. The reason this is important is because you want to determine what geographical area is reasonable for a facility to serve either due to overall anticipated wastewater flows based on topography and proposed land use. This information is utilized to determine approximate depths of a wet well, pump sizing, force main sizing, length of travel etc. and equivalent residential units ("ERU") it is proposed to service. This same type of effort would be utilized to determine overall design parameters for an area regardless of the ultimate delivery method to a wastewater facility. Additionally, it is not meant to set the exact location of the collection facility, lift station in this case, nor will it represent every single item

necessary to serve an area of that magnitude. Areas of isolated special conveyance within an overall planned service area are always to be anticipated due to the manner in which the area develops and/or isolated geographical challenges. The final decision on location of all these features will happen during the engineering design phase of a development which is not necessary or appropriate at this time.

22. Q PLEASE DISCUSS PETITIONER'S EXHIBITS 8 AND 10.

A For the area outlined on Petitioner's Exhibit 8, the methodology to serve is in general as follows: gravity networks will be routed through the developments they serve to deliver the sewage to the conveyance point, in this case a lift station, and these planning area documents will assist in the proper sizing of the gravity networks as the specific uses / flows / needs are identified. The gravity networks and delivery to the lift station(s) would happen during and be installed by the developers of the specific properties as development occurs. One distinct advantage of a lift station as compared to gravity sewers, is that the depth of the gravity sewer(s) serving the lift station wet well can be set, within reason, at a depth that can serve multiple areas and not be limited by the receiving elevation of another gravity sewer. This provides flexibility for sewer depths when serving areas and not constrained to the receiving gravity sewer elevation.

In that same manner, the area nearest to LBL can be more clearly refined because there is a known potential user and sewer layout as presented by LBL. For

that area specifically, the method of serving was *diagrammatically* outlined in Petitioner's Exhibit 10.

The more specific improvements to serve the LBL development are outlined above and presented in a graphic format in Petitioner's Exhibit 61.

23. Q IS ANY OF THE TREATMENT FACILITIES IDENTIFIED ON PETITIONER'S EXHIBIT 8 AND 10 CONTROVERSIAL AND COMPLEX?

A No, not at all. These types of facilities are used across the state of Indiana by multiple wastewater utilities. In fact, Crown Point is proposing the same types of facilities as part of its project, including the $64 Million Diversion Project.

VII.
Winfield Plan Costs

24. Q Please detail the costs for each of these phases.

A In April 2025, Winfield indicated in its initial response to Crown Point Data Request 1.51 that its estimated costs for what I have identified above as " Service to LBL Development in the Near-Term—Phase I would be $9,600,000. Given the uncertainty as to when any of the above phases would be implemented, assuming that conditions do not change and none of phases were ever implemented, conducting an in-depth cost analysis is speculative. However, given Mr. Stong's estimate that Winfield's cost to serve the LBL Development would be

$25,000,000 - $30,000,000, Winfield thought it would be prudent for Jeremy Lin and me to confirm Winfield's initial cost estimate. Mr. Lin communicated with LGS Plumbing, Inc. for an estimate (attached as Petitioner's Exhibit 57) and I prepared an estimate on DLZ's behalf (attached as Petitioner's Exhibit 62). The estimates are summarized as follows:

	Winfield's Initial Estimate	LGS Plumbing, Inc. Construction Cost Estimate for Service Only to LBL Development	DLZ Estimate for Service to the Entire Winfield Regulated Territory
Service to LBL Development in the Near-Term (Phase I)	$9,600,000		
Service to LBL Development in the Long-Term (Phase II)			
Service to LBL Development in the Near-Term (Phase I) and Long-Term (Phase II)		$8,755,000	
Service to LBL Development in the Near-Term (Phase I), service to LBL Development in the Long-Term (Phase II), and service to the area east of the LBL Development (Phase I)			$19,282,640
Service to the Area East of the LBL Development (Phase II)			$9,886,500

25. Q MR. STONG STATES ON PAGE 17 OF HIS RESPONSIVE TESTIMONY "WINFIELD DOES NOT STATE THE MANNER AND COST OF ADDITIONAL CAPACITY IMPROVEMENTS AT GIBSON STREET LIFT STATION TO PROVIDE THE REMAINING 2338 EDU PUMPING

CAPACITY; OR 2.9 MGD!" (EMPHASIS IN ORIGINAL). HOW DO YOU RESPOND?

A As indicated above, Mr. Stong misstates the Gibson Street Lift Station post-expansion capacity. The actual ultimate capacity of 6.2 MGD is anticipated to be phased as shown in in Petitioner's Exhibit 61. Mr. Lotton stated that the LBL development will have 4,000 (increased from the previous +/-3,100) residential units at ultimate buildout; however, LBL stated that full buildout will take 20 years. Such a long time horizon provides Winfield ample time to build expansions as actual development dictates.

