

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 JEREMY C. LIN, PROFESSIONAL ENGINEER

Rebuttal Testimony of Jeremy C. Lin

Petitioner's Exhibit 56

Construction Quote for Extension of
Service to Disputed Area

Petitioner's Exhibit 57

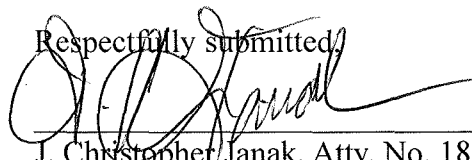
LBL Development's response to Winfield Data Request 2.1

Petitioner's Exhibit 58

WTP Capacity Summary included with
Town of Winfield's May 19, 2025 Response and
June 18, 2025 Supplemental Response to LBL
Development's Data Request 1.14

Petitioner's Exhibit 59

Respectfully submitted,



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Indiana*

Petitioner's Exhibit 56

STATE OF INDIANA

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IN THE MATTER OF THE PETITION OF THE
TOWN OF WINFIELD, LAKE COUNTY,
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CAUSE NO. 45992

REBUTTAL TESTIMONY

OF

JEREMY C. LIN

ON BEHALF OF

THE TOWN OF WINFIELD, LAKE COUNTY, INDIANA

I.
INTRODUCTION

1
2
3
4 1. Q PLEASE STATE YOUR NAME.

5 A My name is Jeremy C. Lin.

6 2. Q ARE YOU THE SAME JEREMY C. LIN WHO PREVIOUSLY PREFILED
7 AMENDED AND RESTATED PREFILED DIRECT TESTIMONY AND
8 EXHIBITS ON APRIL 21, 2025, AND RESPONSIVE TESTIMONY AND
9 EXHIBITS ON AUGUST 19, 2025, ON BEHALF OF THE TOWN OF
10 WINFIELD, LAKE COUNTY, INDIANA ("TOWN" OR "WINFIELD") IN THIS
11 CAUSE?

12 A Yes.

13 3. Q YOU PREVIOUSLY TESTIFIED THAT YOU ARE A PROFESSIONAL
14 ENGINEER WITH LINTECH ENGINEERING, INC. WOULD YOU PLEASE
15 DESCRIBE THIS FIRM?

16 A Lintech Engineering, Inc. is a consulting firm specializing in the design of water and
17 wastewater

18 4. Q WHAT MUNICIPALITIES CONSULT WITH LINTECH ENGINEERING, INC.
19 FOR WASTEWATER ADVICE AND RECOMMENDATIONS?

20 A Lintech Engineering, Inc. advises a number of growing communities, including the
21 Village of Maple Park and the Village of Wonder Lake, regarding wastewater issues.

22 5. Q YOU PROVIDED SOME BIOGRAPHICAL INFORMATION IN YOUR APRIL
23 21, 2025 TESTIMONY. IS THERE ANYTHING ABOUT YOUR

**BACKGROUND THAT WOULD LIKE TO HIGHLIGHT FOR THE INDIANA
UTILITY REGULATORY COMMISSION ("COMMISSION")?**

A I have been in the wastewater treatment industry since 1998 and have been involved in numerous wastewater plant projects ranging from 0.10 million gallons per day ("MGD") capacity up to 10 MGD capacity. I am also a Board Certified Environmental Engineer with a Specialty on Water Supply/Wastewater Engineering as recognized by the American Academy of Environmental Engineers & Scientists.

6. 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 the City of Crown Point, Indiana ("Crown Point") witness, Albert Stong, and LBL Development, Inc. ("LBL") witness, Mark Jacob. 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").

7. Q ARE YOU SPONSORING ANY EXHIBITS?

A Yes. I am sponsoring the following two exhibits:

- Construction Quote for Extension of Service to Disputed Area: Petitioner's Exhibit 57.
- LBL Development's response to Winfield Data Request 2.1: Petitioner's Exhibit 58.
- Town of Winfield's April 18, 2025 Response and June 17, 2025 Supplemental Response to LBL Development's Data Request 1.14: Petitioner's Exhibit 59.

II.

COST OF EXTENDING FACILITIES TO DISPUTED AREA

1
2
3
4 **8. Q DID YOU ASSIST MICHAEL DUFFY IN PREPARING COST ESTIMATES**
5 **REGARDING WINFIELD'S PLANNED INFRASTRUCTURE**
6 **IMPROVEMENTS TO SERVE THE WINFIELD REGULATED TERRITORY**
7 **AS SET FORTH IN WINFIELD ORDINANCE NO. 358? IF SO, PLEASE**
8 **DESCRIBE YOUR WORK.**

9 A Yes. I reviewed Mr. Duffy's design concepts and cost estimates for the planned lift
10 station and force main infrastructure. Based on my review, analysis, and experience, I
11 believe the costs to be consistent with the recent lift station projects that have been
12 completed in Winfield, namely the Gibson Street Lift Station infrastructure, 117th
13 Avenue Lift Station, and the Grand Ridge Lift Station.

14 **9. Q WHY DID YOU AND MR. DUFFY FURTHER ANALYZE AND OBTAIN**
15 **MORE INFORMATION REGARDING THESE COST ESTIMATES?**

16 A Winfield previously reported through discovery responses that the cost for certain
17 upgrades would total approximately \$9,600,000. Mr. Stong contended that it would cost
18 Winfield \$25,000,000 to \$30,000,000 to fully serve LBL's proposed development.
19 Given this cost differential, Winfield thought it would be prudent to double-check its
20 \$9,600,000 estimate.

21 **10. Q DID YOU WORK WITH MR. DUFFY IN CONDUCTING ADDITIONAL**
22 **RESEARCH ON THE ESTIMATED COST OF EXTENDING SERVICE TO**
23 **THE DISPUTED AREA AND LBL'S PROPOSED DEVELOPMENT?**

A Yes, I did. Mr. Duffy and I discussed his original estimates. I thought Mr. Duffy's original estimates were reasonable. Nonetheless, Mr. Duffy agreed to go back and review his estimates and I agreed to contact a local contractor, LGS Plumbing, Inc., that has done a great deal of work in Lake County. This research confirmed the accuracy of Winfield's original estimate as Mr. Duffy and I estimate the project cost to be approximately \$8,755,000.

11. Q DID LGS PROVIDE YOU WITH A QUOTE?

A Yes, it did. Please find attached to my testimony as Petitioner's Exhibit 57, a two-page quote that identifies each improvement needed to extend service to the Disputed Area. The total cost of the extension to the Disputed Area, including all pump upgrades, is \$8,755,000. Obviously, the quote from the contractor is significantly less than Mr. Stong's overstated estimate.

III.
CROWN POINT'S STATEMENTS REGARDING WINFIELD'S WWTP ARE
INACCURATE, MISLEADING, AND SHOULD NOT BE RELIED UPON BY THE
COMMISSION IN THIS CAUSE

12. Q DO YOU KNOW HOW LGS ESTIMATED THE COST OF THE EXTENSION OF FACILITIES TO THE DISPUTED AREA?

A Based on my conversations with LGS, the quote was based upon the cost that LGS has incurred when completing similar projects for other customers. It is my understanding that LGS believed that these costs would be an accurate estimate of the cost that Winfield would incur to upgrade its existing pumps, install a new regional lift station

1 immediately adjacent to LBL's development and extend force main from the new lift
2 station to the Gibson Street Lift Station.

3 **13. Q HOW WOULD THE FLOWS FROM LBL'S PROPOSED DEVELOPMENT BE**
4 **TRANSPORTED TO THE NEW REGIONAL LIFT STATION?**

5 A Mr. Duffy and I have discussed this issue and it is my understanding that the anticipated
6 flows from LBL's development would flow by gravity sewers to the new regional lift
7 station, and then be pumped to Winfield's WWTP for treatment.

