

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of ALOHA)
UTILITIES, INC. for an increase)
in water rates for its Seven)
Springs System in Pasco County,)
Florida.)

DOCKET NO. 010503-WU

ALOHA UTILITIES, INC.'S
POST-HEARING STATEMENT OF ISSUES AND POSITIONS

Pursuant to the requirements of Order No. PSC-05-0235-PHO-WU, ALOHA UTILITIES, INC. (hereinafter "Aloha", "Applicant" or "Utility"), files this Post-Hearing Statement of Issues and Positions. Aloha is simultaneously filing a Post-Hearing Brief, in which the positions taken on the issues in this filing are developed and supported more fully.

Statement of Issues and Positions

ISSUE 1: Should the reference to sulfide in “finished water” in the proposed agency action order be stated as a maximum contaminant level for total sulfides of 0.1 mg per liter of delivered water at the point of its entry into the domestic system at the domestic meter?

Aloha: *No. The standard can only reasonably be stated as a goal stating it as a maximum contaminant level is a substantially different requirement and imposes an unreasonable and unprecedented element. Imposing the standard at the domestic meter is unreasonable, inappropriate, costly, and provides no useful information.*

ISSUE 2: Should the improvements be such that sulfide present in raw water or generated during treatment and transmission be removed, not converted, to a level not to exceed 0.1 mg/L in finished water delivered at the point of entry into the domestic system?

Aloha: *No. Imposing such improvements is contrary to any requirement proposed on any utility anywhere in the state and is directly contrary to the stated position of the PSC that it will not “micro-manage” the Utility, and will cost millions of dollars with no demonstrated benefit.*

ISSUE 3: Should compliance with such requirements be determined based upon samples taken at least once a month at a minimum of two sites at domestic meters most distant from each of the multiple treatment facilities with such sites rotated to provide the greatest likelihood of detecting any departure from the maximum levels permitted?

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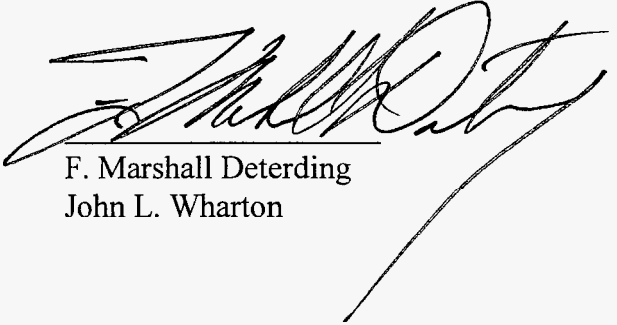
Aloha: *Compliance with the goal of 0.1 mg/L of hydrogen sulfide should be determined utilizing standard methodologies for such detection accepted within the profession and the industry. Such samples should be taken annually at the point of connection of Aloha's treatment systems into the transmission and distribution system of the Utility.*

ISSUE 4: Does the Commission have the authority to regulate, impose, or establish drinking water standards, maximum contaminant levels, action levels, or treatment technique requirements?

Aloha: *No. The Commission has no such authority. Establishment of these types of standards and levels of treatment requirements is exclusively within the jurisdiction of DEP, the EPA and other environmental regulators.*

Respectfully submitted this
2nd day of April, 2005, by:

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