26. Q **MR. STONG FURTHER CONTENDS THAT "THERE IS NO COST-EFFECTIVE MEANS TO INITIALLY INSTALL THREE (3) LIFT STATIONS AND 7-MILES OF FORCE MAINS." HOW DO YOU RESPOND?**

A Winfield's plan is cost effective in that its plans maximize Winfield's existing facilities and prior design work and planning to extend into the Winfield Regulatory Territory. As indicated above, it utilizes existing facilities to begin servicing the area and it is not necessary to install the facilities referenced in Mr. Stong's statement as "day one" items. Further, Winfield is able to undertake its plans without implementing a rate increase and without constructing a new WWTP.

27. Q **MR. STONG FURTHER CONTENDS THAT "IT IS NOT COST EFFECTIVE TO CONTINUALLY UPGRADE THESE LIFT STATIONS**

AND FORCE MAINS AS THE AREA GROWS AND DEMAND DICTATES CAPACITY IMPROVEMENTS." HOW DO YOU RESPOND?

A The ease of adjusting lift station capacity is one of the advantages of lift stations as compared to gravity sewers. As reflected in Winfield's plans, Winfield can provide greater transmission capacity to the LBL Development area first by merely increasing the size of lift station pumps. Through this, Winfield can use the existing site improvements, wet wells, valve vaults, and generator buildings. Using variable frequency drives in conjunction with two (2) force mains, one small and one large, will allow Winfield to install pumps that meet both the existing/initial (low) flows and the full buildout (high) flows of the LBL Development. This allows a municipality to adjust to development in a specific area as opposed to making assumptions about depths and sizing of a gravity extensions. The difference is that a utility cannot increase the capacity of a specific size gravity pipe nor make it deeper once its installed. Through proper planning the upgrades and alterations of lift stations and their components is to be anticipated, as opposed to building a new gravity-sewer based system. Winfield can minimize the amount of new infrastructure that it must build (including a new WWTP).

VIII.
MODELLING AND MONITORING

28. Q HOW DOES WINFIELD ASSESS ITS WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM IN TERMS OF CAPACITY, PROPER SIZING, AND HIGH-LEVEL PLANNING?

A Winfield assesses its WWTP and collection system by applying mathematical calculations to its anticipated and actual system operation rather than through modeling because it is easier and more efficient to conduct such mathematical calculations than performing modeling. More specifically, Winfield's management and professional engineers continually monitor and analyze development and flows throughout its service area. Mr. Lin, for example monitors flows, maintains a running spreadsheet (Petitioner's Exhibit 59), stays abreast of actual and prospective development, the quantity of capacity that the Town allocates, and communicates regularly to ensure he is well-informed about capacity needs and when an expansion is appropriate to expand the WWTP to meet the service needs of wastewater customers. Winfield's monitoring of its system and flows based upon actual development will provide it sufficient lead time to adjust and implement plans to complete future improvements/upgrades as appropriate to ensure it provides timely service to customers. Through such analysis, Winfield will be able to implement necessary WWTP expansion(s) at a pace and size that is appropriate for the then existing circumstances.

29. Q MR. JACOB STATES ON PAGE 13 OF HIS DIRECT TESTIMONY THAT "WITHOUT MODELING, A PRUDENT OPERATOR CANNOT ENSURE THAT INFRASTRUCTURE BEING PLANNED AND BUILT IS OF THE RIGHT LOCATION AND SIZE; SUCH INFRASTRUCTURE COULD BE UNDER- OR OVER-SIZED, BOTH OF WHICH ADD ADDITIONAL

COSTS TO THE CUSTOMER THAT MAY OTHERWISE NOT BE NECESSARY. MODELING, ONE PROJECT AT A TIME, THROUGH 'MATHEMATICAL CALCULATIONS,' AS WINFIELD CLAIMS TO DO, DOES NOT PROVIDE THE NECESSARY MULTI-FACETED ANALYSIS IMPERATIVE TO EVALUATE THE IMPACTS OF NEW DEVELOPMENTS ON THE SYSTEM, ESPECIALLY WHEN MORE THAN ONE DEVELOPMENT IS HAPPENING AT ANY ONE TIME." HOW DO YOU RESPOND?

A Mr. Jacob's generalized statements about modeling do not necessarily apply to Winfield's wastewater system. Winfield's system is a tight wastewater system (i.e., its system does not permit significant inflow and infiltration ("I&I")) and it is not a combined stormwater-wastewater system requiring analysis to avert/control surcharging and potential combined sewer overflows due to wet weather induced flows. Plus, the size of the Winfield system is small in comparison to other communities such as Crown Point. Due to this, Winfield and DLZ have not found modeling necessary because the anticipated flows are easily predicted mathematically in combination with the monitoring of flows. This allows Winfield to accurately predict flows by using common engineering guidelines, such as the Town's estimated number of EDUs per acre and the associated wastewater flow for an EDU per IDEM. Winfield can then compare these actual flows to the flows that, mathematically, it should be receiving. Through this process, Winfield can

confidently project actual peak flows in the system and the impact of new improvements, including multi-faceted improvements, on its system. My DLZ team and I routinely apply mathematical calculations for growing municipal wastewater systems to predict new project impacts upon the system.