8 **14. Q MR. STONG CONTENDS ON PAGE 60 OF HIS TESTIMONY THAT**
9 **WINFIELD'S EXPANSION OF ITS WASTEAWTER TREATMENT PLANT**
10 **FROM 0.8 MLLION GALLONS PER DAY ("MGD") TO 1.6 MGD "WAS SO**
11 **ILL-TIMED BECAUSE OF POOR PLANNING THAT IT RESULTED IN AN**
12 **OVERSIZED WASTEWATER TREATMENT PLANT WITH LIKELY IDLE**
13 **INFRASTRUCTURE POTENTIALLY CAUSING FACILITIES**
14 **DEGRADATION." HOW DO YOU RESPOND?**

15 A Mr. Stong's concern about "facilities degradation" of Winfield's June 2025 treatment
16 plant expansion is unfounded and contradicts Mr. Stong's subsequent testimony. First, I
17 have seen no signs of "facilities degradation" during the three months since the treatment
18 plant expansion. Second, given that LBL contends it is planning on building a large
19 development with up to 4,000 equivalent dwelling units ("EDU"), the expansion of
20 Winfield's treatment plant seems well-timed, so the risk of future degradation is
21 unlikely. Third, as noted by Mr. Beaver in his testimony, Winfield has been and

1 continues to be one of the fastest growing municipalities in the State of Indiana. Even
2 though overstated, Mr. Stong recognizes on page 63 of his testimony that Winfield has
3 had a number of new developments and communities approach the Town seeking
4 capacity. Mr. Stong's criticism that the WWTP is over-sized and ill-timed is
5 inconsistent with his own testimony that indicates that the Town will likely need the
6 capacity in the near future, especially to serve LBL.

7 **15. Q WHAT IS YOUR RESPONSE TO MR. STONG'S ASSERTION ON PAGE 60**
8 **THAT WINFIELD'S FUTURE 4.0 MGD EXPANDED WASTEWATER**
9 **TREATMENT PLANT LACKS "THE TREATMENT CAPACITY TO SERVE**
10 **ITS REQUESTED EXPANSION AREA AT BUILDOUT DEMAND"?**

11 A Winfield has never planned to serve its entire requested expansion area at full buildout
12 using a 4.0 MGD capacity treatment plant. No Winfield witness has made such an
13 assertion. Given that there have been no requests for service for areas within the
14 Winfield Regulated Territory, LBL's planned development is anticipated to take 20
15 years (per LBL Development's response to Winfield Data Request 2.1 (attached as
16 Petitioner's Exhibit 58), Winfield presently has 0.97 MGD of reserve capacity at its
17 treatment plant, so Winfield has plenty of time to expand its plant as the LBL
18 Development (hopefully) grows. I would note that Winfield's treatment plant can be
19 expanded at 0.5 MGD or 1.0 MGD intervals, which provides plant sizing flexibility that
20 may be scaled to the rate of actual wastewater flow increases.

21 **16. Q MR. STONG ALLEGES ON PAGE 60 OF HIS RESPONSIVE TESTIMONY**

1 **THAT WINFIELD HAS A "MONITOR-AND-ACT-AT-80% POLICY"**
2 **REGARDING EXPANSIONS TO ITS WASTEWATER TREATMENT PLANT**
3 **AND THAT SUCH A POLICY "IS INADEQUATE TO TIMELY BUILD NEW**
4 **TREATMENT FACILITIES." HOW DO YOU RESPOND?**

5 A Mr. Stong's characterization of Winfield's approach to upgrading its wastewater
6 treatment plant is wrong. Winfield does not wait until the plant is treating 80% of its
7 capacity to begin planning for its next expansion. The Town constantly monitors flows
8 to its wastewater treatment plant and compares these flows to the remaining/committed
9 EDUs to be serviced, and the capacity demands of proposed new development. Winfield
10 uses this information to determine the timing and capacity for any WWTP expansion.
11 This process led Winfield to begin planning the expansion of its WWTP from 0.8 MGD
12 to 1.6 MGD when the plant was running at 46% of its then-capacity.

13 17. **Q ON PAGES 60-61 OF HIS RESPONSIVE TESTIMONY, MR. STONG STATED**
14 **"THAT EVEN IF WINFIELD HAD THE FINANCIAL AND MANAGERIAL**
15 **ABILITY, IT DOES NOT HAVE THE TECHNICAL PLANNING IN PLACE TO**
16 **ENSURE THE TIMELY AND EFFICIENT PROVISION OF WASTEWATER**
17 **TREATMENT SERVICE TO THE PROPOSED WINFIELD EXPANSION**
18 **AREA, WHICH INCLUDES THE DISPUTED AREA." HOW DO YOU**
19 **RESPOND?**

20 A Winfield has operated its wastewater system, including its treatment plant, in an
21 effective manner. I state this in large part due to the fact that Winfield timely expands

1 its wastewater treatment plant (as evidenced in its most recent expansion that it
2 conducted while the plant was operating at 46% capacity) to meet economic growth and
3 Winfield has, with certain exceptions, remained compliant with Indiana Department of
4 Environmental Management ("IDEM") regulations. I would further note that Mr. Stong
5 appears to be making a series of allegations that ignore the fact that for the last twenty
6 (20) years, Winfield has been one of the fastest growing communities of the State.
7 Although the estimated connections on page 63 of Mr. Stong's testimony are overstated,
8 this schedule recognizes that Winfield has had a number of connections and
9 development opportunities. Winfield has also developed at least two (2) subdivisions
10 with over 500 lots. In meeting the needs of its growing community, Winfield, unlike
11 Crown Point, has not received any agreed judgments or agreed orders. Quite frankly,
12 Winfield has operated its utility in a prudent, reasonable manner that has allowed it to
13 maintain compliance with IDEM's regulations while maintaining highly competitive
14 user rates and connection fees.

15 **18. Q MR. JACOB CONTENDED ON PAGE 54 OF HIS RESPONSIVE TESTIMONY**
16 **THAT WINFIELD HAD "A NUMBER OF EXCEEDANCES AND VIOLATIONS**
17 **RELATED TO MAINTENANCE AND SYSTEM CONDITION THAT I**
18 **BELIEVE WINFIELD SHOULD BE MORE ATTENTIVE TO." HOW DO YOU**
19 **RESPOND?**

20 A The majority of Mr. Jacob's referenced exceedances predate 2021 and therefore
21 involved infrastructure that has since been replaced. It is important to note that

Winfield's exceedances from the wastewater treatment plant were short lived in that such violations do not and did not continue for consecutive months as the WWTP operators timely addressed issues as they arose. I would further note that all of these issues were addressed to IDEM's satisfaction and none rose to the level of an agreed judgment or agreed order.

19. Q MR. STONG ASSERTS ON PAGE 63 OF HIS RESPONSIVE TESTIMONY THAT WINFIELD HAS EXPERIENCED AN AVERAGE OF 339 NEW EDUS PER YEAR FROM 2016 THROUGH 2024 AND AN AVERAGE OF 716 NEW EDUS PER YEAR FROM 2021 THROUGH 2024. ARE THESE RELIABLE AVERAGES?

A While Winfield has experienced significant growth, these figures are overstated in that they recognize the total number of houses that were proposed for development. It does not represent the number of houses that were actually connected to the system. At the same time, however, Mr. Stong's testimony that Winfield is connecting 339 EDU's per year undermines his testimony stating that Winfield's WWTP is oversized. It also undermines the testimonies of Crown Point, LBL, and the Lake County Alliance that Winfield is not experiencing economic development.

20. Q MR. STONG CONTENDS ON PAGES 62-64 THAT BECAUSE WINFIELD HAS EXPERIENCED, ON AVERAGE, 339 ADDITIONAL EDU'S PER YEAR FROM 2016 THROUGH 2024 AND AN AVERAGE OF 716 ADDITIONAL EDUS FROM 2021 THROUGH 2024, WINFIELD WILL NOT "HAVE SUFFICIENT

**TREATMENT CAPACITY TO SERVE THE FLOWS FROM BOTH THE
TOWN'S EXISTING MUNICIPAL LIMITS AND THE PROPOSED WINFIELD
SERVIE TERRITORY FOR THE FORESEEABLE FUTURE." HOW DO YOU
RESPOND?**

A As an initial matter, Mr. Stong seems to be contradicting himself. On one hand, he states that Winfield's new WWTP is ill-timed and over-sized. Now, Mr. Stong seems to be suggesting that Winfield will run out of capacity in the not-so-distant future. Mr. Stong's testimony also ignores Winfield's discovery responses to discovery requests in this Cause. In its May 19, 2025 response and June 17, 2025 supplemental response to Crown Point Data Request 1.14, Winfield stated the following:

Request No. 1.14:

Winfield witness Jeremy C. Lin states in his Amended and Restated Prefiled Direct Testimony ("Lin Amended Testimony") that Winfield's current wastewater plant expansion will come online on approximately June 1, 2025, expanding the plant from 0.8 million gallons per day ("MGD") to 1.6 MGD. He then states that "this capacity will be sufficient to serve the flows from both the current and future economic development within the Town's existing municipal limits and the Winfield Service Territory for the foreseeable future." Lin Amended Testimony at 4, lines 1-7. However, in response to Q14, Mr. Lin then discusses plans to expand the plant from 1.6 MGD to 4.0 MGD.

Please specifically define what Mr. Lin means by "foreseeable future," i.e., how long Mr. Lin anticipates the 1.6 MGD capacity will be sufficient for Winfield. Please explain the reasons for your answer.

