

ORIGINAL

M E M O R A N D U M

October 29, 1999

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (JAEGER) *JP*  
RE: DOCKET NO. 960545-WS - INVESTIGATION OF UTILITY RATES OF  
ALOHA UTILITIES, INC. IN PASCO COUNTY

---

Attached is a PREHEARING STATEMENT, to be issued in the above-referenced docket.

(Number of pages - 3)

RRJ/lw

Attachment

cc: Division of Water and Wastewater (Crouch, McRoy, Merchant, Williams, Willis)

I:960545PS.RRJ

AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG \_\_\_\_\_  
MAS 3 \_\_\_\_\_  
OPC \_\_\_\_\_  
PAI \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
WAW \_\_\_\_\_  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

~~13293~~ OCT 29 1999

FPSC-RECORDS&REPORTS

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of utility  
rates of Aloha Utilities, Inc.  
In Pasco County.

DOCKET NO. 960545-WS  
FILED: OCTOBER 29, 1999

COMMISSION STAFF'S PREHEARING STATEMENT

Pursuant to Orders Nos. PSC-99-0514-PCO-WS and PSC-99-1499-PCO-WS, issued March 12, 1999 and August 3, 1999, respectively, the Commission staff (staff) files its prehearing statement as follows:

A. All Known Witnesses

Staff intends to call Michael D. LeRoy and Pete Screnock as witnesses. They will testify on whether Aloha Utilities, Inc., is currently in compliance with the rules and standards of the Department of Environmental Protection.

B. All Known Exhibits

There are no exhibits attached to the prefiled testimony of Mr. LeRoy and Screnock. Staff reserves the right to identify exhibits at the Prehearing Conference and at hearing for purposes of cross-examination.

C. Staff's Statement of Basic Position

Subsequent to the consolidated hearing held in Dockets Nos. 950615-SU and 960545-WS, the Commission, through Order No. PSC-97-0280-FOF-WS, issued March 12, 1997, found that the quality of service provided by the utility was unsatisfactory. Therefore, staff believes it is incumbent upon the utility to show whether the quality of service provided by the utility is now satisfactory. Pending testimony at hearing, staff has no position on whether the utility should be required to take any additional action to improve its quality of service.

D. Issues of Fact, Law and Policy

The following are issues identified by staff and its positions on these issues. Staff's positions are preliminary, are based upon materials filed by the utility, the Office of Public Counsel, customers, or obtained through discovery and are intended to inform

DOCUMENT NUMBER-DATE

13293 OCT 29 99

FPSD-RECORDS/REPORTING

COMMISSION STAFF'S PREHEARING STATEMENT  
DOCKET NO. 960545-WS

the parties of staff's preliminary positions. Staff's final positions will be based upon an analysis of the evidence presented at the hearing.

**ISSUE 1:** Is the quality of service provided by the utility satisfactory?

**POSITION:** Subsequent to the consolidated hearing held in Dockets Nos. 950615-SU and 960545-WS, the Commission, through Order No. PSC-97-0280-FOF-WS, issued March 12, 1997, found that the quality of service provided by the utility was unsatisfactory. Therefore, staff believes it is incumbent upon the utility to show whether the quality of service provided by the utility is now satisfactory. Pending additional evidence, staff believes the quality of service must be considered unsatisfactory. However, staff does note that the witnesses for the Department of Environmental Protection (DEP) state that the utility is in compliance with DEP rules and regulations.

**ISSUE 2:** What action, if any, should the Commission require the utility to take to improve the quality of service?

**POSITION:** Pending additional evidence, staff takes no position on what action, if any, the Commission should require the utility to take to improve its quality of service.

E. Stipulated Issues

There are no issues that have been stipulated at this time.

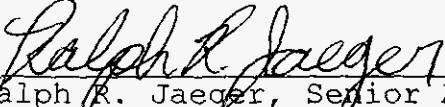
F. Pending Matters

There are no matters pending at this time.

COMMISSION STAFF'S PREHEARING STATEMENT  
DOCKET NO. 960545-WS

G. Requirements That Cannot Be Complied With

There are no requirements of Orders Nos. PSC-99-0514-PCO-WS and PSC-99-1499-PCO-WS that cannot be complied with at this time.

  
\_\_\_\_\_  
Ralph R. Jaeger, Senior Attorney  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(850) 413-6199

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of utility  
rates of Aloha Utilities, Inc.  
In Pasco County.

DOCKET NO. 960545-WS  
ORDER NO.  
ISSUED:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the  
**COMMISSION STAFF'S PREHEARING STATEMENT** has been furnished by U.S.  
Mail, this 29<sup>th</sup> day of October, 1999, to the following:

Wyndtree Master Community  
Association  
James Goldberg, President  
1251 Trafalgar Dr.  
New Port Richey, FL 34655

Marshall Deterding, Esq.  
Rose, Sundstrom & Bentley, LLP  
2548 Blairstone Pines Dr.  
Tallahassee, FL 32301

Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison St., #812  
Tallahassee, FL 32399-1400

Representative Mike Fasano  
8217 Massachusetts Ave.  
New Port Richey, FL 34653



Ralph R. Jaeger, Senior Attorney

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(850) 413-6199