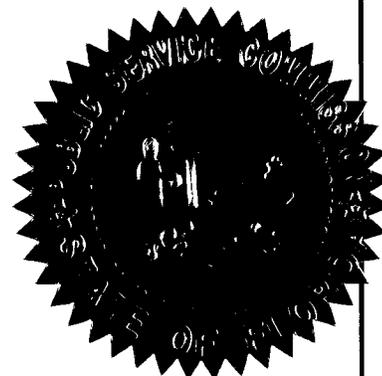


BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060368-WS

In the Matter of:

APPLICATION FOR INCREASE IN WATER AND  
WASTEWATER RATES IN ALACHUA, BREVARD,  
HIGHLANDS, LAKE, LEE, MARION, ORANGE,  
PALM BEACH, PASCO, POLK, PUTNAM,  
SEMINOLE, SUMTER, VOLUSIA, AND WASHINGTON  
COUNTIES BY AQUA UTILITIES FLORIDA, INC.



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A CONVENIENCE COPY ONLY AND ARE NOT  
THE OFFICIAL TRANSCRIPT OF THE HEARING,  
THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

PROCEEDINGS: MOUNT DORA SERVICE HEARING

BEFORE: COMMISSIONER KATRINA J. McMURRIAN  
COMMISSIONER NANCY ARGENZIANO  
COMMISSIONER NATHAN A. SKOP

DATE: Wednesday, June 27, 2007

TIME: Commenced at 10:00 a.m.  
Concluded at 1:25 p.m.

PLACE: Mount Dora Community Center Auditorium  
520 Baker Street  
Mount Dora, Florida

REPORTED BY: JANE FAUROT, RPR  
Official FPSC Reporter  
(850) 413-6732

1 PARTICIPATING:

2 CHARLIE BECK, INTERIM PUBLIC COUNSEL, and STEVE  
3 REILLY, ESQUIRE, Office of Public Counsel, c/o The Florida  
4 Legislature, 111 W. Madison Street, Room 812, Tallahassee,  
5 Florida 32399-1400, appearing on behalf of the Citizens of the  
6 State of Florida.

7 KENNETH A. HOFFMAN, ESQUIRE, Rutledge Law Firm,  
8 P.O. Box 551, Tallahassee, Florida 32302-0551, appearing on  
9 behalf of Aqua Utilities Florida, Inc.

10 ROSANNE GERVASI, ESQUIRE, FPSC General Counsel's  
11 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida  
12 32399-0850, appearing on behalf of the Florida Public Service  
13 Commission Staff.

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MR. BECK

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MR. REILLY

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## P R O C E E D I N G S

1  
2 COMMISSIONER McMURRIAN: Good morning. This service  
3 hearing is called to order. I'm Katrina McMurrian,  
4 Commissioner with the Florida Public Service Commission. To my  
5 right is Commissioner Nancy Argenziano. To my left is  
6 Commissioner Nathan Skop. We're so glad you could be with us  
7 today.

8 Today is about hearing from you, the customers of  
9 Aqua Utilities Florida, and we want input from you about  
10 whatever you have to say about your interactions with the  
11 company with respect to your bills, with respect to the rate  
12 increase request we have before us, and we are really glad that  
13 you came out and took time out of your schedule to be here with  
14 us. We will get to that shortly, but I have a few official  
15 matters to attend to first.

16 Staff counsel, will you please read the notice.

17 MS. GERVASI: Sure.

18 Pursuant to notice, this time and place has been set  
19 for a customer service hearing in Docket Number 060368-WS,  
20 application for increase in water and wastewater rates in  
21 Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm  
22 Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and  
23 Washington Counties by Aqua Utilities Florida, Inc.

24 COMMISSIONER McMURRIAN: Thank you, Ms. Gervasi.

25 Now I'll take appearances of counsel.

1 MR. BECK: Good morning, everyone. My name is  
2 Charlie Beck with the Office of Public Counsel.

3 MR. REILLY: And Steve Reilly, also with the Office  
4 of Public Counsel.

5 MR. HOFFMAN: Good morning, Madam Chairman,  
6 Commissioners. My name is Ken Hoffman, I'm with the law firm  
7 of Rutledge, Ecenia, Purnell and Hoffman in Tallahassee, and  
8 I'm an attorney, and I represent Aqua Utilities Florida.

9 MS. GERVASI: Rosanne Gervasi appearing on behalf of  
10 the Commission.

11 COMMISSIONER McMURRIAN: Thank you, Ms. Gervasi.

12 And I would also like to introduce our other PSC  
13 staff that are with us today. Mrs. Jane Faurot is our court  
14 reporter, and she will be transcribing all the comments and  
15 remarks today.

16 Marshall Willis, Cheryl Banks, and Mr. Tom Walden,  
17 who I think is in the back of the room, the three of those  
18 staff are our accountants and engineers on the case. They will  
19 be looking at all of those issues in the case and making a  
20 recommendation to the Commission.

21 Ms. Gervasi, she introduced herself earlier, she is  
22 our counsel.

23 Ms. Bev DeMello, who is in the back of the room, you  
24 probably spoke to to get signed up to speak today. If you have  
25 got any questions, please feel free to talk to Bev, she is

1 involved with consumer outreach.

2 In fact, if you have got questions about other  
3 utility issues, conservation tips, that sort of thing, we have  
4 a lot of good information in the back of the room and  
5 Ms. DeMello can help you with that. And also Ms. Sandy Simmons  
6 in the back, and she can help you with any logistical questions  
7 or anything. And I believe, that's it.

8 Today's hearing is an official hearing, and it will  
9 be transcribed and will become a part of the official record in  
10 this case. As such, you will need to be sworn before you  
11 present your comments, and we will take care of that in a few  
12 minutes.

13 Please note that your comments will be subject to  
14 cross-examination, and perhaps that sounds like a big deal, but  
15 all that means is after you get through with your remarks there  
16 may be a few some questions by some of the counsel here,  
17 whether it's counsel for the utility or the Office of Public  
18 Counsel that represents the consumers in this case.

19 You may have noticed the speaker sign-up forms in the  
20 back of the room. If you do plan to make comments today, if  
21 you would sign up on one of those forms. I think some of you  
22 have, but if anyone else hasn't done so, if you would see  
23 Ms. Bev DeMello in the back of the room and sign up. We would  
24 love to hear from you. And we will be using those forms; Mr.  
25 Reilly will be calling you one at a time based on the order on

1 the sign-up forms.

2           If you would prefer not to make verbal comments at  
3 this time, there still are ways to contact the Commission and  
4 make your comments known. I think several of you have picked  
5 up one of these green sheets. And on the back, you'll notice  
6 that there is a self-addressed -- it's not self-addressed --  
7 it's an addressed comment sheet that you can fold up and send  
8 in the mail. And on the next to the last page you will see the  
9 place to write your comments. You can also send in additional  
10 things. If you wanted to send in bills or attachments, you can  
11 just use that address on the back.

12           We want to hear from you. And if you have friends or  
13 neighbors who couldn't be here today or tonight, feel free to  
14 grab some extra green sheets and take them. We would love to  
15 hear from you. And whether your comments are made verbally  
16 today or sent in in writing, they will be made part of the  
17 docket file, and they will be available for all the  
18 Commissioners and parties to read and look into.

19           Before we hear from you today, we'll first go off the  
20 record for a few minutes and we'll allow staff to make a  
21 presentation about the procedures in this case, and give you a  
22 brief overview of the company's request. So we'll go off the  
23 record temporarily for that presentation by Mr. Willis.

24           (Off the record.)

25           COMMISSIONER McMURRIAN: Now we will go back on the

1 record. And at this point we'll allow the parties to the case  
2 to make opening statements about how they see the case and how  
3 they plan to argue their points before the Commission.

4 First, we'll hear from the company's attorney, Mr.  
5 Hoffman, and then we will hear from Mr. Reilly and Mr. Beck  
6 with the Office of Public Counsel.

7 MR. HOFFMAN: Thank you, Madam Chairman.

8 Commissioners, with your permission, I would like to  
9 turn my back to you and talk to the customers for just a few  
10 minutes.

11 Good morning. My name is Ken Hoffman, as I said, and  
12 I represent the company, Aqua Utilities Florida.

13 As Mr. Willis mentioned, Aqua Utilities filed an  
14 application for a rate case with the Public Service Commission  
15 back in December of 2006. And we have asked the PSC to  
16 increase our monthly rates and to also increase our connection  
17 charges, what we call our service availability charges.

18 It's a large filing. The entire application consists  
19 of 56 water systems and 24 wastewater systems that are located  
20 in 15 counties across the state. Now, when you add it up, that  
21 is 80 systems. Those 80 systems have not sought rate relief  
22 through a formal rate case for over a decade. Now, I made that  
23 statement in a prior service hearing and appeared to cause some  
24 confusion, so let me just briefly explain what I mean by that.

25 There's a process, and we are involved in that now,

1 where a company can file for what I'll call a full-blown rate  
2 case. But apart from that, the legislature has set up a  
3 process that allows water and sewer companies to essentially  
4 make a filing with the Commission where the Commission  
5 establishes, essentially, an inflation factor, and then the  
6 water and sewer company can do its filing and get an increase  
7 in its rates to basically account for an inflation factor.

8           So over the years, over the last 10 to 12 years, the  
9 predecessor to this company, which was Florida Water Services  
10 Corporation and Aqua Source in other counties, they have made  
11 those kinds of filings. But it has been some 10 to 12 years  
12 since the systems that are involved in this entire rate case  
13 have been before the Public Service Commission or a  
14 county-regulator for what I call this full-blown rate case.

15           Now, in this case, what we are trying to present is  
16 information which shows that since that last full-blown rate  
17 case, the company has made significant capital investments and  
18 has incurred increased operations and maintenance expenses, and  
19 it's for those investments and for those expenses that we are  
20 seeking an increase in our rates. We think that it's necessary  
21 to increase our rates to recover the costs of those investments  
22 and to recover those increased expenses to maintain and enhance  
23 our service to our customers.

24           Mr. Willis also mentioned this notion of rate  
25 structure. And what Aqua Utilities Florida is doing in this

1 case is seeking a county-wide rate structure where the rates  
2 would be the same for the water or wastewater systems in each  
3 county.

4           Let me talk a little bit more about the magnitude of  
5 these investments. Since the parent company, Aqua America's,  
6 acquisition of the Aqua Source properties in 2003, and the  
7 former Florida Water properties in 2004, and I think most of  
8 you out here were Florida Water customers before Aqua acquired  
9 Florida Water, since that time Aqua Utilities will have  
10 invested almost \$22 million in capital investments on the  
11 systems that are included in this case, and that's looking  
12 through the end of 2007, through this year.

13           If you look only at 2005 through 2007, Aqua Utilities  
14 will have invested approximately \$6.5 million in our water  
15 facilities, \$10.7 million in our wastewater infrastructure, and  
16 \$1.4 million in general plant facilities. So our position is  
17 that a rate increase is necessary to recover these additional  
18 investments and our reasonable operating expenses.

19           Without rate relief, if you use a 2007 projected test  
20 year, and the test year is a term that is used by the  
21 companies, and the Public Counsel, and the Public Service  
22 Commission, it's a 12-month period that is used to calculate  
23 rates. If you use a 2007 projected test year, our calculations  
24 reflect that without a rate increase, our overall rate of  
25 return is a negative 6.74 percent for the water systems and a

1 negative 6.26 percent for the wastewater systems. So it's  
2 these deficient returns and these significant levels of  
3 investments that have brought us to the PSC.

4           Specifically, in Lake County through the end of 2007  
5 the company will have spent nearly \$3 million in capital  
6 improvements, including water treatment plant upgrades, and  
7 water tank rehabilitation, and the replacement of undersized  
8 and deteriorated pipe. In Orange County, Aqua Utilities  
9 Florida will have invested more than \$500,000 in similar types  
10 of infrastructure improvements to improve the quality and  
11 reliability of water service. And in Sumter County, Aqua will  
12 have invested nearly \$150,000 on different kinds of upgrades  
13 that include rehabilitated sand filters at the water treatment  
14 plant which improves the water quality and replacing  
15 deteriorated pipe that is out there in the collection system  
16 for the wastewater system.

17           That's really sort of a snapshot of the investments  
18 that the company has made. This is a rate case, and rate cases  
19 are ultimately about prices and service. You have heard enough  
20 already about the company's investments, and the Public Service  
21 Commission is ultimately going to have to hold a hearing and  
22 make a decision as to whether the company's investments were  
23 prudent and, therefore, should be recovered in rates, and  
24 whether the company's expenses are reasonable and, therefore,  
25 should be recovered in rates, and that hearing is going to be

1 held in October.

2           But this morning, this is a service hearing. And  
3 this is really your opportunity, this is your platform to  
4 inform the Commission, the Office of Public Counsel, and the  
5 company as to the specific service problems you have  
6 experienced. And I want you to understand that we are here to  
7 listen to you. We have been listening all along throughout the  
8 course of these service hearings, and we have been hearing  
9 about a number of issues, including metering problems, billing  
10 problems. And I want everyone who took the time this morning  
11 to come here to understand that this company is committed to  
12 resolving and rectifying these problems, not only in Lake  
13 County, or Sumter County, or Orange County, but in other areas  
14 where we provide service in the state.

15           I also want you to know that after the service  
16 hearing process is completed, and today, the Mount Dora hearing  
17 is the last service hearings, the company will actually be  
18 making a filing with the Public Service Commission through  
19 testimony of our own where we will be specifically addressing  
20 the problems and the complaints that have surfaced through the  
21 customer service hearing process, and we will be telling the  
22 Commission how we have resolved those problems, how we will be  
23 resolving the problems, and our plans for addressing similar  
24 problems to the extent they come up in the future.

25           So, really, I think I have probably talked long

1 enough. The Public Counsel has some remarks that I'm sure they  
2 are going to be present. I just want, I guess, to reiterate  
3 that speaking on behalf of the company, I appreciate the fact  
4 that you took the time to come over here this morning.

5 The President and the Chief Operating Officer of Aqua  
6 Utilities Florida is here this morning, that's Jack Lihvarcik.  
7 He's to my left. Jack, if you would stand. And the reason  
8 he's here is to listen to you as you speak today, and to speak  
9 with you individually if you wish, so you can address and talk  
10 further about specific complaints or concerns that you may  
11 have.

12 Thank you.

13 COMMISSIONER McMURRIAN: Mr. Beck.

14 MR. BECK: Thank you, Commissioner McMurrian.

15 Good morning, everyone, and thank you for coming. My  
16 name is Charlie Beck, I'm the Interim Public Counsel. And to  
17 my right, your left, is Steve Reilly, who is the lead counsel  
18 in this case, also with our office, and he's going to have a  
19 few remarks, also.

20 First, I just want to explain who we are and what we  
21 do. Our office was created by the Florida Legislature to  
22 represent your interest in cases such as this before the  
23 Florida Public Service Commission. We are completely  
24 independent of the Commission. We do not report to them. We  
25 are accountable solely to the legislature who funds our office.

1 We appear as a party before the Public Service Commission. We  
2 will cross-examine the company's witnesses when the rate  
3 case -- when the technical hearing in Tallahassee occurs in  
4 October. We're going to present expert witnesses in opposition  
5 to the company's case, in this case. We will file briefs, and  
6 if we think it's appropriate, we can appeal the Commission's  
7 order to the First District Court of Appeal.

8 We're doing everything we can to oppose the rate  
9 increase that the company has asked for this in case. For  
10 months now we have been engaging in discovery, which is exactly  
11 the same procedures that occur in a court proceeding. We have  
12 served literally hundreds of interrogatories and requests for  
13 documents to the company. Our experts are reviewing that. We  
14 will be filing testimony in August by those experts and then we  
15 will be appearing at the hearing in October.