Initial Response: The length of time that 1.6 MGD capacity will be sufficient is dependent upon when and to what degree development occurs within Winfield's service territory. As such, Mr. Lin does not have a fixed date as to when this capacity would no longer be sufficient but believes it will be sufficient for the next several years. The difficulty in making a specific projection is evident in Exhibit 1.14 showing the plant would still

1 have 0.9 MGD reserve capacity at its current 1.6 MGD capacity if all
2 remaining lots were immediately built out.

3
4 **Supplemental Response:** Winfield supplements its prior response as follows: See
5 the attached updated Exhibit 1.14.

6
7 A copy of the updated discovery exhibit 1.14 titled, Town of Winfield WWTP Capacity
8 Summary - May 16, 2025, is attached to my testimony as Petitioner's Exhibit 59
9 ("WWTP Capacity Summary"). Given the importance of this document, I will provide
10 a detailed explanation of the WWTP Capacity Summary.

11 The top part of the WWTP Capacity Summary shows my calculation of the reserve
12 capacity provided by Winfield's wastewater treatment plant at its then-existing 0.40
13 MGD total capacity:

TOWN OF WINFIELD	
WWTP CAPACITY SUMMARY - 5/16/25	
Existing WWTP capacity (DAF)	0.80 mgd
Last 12 Months Average Flow	<u>0.40 mgd</u>
Current reserve capacity	0.40 mgd
Current plant capacity	50%

14
15 I calculated the reserve capacity by subtracting the average flow of the prior 12 months
16 (i.e. Last 12 Months Average Flow) from the plant's then-existing capacity (Existing
17 WWTP Capacity (DAF – Design Average Flow). This section of the WWTP Capacity
18 Summary also indicates that Winfield was operating the plant at 50% percent of its
19 then-current capacity (Existing WWTP Capacity divided by its then-current reserve
20 capacity).

The second part of the WWTP Capacity Summary shows the developments that have open capacity allotments from Winfield.

REMAINING LOTS - APPROVED DEVELOPMENTS	
Aylesworth Farms	
Total units	515 units
No. of units occupied	321 units
No. of remaining units	194 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	60,140 gpd
Clover Grove	
Total units	81 units
No. of units occupied	67 units
No. of remaining units	14 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	4,340 gpd
Latitude	
Total units	143 units
No. of units occupied	54 units
No. of remaining units	89 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	27,590 gpd
Estates of Wynbrook	
Total units	46 units
No. of units occupied	2 units
No. of remaining units	44 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	13,640 gpd
Deer Creek Estates	
Total units	96 units
No. of units occupied	87 units
No. of remaining units	9 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	2,790 gpd
Grand Ridge Estates	
Total units	189 units
No. of units occupied	14 units
No. of remaining units	175 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	54,250 gpd
Wyndance Springs	
Total units	48 units
No. of units occupied	units
No. of remaining units	48 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	14,880 gpd
CPCV	
Wastewater requirement from submitted calculation	31,040 gpd
Winfield Commons Commercial	
No. of lots	4
Estimated wastewater requirement	5,000 gpd
Total wastewater requirement	20,000 gpd
TOTAL FUTURE REMAINING CAPACITY NEEDED	228,670 gpd

Here, the WWTP Capacity Summary lists the six residential subdivisions (Aylesworth Farms, Clover Grove, Latitude, Estates of Wynbrook, Deer Creek Estates, Grand Ridge Estates, and Wyndance Springs) within Winfield's corporate boundaries that have open capacity allotments. This section shows the total number of units per subdivision (i.e.

1 Total units), how many of those units are occupied and are connected to the Winfield
2 wastewater system (i.e. No. of units occupied), how many of the subdivision units have
3 not yet been built (i.e. No. of remaining units), the number of daily gallons that Winfield
4 allotted each unit (i.e. Design wastewater requirement for single family unit), and,
5 finally, the total gallons per day that Winfield has allocated to each subdivision (i.e.
6 Total wastewater requirement).

7 The six residential subdivisions are followed by the Crown Point Christian Village
8 development (i.e. CPCV). The line for "Wastewater requirement from submitted
9 calculation" indicates the development's capacity reservation.

10 The final development inside Winfield that has an open capacity allotment is the
11 Winfield Commons Commercial development. The WWTP Capacity Summary
12 indicates the number of lots in the development (i.e. No. of lots), Winfield's allocation
13 of the number of daily gallons for each lot (i.e. Estimated wastewater requirement), and
14 the total gallons per day that Winfield has allocated to the Winfield Commons
15 Commercial development (i.e. Total wastewater requirement).

16 Next, the WWTP Capacity Summary sums the daily gallon capacity allocations for
17 the residential subdivisions, the CPCV development, and the Winfield Commons
18 Commercial development as 228,670 gallons per day.

19 Next, the WWTP Capacity Summary uses this capacity allotment information to
20 calculate Winfield's remaining wastewater treatment capacity at its then-existing 0.8
21 MGD capacity (i.e. Remaining WWTP Capacity in Phase I) and the remaining capacity

once the plant is upgraded to 1.6 MGD (i.e. Remaining WWTP Capacity in Phase 2), which was accomplished in June 2025. To make these calculations, the capacity not yet connected (i.e. Total Future Remaining) and the average flow of the prior 12 months (i.e. Existing Flow) were subtracted from the 0.8 MGD plant capacity (i.e. Phase 1 WWTP Capacity) and the 1.6 MGD plant capacity (i.e. Phase 2 WWTP Total Capacity), respectively.

Phase 1 WWTP Capacity	0.80 mgd
Existing Flow	0.40 mgd
Total Future Remaining	0.23 mgd
Remaining WWTP Capacity in Phase 1	0.17 mgd
Phase 2 WWTP Total Capacity	1.60 mgd
Existing Flow	0.40 mgd
Total Future Remaining	0.229 mgd
Remaining WWTP Capacity in Phase 2	0.97 mgd

This data establishes that Winfield presently has 0.97 MGD—970,000 gallons—of excess capacity. IDEM's common average for wastewater usage is 310 gallons per day. Therefore, dividing 970,000 gallons of excess capacity by 310 gallons of daily usage indicates that Winfield has sufficient capacity to accommodate 3,129 units. Mr. Stong asserted that Winfield averaged 339 new units each year from 2016 through 2024 and 716 new units annually from 2021 through 2024. Even using Mr. Stong's suggested new unit rates, which as I explained are simply inaccurate and overstated, Winfield has sufficient treatment capacity for 9 years (3,129 units divided by 339 units) and 4.3 years (3,129 units divided by 716 units), respectively.

1 Again, as I mentioned earlier, Stong's attacks Winfield are inconsistent. In one
2 portion of his testimony, Mr. Stong has argued that Winfield has overbuilt its plant. In
3 this particular section of his testimony, he argues that Winfield is out of capacity.
4 Crown Point cannot have it both ways. Based on the WWTP Capacity Summary above
5 (i.e. Petitioner's Exhibit 59), it is undisputed that Winfield has constructed and has
6 available approximately 1 million gallons a day of treatment capacity. This amount of
7 capacity should suffice for many years, even under the most aggressive growth
8 schedules. I regularly update the capacity chart to reflect current circumstances. As
9 Winfield begins to add capacity and provide developers with additional allocations, I
10 will update the chart and the Town will begin the process of its next WWTP expansion.

11 **21. Q DID CROWN POINT RECEIVE A COPY OF THE WWTP CAPACITY**
12 **SUMMARY?**

13 A Yes, I believe so. I understand that counsel for Winfield served a copy of the discovery
14 response on Crown Point and all other parties in this Cause. Based on his testimony,
15 however, I am not sure he has read it.

16 **22. Q DO YOU AGREE WITH MR. STONG'S STATEMENT THAT "WE DO NOT**
17 **KNOW ALL THE COMMITMENTS THAT WINFIELD HAS MADE TO**
18 **APPROVE DEVELOPMENTS FOR FUTURE TREATMENT"?**

19 A No. In light of Petitioner's Exhibit 59, which was provided to Crown Point many
20 months ago, I do not understand Mr. Stong's testimony on page 66 of his testimony in
21 this regard. Either Mr. Stong misunderstood Petitioner's Exhibit 59 or this is another

1 argument based on incorrect or nonexistent facts.