The effectiveness of Winfield's methodology is evident in the current condition of Winfield's system and its ability to serve its existing customers and future connections. In fact, Winfield's recent completion of its WWTP expansion appears well-timed to accommodate LBL's proposed development.

Conversely, Crown Point uses proprietary modeling software to evaluate its system. See attached Petitioner's Exhibit 64 (Crown Point's Response to Winfield Data Request 9.6). This is likely because of the amount of I&I entering its system, the fact that its system is a combined stormwater-wastewater system which has gravity interceptors and wet weather equalization basins that introduce additional variables. Even with modeling it is no guarantee that adequate infrastructure is built at appropriate times. According to the 2025 update to Crown Point's PER (Petitioner's Exhibit 32), the City had to deny 1.17 MGD of requested flow due to a lack of capacity and overextended its capacity.

30. Q MR. JACOB STATES, IN PART, ON PAGE 32 OF HIS DIRECT TESTIMONY THAT THE LACK OF MODELING INFORMATION "WOULD EFFECTIVELY PREVENT DEVELOPMENT FROM PROCEEDING WITH KNOWN COSTS AND SCHEDULES. WITHOUT

BETTER COST CERTAINTY, DEVELOPMENT CANNOT REASONABLY PROCEED WITHOUT SUBSTANTIAL AND UNNECESSARY RISK." HOW DO YOU RESPOND?

A I disagree. Mr. Jacobs is providing an assessment regarding modeling that is not supported by the conditions that Winfield has experienced. There may be other older communities in Indiana that fall into this category but not Winfield. Winfield routinely works with developers on new projects without providing modeling information. Winfield has sufficient operational/capacity information for their wastewater system to make engineering assessments of their system. No developer, until LBL asked for modeling information as part of the formal discovery process in the current Cause, ever asked me, and to the best of my knowledge, nor Winfield, for modeling information. Further, as I believe most developers who work in and around Winfield know, modeling is not necessary for Winfield's wastewater system. I would note that Winfield's approach to New Development has been successful as Winfield has been one of the fastest growing communities in the state of Indiana over the last 20 years and has successfully developed multiple large subdivisions.

31. Q MR. JACOB STATES ON PAGE 53 OF HIS DIRECT TESTIMONY THAT HE DOES NOT BELIEVE WINFIELD IS "PROPERLY MONITORING" ITS WASTEWATER SYSTEM BECAUSE HE CLAIMS WINFIELD DID NOT PROVIDE "ANY DETAILED INFORMATION ABOUT ITS CLAIMS

OF MONITORING ITS WASTEWATER SYSTEM." HOW DO YOU RESPOND?

A I disagree. Winfield's aggregate flow amount, identified through actual flow observations to its WWTP, is evident in the attached Petitioner's Exhibit 59, previously provided to LBL and Crown Point through Winfield's Supplemental Response to LBL Data Request 1.14.

IX.

Infiltration and Inflow

32. Q **MR. JACOB STATED ON PAGE 11 OF HIS DIRECT TESTIMONY THAT HE WAS CONCERNED ABOUT "STATEMENTS IN THE [2016] SANITARY MASTER PLAN PREPARED BY WINFIELD, SUCH AS 'THE PROBLEM OF INFILTRATION AND INFLOW STILL EXISTS[,]' AND 'OVERALL IMPACT TO THE SYSTEM IS NOT FULLY UNDERSTOOD[,]' ARE CONCERNING AND WOULD BE SO TO ANY PRUDENT UTILITY OPERATOR." HOW DO YOU RESPOND?**

A Mr. Jacob's statement does not tell the Commission the steps that Winfield undertook to remediate these I&I issues and which Winfield had previously provided in response to LBL Data Request No. 2.17 and Crown Point Data Request 1.39. Through its response to LBL's Data Request 2.17, Winfield explained the following:

> Since 2016, Winfield has conducted smoke testing and installed flow meters in parts of its system where Winfield believed that it was experiencing inflow and infiltration. Based on these tests, Winfield was

> able to identify sources of inflow and infiltration and, in turn, encouraged or required disconnection of sump pump and other surface water drainage pipes from Winfield's sewer system . . . As indicated in prior discovery responses, Winfield does not believe that inflow and infiltration is a significant issue at this time; however, it continues to monitor flows and spikes during wet weather events and will respond to such data in an appropriate manner.

Winfield provided additional information regarding its I&I remediation efforts that its response to Crown Point Data Request 3.9. In light of the information provided to LBL as part of discover, Mr. Jacob knew or should have known Winfield had successfully addressed its I&I issues.

X.
Comparing Lift Stations and Gravity Sewers

33. Q HOW DO YOU RESPOND TO MR. JACOB'S AND MR. STONG'S COMPARISON OF LIFT STATIONS TO GRAVITY SEWERS?

A Their comparisons do not acknowledge the widespread use of lift stations, including in Indiana, nor the certain advantages of lift stations as compared to gravity sewers either as part of a high-level overview of the two engineering options or as applied to the particular facts of the current situation.