16 Your testimony is very important to the case. The  
17 quality of the service provided by the company is one of the  
18 things that the Commission takes into account in making its  
19 determination. If you have any issues such as billing, the  
20 quality of the water, the customer service you experienced,  
21 please come up and testify, because it makes a difference in  
22 the case.

23 Steve would like to make a few comments, as well.

24 MR. REILLY: We have been very involved in the case,  
25 as Charlie Beck said, engaged in a great deal of discovery. We

1 have hired a regulatory accounting firm that specializes in  
2 critiquing and reviewing water and wastewater cases, and her  
3 staff have been delving into the details of the case. There  
4 has been a suggestion that there has been a substantial amount  
5 of capital improvements to a lot of these systems. That's not  
6 really driving most of these large rate increases in Lake  
7 County. I have little summary sheets of what is driving the  
8 increases on each of these smaller systems here in Lake County.  
9 There have been some capital improvements and plant  
10 improvements, but it is more driven by a lot of this, what we  
11 think is excessive and unreasonable increases in operating  
12 expenses.

13           We are dealing with a publicly traded company, Aqua  
14 America, which is the largest company in America that owns and  
15 operates water and wastewater systems. They have a wholly  
16 owned subsidiary, an affiliated company that provides really  
17 most all the management and general expenses to all of these  
18 operating systems, so I know our accountant is going to be looking  
19 very closely at these allocations and all of these services  
20 being rendered internally from one affiliated company to  
21 another.

22           They have asked for very substantial increases in the  
23 salaries, benefits, management fees, insurance, transportation,  
24 so across the board we will be looking at the reasonableness of  
25 all of this, and really how it is that this large holding

1 company could come in and take these little small systems and  
2 just have the rates just literally almost explode  
3 exponentially. And really it's almost in many of these  
4 systems, almost a question of affordability, the affordability  
5 of the rates that are being produced. We have gone to many,  
6 many of these systems with people with fixed incomes and  
7 retired people who are facing water and wastewater rates that  
8 are just beyond their ability to pay, and it's causing great  
9 concern all the way across the state of Florida. So it's our  
10 task to try to critique, to try to understand how it is that  
11 this company has been able to come in here and manage to try to  
12 make a case for such a tremendous increase with such very  
13 difficult impacts all across our state.

14 We have also hired an engineering firm, really one of  
15 the larger firms, it's an international engineering firm, Tetra  
16 Tech. They have a major office in Orlando. They have a great  
17 deal of expertise in this field. They were centrally located.  
18 They have actually completed total inspections of all the  
19 individual systems to try to, of course, verify the actual  
20 improvements they have made, but also to try to determine the  
21 reasonableness and the prudence of those improvements.

22 Also, he will be looking, and his staff will be  
23 looking at what we call used and useful adjustments. They will  
24 look and see what plant is in the ground to serve current  
25 customers. And, basically, our statutory scheme only lets the

1 company earn a return and to put in rates to be paid by current  
2 customers plant which is necessary to serve current customers  
3 plus a statutory amount of growth. So to the extent that the  
4 capacity of plant exceeds that amount, that the statutory  
5 arrangement -- the Commission has other ways for the company to  
6 try to collect that investment to serve growth or to serve  
7 future customers, and there are other mechanisms other than  
8 just current rates.

9           So if we are successful in analyzing the plant and  
10 if, in fact, some of this plant is not included in what we call  
11 rate base, which is the plant that's available to serve current  
12 customers plus statutory growth, then that would have a way of  
13 reducing this very, what we think is an unjustified and  
14 excessive rate increase request.

15           So it is kind of our task to fight issue-by-issue,  
16 street-by-street, door-by-door to try to deal with these issues  
17 to make arguments that hopefully the Commission can consider  
18 that would provide some sort of a reasonable rate at the end of  
19 this whole process. As our Interim Public Counsel pointed out,  
20 we will be presenting these same experts at a formal hearing in  
21 late October. We will, at the conclusion of that hearing, be  
22 filing briefs and making our arguments to the Commission, so  
23 all of that you can count on will be done.

24           I reiterate all the comments made today. Your  
25 presence here is of critical importance. You're in the

1 community. Information you might be able to share with us  
2 about what you observed and the operations of this utility can  
3 be very helpful to our office in making our case as well as to  
4 the Commission in considering what it should do with this case.

5 So I thank you so much for coming here today, and I  
6 look very much forward to your comments. And, of course, we  
7 will be staying after the hearing to talk to you and share and  
8 hear what you have to say at the conclusion of the hearing.  
9 Thank you.

10 COMMISSIONER McMURRIAN: Thank you.

11 (Audience applause.)

12 COMMISSIONER McMURRIAN: Now we are that part of the  
13 hearing where we will hear for you, as Mr. Reilly was  
14 discussing. That's what we are all here for today, and I  
15 appreciate you bearing with us while we went through those  
16 presentations. I hope they were helpful and informative.

17 Again, if you wish to speak to us today, there are  
18 speaker sign-up forms in the back and we will be using those to  
19 call you one at a time, and you just come forward here.

20 First, I will need to swear everyone in as a group.  
21 I'm asking anyone who signed up and intends to come forward and  
22 speak to us today, if you will stand with me and raise your  
23 right hand.

24 (Witnesses collectively sworn.)

25 COMMISSIONER McMURRIAN: Thank you.

1           Again, as a reminder, when you come forward to the  
2 microphone, if you would state your name and your address and  
3 which system you are served in. For instance, in Lake County,  
4 I know there is essentially 24 systems, and perhaps you are  
5 even in a nearby county and want to make remarks about that  
6 today. So if you could let us know which system you're served  
7 by in Aqua Utilities, that would make it easier for us.

8           Also, we have asked the company to respond in writing  
9 after the fact to some of the concerns that you all present to  
10 us. So the clearer you can be and more specific about your  
11 location the more helpful that is to us and to the utility  
12 trying to respond to some of your concerns.

13           And also, I think I mentioned earlier, that you may  
14 be asked questions by some of the parties after the fact,  
15 whether it's Mr. Hoffman for the utility, or Mr. Reilly or Mr.  
16 Beck with Public Counsel, or the Commissioners may ask you  
17 questions. So when you get through with your comments, if you  
18 would wait just a second to see if anyone has any questions for  
19 you, that would be helpful, as well. With that said -- I think  
20 Mr. Hoffman has one exhibit.

21           MR. HOFFMAN: Thank you, Madam Chairman.

22           A housekeeping item. I would ask that the customer  
23 notice and the newspaper notice and affidavit of publication be  
24 marked for identification as Composite Exhibit 79 and then  
25 admitted at the end of the hearing when the Commission takes up

1 all the exhibits.

2 COMMISSIONER McMURRIAN: So marked. Exhibit 79.

3 MR. HOFFMAN: Thank you.

4 (Exhibit 79 marked for identification.)

5 COMMISSIONER McMURRIAN: Thank you, Mr. Hoffman.

6 Mr. Reilly, could you call the first customer.

7 MR. REILLY: Our first witness is Floyd Umstead.

8 FLOYD UMSTEAD

9 appeared as a witness and, swearing to tell the truth,  
10 testified as follows:

11 DIRECT STATEMENT

12 MR. UMSTEAD: Good morning.

13 My name is Floyd, but it's really not, it's Jack.

14 Given names are something else.

15 I'm not representing myself -- although I probably  
16 should since I'm also in the system -- it's Silver Lakes that  
17 I'm talking about. Now, I don't know if any church has come  
18 before you ladies and gentlemen or not, but that's what I'm  
19 coming from. I'm the elder for the facility and grounds for  
20 Lake Square Presbyterian Church. It's 10200 Morningside Drive,  
21 it's a Leesburg address. And the zip code is 34788.

22 The problem that I want to -- that I looked at as far  
23 as these rate increases, I had a treasurer, including myself,  
24 check these rates. And if we go from our current rate -- we  
25 just took one month, which is a low month. Our usage of water

1 is normally in the thousands of gallons, quite a few as a  
2 matter of fact. And it so happens that we just took the  
3 December/January bill, and the bill was not that bad. It was  
4 \$107.03. But if you go to the interim bill, which started in  
5 the middle of March, which I had them check out whether or not  
6 the interim was what was being made. I decided that, okay, I  
7 will just keep that one alone and just stay with this one here,  
8 and we went from the interim rate up to \$140.98 if you used our  
9 January numbers.

10 Now, the proposed filing would take that almost  
11 double to \$250.47. From the standpoint of the church, we have  
12 already been getting our increases through our gas and oil --  
13 excuse me, electricity. These rates keep going up and up and  
14 up, and there are many churches, I can tell you for a fact,  
15 that are hurting pretty badly. Now, it just so happens we are  
16 a 600-plus member church. We ourselves are in straits. People  
17 are not tithing as much, or if they do tithe they sometimes  
18 can't hold to the tithe. And so, therefore, I'm looking from  
19 the standpoint of the churches and other areas where giving is  
20 a very important thing.

21 It's presenting a -- this rate increase is presenting  
22 quite a trouble for us. And as such, I would like to say that  
23 the interim rate -- let me just go back a little bit. My  
24 former life, before I retired, just about 20 years ago, I was a  
25 budgeter for NASA in the area of base operation maintenance.

1 Now, I know all about the various systems because we had very  
2 big systems over there, and I know what it cost us. And also,  
3 too, at the later date I became the budget manager on the other  
4 side, on the engineering side for the shuttle before I retired.

5 So I can understand the company's, this company's  
6 reason for asking for a rate increase, but I think it's too  
7 extravagant. I believe it's way out of line for us. Now,  
8 maybe some of the other systems within Florida they are having  
9 problems with, but I look at it from the standpoint that they  
10 came in and bought out these companies -- and, by the way,  
11 Florida Water, I was with Florida Water -- well, we have been  
12 here since '58, and Florida Water was one of our many customers  
13 even prior to that before Florida Water we were with them.  
14 That's personal. So, I feel that, okay, they came into  
15 Florida, Aqua, and they took over all of these systems. I feel  
16 that they knew or should have known what systems they were  
17 taking over and what was totally required.

18 Now, the rate that they get is increased as they go  
19 along, just like the gentleman over here said, on a yearly  
20 increase. Now, I realize that there is structure at some of  
21 these plants that they have that are in dire need of some help.  
22 But I feel that -- and, of course, I have got a problem here  
23 now since the public service, is they should not be allowed to  
24 come in and just arbitrarily -- not arbitrarily, but what they  
25 are trying to do is get a much higher rate so they can go to

1 work and place it in their own little coffers, so to speak, but  
2 I realize that they do need some help, okay. And as a result,  
3 the rate, the interim rate I look at, that's a pretty good  
4 increase from \$107 to 140. You're talking almost 30 percent, a  
5 little better than 30 percent. And I used their numbers, so,  
6 therefore, all I can say in the final analysis is I think the  
7 rates that they are asking for are out of line. Okay.

8 COMMISSIONER McMURRIAN: I apologize, sir, I didn't  
9 quite catch your last name.

10 MR. UMSTEAD: Umstead. Just like Bumstead, but  
11 without a "b". U-M-S-T-E-A-D.

12 COMMISSIONER McMURRIAN: And I did want to ask you  
13 one question, if you don't mind.

14 MR. UMSTEAD: Sure.

15 COMMISSIONER McMURRIAN: You said the figures you  
16 gave us, I think it was 107/140 --

17 MR. UMSTEAD: Yes. We went from 107.03 -- this is a  
18 January bill. Well, the bill is dated December 27th, and the  
19 due date was January 17th. Our treasurer took a look at it,  
20 and our actual cost, and this was only for 35,000 gallons, now.  
21 We're on a two-inch line. It went from a total of \$107.03,  
22 \$61.18 for the base. And it was \$45.85 for the rate, which is  
23 131. If you look at the -- from there we took it up to the  
24 interim rate, and the interim rate came out to be \$140.98, and  
25 the final rate that they are proposing would be \$250.47.

1           COMMISSIONER McMURRIAN: You were calculating both of  
2 those numbers, the interim rate and the final rate based on the  
3 usage?

4           MR. UMSTEAD: On the rates that were given to us that  
5 they want to go to.

6           COMMISSIONER McMURRIAN: Thank you.

7           Does anyone else have questions for Mr. Umstead?

8           Thank you, Mr. Umstead.

9           MR. UMSTEAD: One adjunct.

10          COMMISSIONER McMURRIAN: Sure.

11          MR. UMSTEAD: I wish the company would go to work and  
12 give us a local somewhere, a local point of contact. I had to  
13 go through the Philadelphia office, and I didn't get really the  
14 run-around, it's just that some of the people didn't know where  
15 to go, and finally I did get a service number from them  
16 locally, and I was able to get a contact. Now I have that.  
17 Okay. Thank you.

18          COMMISSIONER McMURRIAN: Commissioner Skop would like  
19 to ask you a question, Mr. Umstead. I'm sorry.

20          COMMISSIONER SKOP: I just wanted to quickly speak to  
21 a comment you made with respect to the customer service, and  
22 you also -- do you have any input or thoughts with your water  
23 services as you receive it in terms of quality or other issues.

24          MR. UMSTEAD: No. The quality, they come out once a  
25 year and show the quality of the water. And the water is good,

1 there's nothing wrong with that. As far as the service is  
2 concerned, I got caught just a few months ago, which I didn't  
3 realize it, that our backflow preventer, we were supposed to  
4 have a yearly inspection to go to -- and it was supposed to go  
5 to the company, it goes to Florida, the state. That's where I  
6 got in trouble trying to get an answer. How do I make this  
7 contact, and so on. I thought it was up to company to do this  
8 requirement. By the way it cost us about \$250 to \$300 only  
9 because we had to do something about it, we had a slight, a  
10 slight leak, but I'm glad we had to do it. But now I have a  
11 cost each year now I've got to look forward to, which is about  
12 one hundred and something dollars from a plumber to do it, and  
13 then for them to turn it in to the company.

14 But that's fine, I don't have any problem with that.  
15 But as far as the company is concerned, I personally don't have  
16 any problem with it. You know, as an individual, by the way,  
17 I'm also in the Scottish Highlands, which is also in the same  
18 water system. And the water we get, I think, is good.

19 MR. REILLY: Just a real quick question. Over here.  
20 Sorry. At your home, do you have an irrigation well?

21 MR. UMSTEAD: Pardon.

22 MR. REILLY: Do you have an irrigation well?

23 MR. UMSTEAD: No. But there are homes in the Silver  
24 Lake region, mainly around the lake, okay. I have a friend who  
25 is also one of our parishioners, too. I was discussing with

1 him, I said, well, how does this hit you? He said how what  
2 hits me. I said this water increase. He said I don't have any  
3 problem with it. Then I found out that he has his own well and  
4 his own septic. And, by the way, we have three septic systems,  
5 and should we have one problem with them in the future, the  
6 county has told me that we will have to hook up with the sewer  
7 system. That's probably the Leesburg system. And then we get  
8 caught up with additional rate increases.

9 MR. REILLY: But everyone in Silver Lakes is required  
10 to have a backflow prevention device?

11 MR. UMSTEAD: No, this is strictly for the -- well,  
12 let me put it this way, this is strictly for a commercial. We  
13 are on a two-inch line.