2 **23. Q MR. STONG STATES, "ENGINEERS SHOULD NOT USE VAGUE TERMS**
3 **LIKE 'FORESEEABLE FUTURE.' THIS LEADS TO MISUNDERSTANDING**
4 **AND CONFUSION." HOW DO YOU RESPOND?**

5 A Winfield explained in its narrative response to LBL Data Request 1.14 that it is difficult
6 to state a set number of years that certain capacity will remain sufficient because of the
7 uncertainty in what future development will actually occur. Winfield also provided the
8 WWTP Capacity Summary (i.e. Petitioner's Exhibit 59) that enabled the parties see
9 Winfield's analysis of this issue. When taken together, this narrative and the WWTP
10 Capacity Summary presented the appropriate context to avoid "misunderstanding and
11 confusion."

12 **24. Q MR. STONG STATES ON PAGE 64 THAT YOU SHOULD CONDUCT AN**
13 **"UPDATED AND STARDARD ENGINEERING ANALSYSIS OF THE**
14 **WINFIELD EXISTING SERVICE TERRITORY . . . AND THE WINFIELD**
15 **EXPANSION TERRITORY, TO IDENTIFY ANTICIPATED YEAR BY YEAR**
16 **PLANNING LEVEL FLOWS AND THEN CORRELATE THIS TO FUTURE**
17 **WASTEWATER TREATMENT PLANT CAPACITY IMPROVEMENT**
18 **PROJECTS TO PROVIDE INFORMATION THAT IS FAR MORE USEFUL**
19 **THAN YOUR UNSUPPORTED BELIEF THAT WINFIELD WILL 'HAVE**
20 **SUFFICIENT CAPACITY TO SERVE THE FLOWS FROM BOTH THE**
21 **TOWN'S EXISTING MUNICIPAL LIMITS AND THE PROPOSED**

1 **WINFIELD SERVICE TERRITORY FOR THE FORESEEABLE FUTURE."**

2 **HOW DO YOU RESPOND?**

3 A I disagree. To undertake such a calculation would be needless work and unnecessarily
4 increase the engineering time and expense for Winfield and its rate payers. First,
5 consistent with Winfield's narrative response to LBL Data Request 1.14, such a
6 calculation would be speculative given the unknown future rate of actual economic
7 development. Second, the WWTP Capacity Summary provides sufficient data to make
8 a reasonable estimation of how long Winfield's reserve capacity will remain open. In
9 addition, Winfield's residential growth is not necessarily linear, year by year due to the
10 varying number of units in developers' proposed projects. Winfield's method of planning
11 for future development while ensuring the WWTP has reserve capacity has worked for
12 the Town.

13 **25. Q MR. STONG CONTENDS ON PAGES 62-63 OF HIS RESPONSIVE**
14 **TESTIMONY THAT THAT WINFIELD SHOULD HAVE DETAILED FLOW**
15 **PROJECTIONS FOR THE NEXT 20 YEARS TO IDENTIFY WHEN**
16 **CAPACITY ISSUES MIGHT ARISE. HOW DO YOU RESPOND?**

17 A Again, Mr. Stong's suggestion invites speculation, would be an unwise use of limited
18 resources, would increase Winfield's engineering expense, and would ultimately be
19 passed on to Winfield's rate payers in the form of higher rates. Winfield has not received
20 requests for service in the Winfield Regulated Territory. One cannot reasonably predict
21 growth over a period of 20 years. As an example, the new information provided to

Winfield, as recently as a month ago through Mr. Lotton's August 2025 direct testimony regarding LBL's planned development, led to adjustments to Winfield's service plans.

26. Q ON PAGE 65 OF HIS RESPONSIVE TESTIMONY, MR. STONG EXPRESSES A CONCERN THAT WINFIELD DOES NOT HAVE AN EXISTING OR PRELIMINARY EFFLUENT LIMITS APPROVAL BEYOND ITS 4MGD EXPANSION. HOW DO YOU RESPOND?

A First, Winfield just completed its most recent expansion to 1.6 MGD two months ago. Generally speaking, a utility would not contemplate a subsequent expansion so close in time it is most recent expansion. Second, it is unusual that Winfield already has an NPDES for an expansion up to 4.0 MGD. That is, Winfield obtained this approval at the same time as when it obtained its permit to 1.6 MGD. I do not see an issue obtaining IDEM's approval of an additional preliminary effluent limit for an expansion of the plant capacity beyond 4.0 MGD. Importantly, in issuing the current NPDES, IDEM determined that an expansion to 4.0 GMD would not result in a significant lowering of water quality and the Antidegradation Standards and Implementation Procedures do not apply. Further, in my discussion with IDEM seeking the current NPDES preliminary approval, IDEM informed me that Winfield could request additional approval for capacity beyond the currently approved 4.0 MGD if it is so desired.

27. Q MR. STONG STATES ON PAGE 66 OF HIS RESPONSIVE TESTIMONY THAT "IF A SIGNIFICANT INCREASE IN WASTEWATER FLOW IS NOT REALIZED, IT'S LIKELY THE NEW OXIDATION DITCH RING WILL BE

1 **REQUIRED TO REMAIN INACTIVE, AND BOTH OF THE TWO (2) NEW**
2 **CLARIFIERS WILL REMAIN INACTIVE TO AFFORD PROPER**
3 **TREATMENT." HOW DO YOU RESPOND?**

4 A Once again, Mr. Stong's statement is inaccurate and entirely misleading. The design of
5 the Winfield WWTP oxidation ditch offers operational flexibility in the form of three
6 channels that can be operated in a series or in a parallel configuration and in any
7 combination to match incoming flows. Further, the ability to have two clarifiers
8 inactive can be an advantage as operators can easily perform maintenance on in service
9 units while maintaining treatment efficiency and preserving service life of the
10 equipment. The effectiveness of this system is evident in part through the fact that the
11 WWTP has been achieving low effluent limits since the completion of its last
12 expansion. Winfield is a rapidly growing community and having reserve capacity with
13 infrastructure ready to serve is a positive advantage, not a hinderance. I anticipate that
14 this reserve capacity will help extend the life of the equipment.

15 28. Q **MR. STONG ALSO ASSERTS ON PAGE 66 OF HIS REPOSITIVE TESTIMONY**
16 **THAT "WE DO NOT KNOW ALL THE COMMITMENTS THAT WINFIELD**
17 **HAS MADE TO APPROVED DEVELOPMENTS FOR FUTURE TREATMENT**
18 **AND WE DO NOT KNOW THE RATE IN WHICH THESE APPROVED**
19 **DEVELOPMENTS WILL TRANSLATE INTO WASTEWATER FLOWS TO**
20 **THE EXISTING WWTP." HE CONCLUDES THAT "WITHOUT WINFIELD**
21 **UPDATING ITS GROWTH PROJECTIONS, INCLUDING APPROVED**

1 **(SERVED AND UNSERVED) EDUS AND GROWTH RATES OF THOSE**
2 **APPROVED EDUS, CURRENT AVAILABLE TREATMENT CAPACITY FOR**
3 **NEW CUSTOMERS REMAINS UNKNOWN." HOW DO YOU RESPOND?**

4 A As I stated above, Mr. Stong's testimony is yet again incorrect for several reasons. First,
5 Winfield provided Crown Point and LBL "all the commitments that Winfield has made
6 to approved developments for future treatment" through its May 19, 2025 response and
7 June 17, 2025 supplemental response to LBL's Data Request 1.14 (i.e., Petitioner's
8 Exhibit 59). Second, no one knows "the rate in which these approved developments will
9 translate into wastewater flows to the existing WWTP." However, Winfield provided
10 the best information it had available—its capacity allocation for each development.
11 Third, as I explained above, Winfield's responses to LBL Data Request 1.14 directly
12 indicates the "current available treatment capacity for new customers." Mr. Stong's
13 requested information has already been provided and was provided in a manner to
14 reasonably calculate Winfield's available capacity. Mr. Strong's assertions are simply
15 inaccurate.

16 **29. Q MR. STONG ASSERTS ON PAGE 67-68 OF HIS RESPONSIVE TESTIMONY**
17 **THAT WINFIELD HAS NOT PROPERLY CALCUATED ITS "RESERVE**
18 **CAPACITY." HE CONTENDS "THE UTILITY SHOULD BE TRACKING**
19 **'RESERVE CAPACITY' AS RATED CAPACITY OF THE WWTP, LESS**
20 **AVERAGE FLOW TO THE WWTP, LESS ANTICIPATED FLOWS FROM**
21 **APPROVED EDUS YET TO BE DEVELOPED. THE UTILITY SHOULD ALSO**

1 **MAINTAIN ANTICIPATED PRODUCTION RATES ASSOCIATED WITH**
2 **APPROVALS YET TO BE CONSTRUCTED TO IDENTIFY ANNUAL**
3 **ANTICIPATED IMPACT ON ITS WWTP FLOWS." HOW DO YOU**
4 **RESPOND?**

5 A Winfield provided Mr. Stong's requested information before Crown Point submitted Mr.
6 Stong's testimony. Mr. Stong's suggested calculation is precisely what Winfield
7 provided through its responses to LBL Data Request 1.14 (i.e. Petitioner's Exhibit 59).
8 Winfield's responses to LBL Data Request 1.14 already addresses Mr. Stong's assertion
9 that Winfield's should "maintain anticipated production rates . . . " in that Winfield's
10 response already sets forth the amount of waste (Mr. Stong's "production rate").