34. Q PLEASE DISCUSS THE USE OF WASTEWATER LIFT STATIONS IN INDIANA.

A Utilities throughout Indiana, including northern Indiana, commonly use lift stations and force mains. For example, Fort Wayne, Portage, and Valparaiso use lift stations and force mains in conjunction with their sole WWTP. As a high-level observation, lift stations provide utilities the opportunity to bring sewage to a WWTP that

gravity sewers standing alone could not. This in turn can allow a utility to maximize area in which the wastewater may receive sewage and help a utility avoid having to build a new treatment plant. Additionally, force mains can be more adaptable than gravity sewers, less intrusive in installation, shallower installations, smaller pipe sizes, more adaptable to terrain changes / challenges and do not require manholes at fixed maximum distances along its route (+/- 400') feet apart. Whether a utility should use a lift station and force main or gravity sewer depends on the particular application and circumstances of the utility's wastewater system.

35. Q **ON PAGE 24 OF HIS DIRECT TESTIMONY, MR. JACOB DEFINED "DAISY CHAINING LIFT STATIONS," A TERM USED THROUGHOUT MR. JACOB'S AND MR. STONG'S TESTIMONY, AS "A PRACTICE OF CONNECTING TWO OR MORE COLLECTION SYSTEM LIFT STATIONS IN SERIES [SIC]." IS THIS AN ENGINEERING TERM?**

A No. This is not an engineering term and I have never previously heard an engineer use such a term before it was used in this Cause. The proper nomenclature I would use for a series of lift stations that are linked together is a "sewer network comprised of pump stations." Additionally, the general positioning of the lift stations is the primary focus of the documents we created. I fully expect in the final engineering documents that the force mains will discharge into a length of gravity sewer into the wet wells.

36. Q MR. JACOB STATES ON PAGE 24 THAT "WHILE AN ALLOWABLE PRACTICE, THE MAINTENANCE AND OPERATION OF [DAISY CHAINING LIFT STATIONS] IS MUCH MORE COMPLICATED TO PLAN, DESIGN, BUILD, AND OPERATE THAN A TRADITIONAL GRAVITY SEWER." HOW DO YOU RESPOND?

A I agree that lift stations are indeed an acceptable and often necessary method of conveying wastewater through a geographical area or municipality. I disagree with the balance of Mr. Jacob's description of "daisy chaining lift stations." IDEM reviews and approves lift station designs in the same manner as any other sewer extension. Many municipalities have a portion or a majority of their wastewater systems served by lift stations to convey flows to a treatment facility. As in all cases throughout Indiana, topographic conditions will dictate the method(s) of serving an area. Engineering judgement along with knowledge of the existing sewer systems capability are then used to assess the best option(s) for the municipality.

In fact, Crown Point originally planned to use lift stations to serve the LBL Development. Both Crown Point and Winfield have numerous lift stations within their sewer system. Crown Point, according to its September 22, 2025 response to Winfield's Data Request 11.5, operates 33 lift stations (see Petitioner's Exhibit 65). I would note that Crown Point indicted if they ever intended going east of LBL that they too would need lift stations to serve the area. Winfield also has a number of lift stations (14 in total) in its current sewer network. This is not unusual. As such,

Winfield is well versed in operating, designing, and managing its lift station network of facilities. Winfield, the Town's construction contractor and maintenance crews, Lintech Engineering, Inc. ("Lintech"), and DLZ collectively have experience planning, designing, building, operating, and maintaining lift stations and force mains for the Town. The team of engineers (currently 12) that I oversee at DLZ is well equipped to handle such work.

37. Q **MR. STONG STATES ON PAGES 10-11 OF HIS RESPONSIVE TESTIMONY THAT WINFIELD'S USE OF A SEWER NETWORK COMPRISED OF PUMP STATIONS ("DAISY-CHAINED LIFT STATIONS") CAN HAVE A "DOMINO EFFECT ON CAPACITY UPGRADE UPSTREAM REQUIREMENTS." HOW DO YOU RESPOND?**

A As my DLZ team and I are well aware, one must consider how an upgrade or expansion of a wastewater system will impact other parts of the system. This is neither unusual nor unexpected. We considered such potential issues and planned the upgrades and expansions discussed above accordingly. Mr. Stong's "domino effect" of upgrades on downstream systems can be planned and mitigated and is equally important in gravity networks. For example, by simply adding force main stubs to lift stations, increasing overall size of a wet well for future upgrades, and planning for installation of multiple pumps, future upgrades can be accomplished with minimal changes to existing infrastructure. Utilizing variable frequency drives

for pump operation in will allow the pumps to match low flow and high flow scenarios.