14 MR. REILLY: This is for the church?

15 MR. UMSTEAD: It's just for the church. I'm only  
16 speaking for the church.

17 MR. REILLY: In your home you don't have to have the  
18 backflow --

19 MR. UMSTEAD: No. Only on your irrigation system  
20 there, which is natural.

21 MR. REILLY: I appreciate that. Thank you.

22 Our next witness is John Barzyk.

23 JOHN BARZYK

24 appeared as a witness and, swearing to tell the truth,  
25 testified as follows:

## DIRECT STATEMENT

1  
2 MR. BARZYK: Good morning, Madam Chairman, members of  
3 the Commission, attorneys, staff, et cetera.

4 My name is John Barzyk. I reside at 2510 Loch Ness  
5 Court in Leesburg. I'm part of the Scottish Highlands  
6 Community, and I'm here because this rate increase will  
7 directly effect not only my particular water bill, but  
8 thousands of residents in the area.

9 We have been told that the Public Service Commission  
10 has already granted Aqua Utilities of Florida a rate increase  
11 from the previous rates to an increase of 32 percent. We heard  
12 from the PSC staff that when the rate case was initially  
13 initiated, a minimum of information was provided, and a prima  
14 facie case is reviewed. And as the staffer said, the pile of  
15 work was this high (indicating). I find it interesting that a  
16 32 percent increase was just automatically granted, and it has  
17 been in effect for several months now.

18 But, again, I'm not sure just how the Commission  
19 operates. The final rate increase, if granted, would increase  
20 the existing already rate by 112 percent. I mean, really,  
21 112 percent? I mean, if granted, the total increase from \$7.64  
22 to \$21.38 would amount to, and I'm ashamed to have to say this,  
23 a whopping 180 percent. I hope that number soaks in, 180  
24 percent.

25 As a Social Security recipient, my payment went up

1 3.3 percent last year, 3.3 percent. For those of you on the  
2 Commission, and those in the audience who are still working,  
3 how big was your pay raise last year? When I was working, a  
4 raise of between 5 and 10 percent made me feel pretty darn  
5 good. How can these companies in good conscience propose an  
6 increase of 180 percent?

7 I say companies, because the main company listed on  
8 the New York Stock Exchange as previously mentioned is Aqua  
9 America, whose largest division happens to be Aqua of  
10 Pennsylvania. In researching on the Internet and going to a  
11 library and looking at ValueLine, I find that Aqua America,  
12 their company earnings are very adequate. And the company pays  
13 a pretty nice dividend, too. Aqua of Pennsylvania made 28  
14 acquisitions within the last couple of years. Obviously many  
15 of them here in Florida, including us. Isn't it wonderful that  
16 these out-of-state companies are so willing to serve us? I  
17 think that's really wonderful.

18 Having worked for a company that was subject to a  
19 Public Service Commission for rate increases in another state,  
20 I understand how the system works. Unfortunately, it doesn't  
21 always work the way it should. Like the saying goes, if you  
22 throw enough stuff up on the wall, a lot of it is going to  
23 stick.

24 I understand that Aqua Florida has invested  
25 approximately \$580,000 in the infrastructure of our water

1 system. I got that from the initial customer notice. And they  
2 are entitled to recover their investment over time and even  
3 make a profit on the transaction, I recognize that. Over time.  
4 Over time are the key words here. I think they are entitled to  
5 recover, but over time rather than overnight.

6           When I'm through here, I wish that the Chairman of  
7 Aqua America would come to the mike and talk to us about the  
8 recovery period. In other words, obviously with an increase  
9 like this, there has to be some pretty good numbers to show how  
10 long is it going to take to recover this \$580,000 in our  
11 particular water system.

12           Businesses must make a profit to stay in business,  
13 I've got no question with that. But I also feel that the  
14 profits should not be of the magnitude where they represent  
15 nothing more than plain old price gouging and cause people like  
16 me and those in the audience to lose faith in our service  
17 providers and the commissions that regulate them.

18           Members of the Commission, please look these numbers  
19 over carefully before taking any further action on this  
20 outrageous increase in our water rates. Thank you.

21           COMMISSIONER McMURRIAN: Thank you, Mr. Barzyk.

22           Are there questions for Mr. Barzyk?

23           COMMISSIONER ARGENZIANO: I think I would like to  
24 make a comment.

25           COMMISSIONER McMURRIAN: Certainly.

1           COMMISSIONER ARGENZIANO: I would like to make a  
2 comment, should have at the beginning, because I'm a new  
3 Commissioner and I'm having a hard time adjusting, because I've  
4 been in the legislative process for the past eleven years  
5 serving the people of Citrus County and other counties in the  
6 House of Representatives and the Senate. And I'm going to say  
7 this because I don't know how to approach being a new  
8 Commissioner the right way, because it's quasi-judicial and you  
9 have to be very careful what you do. And I tell people I'm  
10 going to be very fair. But a couple of things I want to say.  
11 And, excuse me, Commissioners, I just need to get this off my  
12 chest.

13           The Legislature over the 11 years that I have been  
14 there has made some mistakes when it comes to taking tools away  
15 from the Public Service Commission. And I think it is our  
16 duty, as each Commissioner, to lobby the Legislature for those  
17 tools that we need to be the Public Service Commission,  
18 realizing that we also need to be fair because we need  
19 utilities in the state of Florida. As you just said, you  
20 understand they need to make a profit, but at what point. It  
21 should be fair, you should have quality of service.

22           And what I just want to say now is that yesterday I  
23 spent my first service hearing in Oviedo on Aqua issues also.  
24 And what I heard from consumers yesterday in a packed room  
25 really concerned me. So what I want to tell you is I'm

1 concerned with the high rates, I'm concerned with the quality  
2 of service, and as a Public Service Commissioner I understand I  
3 need to be fair, and I understand that the utility needs to be  
4 survive in the state, but not allow price gouging or anything  
5 else.

6           So you have my word today, as a Public Service  
7 Commissioner, and I know this may be out of the ordinary, but  
8 coming from the legislative process, I talked a lot to the  
9 people, and I think you need to know that I am very concerned  
10 and I want to hear from you today. And after the meeting, if  
11 you are still around, I would like to talk to you personally as  
12 customers of the utility, if you have more than what you want  
13 to say today.

14           And I thank you, Madam Chair, for allowing me to say  
15 that, because I want people to understand where we are coming  
16 from and that I do have some very grave concerns. So thank  
17 you, Madam Chair, for allowing me to do that.

18           MR. BARZYK: Thank you for those comments. I think  
19 they make us feel like someone new is going to take a new look.  
20 Thank you.

21           MR. WILLIS: Mr. Barzyk, can I get your address,  
22 please? I missed it.

23           MR. BARZYK: It's 2510 Lock Ness Court, Leesburg  
24 34788.

25           MR. WILLIS: Thank you, sir.

1           COMMISSIONER McMURRIAN: I was going to say  
2 something, too.

3           Mr. Barzyk, you mentioned about the interim rate  
4 increase, and I am sure this is something that a lot of people  
5 are concerned about and have questions about. I know Mr.  
6 Willis sort of covered it a bit in his presentation about how  
7 there is a minimum increase that goes into effect before we  
8 even have the service hearings, and that sort of thing. That  
9 is -- and perhaps it was one of the things that Commissioner  
10 Argenziano was speaking about, about how the process works.

11           But the company does make a prima facie, as you  
12 mentioned, case that they are earning below the rate of return  
13 that was allowed in the last rate case. And if they do that,  
14 sort of, on its face, and they prove that, it does go into  
15 effect before the rest of the process starts.

16           But what I wanted to tell you is, it is held subject  
17 to refund. So if in the course of the case, when the  
18 Commission makes its decision, if we were to find that a rate  
19 increase were not warranted, then that money would be refunded  
20 with interest. And I realize that's a good while down the  
21 road, and that's if the Commission finds it's not warranted.  
22 But I just wanted you to know that. We do have the company  
23 hold those monies subject to refund, and those would be  
24 refunded -- if the Commission did that, it would be refunded on  
25 the bill after the case is fully concluded. I just wanted you

1 to know that.

2 MR. BARZYK: There's just one thing, I guess, that  
3 comes to mind after your comments, is that assuming this is  
4 left as it is and whether there will be any additional  
5 increases or not, the matter of recovery bugs me a lot.  
6 Because we all know what recovery is, and I have no idea  
7 whether recovery in this case would be six months, a year, two  
8 years, but regardless of what it is, let's say it's a year, and  
9 based on the rates they are proposing, I suspect they will get  
10 their money back in less than a year.

11 But regardless of that, after that recovery is done,  
12 and assuming a big rate has been approved, what happens then?  
13 The rates stay the same, don't they? In other words, they  
14 don't take back any of that increase to pay for the  
15 improvements, they simply add that to the bottom line, don't  
16 they?

17 COMMISSIONER McMURRIAN: I'm going to let Mr. Willis  
18 try to address -- the question you raised earlier about the  
19 recovery period, I was hoping that he could address that more.  
20 And Commissioner Skop wants to ask a question, as well, maybe  
21 he should ask that beforehand, and then we will speak to your  
22 question.

23 COMMISSIONER SKOP: Thank you, Madam Chair.

24 Mr. Barzyk, like I say, I also share the concern  
25 about the recovery period. A lot of this seems

1 counter-intuitive, and I have got a financial/engineering  
2 background myself. I'm a new Commissioner, echoing  
3 Commissioner Argenziano comments, too, a lot of times it is a  
4 statutorily driven process. And, frankly, it feels like our  
5 hands are tied to some degree. But in that regard in  
6 addressing your comment about the recovery period, and also  
7 Commissioner McMurrian's response, I would like to ask staff,  
8 Mr. Willis, if he could briefly explain the recovery process.  
9 Because in some ways it does seem somewhat counter-intuitive,  
10 and maybe you could lend some insight into it. Thank you.

11 MR. WILLIS: Let me just first address your first  
12 question, and then I will get to the recovery period. You  
13 talked about whether the rates will stay in place. One of the  
14 things the Commission is charged with is reviewing the  
15 company's earnings every year, and that's something we do.  
16 Every single company that we regulate, we are constantly  
17 reviewing their earnings. If the Commission, from their  
18 review, indicates that the company is overearning, we will  
19 implement a reverse increase, which really means, in simple  
20 terms, that we will reduce the rates at that point. We never  
21 let a company overearn, that's something we are charged with by  
22 the legislature to constantly look at that.

23 As far as when they will recover these investments,  
24 the investments are recovered at probably no more than a  
25 20-year rate, that's your lowest. It really depends on what

1 the investment is. If it's investment in lines, they can be  
2 recover it over a 50 or 60-year period. Our recovery times are  
3 based upon the life of the asset they're installing. If it is  
4 an asset. Now, part of their expenses wouldn't be investment.  
5 It is actually maybe an annual expense they're having to incur  
6 that is higher. That is going to be on an annual basis, if  
7 that expense continues. But as far as any investment the  
8 company puts into the facility, that's based on how long we  
9 believe the asset will actually last, and that's the way it's  
10 basically set up for any utility, whether it be a power  
11 generating unit, it's basically based upon the life of the  
12 asset.

13 MR. BARZYK: Thank you.

14 MR. REILLY: Just a quick question before you leave.

15 COMMISSIONER McMURRIAN: I just wanted to ask Mr.  
16 Barzyk. Did that help?

17 MR. BARZYK: Yes. I understand it's a lot more  
18 complicated than that. I realize that everything has a useful  
19 life, you know, whether it's appliances, carpets, homes,  
20 whatever. In view of what he said, I guess, if, in fact, it  
21 has a useful life of many, many, many years, then it seems like  
22 they will be collecting this exorbitant rate for many, many,  
23 years also. And I realize that companies are audited and  
24 companies are looked at, and you can look at profitability, but  
25 with the accounting methods that are in place today in American

1 corporations, I venture to say it would be difficult to  
2 discover what the real recovery is or what the period is.

3 Let me make a comment on that. It's a good thought,  
4 and I think it's a good process, but, unfortunately, just  
5 looking at our U.S. corporations and what has happened over the  
6 last three or four years, I think I have lost a little bit of  
7 faith in governance.

8 Thank you.

9 MR. REILLY: Just a quick question. You said you  
10 were from the Scot Highlands community?

11 MR. BARZYK: Scottish Highlands, yes.

12 MR. REILLY: Which of these systems are you actually  
13 served, the --

14 MR. BARRETT: I'm sorry, I didn't say that. It's the  
15 Silver Lake/Western Shores. I didn't realize that I was -- I  
16 was looking for Scottish Highlands this morning, but I noticed  
17 that we are incorporated into that group.

18 MR. REILLY: I thank you. With that clarification, I  
19 will make a stab at answering your question.

20 I have a little two-sheet analysis of each one of  
21 these small individual systems. And at the bottom of that  
22 analysis is a statement of what is driving the rate increase,  
23 and it's based on a dollar amount. It's just a rough analysis  
24 of each of these increases, and it is broken down by what is  
25 driving the plant additions, or just what they are claiming is

1 overall underearnings and then just O&M expenses. And time and  
2 time again in these analysis of these small systems, plant  
3 additions is not driving these rate increases. It's just that  
4 it is more expensive for this company to provide service with  
5 all of their O&M expenses and so forth.

6           So, you know, we can talk all we want to about  
7 recovering plant additions, and that's a factor in these  
8 increases, but it's not the major factor. Anyway, I'm trying  
9 to answer your question; I'm not trying to testify. But that  
10 is our take on it, and we will be looking at it, obviously,  
11 very closely as we get to the hearing.

12           COMMISSIONER SKOP: And, Mr. Barzyk, one follow-up,  
13 also. I'm not going to give you the details, but I've been  
14 running some numbers myself, scratching my head, trying to  
15 figure out the same things that you brought to our attention.  
16 Because in the recovery period looking at, you know, a specific  
17 capital expenditure and the useful life, that wasn't really  
18 working for me, so then I asked the question what can be  
19 causing that. And in some instances it could be also the small  
20 numbers of customers in that particular area itself, because  
21 you have to spread that expense over a much smaller base.

22           So in that case the rates would be a little bit  
23 higher than one would think they would be. But, like I said, I  
24 do share your concerns as a Commissioner, and I'm challenging  
25 staff to provide us with some proven answers to these

1 questions. And I thank you for your time today.

2 MR. BARZYK: Thank you for hearing me.

3 COMMISSIONER McMURRIAN: Thank you, Mr. Barzyk.

4 (Audience applause.)

5 MR. REILLY: Our next witness is Theresa Mauriell.

6 THERESA MAURIELL

7 appeared as a witness and, swearing to tell the truth,

8 testified as follows:

9 DIRECT STATEMENT

10 MS. MAURIELL: Good morning. My name is Theresa  
11 Mauriell, and I live at 9820 Fore Road in Leesburg. We are  
12 also with the Silver Lake Estates, okay.

13 COMMISSIONER McMURRIAN: Could you spell your last  
14 name for me.

15 MS. MAURIELL: Sure. M-A-U-R-I-E-L-L.

16 COMMISSIONER McMURRIAN: Thank you.

17 MS. MAURIELL: The gentleman before me was so  
18 eloquent? In fact, both were. I appreciated their statements  
19 and I do agree with exactly their figures that they were coming  
20 up with in my own analysis. I only wanted to add that when we  
21 received the letter, the same notice apparently that he had  
22 because it had the \$580,000 figure that they said they had  
23 spent in our community, there was two things in there. One  
24 thing, of course, they are saying in the last sentence of that  
25 paragraph, it says a rate increase is necessary for the utility

1 to be given an opportunity to recover these additional  
2 expenses.

3           So when you read that offhand, you know, it's like,  
4 oh, this is necessary to recover the \$580,000. And I realize  
5 that they need increases each year because they have expenses,  
6 as all businesses do. But if you look at the 32 percent  
7 increase, and then the 180 percent increase just in the interim  
8 rates alone, I mean it should not take too many customers to be  
9 able to recover the \$580,000.