11 **30. Q MR. STONG STATES ON PAGES 68-69 OF HIS RESPONSIVE TESTIMONY**
12 **THAT A "TYPICAL SCHEDULE FOR A WASTEATER TREATMENT PLANT**
13 **PROJECT WOULD TAKE 43 MONTHS." HE CONTENDS THAT "WINFIELD**
14 **SHOULD ALREADY HAVE A REFINED ANALYSIS ON RESERVE**
15 **CAPACITY IDENTIFYING LEGITIMATE GROWTH PROJECTIONS TO**
16 **ALLOW INITIATION OF THE PROJECT IN TIME TO MEET THE NEEDS**
17 **OF THE SERVICE AREA." HOW DO YOU RESPOND?**

18 A Unfortunately, Mr. Stong's testimony ignores the facts and information previously
19 provided to Crown Point as part of discovery. Winfield provided a "refined analysis on
20 reserve capacity" through its responses to LBL Data Request 1.14 (see Petitioner's
21 Exhibit 59). Additionally, as I stated in my April 21, 2025 Amended and Restated

1 testimony, Winfield can expand its wastewater treatment plant within a little more than
2 two (2) years after starting the process. This is based on our knowledge of the Winfield
3 facility and planning completed through the last two design projects. Furthermore, the
4 Winfield WWTP already has much of the critical infrastructure in place, unlike a new
5 ground up WWTP. Additionally, Mr. Stong's estimated timeframes for planning,
6 design, and commissioning timeframes may be true for Crown Point's scenario but is
7 untrue for Winfield. I would note that the two year plus time frame that I mentioned
8 above was consistent with the timeframe for completing the most recent expansion in
9 June of 2025. It is important to note that the timing for both Winfield WWTP expansions
10 were completed in a normal timeline for the Town without any required timeframe by
11 IDEM or other agency and the WWTP was not in any critical situation in reaching its
12 design and operating capacity.

13 The effectiveness of Winfield's approach in identifying reserve capacity to bring
14 appropriate and time infrastructure is evident through the timeliness of its most recent
15 wastewater treatment plant expansion. The WWTP Capacity Summary indicates that
16 Winfield was operating its 0.8 MGD plant at 50% capacity in May 2025. Winfield
17 completed its plant expansion to 1.6 MGD in June 2025. Therefore, the expansion to
18 1.6 MGD capacity not only was timely in terms of being available to serve LBL's
19 planned development, but it was also completed at a capacity level when it is common
20 in the industry to upgrade a wastewater treatment plant.

21 **31. Q ARE THE REASONS MR. STONG MIGHT BELIEVE A NEW WWTP**

PROJECT WOULD REQUIRE ALMOST FOUR (4) YEARS?

A. Yes. Crown Point has a very extensive and complex wastewater project that must be completed in order to satisfy IDEM requirements pursuant to a 20-year old Agreed Judgment and a recent Agreed Order. This project includes, among other things, a new WWTP and a sewage diversion project that will transport sewage almost five (5) miles from the existing city limits out to the new WWTP (i.e. Phase IV project). Due to the distance from the city limits to the new WWTP, the sewage diversion project will cost \$64 Million (“\$64 Million Diversion Project”). Mr. Stong’s testimony may be based upon this highly complex and very expensive project. I would note that the \$64 Million Diversion Project includes a series of lift stations (i.e. a “daisy chain” of lift stations) and approximately five (5) miles of force main. Both Mr. Stong and Mr. Jacob describe Winfield’s extension of service to the Disputed Area as too complex and expensive; however, it pales in comparison to Crown Point’s projects.

32. Q ON PAGE 68 OF HIS RESPONSIVE TESTIMONY, MR. STONG STATES THAT "MR. LIN IS GROSSLY IMPRECISE BY RELYING ON WWTP CAPACITY BEING PLANNED OVER 'THE NEXT COUPLE OF YEARS' TO ASSURE NECESSARY FACILITIES ARE COMPLETE AND OPERATIONAL AFFORDING TIMELY WASTEWATER UTILITY SERVICE." HOW DO YOU RESPOND?

A Again, Crown Point had Winfield's responses to LBL Data Request 1.14 two months before Mr. Stong made these statements in his August 2025 responsive testimony. These

1 responses to LBL Data Request 1.14, provide the data that establish the validity and
2 accuracy of my statement. Unfortunately, Mr. Stong's testimony is yet another example
3 of Crown Point seeking to attack Winfield on incomplete, inaccurate, or nonexistent
4 facts.

5 **33. Q ON PAGE 69 OF HIS RESPONSIVE TESTIMONY, MR. STONG STATES,**
6 **"MR. LIN'S 'WATCH AND SEE' MONITORING AND 'NEXT COUPLE OF**
7 **YEARS' CAPACITY PLANNING APPROACH IS COMPLETELY**
8 **INADEQUATE FOR UTILITY PLANNING AND OPERATION. THAT**
9 **QUALITY OF PLANNING AND OPERATION CAN FOR EXAMPLE LEAD**
10 **TO: (1) LARGE AREAS OF AGING SEPTIC SYSTEMS EXPERIENCING**
11 **FAILURES WITHIN TOWN CORPORATE LIMITS AND NO PLANNED**
12 **MEANS TO PROVIDE WASTEWATER COLLECTION, CONVEYANCE, AND**
13 **TREATMENT SERVICES, (2) BELATED INITIATION OF PROJECT**
14 **PLANNING ACTIVITIES RESULTING IN EXCEEDANCES OF EXISTING**
15 **INFRASTRUCTURE CAPACITIES PRIOR TO NEW INFRASTRUCTURE**
16 **BEING MADE OPERATIONAL, AND (3) PREMATURE CONSTRUCTION OF**
17 **INFRASTRUCTURE FACILITIES THAT REMAIN IDLE FOR EXTENDED**
18 **PERIODS OF TIME UNNECESSARILY IMPACTING USER RATES AND**
19 **PRESENTING ADDITIONAL COSTS FOR IDLE FACILITY REQUIRED**
20 **REPAIRS." HOW DO YOU RESPOND?**

21 A Mr. Stong's concerns about failing septic tanks within the Town is misplaced and not

1 based on any data from Lake County, the health department, or any other reliable source.
2 There is no evidence that landowners inside the Town are experiencing septic tank
3 failures. Nor is there evidence that landowners in the Town who have septic tanks
4 (whether working properly or not) want to connect to the Town's wastewater system.
5 Mr. Beaver explains in his rebuttal testimony that Winfield retains its rural roots and its
6 landowners maintain a preference for self-sufficiency. Based on Mr. Beaver's testimony,
7 it is my understanding that Winfield's septic tank users generally prefer not having
8 wastewater utility bill. This lack of a desire to connect to a public wastewater system is
9 evident in part through the fact that when Winfield reached out to landowners near
10 recent wastewater extension within the Town (to Taft Middle School and Prairie
11 Crossings Creek subdivision) to see if they would like to connect to the Winfield's
12 wastewater system, no more than a total of five prospective customers expressed any
13 interest to connecting to the Winfield system.

14 Nor have I seen examples of Winfield committing exceedances due to untimely
15 infrastructure improvements. As I explained in response to question 18, Winfield's
16 exceedances are broadly due to infrastructure that was replaced and is no longer present
17 at the WWTP.

18 Lastly, Winfield has not had infrastructure sit idle. All of Winfield's current system
19 is operating at flows are within a range that is efficient for its system. Based on the
20 steady growth Winfield has experienced and expects to experience for the next few
21 years, I do not see any risk of idle infrastructure. Witness Stong's concerns in this

1 regard are overstated and, quite honestly, non-existent.