Notably, many times lift stations and force mains can be expanded more easily than gravity sewers. Increasing the capacity on a previously installed gravity sewers, requires upsizing the gravity pipe or installing a parallel pipe to augment the sewer capacity

38. Q MR. STONG TESTIFIED ON PAGES 26-27 OF HIS RESPONSIVE TESTIMONY THAT HE VIEWED WINFIELD'S PLAN TO USE LIFT STATIONS AND FORCE MAINS TO SERVE THE LBL DEVELOPMENT AS "DESPERATE, ILL-CONCEIVED CONCEPTS PRESENTED BY WINFIELD WITH THE INTENT TO CONTROL DEVELOPMENT IN BOTH THE DISPUTED TERRITORY AND ENTIRETY OF WINFIELD'S REQUESTED EXPANSION OF SERVICE TERRITORY IN TOTALITY RATHER THAN AN EFFICIENT ENGINEERING PLAN FOR PROVIDING PUBLIC SEWER SERVICE." HOW DO YOU RESPOND?

A Mr. Stong's position is very subjective and misses the point. He misses that each type of system has its advantages and disadvantages where the selection of method should be based on the circumstances and challenges. Lift stations and force mains can allow for greater adaptability than through the use of gravity sewers, particularly in areas where the pace of development and location of development is unclear. Additionally, Winfield's plans allow it to capitalize on its existing

infrastructure, minimize future capacity expansion costs, avoid building a new WWTP, and offer tailored service to the LBL Development over the development's hopeful growth.

Mr. Stong's criticism is mitigated or even completely undermined by the fact that Crown Point is proposing its own set of daisy-chain lift stations and approximately five miles of force mains as part of its $63 Million Diversion Project. While all engineers are entitled to their opinion, it seems hypocritical to me to criticize Winfield for using lift stations and a force main when Crown Point is using the same facilities as part of its proposed project that is intended to bring it into compliance with IDEM's Agreed Judgment and Agreed Order.

39. Q EXPLAIN HOW THE ADAPTABILITY BETWEEN GRAVITY SEWERS AND LIFT STATIONS COMPARE.

A Gravity sewer systems are generally less adaptable than lift stations. For example, if a utility installs an 8" gravity sewer pipe on a specific slope, it has an ultimate full pipe flow capacity and cannot be increased unless the utility installs a larger pipe. Once a utility installs a gravity sewer, the elevation is set for future connections. When installing a gravity sewer, the utility must either (1) determine this amount of geographic area over which the gravity sewer may draw or, if this information cannot be determined, then (2) install the gravity sewer deeper to account for remote service areas, which would increase costs to plan and install

(since the manholes are deeper and the cost to install the gravity sewer increases due to depth of installation, sheeting in poor soils and groundwater considerations).

Lift stations, on the other hand, may more easily be upgraded to serve a greater wastewater flow and/or serve a larger geographic service area. To increase the capacity of a lift station, a utility can (to list but a few examples) enlarge the lift station pumps, install a new force main via directional drilling (such directional drilling is less intrusive than trench excavation for gravity mains), and/or adjust pump rates without changing the configuration of the lift station wet well. As such, using lift stations and force mains help mitigate the "domino effect on capacity upgrade upstream requirements" while gravity sewers offer much less flexible solutions.

40. Q IS THERE A COST ADVANTAGE TO WINFIELD'S USE OF LIFT STATIONS FORCE MAINS TO SERVE THE LBL DEVELOPMENT AS COMPARED TO CROWN POINT'S PROPOSED PLAN TO SERVE THE LBL DEVELOPMENT?

A Yes. While both plans are viable options, Winfield's use of force mains allows it to extend wastewater service to the LBL development without having to build a new WWTP. While Mr. Stong and Mr. Jacob note that Crown Point's cost to install just the gravity sewers from its WWTP to the LBL development is less than their estimated cost for Winfield's cost to extend service to the LBL development, Mr. Jacob and Mr. Stong fail to include Crown Point's $54 million cost to build, design,

and permit its new WWTP or the cost to construct the $64 Million Diversion Project. Even accepting Mr. Stong's estimate for Winfield to serve the LBL Development (again, which is miscalculated), Crown Point's cost to serve the LBL development is much higher, than Winfield's cost to serve the LBL development. Ms. Wilson quantifies the significant extra costs to customers if Crown Point were the provider.. Crown Point states in its PER that its new wastewater treatment plant is needed for other purposes other than just LBL, but the need for the new plant in order to serve LBL Development to buildout cannot be ignored when making a cost to serve comparison

41 Q MR. JACOB ASSERTED ON PAGES 9-10 OF HIS DIRECT TESTIMONY THAT WINFIELD'S LIFT STATION PLAN WOULD FACE "SIGNIFICANT CHALLENGES TO CONSTRUCT SAFELY AND OPERATE RELIABLY . . ." HOW DO YOU RESPOND?

A Again, the exact line placement is not indicated in Petitioner's Exhibits 8 and 10. Also, the overall terrain in which the lift stations and force mains will be constructed is typical of the terrain in which its current system was installed. My team and I specifically considered the terrain in the area depicted in Petitioner's Exhibits 8 and 10 and we do not see anything unique or different about this terrain that would present new construction complications or safety issues.