10           I do not know how many customers they have in our  
11 particular community, but it seems to me that would be  
12 recovered very, very shortly. And as he said, I mean, how long  
13 does it take to ever come down in your rates? I have never  
14 seen any rates go down very much. I don't care if it's  
15 electricity, gas, whatever. So I don't think they're going to  
16 drop the rates, unless we get stuck having to pay really  
17 exorbitant rates.

18           Also, I wanted to make note that they said the last  
19 water base increase had occurred in October 1996. And this is  
20 inaccurate, because we have lived in our house since '84, and I  
21 did keep records. Back in '96, the rate was probably around  
22 11.14, and by the time they acquired it, if they did in 2004, I  
23 guess, it was actually up to \$18.56 at that point. And had  
24 gone from 87 -- yes, 87 cents per thousand gallons to 1.27 for  
25 the thousand gallons. So they had an increase. It hadn't been

1 increased where, you know, you couldn't live with it, but it  
2 had increased those years, so they were wrong in that  
3 statement.

4           Also, it actually increased -- the base rate went,  
5 since they had it, to 18.74, the base rate, on 6/22/2005. And  
6 then it was -- I guess that was -- I always go by per gallon.  
7 Let me see, 1.28 per thousand gallons. And then 1/19/2006, the  
8 base rate went to 19.12. And I'm talking a one-inch pipe. I'm  
9 not talking the rate that's three-quarters, or whatever they  
10 have there at the beginning on that green sheet, I'm talking  
11 the one-inch pipe.

12           Now, we just live in a single residence home, but  
13 that is what we have is a one-inch pipe, and we have always had  
14 the one-inch pipe. So I don't know who has these three-quarter  
15 inch ones, but this is based on the one-inch. And the rate at  
16 that time was 1.31 for the thousand gallons, I guess. So, like  
17 I say, it's a 32 percent increase when you go down to the  
18 interim. And the base rate was 180 percent on the proposed,  
19 and I noticed over 6,000 gallons it is 116 percent increase  
20 right there for the gallon rate.

21           I had also looked at some of our usage. Now, it's  
22 just my husband and I living there, and in February we used  
23 6,800 gallons of water. So I imagine it's a little hard --  
24 there are times in the winter, I think, when we fall a little  
25 bit under the 6,000, but probably at least 5,000 gallons. It's

1 rather hard to use under 6,000 gallons. And then when you want  
2 to water the lawn, and it starts getting hot like right now,  
3 for instance, we used 35,200 gallons on my bill from 4/25 to  
4 5/24.

5 Now, of course, we had the interim rate during that,  
6 so my bill was 85.78. Had it been at the old rate, it would  
7 have been \$65.23, but if we were already into the new rate that  
8 they are proposing, that bill would have been \$150. Now, I  
9 find it interesting that a church paid -- they used about  
10 35,000, and they had a two-inch line. I mean, their rate is  
11 going to go to 250 under the new rate, but I'm just an  
12 individual and I'm having to pay \$150. I'm not saying --  
13 that's fine, they couldn't use that much water, I guess it is  
14 mainly for the lawn. But I'm just saying as far as a burden on  
15 the people, I think \$150 a month for your water, and we are  
16 just watering two days a week, that is very excessive. So I  
17 just think it is a burden for people to have to pay that much  
18 money.

19 I just was looking at the gasoline prices, and I  
20 thought, well, if we could go back to the days when we paid  
21 2.50 a gallon for a gallon of gas, if they wanted a 32 percent  
22 increase, that would be \$3.30 cents a gallon. And if they  
23 wanted an 180 percent increase as they want for our water,  
24 that's \$7 a gallon. And I think everybody would be screaming.  
25 So I don't think it is any shock that we, as people, are

1 screaming about these water rates.

2 I think they do need a reasonable thing, but they  
3 don't need to go that high at this time. Especially when that  
4 is (inaudible). Even if they weren't, I mean, this is a  
5 private company that they bought. Nobody held a gun to their  
6 head to buy this company. I'm sure they got it at a very good  
7 rate. I'm sure they negotiated. They knew they would be  
8 having to put some money into this. And so this is a business  
9 decision, and they need to realize they can get some money, but  
10 they just can't come in, or they shouldn't morally come in and  
11 just say, oh, we bought this company, and, oh, now we think we  
12 have all of these expenses so we are going to raise your rates  
13 so that you can't even afford hardly to live in your own house.

14 Because we don't just have water to pay, we all have  
15 food, gas, electric, on and on to pay. We all have increases.  
16 Every day we go to the grocery store, and so we just cannot  
17 expect one company to come in and all of a sudden jump it over  
18 everybody else, especially that large a percentage. I figured  
19 on my -- going from the old rate of 65.23 I mentioned up to the  
20 \$150, that's a 130 percent increase right there. Because, of  
21 course, when you take the 180 percent of the base rate and then  
22 add it, it comes down a little bit, but, still, 130 percent  
23 over what I used to pay, it just really seems like a lot of  
24 money.

25 (Audience applause.)

1 COMMISSIONER ARGENZIANO: May I ask you a question?  
2 You said that you were -- you quoted a usage rate of 6,800  
3 gallons.

4 MS. MAURIELL: Yes, back in February and March.

5 COMMISSIONER ARGENZIANO: Okay. That was per month?

6 MS. MAURIELL: That was 6,800 I used that month.

7 COMMISSIONER ARGENZIANO: Okay. And that is during a  
8 period of time when you --

9 MS. MAURIELL: We probably weren't having to water  
10 the lawn, basically. Because it's really just -- I mean, it's  
11 my husband and I. We wouldn't use any more water in the house.  
12 So this time we probably were watering the lawn. You know, we  
13 can water it twice.

14 COMMISSIONER ARGENZIANO: You probably were watering  
15 the lawn.

16 MS. MAURIELL: Yes. And this last one, the 35,000,  
17 we were watering the lawn.

18 COMMISSIONER ARGENZIANO: Yes. Meter reading.  
19 Yesterday I listened to a lot of comments from consumers. I  
20 have a concern on how the meters are being read and if they are  
21 accurate.

22 MS. MAURIELL: All right. Actually, I don't think we  
23 have had too big of a problem. I did have a problem a few  
24 years ago, because the meter reading -- actually, the meter  
25 broke and I had to work with them about three months before I

1 could get somebody out to test it. And we were having  
2 exorbitant bills, and at the time, I'll tell you, I really  
3 wasn't treated, I didn't think, very nice by them. I told  
4 them, I said there's no way we have used this much water. You  
5 know, there has got to be something wrong. And she said, oh,  
6 you probably have a leak. And, you know, they weren't wanting  
7 to do anything for us. And finally I kept screaming, I said,  
8 look, I have bills from way back. We don't have a leak. This  
9 has just started. They finally came out and immediately found  
10 our meter wasn't working. But that did take about three months  
11 to get solved.

12 But as far as any other problems, no, I haven't. The  
13 water quality is great. I drink our water. I love the water.  
14 The water tastes great. They put a new meter in, and I think  
15 it's digital or something, I'm not quite sure. But, no, I  
16 think it's fine now, I can see that.

17 COMMISSIONER ARGENZIANO: And now that you're using  
18 water -- I guess what I'm trying to get at is are your monthly  
19 usage rates fluctuating?

20 MS. MAURIELL: No. If I'm watering then, yes, I'm  
21 going to be using a lot of water. But we only water, you know,  
22 you are only allowed two days a week. So, I mean, if we were  
23 really watering like some people used to do years ago when we  
24 didn't have that restriction, then you can imagine what the  
25 water bill would be.

1           COMMISSIONER ARGENZIANO: Right. And when you quoted  
2 bill back at 6,800 gallons a month, that was when you were not  
3 really watering and that number comes out to probably about 226  
4 gallons a day for a family of two, which I find really a high  
5 usage.

6           MS. MAURIELL: Yes. Why, I don't know. We shower  
7 and we do --

8           COMMISSIONER ARGENZIANO: That's what I have heard a  
9 lot of people say, too, so I'm trying to get --

10          MS. MAURIELL: It seems like we do. But that's  
11 really, you know, just the two of us, and I don't know, I can't  
12 cut much further down.

13          COMMISSIONER ARGENZIANO: My concern is maybe that  
14 the meters are not working properly. It just sounds like a  
15 high amount for two people to use. Thank you.

16          MS. MAURIELL: Yes.

17          COMMISSIONER McMURRIAN: Ms. Mauriell, first of all,  
18 don't sell yourself short. I mean, the first two speakers were  
19 eloquent, but you did a very good job, I must say. I wanted to  
20 point out the statement you made about the rate increase, there  
21 have been rate increases since the one they mentioned, and that  
22 has actually been sort of a source of confusion in several of  
23 our meetings.

24                 Because I think what the company was probably  
25 referring to was the last base rate increase where, you know,

1 they went through a rate proceeding such as this one. And  
2 there are inflationary adjustments that they can seek through  
3 the statutory process based on, you know, just, I guess, the  
4 cost of doing business going up, inflationary adjustments. And  
5 Mr. Willis can speak to that a little bit more eloquently than  
6 I can, but I did want to address that, because I think it is a  
7 source of confusion.

8 MS. MAURIELL: Yes, that was. That's not the way --  
9 the letter didn't leave with you that impression.

10 COMMISSIONER McMURRIAN: I completely understand.  
11 And I had rather clear it up for everyone now, if we can.

12 MR. WILLIS: Sure. You did a fine job.

13 The inflationary increases that Commissioner  
14 McMurrian is talking about are by statutory authority. They  
15 are basically a matter of right. The Commission sets an index  
16 percentage each year based on certain inflationary indexes that  
17 we look at. Once that is set, companies can apply once a year  
18 for only expenses which might be subject to inflation.

19 There is another type of adjustment called a  
20 purchased power or electric increase. It's basically for  
21 certain types of expenses that you have no control over; your  
22 power going up, your chemical costs going up. Those are also  
23 by statute. They are usually fairly de minimus. They're just  
24 small increases each year. And this company did apply for  
25 those in 2004 and 2005.

1 COMMISSIONER McMURRIAN: Commissioner Skop.

2 COMMISSIONER SKOP: Thank you, Madam Chair.

3 Ms. Mauriell, I wanted to go back to one point that  
4 you made with respect to the meter issue, the meter that had to  
5 be replaced and your problems associated with having to get  
6 that problem remedied. Do you know when that was? Was it  
7 recently, or do you have any bills in that particular area that  
8 would show --

9 MS. MAURIELL: Let me see, I do have those. I think  
10 it was in '96. I think it was last summer, 1996. I'm sorry,  
11 2006. Going too far back. Yes, 2006 is when it was.

12 COMMISSIONER SKOP: And that problem, once it was  
13 determined that the meter was inaccurate and you had to go  
14 through the process of, apparently, challenging process of  
15 having to get the meter replaced, were you satisfied with the  
16 results? Were any credits posted to your account for excess  
17 water consumption that may have been due to the faulty meter  
18 readings?

19 MS. MAURIELL: They did post a credit. I don't know  
20 if it was accurate, but I just let it go from there. Because a  
21 lot of things had happened right at that point. We had gotten  
22 a new lawn. And it's odd, but the thing stopped working about  
23 the time we got the new lawn. And, of course, being a new lawn  
24 you have to water more. So I knew from past records that we  
25 had used, I knew about what we had used, so I kind of told them

1 what we had used. So I think they kind of went by my figures.

2 And I didn't know if it was exactly accurate at that  
3 point. But at that point, no, I'm not saying there was  
4 anything wrong with that. I didn't pursue that anymore. I  
5 think the only thing that bothered me was that I did have --  
6 maybe that is remedied now, I don't know, but I did have  
7 trouble getting them to listen to me, you know, about it.

8 And what they did is they wouldn't charge me, and  
9 they were just coming out and I think they were just doing a  
10 flat rate until they could get it resolved, possibly, because  
11 we kept saying this isn't right. But they really thought it  
12 was a leak, without even coming out and checking. And,  
13 finally, I got somebody, and I said you have got to come out  
14 and at least check, because I know there's not a leak. And we  
15 finally did get somebody to come out and check, and they said,  
16 oh, yes, you're got, you know, your meter is bad. It's a bad  
17 meter. So it happened right at the same time.

18 Why it happened at the same time as that, I don't  
19 know. But after that, that was resolved. And as far as the  
20 workmen that came out, they were very nice. I mean, I didn't  
21 have any trouble with them. I've never had trouble with any  
22 workmen with the company. I just had trouble getting them to  
23 believe me, you know, at that point.

24 COMMISSIONER SKOP: We have heard that concern  
25 expressed quite often, too, so that is not anything new to us

1 in terms of service hearings.

2 MS. MAURIELL: Yes.

3 COMMISSIONER SKOP: I will defer to staff. Staff, if  
4 she has bills available, would you like to see those bill in  
5 question?

6 MR. WILLIS: Yes, if she has bills available we would  
7 like to see those.

8 MS. MAURIELL: I will have to make copies.

9 MR. WILLIS: Well, what we can do is we can actually  
10 put those to the side --

11 MS. MAURIELL: You mean the ones where we had  
12 problems?

13 MR. WILLIS: Yes. That may be too far back.

14 MS. MAURIELL: I've to them here, because I saved  
15 them because I had a problem. But, I mean, I can either do  
16 that or I can send them to you with that form or whatever.  
17 What do you want? I just would like to get them back. I like  
18 to keep my records.

19 MR. WILLIS: Sure. If you would like to make copies  
20 and just send them with the form, that would be just as well.

21 MS. MAURIELL: Okay. I'll send them in with this  
22 blue form.

23 COMMISSIONER SKOP: Yes, ma'am. Thank you very much.

24 COMMISSIONER McMURRIAN: Commissioner Argenziano has  
25 a question for staff, I believe.

1           COMMISSIONER ARGENZIANO: Mr. Willis, forgive me if I  
2 don't recall, but can you tell me when -- is it the statutory,  
3 did the Legislature allow when a company comes in and maybe  
4 buys older facilities, older utilities, in some cases  
5 delapidated utilities that really need to be upgraded. Is it a  
6 statutory allowance? I want the people to understand as well  
7 as I want to understand. Is a statutory allowance that says  
8 that you can come in and then you can bring this up to modern  
9 standards and have customer recovery?

10           MR. WILLIS: No, there is no statutory allowance that  
11 says that. A company will come in and buy what they may  
12 perceive to be a delapidated system. There is a review of the  
13 purchase price. You certainly wouldn't expect a company to  
14 come in and pay far more than a system is worth when it's in a  
15 delapidated condition. You would probably expect them to pay  
16 less than it's worth, or right at what rate base is worth at  
17 that point. And then from there forward we would be looking at  
18 the costs coming forward. The Commission itself, staff would  
19 certainly be looking at the prudence of how you bring the  
20 system up to current conditions.

21           COMMISSIONER ARGENZIANO: Can I ask maybe a silly  
22 question? And I doubt it's a silly question, I take that back.  
23 I think it's a question that needs to be asked. Then why do we  
24 allow a company -- if they are going to buy a delapidated  
25 system, why don't they fix it themselves and not have the

1 customers pay for the system? (Audience applause.)

2 I don't mean that to be -- I really want an answer to  
3 that, because I'm trying to figure out if we have statutory  
4 authority and what the combination is, and why is that allowed.  
5 Because I hear that over and over again. And I remember when  
6 SSU, when Florida Water was around, I heard the same thing back  
7 then. And I'm trying to figure out why is it, if it's not a  
8 statutory requirement, what is the combination that allows the  
9 customer to have to pay for a system that was bought?