2 **34. Q MR. STONG STATES ON PAGE 70 OF HIS RESPONSIVE TESTIMONY THAT**
3 **"WITH OVER 3051 EDUS OF APPROVED CONSTRUCTION BETWEEN**
4 **2016 AND 2024, OF WHICH 2863 EDUS WERE APPROVED OVER THE LAST**
5 **5-YEARS, AND WITH THE WINFIELD DEFINED 3074 EDUS ASSOCIATED**
6 **WITH THE LBL DEVELOPMENT IN THE DISPUTED TERRITORY, MR. LIN**
7 **SHOULD ALREADY BE AWARE OF THE RATE OF DEVELOPMENT FOR**
8 **THESE EXISTING APPROVALS AND HAVE CORRESPONDING FLOW**
9 **PROJECTIONS BASED ON THOSE RATES OF DEVELOPMENT**
10 **COMPLETED TO INITIALLY TARGET IMPROVEMENT DATES. BUT HE**
11 **DOES NOT. THE WAIT AND SEE APPROACH AS STATED IS**
12 **IRRESPONSIBLE AND INCREASES RISK." HOW DO YOU RESPOND?**

13 **A Again, Winfield provided this information to Crown Point, through its response to LBL**
14 **Data Request 1.14, two months before Crown Point submitted this testimony.**

15 **35. Q MR. STONG CONTENDS ON PAGES 70-71 OF HIS RESPONSIVE**
16 **TETIMONY THAT WINFIELD'S PLANS FOR ITS WASTEWATER**
17 **TREATMENT PLANT EXPANSION TO 4.0 MGD IS "LIP SERVICE."**
18 **SPECIFICALLY, HE STATES "AN APPROPRIATE WWTP EXPANSION**
19 **PLAN SHOULD BE ASSEMBLED FOR A 20-YEAR PLANNING PERIOD. IT**
20 **WOULD IDENTIFY THE ENTIRE PLANNING AREA, ANTICIPATED**
21 **GROWTH OVER THE PLANNING PERIOD, AND PHASED**

1 IMPROVEMENTS AND TIMING ASSOCIATED WITH THE PLANNED
2 GROWTH (I.E. INCREASE IN WASTEWATER FLOW)." HE CONTENDS
3 THAT PETITIONER'S EXHIBIT 12, THE PRELIMINARY LAYOUT OF
4 FUTURE EXPANSION TO WWTP, "DOES NOT REPRESENT THE LIKELY
5 REALITY FOR IMPROVEMENTS OVER A 20-YEAR PLANNING PERIOD
6 BASED UPON LEGITIMATE GROWTH PROJECTIONS. THIS SKETCH IS
7 MERELY A "BACK-OF-NAPKIN" PLANNING CONCEPT FOR A 4 MGD
8 WWTP THAT IS WOEFULLY LACKING IN DETAIL AND THOUGHT. HOW
9 DO YOU RESPOND?

10 A Winfield just completed its most recent treatment plant expansion about three months
11 ago in June 2025. Yes, Winfield has planned to expand its plant to 4.0 MGD as I stated
12 in my April 21, 2025 testimony, but this planning is by no means complete. I referenced
13 the approximate 27 months of work that will be needed to enlarge the plant from 1.6
14 MGD to 4.0 MGD, but it is premature to know for certain at what increment Winfield
15 will expand the plant until capacity in the 1.6 MGD expansion is allotted for as
16 development progresses. The critical infrastructure of the WWTP has been constructed
17 in the past two expansion projects so the plant is well-positioned for future expansions.
18 In addition, the site can accommodate a major phased expansion in the future.

19 I did want to comment separately about Mr. Stong's repeated statements that
20 Winfield is not completing sufficient planning for future capacity needs and the next
21 WWTP plant expansion. While Mr. Stong's repeated statements about the planning

1 that needs to be completed based upon unknown, speculative development would have
2 the benefit of generating lots of revenues for consulting engineering firms, it is
3 unnecessary and not in the best interest of the rate payers. I would further note that
4 from the very beginning when Winfield purchased the wastewater collection and
5 treatment system as authorized in IURC Cause No. 42930, Winfield agreed and
6 subsequently completed in a timely manner an expansion to the WWTP to meet the
7 needs of development at that time and for the foreseeable future. Since the acquisition
8 in 2006, Winfield has a track record of monitoring capacity and constructing
9 improvements in a timely manner. This is undisputed. Unlike Crown Point who denied
10 millions of gallons of potential users in 2021 (see Petitioner's Exhibit 34 at 2),
11 Winfield has no such track record. Winfield has time and again demonstrated the
12 ability to construct capacity improvements to meet the needs of economic development
13 in its area with the most recent example being the WWTP plant expansion that was
14 completed in June of this year. Winfield is poised to continue these timely additions
15 in the future.

16 **36. Q MR. STONG ASSERTS ON PAGES 72-73 OF HIS RESPONSIVE TESTIMONY**
17 **THAT WINFIELD HAS PROVIDED "INSUFFICIENT INFORMATION" TO**
18 **CONFIRM YOUR APRIL 21, 2025 TESTIMONY THAT WINFIELD HAS**
19 **SUFFICIENT ABILITY TO EXPAND ITS TREATMENT PLANT AT ITS**
20 **CURRENT SITE. SPECIFICALLY, HE CONTENDS THAT "WITHOUT**
21 **UPDATED PRELIMINARY EFFLUENT LIMITS FOR FLOWS BEYOND**

1 **4MGD THERE IS NO WAY TO KNOW WHAT TREATMENT FACILITIES**
2 **WOULD BE REQUIRED AS THE LEVEL OF TREATMENT IS UNDEFINED.**
3 **THIS, IN ADDITION TO THE LACK OF A LEGITIMATE FULLY PLANNED**
4 **PHASED WWTP CAPACITY IMPROVEMENTS PLAN, MAKES IT**
5 **IMPOSSIBLE TO CONFIRM OR DENY FACILITIES FOOTPRINT**
6 **REQUIREMENTS WILL BE ACHIEVED ON THE EXISTING WWTP SITE.**
7 **HOW DO YOU RESPOND?**

8 A This is not accurate. Winfield knows what facilities will be needed and where those
9 facilities will be placed at the plant, regardless of whether the plant is immediately
10 expanded to 4.0 MGD or something less. For example, the future locations are already
11 planned, the future UV channel will be constructed adjacent to the existing UV channel,
12 the blower building has space for future blowers, and the aerobic digesters similarly
13 have reserve volume for expansion. To accommodate future expansions, the Town
14 relocated its public works garage which created additional space for a new oxidation
15 ditch.

16 Contrary to Witness Stong's suggestion, Winfield has done ample planning to
17 ensure that future expansions can be done in a timely manner as Winfield has done for
18 the last 20 years.

19 **37. Q MR. STONG STATES ON PAGE 73 OF HIS RESPONSIVE TESTIMONY THAT**
20 **YOU PROVIDED ONLY "A VAGUE CONCEPT" THAT LACKED**
21 **"MINIMUM PLANNING REQUIREMENTS, TYPICALLY UTILIZED**

1 **PROJECT FUNDING AGENCIES SUCH AS THE [STATE REVOLVING FUND**
2 **("SRF"), U.S. DEPARTMENT OF AGRICULTURE ("USDA"), AND OFFICE**
3 **OF COMMUNITY AND RUTAL AFFAIRS ("OCRA"))]."** AS SUCH, MR.
4 **STONG STATED THAT HE "CANNOT CONCLUDE WINFIELD HAS**
5 **NECESSARY TECHNICAL CAPABILITY, IN PART BECAUSE THERE IS**
6 **MINIMAL IF ANYTHING OF TECHNICAL CONTENT TO EVALUATE. I**
7 **AM ALSO CONCERNED THAT UTILITY MANAGEMENT HAS NOT**
8 **REQUIRED MORE THROUGH PLANNING." HOW DO YOU RESPOND?**

9 A Winfield did not provide the documents required by the SRF, USDA, or OCRA because
10 Winfield was not (and is not) seeking financial support from these entities at this time.
11 The purpose of my testimony was not part of an application for funding. My testimony
12 was to discuss the ability of Winfield to provide wastewater treatment service to the
13 Winfield Regulated Territory and to discuss the potential impact of the Winfield
14 Regulated Territory on current and future economic development in the area. As such,
15 Mr. Stong's requested documentation is not necessary to assess the viability of
16 Winfield's plans. I would further note that a preliminary engineering report is not
17 required if Winfield funds future improvements with open market bonds. Mr. Stong's
18 suggestion that Winfield incur the time and expense to prepare a preliminary report at
19 this point would do no more than increase Winfield's engineering expense and harm the
20 rate payers.