Winfield has a lot of experience constructing, operating, and maintaining lift stations and force mains. In fact, all of the sewage currently delivered to

Winfield's WWTP is delivered via a force main. As such, Winfield is well acquainted with how to efficiently and effectively manage lift station/force main attributes and challenges. Further, Winfield will continue to use its contracted operator and maintenance crews who have extensive history working with Winfield's force mains and lift stations. Further, my DLZ team and I work with and design lift stations for growing wastewater utilities on nearly daily basis. Our experience shows us that when lift stations are properly designed, neither their construction nor operation present any notable concerns.

42 Q **MR. JACOB EXPRESSES CONCERNS ABOUT MAINTENANCE ISSUES (FREQUENT ATTENTION TO CLEAN, REPAIRS, SUSCEPTIBILITY TO CLOGS, SUPERVISORY CONTROL), OPERATIONAL COSTS (ELECTRICITY COSTS, CHEMICAL TREATMENT COSTS), OPERATIONAL RISKS (RISK OF FAILURE, POWER AND BACK-UP GENERATOR OUTAGES AND NEED FOR GREATER OVERSIGHT), AND NUISANCES (ODOR AND NOISE) THAT HE CONTENDS MAY BE ASSOCIATED WITH LIFT STATIONS. HOW DO YOU RESPOND?**

A Mr. Jacob's theoretical concerns about lift stations have not been an issue for Winfield. For example, his odor and sewage concentration concerns can be remedied or mitigated and are currently not an issue in Winfield's waste stream. His more generalized concerns about lift station maintenance and operation similarly have not been an issue for Winfield. Indeed, Mr. Jacob did not even allege that

these have been past problems in Winfield's system. This is likely because Winfield's operators and maintenance crews are experienced, professional, and appropriately operate and maintain Winfield's system. The risk of maintenance issues will also be minimized by Winfield's connection of the proposed lift stations to the Town's telemetry system. This will aid maintenance personnel in monitoring

XI.
Project Size

43. Q MR. JACOB CONTENDS THAT THE SIZE OF LBL'S PROPOSED DEVELOPMENT IS TOO LARGE OF A GEOGRAPHIC EXPANSION FOR WINFIELD. FOR EXAMPLE, HE STATES ON PAGE 46 OF HIS DIRECT TESTIMONY THAT "WINFIELD HAS A LAND AREA OF APPROXIMATELY 12 SQUARE MILES. TO CONSIDER ADDING OVER TWO SQUARE MILES OF DEVELOPMENT (I.E., THE DEVELOPMENT AREA) WOULD CONSTITUTE A SINGLE INCREASE OF OVER 20% OF WINFIELD'S CURRENT LAND AREA." HOW DO YOU RESPOND?

A A 20% increase in territory at first glance appears to be a significant increase, until one considers that (1) the increase in land area is only approximately two square miles, (2) full buildout of the LBL Development is anticipated to take 20 years, (3) Winfield can extend service to the LBL Development within one year, and (4) Winfield's WWTP expansion completed in June 2025 provides sufficient excess capacity, as explained by Jeremy Lin, to begin accommodating the LBL Development.

44. Q PLEASE EXPLAIN YOUR OPINION REGARDING THE FACT THAT LBL'S DEVELOPMENT IS ONLY APPROXIMATELY TWO SQUARE MILES.

A The size of LBL's two square mile project is insignificant because regardless of the development size, the components are the generally the same. The primary variables are the size and numbers of the components. Further, geographic size is not indicative of the capacity needed to serve the project. Winfield already has facilities that can be readily connected to and offer sufficient capacity to the LBL Development.

Additionally, DLZ has experience working with large developments. With a team of over 900 people with a wide variety of backgrounds and expertise, the DLZ team collectively is well-positioned to resolve even the most complicated of developments.

Conversely, Crown Point proposes to expand its service territory by approximately one hundred percent (100%). Mr. Stong testified at his deposition that Crown Point's total acreage within its municipal boundaries is 11,590 acres. Stong Deposition at 14, lines 2-15. Crown Point seeks to add approximately 19,000 acres into its service area. Not only is Crown Point's proposed expansion large in terms of a percentage of its current service area, but it is also large in gross acreage. Crown Point's difficulties managing and operating its current system (as evidenced, for example, by the effluent limitation, maintenance, and operation violations detailed

in the Agreed Order[3]; Crown Point's denial of wastewater service prospective customers in its existing territory due to capacity issues and overextension of its service commitments[4]; high wastewater rates and charges[5]), adding more than 19,000 acres seems unwise.

45. Q WHAT IS THE SIGNIFICANCE OF YOUR STATEMENT THAT FULL BUILDOUT OF THE LBL DEVELOPMENT WILL TAKE 20 YEARS?

A LBL's development will not be built overnight. Rather, LBL expects full buildout of its development to take 20 years. LBL Response to Winfield Data Request 1.4. As evident through Winfield's plans I described above, such a construction timeline provides Winfield plenty of time to provide service within 12 months and make additional improvements and upgrades to increase capacity, as necessary. The fact that Winfield can begin service to the LBL Development within one year shows the feasibility of Winfield's proposals.