10 MR. WILLIS: Well, if a company comes in and makes an  
11 investment to bring a system up to current standards, DEP  
12 standards, whatever it might be, they have to recover their  
13 cost of investment which would include if they went out and  
14 actually went to a bank and issued debt to fund those  
15 investments. They would definitely need have a return to  
16 recover their interest. If it was equity invested, they would  
17 want an equity return. Otherwise there would be no reason for  
18 a company to desire to come in and do this.

19 COMMISSIONER ARGENZIANO: But can I give you a  
20 scenario that I have seen many times, and I'm trying to hash  
21 this out, because I think we are going to learn at the same  
22 time. I have seen companies come in and buy truly delapidated  
23 systems and then not only to have consumers outraged that the  
24 prices go up to exorbitant rates, and then the counties or the  
25 municipalities condemning those facilities, and then the

1 consumer has to pay for the condemnation and the system is  
2 really defunct and old. And I guess I'm still having a hard  
3 time figuring out if that's a prudent decision to make.

4 MR. WILLIS: One of the most difficult things about  
5 these systems that are truly delapidated and old is that  
6 usually only private companies will pick them up. Normally  
7 what you see out there is the counties and the cities, because  
8 of the way they can get bond issuances, cheap debt, they can  
9 offer a lot more for systems to pick them up and run them at a  
10 cheaper rate. But a lot of them aren't willing to go out to  
11 these rural areas and get these systems and run them. They  
12 just don't want to do that. That's why these private companies  
13 have normally come in as the last resort, come in and improved  
14 services to these small companies. I hope that answers --

15 COMMISSIONER ARGENZIANO: Well, kind of. But if you  
16 have a small delapidated system, and a company decides, well,  
17 we will come in and we will make investments and bring it up to  
18 par and you get to that point where I guess the consumers can't  
19 afford the rates because of the recovery for the company. I  
20 have seen the companies sell the facilities or the condemnation  
21 process take place and then the facilities are suddenly worth a  
22 lot more because the rates have gone so high.

23 MR. WILLIS: That's true. Some of these systems  
24 are -- it's usually the larger ones that are actually -- and I  
25 wouldn't call it condemned, you will have companies come in and

1 do it as a matter of right. If it's a municipality or county,  
2 they do have the right to come in, and they don't really  
3 condemn it, they take it over as a matter of right. There are  
4 two processes where that can happen, through a quick-take  
5 process where they come in and negotiate a purchase price, and  
6 that usually happens when they have the ability to add that to  
7 their system. There's a reason they want that.

8 My experience over my 30 years in this is that the  
9 counties and cities only want the big systems that can actually  
10 add to their system and make their systems more profitable.  
11 They are really not interested in taking over some of these  
12 small ones, because they are going to be faced with the same  
13 problems.

14 The other thing is there is a Chapter 367.081, which  
15 actually says that when a company comes in and does make  
16 prudent investments, they are entitled to a fair return on that  
17 investment. So we do have the statutory authority behind that  
18 that says we have to give them what the Commission considers a  
19 fair return on their investment.

20 COMMISSIONER ARGENZIANO: I guess just being a  
21 consumer for so long, I understand the company coming in and  
22 making improvements, but if they know the system is broke to  
23 begin with, I'm not sure it should be placed upon the citizens.  
24 But then, again, I guess you have to weigh the fact that if no  
25 one is going to come in and provide the utility, what do the

1 citizens have. But, again, at what point does water, which is  
2 life's sustenance, I guess you have to have, get so high that  
3 the people can't afford it anymore. And I appreciate the  
4 background.

5 MR. WILLIS: I agree, Commissioner, it's a Catch-22  
6 at times, and it's something that we have to solve.

7 COMMISSIONER ARGENZIANO: Thank you.

8 MR. REILLY: Commissioner, could I add something to  
9 that?

10 COMMISSIONER ARGENZIANO: Yes, please.

11 MR. REILLY: On the issue of positive or negative  
12 acquisition adjustments, when a company comes in and buys a  
13 troubled or delapidated system, I believe it's Commission  
14 policy, and, in fact, there is probably even a rule on it that  
15 says, you know, they are not going to give them an acquisition  
16 adjustment, but basically if a company comes in and it is a  
17 delapidated system, they pay less than really what the rate  
18 base is, then they will give them the rate base. So, in  
19 effect, the company once it pays less than what the rate base  
20 is they, in effect, from that point forward earn a phantom  
21 investment. They are earning -- although on paper they make  
22 8 or 9 percent, they may be earning 20 or 30 percent because  
23 the price they paid for the utility is less than what they have  
24 a right to earn a return on in the rate base in the regulatory  
25 scheme.

1           So the Commission does have the statutory authority.  
2 It has the statutory authority to look at all of this at the  
3 time the company comes in and buys that system, whether it will  
4 account for it by saying, okay, we will give you, maybe, a  
5 negative acquisition adjustment. Some policy that you could  
6 say we expect that when you come in here you are going to be  
7 spending more money, making more investment that you are going  
8 to be coming in and asking to get a return on, so that they  
9 start with some recognition of lesser. But policy is you come  
10 in and buy a system for less than rate base, you will get that  
11 rate base.

12           And, of course, the reason for that is to encourage  
13 people, I guess, to go out and buy these troubled systems. But  
14 the down side of it is if they buy it too little and then add a  
15 lot of money to it, it produces some very, very troublesome  
16 rates for the ratepayers. So there is a point of entry that  
17 the Commission can look at all of this at the time that these  
18 systems are purchased.

19           COMMISSIONER ARGENZIANO: Thank you. I will be  
20 looking forward to being apprised on what our point of entry  
21 really is and learn more about that, but I do see it as a  
22 problem. Thank you.

23           COMMISSIONER McMURRIAN: Excuse me just a second.  
24 Mr. Hoffman, you have --

25           MR. HOFFMAN: Yes, I would like to just throw my few

1 cents into that question, Commissioner.

2 COMMISSIONER McMURRIAN: I'm sorry, Ms. Mauriell,  
3 we're sort of microphone short here. If you don't mind --

4 MR. HOFFMAN: Commissioner, what Mr. Reilly was  
5 talking about there is sort of their slant on a debate that  
6 dates back to the late '80s, probably early '90s. Certainly  
7 the Commission has the statutory authority to allow recovery of  
8 prudent investments. The Commission opened at least one, maybe  
9 two dockets, to look at the issue that you raised in the --  
10 certainly in the early '90s.

11 And the basic question always was, and sort of the  
12 debate was framed with the Public Counsel's Office basically  
13 saying, you know, if you have got a utility out there with \$100  
14 of rate base, and it's troubled or it's distressed, and  
15 somebody else comes along and buys it for \$30, then that new  
16 utility shouldn't recover anything other than \$30. And that  
17 \$70 in my example is what Mr. Reilly was characterizing as the  
18 phantom investment.

19 And then you have the utilities coming in and saying,  
20 well, if somebody doesn't come in, this thing is going to pot.  
21 So what there needs to be is there needs to be some sort of  
22 public policy incentive to have these utilities come in, and if  
23 they buy the utility, my \$100 rate base utility at \$30, or \$60,  
24 or \$90, whatever it is, then really all they are doing is  
25 stepping into the shoes of the old utility which had the \$100

1 rate base all along, so they shouldn't be punished for that.

2           What happened was maybe within the last four or five  
3 years the Commission opened a rulemaking docket, and I guess  
4 I'm trying to get to that point. The Commission now has a rule  
5 which sort of codifies how that initial investment by the  
6 purchasing utility would be treated. And I don't remember all  
7 the specifics of it, Mr. Willis may, but I just wanted to make  
8 you aware of that.

9           COMMISSIONER ARGENZIANO: But to staff, a rule has to  
10 be promulgated only if you have statutory authority to do that.  
11 So my whole point is perhaps in rethinking, and as a new  
12 Commissioner that maybe my lobby to the legislative process is  
13 that maybe it worked that way for a while, but what I see is  
14 that continued buying of delapidated systems results in  
15 exorbitant rates for life sustaining water that people can't  
16 afford. So maybe it isn't prudent to buy delapidated systems  
17 and then reward a company for doing that, but starting all  
18 over.

19           MR. HOFFMAN: My only purpose was to try to give you  
20 our response on how we got to where we are now.

21           COMMISSIONER ARGENZIANO: Thank you.

22           COMMISSIONER McMURRIAN: But to both of you, I  
23 appreciate your remarks, but perhaps it may be best as we go  
24 forward that -- I think the Commissioners have been asking  
25 questions of staff and perhaps not having the parties jump in

1 and make comments might be the best way to go. Because if we  
2 do do that, I think -- for instance, Mr. Reilly, if you give  
3 input, I think I'm going to have to turn to the utility and let  
4 them give input, and we might be taking time away from the  
5 customers. But I don't say that, Commissioners, to stop you  
6 from asking questions of anyone. I just wanted to make that  
7 point.

8 MR. WILLIS: And, Commissioner Argenziano, I would be  
9 more that happy to come and visit with you for a while and talk  
10 to you about this in more depth.

11 COMMISSIONER ARGENZIANO: I appreciate that, because  
12 I think it is an issue, and I think the consumer feels the same  
13 way. I have heard it over and over again. And I appreciate  
14 the time. I don't want to take time away from you being here  
15 today and talking to us, but I also wanted to have that better  
16 explained.

17 Thank you, Chairman.

18 MS. MAURIELL: If I can say one more thing. In  
19 listening to this, I mean, if I was analyzing it, it seems to  
20 me I would want to take that 580 just in our community, it must  
21 be the Silver Lake community and say, okay, they're investing  
22 for three and a half years, and they're spending \$580,000  
23 extra, they're saying, and they want to recoup that. So that,  
24 to me, couldn't be too trash of a system. Because \$580,000 in  
25 today's world is not very much money. But, you know, from this

1 letter I have no idea how many customers that is. So to me I  
2 would want to know how long will it actually take them to  
3 recover that much money from the customers, because they  
4 shouldn't recover it in a year. Maybe they should recover it  
5 over, you know, a few years. So that would be one way I would  
6 want to know. And, like I say, this letter doesn't answer it,  
7 it is just telling me we want to jump your rates real high  
8 forever maybe, I don't know. And they will always want  
9 increases, but I just wanted to point that out.

10 COMMISSIONER McMURRIAN: Any more questions for  
11 Ms. Mauriell?

12 Ms. Mauriell, if you would like to send any of  
13 your -- you do have other questions?

14 COMMISSIONER SKOP: (Inaudible.)

15 COMMISSIONER McMURRIAN: Would you like Ms. Mauriell  
16 to be present when you ask -- Commissioner Skop has a question.

17 Let me say why I had that thought in my mind, to the  
18 extent that you want to send any documentation that we were  
19 talking about earlier, definitely feel free. I think, as we  
20 pointed out earlier, the address on the back, and you could  
21 even get with staff, if you would like, and they can give you  
22 more information about how to do that.

23 If anyone -- this is probably a good time to say  
24 it -- if anyone would like to leave originals of any copies of  
25 their bills or anything, we could mail them back to you after

1 we make copies in Tallahassee, or if you have got copies you  
2 would like to leave with us, Mr. Reilly would probably like to  
3 mark those as exhibits, and we can do that, as well. So,  
4 either way, it's just up to you.

5 COMMISSIONER SKOP: Thank you, Madam Chair.

6 Ms. Mauriell, I share your concern. I have extensive  
7 background not only in finance, but cash flow analysis and, you  
8 know, the period of recovery as I previously mentioned is  
9 important to me. And, again, staff is looking into those  
10 issues. And I kind of wanted to jump in and expound upon  
11 something that Commissioner Argenziano asked, and I want to  
12 thank both counsels for lending some insight into this. It may  
13 have not been exactly proper to go out in that direction but,  
14 in any event, my question came back to something that  
15 Commissioner Argenziano astutely raised, and that was the  
16 process associated with purchasing small utilities that have a  
17 small customer base that haven't been picked up or purchased  
18 before, so they are kind of like the -- they provide a valuable  
19 service, but they are there, and they are what they are.

20 But with respect to the comment that staff made,  
21 where I wanted to interject some insight with respect to the  
22 valuation, and this is a point that Commissioner Argenziano,  
23 again, astutely raised it seemed that staff suggested, and  
24 correct me if I'm wrong, Mr. Willis, but that if the purchase  
25 price is lower than the rate base, then the existing rate base

1 is the valuation provided. And I'm wondering whether that, in  
2 fact, would be an appropriate valuation method to the extent  
3 that -- it's like either the greater or lesser of, but if you  
4 purchase something at a substantial discount that has been  
5 previously, perhaps, run into the ground or needs substantial  
6 improvements, again, I share Commissioner Argenziano's concern  
7 about the impact to consumers by having to bring something that  
8 has been purchased at a discount back up to that price, and  
9 what might be done or what could be done to reward with a  
10 carrot people for providing and coming in as an incentive to  
11 take over systems that provide a substantial public benefit,  
12 but also protect the consumers equally to the extent that they  
13 are not hit with 180 percent rate increases.

14 Thank you.

15 MR. WILLIS: The rule that Mr. Reilly talked about  
16 was one that I was definitely involved with. I basically  
17 negotiated a rule that worked for both the industry and the  
18 Office of Public Counsel. I had all parties at the same time,  
19 it was a long, long period of time of negotiating how this rule  
20 was going to work, and there is a sharing concept in there. If  
21 a company purchases a utility company for a large percentage  
22 under value, there's the sharing in there of that. So I can go  
23 over it more with you at some time. I don't have it before me  
24 to actually pull the sections out and show you how that works,  
25 but I would be happy to do that.

1           COMMISSIONER SKOP: And I would appreciate that, also  
2           echoing Commissioner Argenziano's comments. I mean, I'm all  
3           about fairness. I recognize that, as many consumers have  
4           mentioned, and they are fine with, too, that business is  
5           entitled to make a rate of return, and I have no problem with  
6           that. It's just a matter of the ability of consumers to absorb  
7           such a substantial impact, and then the appropriate method in  
8           which the acquisitions are done in the first place as well as  
9           the knowledge that additional improvements will be required  
10          when making that acquisition.

11                 So it's a matter of who should bear the ultimate risk  
12          for that, and whether that should be completely burdened on the  
13          consumers. But I'm all for, you know, the carrot approach and  
14          the rulemaking that you have kind of mentioned that provides  
15          those incentives to encourage that investment in the fairness  
16          of having a fair rate of return. It just seems, in general,  
17          you know, when you have such increases that the consumers have  
18          commented on today, I'm just trying to get a handle on that, so  
19          I would be happy to meet with staff.

20                 Thank you.

21                 COMMISSIONER McMURRIAN: Any more questions for Ms.  
22          Mauriell?

23                 Thank you, Ms. Mauriell.

24                 (Audience applause.)

25                 COMMISSIONER McMURRIAN: Mr. Reilly.

1 MR. REILLY: Our next witness is June Longnecker.

2 JUNE LONGNECKER

3 appeared as a witness and, swearing to tell the truth,  
4 testified as follows:

5 DIRECT STATEMENT

6 MS. LONGNECKER: My name is June Longnecker. I reside  
7 at 1306 Moray Court, which is in Leesburg, 34788. I'm also  
8 with the community of Scottish Highlands, and we have  
9 650 homes. I have here approximately 275 letters addressed to  
10 the Commission, and what it says, "Dear Sirs." Madams, excuse  
11 me. "This letter is intended to formally file a complaint  
12 regarding the rate increase processed by Aqua Utility Water  
13 Services, the increase being in two increments," and on and on,  
14 and it's signed -- approximately 275 copies. We asked them all  
15 to come up to the office and sign a letter of complaint, and  
16 I'm here to present that.