21 **38. Q ON PAGE 74 OF HIS RESPONSIVE TESTIMONY, MR. STONG RESPONDED**

1 **TO YOUR APRIL 21, 2025 STATEMENT IN WHICH YOU EXPRESSED**
2 **CONCERNS ABOUT SPLITTING THE PROPOSED LBL DEVELOPMENT**
3 **BETWEEN TWO DIFFERENT WASTEWATER SERVICE PROVIDERS**
4 **WOULD BE "DUPLICATIVE, UNNECESSARY, CONFUSING TO**
5 **DEVELOPERS, AND FRUSTRATING TO FUTURE CUSTOMERS,**
6 **ESPECIALLY WHEN CONSIDERING THE SIGNIFICANCE DIFFERENCE**
7 **IN RATES AND CHARGES BETWEEN THE TWO PROVIDERS." MR.**
8 **STONG STATED, IN PART THAT "MANY COMMUNITIES HAVE**
9 **PORTIONS OF THEIR COMMUNITY SERVICED BY OTHER UTILITIES"**
10 **AND "[W]ITH PROPER PLANNING OF COLLECTION LINES THERE ARE**
11 **NO INEFFICIENCIES ASSOCIATED WITH CORRECTLY SPLITTING A**
12 **WELL-PLANNED DEVELOPMENT CONVEYANCE SYSTEM." WHAT IS**
13 **YOUR RESPONSE?**

14 A First, splitting LBL's planned neighborhood between Crown Point and Winfield is
15 inconsistent the Commission's preference for regionalization. Second, Mr. Stong did not
16 address what is really at stake in this case—whether certain neighbors in LBL's
17 development will be forced to pay Crown Point's higher monthly rate and a monthly
18 25% out-of-town surcharge that, as of January 2026 will total approximately \$131 for a
19 5,000 gallon per month user. As Ms. Wilson noted in her testimony, this rate could
20 increase to \$161 per month for a 5,000 gallon user within the next year. In addition, the
21 customers within LBL's development will be angry that their neighbors are paying \$59

1 per month as compared to Crown Point's \$131-\$161 per month. In addition, Crown
2 Point's connections fees are 76% higher than Winfield's and Crown Point has proposed
3 to double or triple its system development charges in the future. Quite honestly, the
4 potential for confusion and anger associated with the extraordinary rate differential
5 dictates that the LBL development have a single provider.

6 **VI**
7 **CONCLUSION**
8

9 **39. Q DOES THIS CONCLUDE YOUR TESTIMONY?**

10 A Yes, it does.

VERIFICATION

I affirm under the penalties for perjury that the foregoing testimony is true to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to be 'JCL', is written above a horizontal line.

Jeremy C. Lin, Professional Engineer

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served upon the following by electronic mail this 26th day of September, 2025:

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Robert Glennon & Associates
3697 N. 500 E Danville IN 46122
Indianapolis, IN 46204
robertglennonlaw@gmail.com

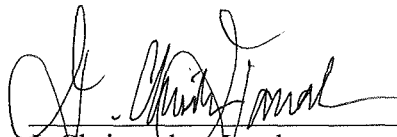
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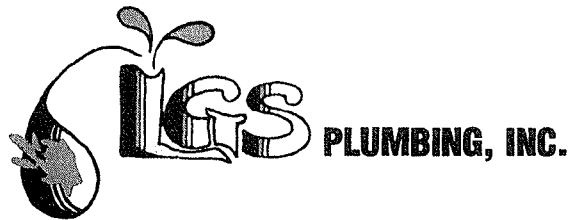
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J. Christopher Janak

Petitioner's Exhibit 57



1110 E. SUMMIT STREET
CROWN POINT, IN 46307

(219) 663-2177
FAX: (219) 662-2788

Mr. Tony Clark
Public Works Director
Town of Winfield
10645 Randolph St.
Winfield, IN 46307

Dear Mr. Clark:

Thank you for the opportunity to provide construction cost estimates for the Town of Winfield. We are familiar with the town specifications for sanitary sewer work due to our previous experience working with Winfield. Below is our construction estimates based on our conversations with the Town Engineer.

Item #1 – Proposed Lift Station #3 Improvements

- Design Capacity – 3,000 ERUs
- Two (2) submersible pumps, 2,600 gpm
- Wet well, valve vault, meter vault
- Pump controls w/VFD
- Generator building and other associated items
- Site improvements

Construction Budget Item #1 = \$1,780,000

Item #2 – Proposed LS #3 - Equiv. 16" HDPE force main(s) – 10,000 LF

- LS #3 to Gibson LS
- Adjacent to roadway
- HDD installation method

Construction Budget Item #2 = \$2,500,000

Item #3 - Ex. Gibson LS – Pumps Upgrade

- Design Capacity – 5,000 ERUs
- Two (2) submersible pumps, 4,300 gpm
- Pump controls w/VFD

Construction Budget Item #3 = \$450,000

Item #4 - Gibson FM - Equiv. 16" HDPE force main(s) – 6,500 LF

- Gibson LS to 117th Ave LS
- Adjacent to roadway
- HDD installation method

Construction Budget Item #4 = \$1,650,000

Item #5 - Ex. 117th Ave LS – Pumps Upgrade

- Design Capacity – 6,000 ERUs
- Three (3) submersible pumps, 5,200 gpm
- Pump controls w/VFD

Construction Budget Item #5 = \$500,000

Item #6 - 117th Ave LS - 16" HDPE force main – 7,500 LF

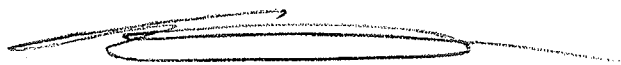
- 117th Ave LS to WWTP
- Adjacent to roadway
- HDD installation method

Construction Budget Item #6 = \$1,875,000

Total Budget for Items 1-6 above = \$8,755,000

We appreciate the opportunity to serve the Town of Winfield. Please contact me at 219-663-2177 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam J. Smith", with a long horizontal flourish extending to the right.

Adam J. Smith
Vice President

Petitioner's Exhibit 58

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) CAUSE NO. 45992
REGULATORY ORDINANCE ESTABLISHING)
A SERVICE TERRITORY FOR THE TOWN'S)
MUNICIPAL SEWER SYSTEM PURSUANT TO)
IND. CODE § 8-1.5-6 *ET SEQ.*)

**LBL DEVELOPMENT LLC'S OBJECTIONS AND RESPONSES TO
WINFIELD'S SECOND SET OF DATA REQUESTS**

LBL Development LLC ("LBL"), pursuant to 170 IAC 1-1.1-16 and the discovery provisions of Rules 26 and 37 of the Indiana Rules of Trial Procedure, by counsel, hereby submits the following Objections and Responses to the Town of Winfield, Lake County, Indiana's ("Winfield") Second Set of Data Requests ("Requests").

General Objections

All of the following General Objections are incorporated by reference in the response to each of the Requests:

1. The responses provided to the Requests have been prepared pursuant to a reasonable investigation and search conducted in connection with the Requests in those areas where information is expected to be found. To the extent the Requests purport to require more than a reasonable investigation and search, LBL objects on grounds that they seek to impose an undue burden and unreasonable expense and exceed the scope of permissible discovery.

2. To the extent that the Requests seek production of electronically stored information, LBL objects to producing such information from sources that are not reasonably accessible because of undue burden or cost.

3. The responses provided to the Requests set forth the information in reasonably complete detail. To the extent that the requesting party contends that a Request calls for more detail, LBL objects to the Request on the grounds that it is overly broad, seeks to impose an undue burden and unreasonable expense, and exceeds the scope of permissible discovery.

4. LBL objects to the Requests to the extent they seek documents or information which are not relevant to the subject matter of this proceeding and to the extent they are not reasonably calculated to lead to the discovery of admissible evidence.

5. LBL objects to the Requests to the extent they seek an analysis, calculation, compilation, or study which has not already been performed and which LBL objects to performing.

6. LBL objects to the Requests to the extent they are vague and ambiguous and do not provide a reasonable basis from which LBL can determine what information is sought.

7. LBL objects to the Requests to the extent they seek information that is subject to the attorney/client, work product, settlement negotiation, or other applicable privileges.

8. LBL objects to the Requests to the extent they purport to require LBL to supply information in a format other than that in which LBL normally keeps such information.

9. LBL objects to the Requests to the extent that they seek production of documents created during an unreasonably long or unlimited period, on the grounds that the Requests are overly broad, seek to impose an undue burden and unreasonable expense, and exceed the scope of permissible discovery.

10. LBL objects to the Requests to the extent they request the production of information and documents not presently in LBL's possession, custody, or control.

11. LBL objects to the Requests to the extent they request the production of (a) multiple copies of the same document; (b) additional copies of the same document merely because

of immaterial or irrelevant differences; and (c) copies of the same information in multiple formats on the grounds that such Requests are irrelevant, overbroad, unreasonably burdensome, unreasonably cumulative, and duplicative, not required by the Indiana Utility Regulatory Commission (“Commission”) rules, and inconsistent with practice in Commission proceedings.