46. Q MR. JACOB CONTENDS THAT THE LBL DEVELOPMENT PROJECT IS TOO COMPLEX FOR WINFIELD. FOR EXAMPLE, HE SAYS "ADDING A FEW HOMES AT A TIME OVER YEARS (AS DEVELOPMENT HAS TYPICALLY PROCEEDED IN WINFIELD IN THE PAST) IS VERY DIFFERENT THAN ADDING A LARGE PLANNED DEVELOPMENT

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[3] For a discussion of the Agreed Order, see Petitioner's Petitioner's Exhibit 37, Jeremy Lin's April 21, 2025 Responsive Testimony and Petitioner's Exhibits, at 5-11.
[4] For a discussion of these denials and overextended service commitments, see Petitioner's Exhibit 29, Michael Duffy's August 19, 2025 Responsive Testimony at 5-7.
[5] For a discussion of Crown Point's rates and charges, see generally Petitioner's Exhibit 43, Jennifer Wilson's Rebuttal Testimony and particularly pages 9-10.

MOVING WITH SIGNIFICANT SPEED AND VARYING RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL PROPERTY TYPES." DO YOU AGREE?

A No, Mr. Jacob's testimony is incorrect on multiple levels. Mr. Jacobs' testimony wholly ignores that Winfield is growing at a rapid pace. In fact, Winfield has been one of the fastest growing communities in Indiana over the last twenty (20) years. In terms of planning, whether building a wastewater system for residential users, commercial users, or industrial users, the wastewater components and concepts are largely the same. Some industrial users will need certain pretreatment components, but the diverse type of wastewater customers in LBL's proposed project does not raise concerns. Additionally, DLZ is accustomed to working on projects involving multiple different customer-types.

47. Q DO YOU AGREE WITH MR. JACOB'S ASSERTION THAT WINFIELD HAS NOT "DEMONSTRATED ITS MANAGERIAL AND TECHNICAL ABILITY THAT IS NECESSARY TO SERVE SUCH A LARGE AREA SO QUICKLY."

A No. Mr. Jacob provides no analysis, date, or other support for his conclusion. I am not sure on what this assessment of managerial and technical ability was based. Winfield is one of the fastest growing communities in the state. As I have seen over my 13 years working with Winfield, the Town is accustomed to moving quickly in bringing economic development projects to fruition. For example, we are in the

process of completing a new 500 unit subdivision. This required Winfield to work with the developer to bring road improvements and sanitary improvements, inclusive of the 117th Avenue lift station online. Winfield's management team has ensured that upgrades (such as designing its WWTP so that capacity may be added incrementally), expansions (such as including a second force main stub in the Gibson Lift Station to accommodate future additional piping), and extensions of the Town's entire wastewater system are completed in way to maximize its existing assets and provide future flexibility and adaptability. This long-term planning approach helps promote economic development because it creates a cost-effective system that is readily configured to accommodate additional development. Winfield's managerial ability is partly evident through its operation of its system such that the utility, as addressed by Jeremy Lin, is not and never has been subject to an Indiana Department of Environmental Management ("IDEM") Agreed Order. When problems have arisen, such as the nominal exceedances and variances discussed by Jeremy Lin in his rebuttal testimony, Winfield has resolved these issues without IDEM intervention and certainly without IDEM having to initiate proceedings against the Town. Winfield has a solid record from a managerial and technical perspective to be well prepared for the LBL development.

XII.
Winfield's Planning Methodology

48. Q PLEASE EXPLAIN WINFIELD'S LONG-TERM PLANNING METHODOLOGY.

A Winfield conducts high level studies, such as its Sanitary Master Plan, to inventory Winfield's wastewater system assets and capabilities, identify areas of system improvement, and give a high-level overview of where the Town anticipates future growth will occur. Winfield then uses these guides during the planning phase for system upgrades and extensions for development areas to know how, where, and what time of adaptive infrastructure (such as adding a stub to the Gibson Lift Station to allow for a future pipe addition) or construction modification to incorporate into its system.

49. Q WOULD YOU CHARACTERIZE WINFIELD'S APPROACH AS A "WAIT-AND-SEE" APPROACH?

A No. Winfield does not wait to design infrastructure until a developer commits to a particular project. Winfield instead works to ensure that it has the capacity and technical capabilities to provide a wastewater backbone that may be readily extended/adapted to meet developer needs. For example, Winfield has been implementing strategies and planning elements from the sewer master plan since its creation in 2016. The installation of the 117th Avenue regional lift station and the Grand Boulevard regional lift station to name a few. Similarly, Winfield's Gibson Street Lift Station, just 3,000 feet from the LBL Development, can be connected to the LBL Development in less than a year. Winfield has not developed the detailed engineering documents to construct this plan, but Winfield has provided the overall infrastructure to start service to a development that will

(hopefully) grow over the course of 20 years. As the development grows (or does not grow), Winfield can provide upgrades and extensions (or not based upon a lack of growth) as the market decides whether development in this particular area should occur.