17 I personally have no problems with my water service.  
18 My water quality is okay. I do believe that a 32 percent  
19 increase should be satisfactory. The 170 to 200 percent  
20 increase would be a real burden.

21 Mr. Reilly, I assume you want these?

22 MR. REILLY: I would like that, and I guess we would  
23 number that Exhibit Number 80.

24 (Exhibit 80 marked for identification.)

25 COMMISSIONER McMURRIAN: Yes.

1 MS. LONGNECKER: Thank you.

2 COMMISSIONER McMURRIAN: Does anyone have any  
3 questions for Ms. Longnecker?

4 Thank you. Oh, did you have additional comments?

5 MS. LONGNECKER: I forgot. We're Silver Lake,  
6 Western Shores district. And it's not really a small district.  
7 I don't know how many units, but it is substantial.

8 COMMISSIONER McMURRIAN: You said 650 homes in  
9 Scottish Highlands, right?

10 Thank you, Ms. Longnecker, and we'll mark that  
11 Exhibit 80.

12 You can call the next witness.

13 MR. REILLY: Okay. We have Wayne Shigley.

14 WAYNE SHIGLEY

15 appeared as a witness and, swearing to tell the truth,  
16 testified as follows:

17 DIRECT STATEMENT

18 MR. SHIGLEY: Don't let the water scare you, I won't  
19 be here that long.

20 Good morning, Madam Chairman, and all of you here. I  
21 appreciate this opportunity to be able to speak with you today.  
22 I'll start off with -- we've talked about service, and I will  
23 mention a few -- oh. Wayne Shigley, I live in Kings Cove, it  
24 will be JS-Kings Cove.

25 COMMISSIONER McMURRIAN: Could you spell your last

1 name for me?

2 MR. SHIGLEY: S-H-I-G-L-E-Y.

3 COMMISSIONER McMURRIAN: Thank you, Mr. Shigley.

4 MR. SHIGLEY: Do you need the address?

5 COMMISSIONER McMURRIAN: Yes, I think we do need the  
6 address.

7 MR. SHIGLEY: 35118 Queens Way, and that's in  
8 Fruitland Park, Lake County.

9 COMMISSIONER McMURRIAN: Fruitland?

10 MR. SHIGLEY: Yes.

11 COMMISSIONER McMURRIAN: Thank you.

12 MR. SHIGLEY: Regarding service, I will talk about  
13 service for a moment. I called them or called Aqua Florida  
14 systems when I had a bill that went -- I used it seemed like an  
15 excessive amount. My wife and I are retired and there is only  
16 two of us, but we do have a lot that is 100 by 200, and we quit  
17 sprinkling the backyard. It has just gone to weeds because we  
18 can't afford it. But we do the front yard, and we do that two  
19 to three times a week. I know you're only supposed to do it  
20 twice, but I have cut back on how much time I use when I do it,  
21 so I can get a little more.

22 We normally average 16,000, 18,000, but in April I  
23 went to 46,000. And we didn't make any changes whatsoever. I  
24 called Florida Aqua system, or Aqua Florida systems, and  
25 notified them of that. I said would you please come out and

1 check the meter? I said, when can I expect them, because I  
2 would like to see the gentleman as well to see how they tested  
3 it. And he came out, did not let me know ahead of time as I  
4 had requested. I just fortunately looked out the window, saw  
5 him out there, and went out to him, and I told him what I had.  
6 He went to a spigot on the outside of the house and he turned  
7 it on and he said the thing looks fine to me.

8           You know, to go from 16,000 to 46,000 something  
9 drastically happened. I did a lot of checking internally in my  
10 house. You know, I know how much it -- it's three gallons for  
11 a toilet flush, I know all of these things. And here is  
12 another thing. I, conservatively, put down what I average for  
13 toilet, dishes, shower, washer, all of that along with my  
14 sprinkler system. I do know that if I run the outside spigot  
15 for an hour, which is about how much it takes for my sprinkler  
16 system to go, I use 780 gallons. So I've calculated all of  
17 that for a month along with my internal usage and irrigation,  
18 and it's 11,500, but yet my bill is never less than  
19 16,000 gallons. So I'd like to see something more to prove to  
20 me that the meter is proper.

21           A couple of other things regarding service. Some  
22 people have talked about they think their water is very good in  
23 quality. Well, we had it tested. We have only been here one  
24 year, and we had it tested when we came here. I wish I had the  
25 name of the system. I have it at home, but the company that

1 came out and looked at it, a couple of interesting things they  
2 found. When they did the testing they showed so much floaters  
3 or something that attached to things within the water. And the  
4 other thing, it does not taste good, and I have a neighbor with  
5 me here today, she's on the docket, and she doesn't drink her  
6 water. I do not drink our water. It appeared it me that I had  
7 kidney problems after I drank the water for a couple of months.  
8 I quit drinking it and went to bottled water. I mean, I have  
9 got medical proof of that. But, anyway, all we do is drink  
10 bottled water now. And it has some odor and taste to it in our  
11 division.

12           The interesting thing in our division, I got the  
13 notice from the system and it said -- the company said they had  
14 made \$315,000 in improvements, 750 per customer, so I  
15 calculated that as 420 customers. Now, the system or the pond  
16 processing is about 500 yards from our house -- well, let me go  
17 back to the quality. So the quality we don't think is up to  
18 standards.

19           And then the other thing is the odor and the noise.  
20 We are easily 500 yards from the system. Anytime the wind is  
21 out of the north, because we live south of there, it is a  
22 terrible odor. We have actually left our house because the  
23 odor is so bad when the wind comes directly out of the north.  
24 So there is a lot of odor caused by that system.

25           The other thing is the noise. I guess it runs every

1 night. And in the fall when the humidity is not so high, I  
2 open windows. And it's just a constant humming or drone that  
3 to me is quite aggravating. So I'm just not satisfied with the  
4 system, the odor, the quality, and the noise. So that is  
5 addressing the quality.

6           When I looked at these rates here, being in Lake  
7 County I thought what I should do is compare. So I talked to  
8 the City of Leesburg, and I've got their rates. So I know what  
9 they're doing, they are standardizing their rates all around  
10 various areas. But, to me, it should be comparable very close  
11 to the City of Leesburg, and it's not. And I can give you some  
12 of these examples here. The base rate was, before the interim,  
13 it was like 8.12, and it's going to 21.38. Now, that doesn't  
14 sound like it -- when you say 163 percent, but you know what  
15 that is in times, it is 2.63 times as much. So my existing  
16 bill, let's say it runs about \$85, so it's going to be 2.63  
17 times as much just based upon the water usage and the water  
18 base fee.

19           Now, the sewer, and -- well, first off, Leesburg,  
20 their rate, the base rate is \$9. We are at 8.12 now, but this  
21 is going to 21, and the City of Leesburg is nine. So that, to  
22 me, is not equitable for the same area. A couple of other  
23 things there. The sewer, the base rate, 9.24 is going to 30.  
24 I will say this, the City of Leesburg is 32, but Leesburg has a  
25 cap on the sewer, water usage based upon what goes in the

1 sewer, and they max at 11.77, or \$11.77 is the cap. I don't  
2 see that kind of cap on Aqua Florida utility systems here.

3 So, to me, I don't think it's equitable for this area  
4 when you have got the City of Leesburg so different than what  
5 they are proposing. Right now it's still somewhat higher than  
6 the City of Leesburg, but what they're proposing to me is  
7 exorbitant.

8 COMMISSIONER McMURRIAN: Mr. Shigley, if I could  
9 interrupt you just before you move on to another point. Your  
10 base facility charge you mentioned, \$8.12?

11 MR. SHIGLEY: Yes, that's interesting, isn't it?  
12 Because they say in here 7.96, right?

13 COMMISSIONER McMURRIAN: Yes.

14 MR. SHIGLEY: Okay. I've got the bills here, and I  
15 can show you like the most recent bill. Okay. On what they  
16 present -- what the city or Aqua systems sent out.

17 COMMISSIONER McMURRIAN: If you would like, if you  
18 want to finish your comments and then --

19 MR. SHIGLEY: I have a copy that I just dropped.

20 MR. WILLIS: Mr. Shigley, what size of meter do you  
21 have? Is it a one-inch meter?

22 MR. SHIGLEY: You know, I suspect -- you know what  
23 they say here, they say residential water rates, and they say  
24 the meter is 5/8th by 3/4, but I suspect it would be  
25 three-quarters coming out of it. I don't know that.

1 MR. WILLIS: But if you have a one-inch meter, your  
2 rate would be higher than that, slightly higher than that. So  
3 it could be that you have a one-inch pipe.

4 MR. SHIGLEY: That's possible.

5 MR. WILLIS: Without looking at your bill, I wouldn't  
6 know that.

7 COMMISSIONER McMURRIAN: We will certainly check into  
8 that. If you can share the copies after you finish making your  
9 comments, we will check and make sure that you are getting  
10 charged the correct rate for the size meter you have.

11 MR. SHIGLEY: I can hand you a copy right now,  
12 because it shows my rate 8.12, and I saw in here in the report  
13 that it was 7.98.

14 COMMISSIONER McMURRIAN: We will definitely check  
15 into that. Mr. Shigley, do you need this copy back?

16 MR. SHIGLEY: No. The next one they send out was  
17 very similar to it.

18 COMMISSIONER McMURRIAN: Whichever document you would  
19 like to provide to us, we will mark it as an exhibit.

20 MR. SHIGLEY: And when you look at how much it goes  
21 up, like 2.63 times as much on my water bill, and what I pay  
22 now. It's \$750 a customer. I will say that \$750 back in less  
23 than a year's time. So to me that's terrible recovery,  
24 especially for me.

25 This yard that I have, I've got one of the brownest

1 yards in the neighborhood because I have had to cut water back  
2 so much. And I can just tell you, as a retiree, as they  
3 mentioned before with what you get from Social Security, and  
4 from my rates, with what is proposed, I will be \$200 a month.  
5 The backyard it totally dead. Watering the front only two  
6 times a week, the severe drought that we have got down here  
7 now. It's just ridiculous. And I have to go out and buy my  
8 own drinking water. All of that for \$200 a month I think is  
9 just exorbitant.

10 Shannon, can you think of something else? You're  
11 going to come up, I know, right? Good.

12 COMMISSIONER McMURRIAN: Mr. Shigley, do you have  
13 other documents that you wanted to provide us? Do you have a  
14 copy of any bill that shows the present rates that you are  
15 paying? I guess your more current ones would show the interim  
16 rates, but do you --

17 MR. SHIGLEY: I'm got quite a few here, the last year  
18 since we have been here. I can show and give you -- I don't  
19 know that I have to have it back, is the one where it went from  
20 about 16 or 18,000 a month to 46,000 gallons.

21 COMMISSIONER McMURRIAN: Mr. Shigley, do you mind  
22 giving those to us, and letting us mail them back to you after  
23 we make copies in Tallahassee to put them in the record? If  
24 that is all right with you, we can do that.

25 MR. SHIGLEY: Okay. I don't know that it's that big

1 a deal for me, because they're right here. You'll have them.  
2 They will just sit in the file at my house.

3 COMMISSIONER ARGENZIANO: Madam Chair, may I ask a  
4 question?

5 COMMISSIONER McMURRIAN: Certainly.

6 COMMISSIONER ARGENZIANO: With regards to the time  
7 when it jumped so high and you called and they came out and  
8 turned on the spigot and said it looks good to me, what else  
9 was done?

10 MR. SHIGLEY: That was it.

11 COMMISSIONER ARGENZIANO: And did you pay that  
12 increased amount or did they give you any credits on that  
13 increased amount?

14 MR. SHIGLEY: I paid it. I didn't see that I had a  
15 choice. I just said I think there's something wrong here.  
16 They say maybe you have a leak within your house. And that's  
17 when I started -- like the way the meter goes, it only turns  
18 over a digit every ten gallons. I spent a lot of time checking  
19 the meter when I do things. Three toilet flushes make it go  
20 over one time, meaning ten gallons, or about three gallons a  
21 flush. And I have checked how much I use for a shower, a  
22 normal shower, and our washing. And that's why I came up with  
23 11,000, or actually 11,400 gallons a month, where I never get a  
24 bill for less than 16,000 gallons.

25 COMMISSIONER ARGENZIANO: If I can ask staff,

1 yesterday in the meeting when we heard the issues many times  
2 about the fluctuations and the sudden increase, we had  
3 suggested that maybe we can test the meter. I would like to do  
4 that maybe in this community, also. And any time, any time  
5 that something like that occurs, if you were to call the PSC,  
6 we can take a check on that, because you do have a right to  
7 have that looked at, and you may be owed money back if there  
8 was something wrong. And just to follow up again, after he  
9 came out and turned on the spigot, nothing else was done?

10 MR. SHIGLEY: No. And I didn't change any of my  
11 water habits, because my sprinkler system is automatic.

12 MR. WILLIS: Commissioner Argenziano, I'd like you to  
13 know we have been doing that for all these service hearings.  
14 Where staff hears something like this, we are having that done  
15 on our on to get these meters tested. And we will have this  
16 tested, also.

17 COMMISSIONER ARGENZIANO: What I would just like to  
18 know is that when you have -- I would like to see the  
19 differences from the meters that we check and what the company  
20 has.

21 MR. WILLIS: Absolutely. We can check that. Could I  
22 ask just one question, too?

23 Have you gotten your May bill yet, the one after your  
24 rates --

25 MR. SHIGLEY: Did I just give you the May bill?

1 MR. WILLIS: I'm sorry. Thank you so much.

2 MR. REILLY: And the usage for this next period of  
3 time was how much?

4 MR. BECK: Did it go down again?

5 MR. SHIGLEY: Back to 16,000. I mean, that's not  
6 down a lot. Well, it's a lot from 46,000.

7 Let me bring up one more point on the water quality  
8 test. This was given to us and sent to us by Aqua systems.  
9 After I read a few things in here I will get to the question,  
10 and I'll bring it up now, where does our water come from in our  
11 community? I don't know where the water is coming from. And  
12 when I show you the results in here, I think you would wonder  
13 where does our water come from.

14 Lead and copper. It showed the amount of lead and  
15 cooper in our water. And I did some checking on the Internet  
16 for residential water systems for lead content, and it was .7.  
17 Now, I don't know .7 what, but in this it says 2.3. It must be  
18 within acceptable limits for their systems, but I don't know  
19 why it's so high. And the likely source of contamination, this  
20 is what I'm surprised at. Copper and lead, it says corrosion  
21 of household plumbing.

22 Now, why is lead and copper a source in my drinking  
23 water, unless they are taking our sewer water, everything that  
24 comes out of the sewer and putting it in a pond, and that's  
25 what we are drinking out of after it has been treated. I just

1 don't know that. But would you like to see lead and copper and  
2 this 2.3, three times what I find on the Internet?

3 MR. WILLIS: Let me try to explain how that is  
4 happening. You don't really have lead and copper in your water  
5 coming from the source. There are normal things such as  
6 hydrogen sulfide in Florida's water. It's the rotten egg taste  
7 that everyone has around Central Florida, what I grew up with  
8 in South Florida, it's sulfur water. That can mix with copper  
9 pipe. It is kind of corrosive to copper pipe.

10 There has been a problem sometimes with black water,  
11 with hydrogen sulfide. There is corrosion in the pipes with  
12 hydrogen sulfide. Normal chlorinating of hydrogen sulfide, if  
13 it's done low enough, will actually transform it to a sulfate,  
14 which is harmless, but because it is a gas, when chlorine  
15 actually dissipates, it will reverse back.