12. The responses constitute the corporate responses of LBL and contain information gathered from a variety of sources. LBL objects to the Requests to the extent they request identification of and personal information about all persons who participated in responding to each data request on the grounds that: (a) they are overbroad and unreasonably burdensome given the nature and scope of the requests and the many people who may be consulted about them; and (b) they seek information that is subject to the attorney/client and work product privileges. LBL also objects to the Requests to the extent they request identification of witnesses to be called in LBL’s case who can answer questions regarding the information supplied in the responses on the grounds that: (a) LBL is under no obligation to call witnesses to respond to questions about information provided in discovery; and (b) the Requests seek information subject to the work product privilege.

13. LBL assumes no obligation to supplement these responses except to the extent required by Ind. Tr. R. 26(E)(1) and (2).

Without waiving these objections, LBL responds to the Requests as follows:

Responses to Data Requests

Request No. 2.1:

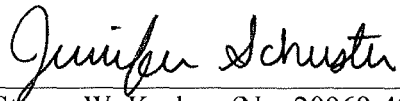
Estimate the amount of development that LBL Development, Inc. ("LBL") anticipates building in the Development Area for each of the next 20 years.

OBJECTION: LBL objects to this Request on the grounds and to the extent that this Request is vague and ambiguous, as the term "amount of development" is undefined. LBL further objects to this Request on the grounds and to the extent that it requests LBL to prepare a study or analysis that does not currently exist.

Subject to and without waiver of the foregoing general and specific objections, LBL is providing the following response.

RESPONSE: LBL provided details of the master-planned community it intends to construct in the Development Area in response to Winfield's Data Request No. 1.1 and in LBL Attachments 1-1 and 1-2 (provided in response to Winfield's First Set of Data Requests to LBL), which are maps of the planned development. LBL does not yet have a construction timeline for its development in the Development Area and has not developed a year-by-year estimated timeline as called for in this request. See LBL's response to Winfield Data Request No. 1.2.

Respectfully submitted,



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Counsel for LBL Development, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing has been served upon the following counsel of record by electronic mail this 26th day of June, 2025:

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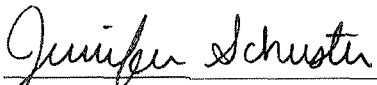
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Jennifer L. Schuster

Petitioner's Exhibit 59

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) CAUSE NO. 45992
SERVICE TERRITORY FOR THE TOWN'S)
MUNICIPAL SEWER SYSTEM PURSUANT TO)
IND. CODE 8-1.5-6 ET. SEQ.)**

**TOWN OF WINFIELD, LAKE COUNTY, INDIANA'S
RESPONSE TO LBL DEVELOPMENT, LLC'S FIRST SET OF DATA REQUESTS**

Town of Winfield, Lake County, Indiana ("Winfield"), by counsel, hereby provides its response to LBL Development, LLC's ("LBL") First Set of Data Requests:

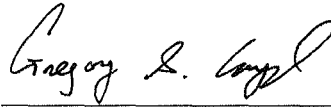
Request No. 1.14:

Winfield witness Jeremy C. Lin states in his Amended and Restated Prefiled Direct Testimony (“Lin Amended Testimony”) that Winfield’s current wastewater plant expansion will come online on approximately June 1, 2025, expanding the plant from 0.8 million gallons per day (“MGD”) to 1.6 MGD. He then states that “this capacity will be sufficient to serve the flows from both the current and future economic development within the Town’s existing municipal limits and the Winfield Service Territory for the foreseeable future.” Lin Amended Testimony at 4, lines 1-7. However, in response to Q14, Mr. Lin then discusses plans to expand the plant from 1.6 MGD to 4.0 MGD.

Please specifically define what Mr. Lin means by “foreseeable future,” i.e., how long Mr. Lin anticipates the 1.6 MGD capacity will be sufficient for Winfield. Please explain the reasons for your answer.

Response: The length of time that 1.6 MGD capacity will be sufficient is dependent upon when and to what degree development occurs within Winfield’s service territory. As such, Mr. Lin does not have a fixed date as to when this capacity would no longer be sufficient but believes it will be sufficient for the next several years. The difficulty in making a specific projection is evident in Exhibit 1.14 showing the plant would still have 0.9 MGD reserve capacity at its current 1.6 MGD capacity if all remaining lots were immediately built out.

Respectfully submitted,



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*Counsel for the Town of Winfield, Lake County,
Indiana*

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the following by electronic mail this 19th day of May, 2025:

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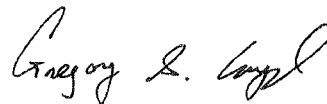
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Gregory S. Loyd

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) CAUSE NO. 45992
SERVICE TERRITORY FOR THE TOWN'S)
MUNICIPAL SEWER SYSTEM PURSUANT TO)
IND. CODE 8-1.5-6 ET. SEQ.)

TOWN OF WINFIELD, LAKE COUNTY, INDIANA'S
FIRST SUPPLEMENTAL RESPONSE TO LBL DEVELOPMENT, LLC'S
FIRST SET OF DATA REQUESTS

Town of Winfield, Lake County, Indiana ("Winfield"), by counsel, hereby provides its first supplemental response to LBL Development, LLC's ("LBL") First Set of Data Requests:

Request No. 1.14:

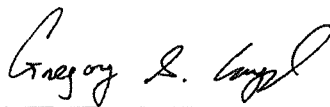
Winfield witness Jeremy C. Lin states in his Amended and Restated Prefiled Direct Testimony ("Lin Amended Testimony") that Winfield's current wastewater plant expansion will come online on approximately June 1, 2025, expanding the plant from 0.8 million gallons per day ("MGD") to 1.6 MGD. He then states that "this capacity will be sufficient to serve the flows from both the current and future economic development within the Town's existing municipal limits and the Winfield Service Territory for the foreseeable future." Lin Amended Testimony at 4, lines 1-7. However, in response to Q14, Mr. Lin then discusses plans to expand the plant from 1.6 MGD to 4.0 MGD.

Please specifically define what Mr. Lin means by "foreseeable future," i.e., how long Mr. Lin anticipates the 1.6 MGD capacity will be sufficient for Winfield. Please explain the reasons for your answer.

Response:

Winfield supplements its prior response as follows: See the attached updated Exhibit 1.14.

Respectfully Submitted,



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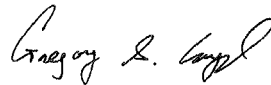
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Gregory S. Loyd

Exhibit 1.14

**TOWN OF WINFIELD
WWTP CAPACITY SUMMARY - 5/16/25**

Existing WWTP capacity (DAF)	0.80 mgd
Last 12 Months Average Flow	0.40 mgd
Current reserve capacity	0.40 mgd
Current plant capacity	50%

REMAINING LOTS - APPROVED DEVELOPMENTS

Aylesworth Farms

Total units	515 units
No. of units occupied	321 units
No. of remaining units	194 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	60,140 gpd

Clover Grove

Total units	81 units
No. of units occupied	67 units
No. of remaining units	14 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	4,340 gpd

Latitude

Total units	143 units
No. of units occupied	54 units
No. of remaining units	89 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	27,590 gpd

Estates of Wynbrook

Total units	46 units
No. of units occupied	2 units
No. of remaining units	44 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	13,640 gpd

Deer Creek Estates

Total units	96 units
No. of units occupied	87 units
No. of remaining units	9 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	2,790 gpd

Grand Ridge Estates

Total units	189 units
No. of units occupied	14 units
No. of remaining units	175 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	54,250 gpd

Wyndance Springs

Total units	48 units
No. of units occupied	- units
No. of remaining units	48 units
Design wastewater requirement for single family unit	310 gpd/unit
Total wastewater requirement	14,880 gpd

CPCV

Wastewater requirement from submitted calculation	31,040 gpd
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Winfield Commons Commercial

No. of lots	4
Estimated wastewater requirement	5,000 gpd
Total wastewater requirement	20,000 gpd

TOTAL FUTURE REMAINING CAPACITY NEEDED 228,670 gpd

Phase 1 WWTP Capacity	0.80 mgd
Existing Flow	0.40 mgd
Total Future Remaining	0.23 mgd
Remaining WWTP Capacity in Phase 1	0.17 mgd

Phase 2 WWTP Total Capacity	1.60 mgd
Existing Flow	0.40 mgd
Total Future Remaining	0.229 mgd
Remaining WWTP Capacity in Phase 2	0.97 mgd