50. Q HAS WINFIELD'S LONG-TERM PLANNING APPROACH BEEN SUCCESSFUL?

A Yes. The success of Winfield's approach is evident through multiple measures. From an economic growth perspective, Mr. Beaver testified that Winfield has consistently ranked as one of the fastest growing communities in the state. If developers required, as Mr. Lotton and/or Mr. Jacob contend, to see wastewater system modeling and detailed capital improvement plans to invest in a community, then Winfield would not have been the recipient of so much investment. From an operational perspective, Winfield has operated its system since the utility's purchase by Winfield without ever being placed on an Agreed Order or faced other similar adverse IDEM actions. From a financial perspective, Ms. Wilson stated on page 6 of her April 21, 2025 testimony (Petitioner's Exhibit 15) that the wastewater utility is in "excellent financial condition." Winfield earned these achievements without expending the time and resources to create unnecessary planning documents.

51. Q IS WINFIELD'S APPROACH TO ECONOMIC DEVELOPMENT UNIQUE?

A No. As a Department Manager at one of the Midwest's largest design firms, my team and I have worked with numerous wastewater utilities. Our experience shows us that wastewater utilities do not find the need to maintain the long-term detailed formal planning documents, (e.g. preliminary engineering reports and capital improvement plans), such as those described by Mr. Stong and Mr. Jacob. These documents are more typically developed when the need for a project is identified and the Utility seeks funding through state or federal agencies (such as IFA / SRF) is desired.

52. Q **PLEASE EXPAND ON THIS DISTINCTION BETWEEN DEVELOPING DETAILED CAPITAL IMPROVEMENT PLANS AND RELYING UPON HIGH LEVEL STUDIES.**

A A good example of this is Winfield's 2016 Sewer Master Plan. The Town undertook this study to develop an assessment of its current system and planning scenarios on how and generally where to incorporate future infrastructure improvements. This guidance was then used as developments were being planned in Town. Winfield did not and does not desire to develop detailed plans with the expectation that development will necessarily follow and mirror those plans. Under such approaches, Winfield would lead where and when development should occur, rather than be prepared to accommodate growth as it actually occurs due to market conditions.

Winfield instead believes that private investment and the market should dictate where growth should occur. Winfield believes that its role in the economic

development process is to install the infrastructure for known development in way such that this infrastructure may be adapted and expanded to meet market conditions. Winfield's creation of its planning alternatives in the current Cause exemplifies and validates Winfield's development perspective and theory.

53. Q **MR. STONG CLAIMS ON PAGE 52 OF HIS RESPONSIVE TESTIMONY THAT WINFIELD "DOES NOT HAVE A LEGITIMATE PLAN. HE ASSERTS "WINFIELD CONTENDS [THAT] WITHOUT KNOWLEDGE OF ANTICIPATED DEVELOPMENTS [,] GROWTH CANNOT BE PROJECTED. THIS ASSERTION IS COMPLETELY INCORRECT. THAT IS THE DEFINITION OF PLANNING. WE TAKE WHAT'S KNOWN, WE PROJECT WHAT'S ANTICIPATED, AND WE DETERMINE OPTIONS TO SERVE. WINFIELD HAS A CLEAR DEFINITION OF THE LBL DEVELOPMENT MAKEUP AND ITS NEEDS BUT STILL HAS NOT PROVIDED A CLEAR PLAN. HAD THEY CREATED SUCH A COMPLETE PLAN IT WOULD HAVE DEMONSTRATED THE IMPRACTICALITY OF WINFIELD'S CURRENT UNREASONABLE, UNACCEPTABLY COMPLEX AND COSTLY CONCEPTS PRESENTED TO THE COMMISSION."**

A This encapsulates my point. Winfield does not want to prematurely lock itself into a particular plan of action by expending resources and building speculative infrastructure. Winfield and I "took what was known" when we submitted my

December 2023 original direct testimony that provided a plan based upon what growth we anticipated. We then adapted this plan through my April 8, 2024 affidavit then submitted multiple options to serve as described in my revised April 21, 2025 direct testimony. Winfield further revised its plans in light of Mr. Lotton's testimony filed just last month. Winfield would have misspent considerable resources if it had prepared the overly detailed and premature analysis as proposed by Mr. Jacob and Mr. Stong's approach.

54. Q EXPLAIN THE RISKS INVOLVED WITH CROWN POINT'S APPROACH FOR CONDUCTING ITS PROPOSED DETAILED CAPITAL IMPROVEMENT PLANNING.

A Crown Point and LBL assert that Winfield should have more detailed planning documents. Such planning documents are highly speculative and costly. Creating such documents risks developing detailed infrastructure that does not align with the timing, pace, or location of future economic development.

55. Q ON PAGE 31 OF HIS DIRECT TESTIMONY, MR. JACOB CRITIQUES WINFIELD'S PLANS IN PART BY STATING THAT WINFIELD "PROPOSES TO ROUTE FLOWS NORTH ALONG GIBSON STREET TO 129TH AVENUE, THEN EAST TO PROPOSED LIFT STATION #1, THEN SOUTH TO PROPOSED LIFT STATION #2. AT PROPOSED LIFT STATION #2, WINFIELD WILL THEN PUMP FLOWS VIA A FORCE MAIN TWO