16 If it sits in your pipes awhile, it will possibly  
17 corrode some of the copper pipe. Some of the joints that may  
18 have some of the lead soldering, if you have an older house,  
19 back in the '40s, '50s, '30s sometimes, they have some of this  
20 lead soldering, it's possible. And that's why the  
21 Environmental Protection Agency and DEP requires this testing  
22 to look for the lead and copper.

23 MR. SHIGLEY: And why is that in my drinking water?  
24 Does all of our sewerage from our houses go back into the pond  
25 where we get our water from?

1 MR. WILLIS: No, no. What I'm talking about is it  
2 actually -- if there is any corrosion whatsoever, it would be  
3 in your piping. And it might be if you had the lead solder it  
4 might appear in your drinking water. But, see, these tests  
5 that DEP require for lead and copper are done in actually the  
6 customer's tap. It is not done from the system itself, it has  
7 to be done from your tap. Not necessarily your tap, but a  
8 customer's tap, that's where those tests are actually done. I  
9 don't know if that helps or not.

10 MR. SHIGLEY: It bothers me. I don't know why they  
11 don't take a test at the source of the water that this  
12 community receives.

13 MR. WILLIS: They do that.

14 MR. SHIGLEY: That's what I would have liked to have  
15 seen, if it had copper and lead. And another interesting thing  
16 in here, it talks about chlorine. It talks of, you know, level  
17 1.1, whatever that is. But it was interesting when the company  
18 came out and tested my water, he said it's unusual, he said  
19 you're the first place I have seen that has a water system that  
20 doesn't show any chlorine in the water. He didn't detect any  
21 chlorine in our water. And that, you know, takes care of the  
22 microbes and so forth that are in the water. They are used to  
23 control the microbes. I don't know why -- and he had quite a  
24 sophisticated system. He wanted to sell me a real high value  
25 water filtration system, and we decided we would just go get

1 our bottled water, and drink water bottled.

2 COMMISSIONER ARGENZIANO: Have you ever had the water  
3 tested at the Department of Health, who doesn't want to sell  
4 you anything?

5 MR. SHIGLEY: I haven't.

6 COMMISSIONER ARGENZIANO: You may want to try to do  
7 that, just to make sure.

8 MR. SHIGLEY: Yes.

9 COMMISSIONER McMURRIAN: Mr. Shigley, probably this  
10 is obvious, that our agency is not environmental experts, but  
11 we do take into consideration the water quality, and your  
12 concerns about that, we want to hear those as well, so I'm  
13 definitely not trying to dissuade you from saying that, but I  
14 think you will see some, you know, uneasiness about answering  
15 questions about sort of the chemistry of your water.

16 We can't speak with a lot of authority on that, but  
17 we can try to help you. I understand that sometimes the  
18 notices probably don't give a lot of additional information and  
19 sometimes cause more worry than perhaps is necessary, and we  
20 have been hearing some of those same concerns.

21 But, anyway, I appreciate you bringing it in. If you  
22 would like to leave that with us, as well, you definitely can  
23 do that. Anything that you would like to leave with us for us  
24 to look over, we will definitely add to these exhibits.

25 MR. REILLY: Let me add that, and that would be

1 Exhibit 81, composite.

2 MR. SHIGLEY: I've talked about the quality of the  
3 water, the odor, the noise in our area, the upgrades of  
4 317,000. I know all we have seen is they trimmed the weeds  
5 around the place. And it has a fence that you can't see  
6 through, they put up something like a green chainlink fence.  
7 So, you know, 317,000, I don't know. But at the rate I'm  
8 going, and I think most other people, if we continue to use the  
9 same amount we are going to pay for this thing in less than a  
10 year at 420 customers, and it will be paid for in a year. And  
11 I think you need to consider these rates versus the City of  
12 Leesburg for our area.

13 COMMISSIONER McMURRIAN: Thank you, Mr. Shigley.  
14 Are there any other questions for Mr. Shigley?  
15 Thank you.

16 MR. SHIGLEY: Thank you.

17 COMMISSIONER McMURRIAN: And we will mark that as  
18 Composite Exhibit 81. (Audience applause.)

19 (Exhibit 81 marked for identification.)

20 COMMISSIONER McMURRIAN: Let me just ask everyone,  
21 how are we doing as far as needing a break?

22 COMMISSIONER ARGENZIANO: A short recess would be  
23 good.

24 COMMISSIONER McMURRIAN: We will take a five or ten  
25 minute break to allow everyone time for a quick stretch, and

1 then we will get back to the list.

2 Mr. Reilly, how many customers do we have left signed  
3 up?

4 MR. REILLY: Four signed in.

5 COMMISSIONER McMURRIAN: I will go ahead and say ten  
6 minutes, just to give everybody time for a little stretch, and  
7 then we will get right back to the customer testimony.

8 Thank you.

9 (Recess.)

10 COMMISSIONER McMURRIAN: Call the service hearing  
11 back to order.

12 Mr. Reilly, will you call the next witness.

13 MR. REILLY: The next witness is Gary James.

14 GARY JAMES

15 appeared as a witness and, swearing to tell the truth,  
16 testified as follows:

17 DIRECT STATEMENT

18 MR. JAMES: Good morning, ladies and gentlemen. My  
19 first name is Gary and my last name is James. I'm in  
20 Tangerine, which is just about five miles south of here. I'm  
21 at 5534 Oak Street.

22 I've got three issues here. One is the rate hike,  
23 the second one is the water quality, and I've got a minor issue  
24 with your customer service. The rate hike has pretty much been  
25 taken care of by folks that have been behind me, spoke before

1 me, but a couple of things that I would like to mention.

2 Pardon me, I need some water.

3 I want our water company to make money, but I don't  
4 want them to rip us off. I don't want to have to pay for  
5 somebody's Mercedes. I want them to not be an oil company that  
6 charges us what the customer will bear or what the price will  
7 bear. I want them to make a reasonable return on their  
8 investment.

9 Now, I've heard from the folks here on my right about  
10 some of the ins and outs of water company purchases. I don't  
11 understand that. I am the guy that turns on the tap and I want  
12 to fill the glass with water and I don't want to get involved  
13 in the politics of it. I'm 58 years old. I came to Florida in  
14 April. I came from California. I can't say that too loudly,  
15 you would run me out of town. I've never been to one of these  
16 meetings for any reason in my entire life. So here I am today.  
17 I've got a couple of issues.

18 I got a rate hike five miles down the road of about  
19 148 percent. That is absolutely ridiculous. I bought a house  
20 in Tangerine. I closed escrow on April 10th of this year. On  
21 April the 11th, I'm standing in the shower, my eyes burned, and  
22 it smells like rotten eggs. What have I bought? My wife jumps  
23 in there. Call them SOBs, and find out what's going on. I  
24 find out that what they do, or what our problem is is that this  
25 is not really an Aqua problem. When the water comes out of the

1 ground and it smells like rotten eggs, that is not Aqua's  
2 fault. I understand that. But when they process it, deliver  
3 it to me, somewhere along the line I was of the opinion that  
4 they had to make it drinkable. I think the word is potable.

5           So where between the time they pump it out of the  
6 ground and the time it comes out of my tap, what happens? Now,  
7 I don't know whether we have a delapidated system before they  
8 bought it, I don't know how long ago that is. I'm a new  
9 resident of Florida. I'm a new resident in Orange County. I'm  
10 a new resident in Tangerine. I don't have any history. But in  
11 the time that I have spent on the telephone with the folks at  
12 Aqua Water the customer service group, they don't seem to know  
13 either.

14           So, my bill is going to go to \$73.62 a month. My  
15 first water bill, my first full water bill with them was  
16 18,600 gallons. That is 641 gallons day. I left California in  
17 July. I got in a travel trailer, traveled the United States.  
18 Went to Alaska, traveled through Canada, finally ended up in  
19 Florida early this year. I have been on four different water  
20 systems per week for ten months. I have had everybody's water.  
21 Not all of them were good. Not all of them were bad. But I  
22 have had a real taste of United States water. This stuff that  
23 we deliver -- sorry, this stuff that Aqua delivers is like  
24 crap. It smells bad. And what they do is they add enough  
25 chlorine to the hydrogen sulfates so that it takes the smell

1 away. Guess what chlorine does? It strips my tan off.  
2 Besides that, it makes me real slimy, too.

3 So if I had known on April 9th what I had known on  
4 April 11th, I would have made a different decision in the  
5 purchase of this house probably. So what we do is we drink  
6 bottled water. I've got two ferocious man-eating cats. They  
7 won't drink the water. I have to buy bottled water for my  
8 animals.

9 Now, this interim rate hike in the area of about  
10 30 percent, 25 or 30 percent, is probably where their rate hike  
11 ought to be, but I think that's unjustified, as well. I'm not  
12 interested in buying somebody's Mercedes. I just don't give a  
13 rat. And in the meantime, if there is going to be a rate hike,  
14 I think the first thing they ought to do is fix the water, fix  
15 the delivery. For the folks that are sitting behind me here  
16 that are in the same area, and they have been there for 20 or  
17 25 years, and they talk about the company that was there before  
18 me, I just don't have the history of that place, so I can't  
19 tell you whether it was good, bad, delapidated, bottle quality  
20 water, I just can't tell you. But I can tell you that ours  
21 tastes like -- bad. I don't want to use the word crap again.

22 If there is a justification for this company to have  
23 this kind of a rate increase, whether it be uniform or not, I'm  
24 guy that's out of that uniform area. I'm in Tangerine. That's  
25 Orange County. I think I'm the only one. Is that correct?

1           MR. REILLY: There is only one system, in this case,  
2 in Orange County, is Tangerine.

3           MR. JAMES: I'm the guy. So we're going to go from  
4 \$8.71 to \$22.62. They talk about this change, or the amount of  
5 water that they are going to deliver, or the ones that we  
6 consume, and they talk about 5,000 gallons, 10,000 gallons, but  
7 nothing much higher than that. My first full month I burned up  
8 18,600 gallons between my wife and I, and two man-eating cats.  
9 At 641 gallons a day, where did that water come from? I don't  
10 know. So I sat down, and remember, I'm the guy that was  
11 existing on 43 gallons in a travel trailer for ten months. How  
12 could I possibly use that much water? So I went out and took  
13 two gallons, two one gallon pails. Turned the faucet on,  
14 filled the first one, timed it. Turn the first one on, filled  
15 the next one, poured the first one out. We get about  
16 eight gallons a minute.

17           The prior owners of this place were telling us what  
18 we were able to do in terms of how many days a week and how  
19 much water we could consume. Two days a week. You were  
20 allowed 30 minutes per zone if you're on a watering system.  
21 Like a Rainbird watering system that turns on and off the  
22 valves itself. And a lot of it pretty makes sense. We can  
23 probably get by on two days a week, and we certainly don't want  
24 to water between 10:00 o'clock in the morning and 4:00 o'clock  
25 in the afternoon when it is the hottest time and the

1 evaporation levels are up. That's fine, and I'm all with that.  
2 That is why I water at 4:00 o'clock in the morning. But I  
3 can't afford to water at 4:00 o'clock in the morning or any  
4 other time during that 24-hour period.

5 I don't think that this rate hike should be where it  
6 is. Inflationary I'll go along with. Thirty percent max.  
7 Twenty-five percent or something less than that, and show us  
8 where you're going to make a change in the system. I don't want  
9 my water to taste like crap. I don't want my eyes to burn when  
10 I get out of the shower. That's fine.

11 Our water quality appears to be within some sort of  
12 standard in the state of Florida. I've got a piece of paper  
13 here from Aqua that tells me that. It doesn't really tell me  
14 that, it just tells me what it is. It doesn't even hardly tell  
15 me what the acceptable limits are. So, I turn the water on,  
16 take a glassful of water, dump it out, and go to the  
17 refrigerator and get bottled water.

18 I made this issue here a few minutes ago about the  
19 chlorine that they add. I'm not a water wizard, so I don't  
20 know how much chlorine that it takes to get the hydrogen --  
21 hydrogen sulfate, is that it?

22 MR. WILLIS: Hydrogen sulfide.

23 MR. JAMES: Sulfide, thank you, out of the water, but  
24 I know that they add enough chlorine where what you get is the  
25 smell of chlorine, you don't get the smell of rotten eggs. If

1 that's an acceptable alternate, that is not acceptable to me.  
2 So the water system has got to be fixed.

3           If somebody wants to come along and charge me more,  
4 you deliver something better. We're not going to support Aqua  
5 and make them the Exxon of the water world. And I think that  
6 pretty much says it all for the quality side of it.

7           Now, the customer service side of it is actually  
8 pretty good. If you call Aqua and you want to either put in  
9 your 27-digit account number, it's a shame they can't make them  
10 account numbers just a little built longer so that you can --  
11 and, of course, the voice recognition system doesn't get it the  
12 first time so you have to repeat it again. It doesn't get it  
13 the second -- it is probably by accident, I'm sure. So you  
14 have to put the numbers in. I put the wrong -- I'm sorry, that  
15 is not a valid number. You know I don't really give a rat. I  
16 don't want to give them the account number anyway. I just want  
17 somebody to talk to, but you can't get past it. You either put  
18 in a valid account number or hang up. I don't like that. I  
19 don't want to press one to talk to somebody. I want to talk to  
20 somebody. I want to press zero and talk to a customer service  
21 person. I don't give a rat about pressing one for this and two  
22 for that.

23           Okay. I've had the smell of rotten eggs, I mean,  
24 really bad, or really high chlorine content, or a low pressure  
25 problem six times. Two for each. Two rotten egg problems, two

1 low pressure problems, two chlorine problems. And as late as  
2 June the 14th, just a few days back, I get up in the morning my  
3 usual time. Make a pot of coffee, sit down, watch the  
4 television set and Channel 2 comes on, WESH, I believe that is,  
5 and they tell me, hey, if you're a Florida resident boil the  
6 water. I have just taken a big gulp out of my coffee that I  
7 made with tap water.

8 Now, my coffee pot doesn't get to 212 degrees for two  
9 minutes. It's more like 180 or so for not very many minutes.  
10 So I didn't boil the tap water. I get on the phone, press  
11 those numbers in. Oh, I pressed the wrong number. I can't get  
12 past them. I finally get a number in that is apparently  
13 acceptable. I finally get a person on the end of the phone.  
14 What is wrong with the water in Tangerine, Florida, in the  
15 County of Orange. No problem, sir. There shouldn't be a  
16 problem with your water at all. The local television station  
17 is telling me to boil the water. I'm sorry, sir, I've got no  
18 information that says that one way or another. Your water is  
19 fine. No, my water is not fine. It tastes like crap, but this  
20 morning I'm supposed to boil it. Sorry, sir, you don't have  
21 any problem. Drink your water.

22 The customer service group, in general, I mean, they  
23 answer a question. When I talked to them about my  
24 18,600 gallons of usage -- I'm a new resident of Florida, new  
25 resident of Tangerine, new resident of Orange -- I said tell

1 me, the folks that had this house before me, tell me how many  
2 gallons they used in the same month. I'm sorry, that's  
3 privileged and confidential information. We can't give you  
4 that.

5 I said this is ridiculous. I pretty much had to  
6 threaten her with a, you know, let me have your supervisor, or  
7 I tell you what, just cut the water off. You know I will go  
8 put a well in the ground. Anyway, she finally gave me the  
9 information, and I'm using about the same kind of water now as  
10 the folks before me. For an example, last month when I used  
11 18,600, they used 18,000. Close enough. Month before that,  
12 about the same.

13 So my issues with Aqua, the rate hike is too high,  
14 the water quality is terrible, and their customer service could  
15 probably be improved. For example, when I went to their  
16 website in order to get the 2007 water quality report, that was  
17 right after I got this last 18,000-gallon bill, the only one,  
18 the latest one that was there was 2005. And it was explained  
19 to me that the next one is not going to be available until the  
20 end of 2007. Okay, that's fine. You are going to test the  
21 water in mid-2007? I understand it is not going to be  
22 available until sometime after that. What happened to 2006? I  
23 just got it, but it doesn't tell me anything. This gentleman  
24 that was before me that was talking about the lead, what was  
25 yours, .7?

1 MR. SHIGLEY: 2.24.

2 MR. JAMES: 2.24. I'm lucky. I'm at .7. Is that  
3 good? Well, you already said you're not from the EPA. I don't  
4 know whether it's good, either. I don't taste that. I have  
5 got too much rotten egg smell and I got too much chlorine. I  
6 wonder would lead taste any better or not, I don't know. That  
7 is pretty much my presentation. Thanks for listening. Do you  
8 have any questions?

9 COMMISSIONER McMURRIAN: I do. Was it James?

10 MR. JAMES: James, J-A-M-E-S.

11 COMMISSIONER McMURRIAN: I had one question. When  
12 you were talking about -- you said something about they used  
13 the same amount, about 18,000. Are you talking about the  
14 people who lived in the house before you?

15 MR. JAMES: Yes.

16 COMMISSIONER McMURRIAN: Okay. And that's just shown  
17 your bills somehow -- that a year ago that was the amount of  
18 usage in that home?

19 MR. JAMES: No, no. That was the time that I'm on  
20 phone with the customer service group after I have fouled up  
21 the account number entry and my frustration level was pretty  
22 high. And then when the young lady said, I'm sorry, I can't  
23 share that with you, it's confidential information. Come one,  
24 we are talking about water. Not their Social Security. I  
25 wasn't even here to steal last year's water, okay. But that it

1 was comparable.

2 COMMISSIONER McMURRIAN: So she shared what they used  
3 last year?

4 MR. JAMES: Finally, yes. Anybody else?

5 COMMISSIONER McMURRIAN: Were there other questions?

6 COMMISSIONER ARGENZIANO: For staff or the utility, I  
7 have just a question. I have hydrogen sulfide in my water, and  
8 I use a simple -- it costs me \$600, but I have had it a number  
9 of years, it's an aerator, and it just -- all you have to do is  
10 aerate the water and the smell goes away. Why use the  
11 chlorine? Can that be done in a smaller facility, just  
12 aeration of the water?

13 MR. WILLIS: Yes, Commissioner, aeration can be done.  
14 There are many methods to remove hydrogen sulfide. The most  
15 common is aeration. It does not remove a large quantity of  
16 hydrogen sulfide. It is still there unless you aerate the  
17 water for a very extended period of time. The most common  
18 practice with the Environmental Protection Agency is the use of  
19 chlorine, because chlorine does have a chemical reaction with  
20 hydrogen sulfide --

21 COMMISSIONER ARGENZIANO: I'm aware of that.

22 MR. WILLIS: -- it turns it into hydrogen sulfate.

23 COMMISSIONER ARGENZIANO: Are you saying that in  
24 large quantities of water, and I guess the amount of hydrogen  
25 sulfide?

1 MR. WILLIS: Yes. Depending on the quantity of  
2 hydrogen sulfide in the water, it's harder to get it out  
3 through aeration. There are other methods that are more  
4 costly. There's packed tower aeration.

5 COMMISSIONER ARGENZIANO: But is aeration the  
6 cheapest and isn't it probably the healthiest?

7 MR. WILLIS: Well, it is the cheapest, but whether it  
8 will remove the amount of hydrogen sulfide that the customer  
9 desires is another question.

10 COMMISSIONER ARGENZIANO: Because obviously the  
11 chlorine is not working.

12 MR. JAMES: I can almost address what you are talking  
13 about here. My wife has started a compost pile, so she had to  
14 go down and buy \$10 worth of really great worms in order to  
15 throw in this compost pile. So the first couple of gallons of  
16 water that we dumped in there out of the tap killed the worms.  
17 Tell me how happy my wife was with that. So we went down and  
18 bought another \$10 worth of worms, and we take the water out of  
19 the tap and we let it sit outside for 24 hours. That allows  
20 enough of the chlorine to evaporate, would that be the word?

21 MR. WILLIS: Yes.

22 MR. JAMES: Okay. Let's enough of the chlorine  
23 evaporate to where it is suitable and it doesn't kill all the  
24 worms. I can't vouch for the sulfate.

25 COMMISSIONER ARGENZIANO: Well, my question being if

1 it is more prudent and cost-effective, I think that's one of  
2 the things we look at, to aeration. But I hear your point  
3 saying it gets very heavy, but obviously there may be certain  
4 areas that chlorine doesn't do the trick, either.

5 MR. WILLIS: The Department of Environmental  
6 Protection has a rule on hydrogen sulfide, but it is only for  
7 brand new wells that are being placed in the ground now, and  
8 they actually define what the treatment method is going to be  
9 based on the quantity of the hydrogen sulfide per milliliter or  
10 however they measure that, and it starts out if you have very  
11 little hydrogen sulfide you may only need aeration. But if you  
12 have more in your water then you are going to need packed tower  
13 aeration, and/or some other form to get it out. There are  
14 standards now, but it is only for new wells. It doesn't go  
15 back and require utilities to retrofit.

16 COMMISSIONER ARGENZIANO: Okay. But all the rules  
17 are promulgated by statute. They have to have statutory  
18 authority, so they could be lobbying at the Legislature if we  
19 wanted to. But really, I guess, what I'm getting to is there a  
20 way of finding out what the utility's levels are and where they  
21 fit into even the new rule to see how much hydrogen sulfide  
22 there is?

23 MR. WILLIS: Absolutely, we could find that out.

24 COMMISSIONER ARGENZIANO: Okay. Thank you.

25 MR. JAMES: Is that something that shows up on a

1 water quality test?

2 MR. WILLIS: That would not because it is a secondary  
3 standard.

4 MR. JAMES: Why is it a secondary standard? It's a  
5 huge known problem in the state of Florida. The aquifer is  
6 full of it.

7 MR. WILLIS: Well, I can tell it's not -- we are not  
8 the environmental agency, like Commissioner McMurrrian said, so  
9 I can't tell why it is a secondary standard. They just tell  
10 you it is not, because it is really not considered a health  
11 hazard. That would be the only reason I would know. I would  
12 encourage, though, when you get done if you would see  
13 Mr. Walden in the back, there he is right there, he might have  
14 the information for your system as to how much hydrogen sulfide  
15 is there.

16 MR. JAMES: Okay. Anybody else?

17 COMMISSIONER McMURRIAN: Thank you, Mr. James.

18 (Audience applause.)

19 COMMISSIONER McMURRIAN: The next witness is Shannon  
20 Kent.

21 SHANNON KENT

22 appeared as a witness and, swearing to tell the truth,  
23 testified as follows:

24 DIRECT STATEMENT

25 MS. KENT: Hello. I didn't really plan on speaking

1 today, but my neighbor convinced me I should. I do agree with  
2 the one gentleman that says as far as everyone is on a fixed  
3 budget. Whether you are older or younger, you are on a fixed  
4 budget. Obviously you see with my children because I don't  
5 have anyone to watch them, but I have problems with money just  
6 like everyone else.

7 COMMISSIONER ARGENZIANO: I was just going to say  
8 they were very well behaved.

9 MS. KENT: Thank you. I try.

10 But anyways, I brought them, and I just wanted to  
11 touch on a couple of bases. I've tried to keep notes during  
12 the whole time to try and keep up with what you all were  
13 talking about. I do have a college education, but I am not  
14 familiar with a lot of the words that went on. I could just  
15 associate basically the water does this because of this. So  
16 I'm okay with, you know, that.

17 And like the one gentleman said, I don't mind, I  
18 expect people to make a profit. I don't expect people to be in  
19 business and not make any money, but I don't want no one to  
20 retire off of me at the same time. But I have been at King's  
21 Cove -- my full name is Shannon Kent. I live at 35140 Queen's  
22 Way in Fruitland Park, and I'm on the King's Cove water system,  
23 which I know is a community well.

24 Now, I have been there since 1990. My husband and I  
25 built a home there. When we first moved into our home, our

1 first water bill was \$11.93. Now, with my children, and as  
2 everyone said, well, you have four people living in your home.  
3 Okay, they're small children. I don't drink the water because  
4 it tastes nasty. My family won't drink the water because it  
5 tastes nasty. In fact, my mother brings her own water with her  
6 if she is going to stay for Christmas, Thanksgiving, and so  
7 forth. So we all drink bottled water.

8           Now, as far as showers, I have limited my son to a  
9 timer. I had to purchase an egg timer. Three minutes; you're  
10 in there, you're out. Okay. My daughter, we cut down baths to  
11 one-fourth of the tub to try to conserve water. I've basically  
12 stopped running the front sprinklers on the front yard, since  
13 it is Bahia, it will come back with the first rain. But the  
14 back is where everyone plays, so I would like to keep that up  
15 with our two days a week.

16           Now my bill is \$125 a month. So I don't drink the  
17 water, I don't water the front, I only do the back for ten  
18 minute zones. I don't understand. And now if we do an  
19 increase, like Wayne said of 2.6 percent, I can't afford a  
20 \$360 water bill. My electric bill as it is is already 220, but  
21 that's another whole story. And I can't afford to move  
22 because, you know, most of the time people would say, well, if  
23 you don't like it, move. Well, I would love to, but the  
24 property tax, that would be another whole set up on its own.  
25 And I like where I live. I love my subdivision. I love my

1 county. I just love it. But at the same time I've got to feed  
2 the family the same.

3 But, anyways, as far as someone was saying something  
4 about the plumbing, I just had my house replumbed two years  
5 ago. And the plumber that came out to us, I got his name from  
6 a friend in the subdivision that had their house replumbed, and  
7 he said it is a common, I guess, occurrence out at King's Cove,  
8 that the whole houses get replumbed because I kept getting  
9 leaks and making claims on on my insurance because the leaks  
10 are coming from the ground. So I had to have the whole house  
11 replumbed, and he said because of the corrosion because of the  
12 chlorine in the water he said was causing the pipes to  
13 deteriorate faster. So that's why if you were to take a census  
14 of King's Cove, I know of five people off the top of my head  
15 that have been replumbed within the last three to four years  
16 because of so many leaks constantly year after year after year.  
17 Okay. So I paid to have that done, see if that would help with  
18 some of it.

19 Now, as far as anything else, as far as the bills and  
20 the amount, I think everyone else touched on the cost of bills,  
21 the cost of living and all of that. I just wanted to touch on  
22 also with the smell, and I don't know where this was coming  
23 from. At first I thought it was my piping system because it's  
24 only in the one bathroom and the one sink at the same time  
25 every day. The same time, at 8:10, you can set your clock to

1 it, a rotten smell comes from the sink. So then at about  
2 9:00 o'clock the smell is gone. So then I'm thinking, all  
3 right. I thought maybe it was a leak. I had the plumber back  
4 out, and the pipes, put the Drano in it, blah, blah, blah.  
5 Then finally he told me it has got to be coming from your sewer  
6 system, he said. So, I'm like, all right. So now I just deal  
7 with it. That's just life. I figure, okay. All right. I'm  
8 not going to -- nothing you can do. Okay.

9           And then as far as your rotten egg smell, I don't  
10 have the rotten egg smell. I do get the chlorine smell. And  
11 if it is not the chlorine smell, when I go to boil my potatoes,  
12 I can smell the chlorine just in the air. So, I know it has  
13 got to be boiling out because it leaves a ring. You know the  
14 chlorine smell. It smells like you have been in the pool all  
15 day. So, okay. So I'm like, well, that is just King's Cove.  
16 So, I'm like, okay. Well, no problem. There is nothing I can  
17 do for that, either.

18           Then, the humming. Wayne is right, that thing hums  
19 all the time when you open the windows. You shut them at  
20 night, and I try just to ignore it. Like you see, I have  
21 children, so I just find a sound and tune it out. I thought,  
22 well, that must be the cost of business. But I do know one  
23 thing, when I first moved in the area that they cleaned out  
24 used to harbor eagles and hawks and all of that wildlife, and I  
25 loved it. Peacocks would walk through the neighborhood, and

1 now its just like a bomb went off and that's why the fence was  
2 put up with the green slats so you don't see it anymore. And  
3 I'm like, well, that's just the way it goes. You just lose it.  
4 So, I was like, all right. Well, I have lost that now, too.  
5 Okay.

6           And then as far as -- I know the one maintenance that  
7 I remember as clean as day is when I thought happened around  
8 9/11, I believe it was, a bomb went off. I thought maybe the  
9 shuttle had landed. But, no, the front tank exploded. It blew  
10 out the windows in the front neighbor's house and stuff. So  
11 they said that was not their fault because it was a pressure  
12 underground or something, but the whole tank just exploded.  
13 So, I'm like, all righty. Well, thank goodness we didn't live  
14 at that house, because it blew out their windows. But they  
15 said that wasn't their fault, and I can believe that. Things  
16 happen. I'm not going to sit there and look at them and go,  
17 you know, you did this. But at the same time, then two days  
18 later we get a letter in the mail, oh, since the tank blew up,  
19 you know, we're going to have to raise the rates because we are  
20 getting a lot of water main breaks because of the water, you  
21 know, the pipes aren't very good. All right.

22           And as far as growth, the subdivision is tapped.  
23 There's no more houses going to go in there. And we have one  
24 well for one subdivision and there is no more houses going in.  
25 Where is the growth? Maybe I'm missing something.

1           As far as just your customer service, now this might  
2 not seem like a lot to you all, but to me if I'm going to pay  
3 \$123, which I think is a lot of money to me a month, one of the  
4 comments was for -- to keep up the appearance of the water  
5 system itself. Well, okay. Well, the front entrance and the  
6 side entrance from the time I moved in there to the time I go  
7 now looks like a totally different subdivision. It is unkempt.

8           I have called so many times, and I've got the times  
9 and the dates that I have -- I called like three times in 2005,  
10 three times in 2006, four times this year alone. And this is  
11 what I'm told every time. Well, we will work -- well, first  
12 they didn't think they owned that property. Customer service  
13 told me we don't own that property. I said how can you not own  
14 the property. The water system sits on the property. Do you  
15 not own the water system? Well, yes, but we own only the water  
16 system, not the property it sits on. Okay. Well, then who  
17 owns the property it sits on? I don't know. So you're telling  
18 me you don't know who owns the property that your plant sits  
19 on? No. Okay. She goes maybe you own it. I said maybe I own  
20 it? She goes, maybe you have a homeowners that owns it. I  
21 said there is no homeowners. She goes, well, I don't -- a dead  
22 silence. I'm like, okay, well, can I talk with someone that  
23 might know who owns the property? And it just went on and on.  
24 And finally she said, oh, wait a minute. Yes, we do own that.  
25 Are you talking about the property by the road where the tank

1 is? Yes, the property you own. And she is like, oh, okay.  
2 Yes, we do own that. I will put a note in. Well, nothing was  
3 done obviously. That was 2005. I waited and waited. Nothing.  
4 I called back and she said, I'm sorry, we didn't take care of  
5 maintenance. Okay. You mow it. We don't mow it. Yeah, you  
6 do mow it, because I stopped the lawnmower man. You mow it.  
7 That's where he gets his check. She is like, oh. Oh, yeah, we  
8 probably do mow it, but I don't think we do anything other than  
9 that. Okay, nevermind then. That's how that whole scenario  
10 played out.

11 I just got to the point where, you know what, I am  
12 wasting my time, because I finally stopped the little water  
13 treatment man at the house on the way out of the subdivision.  
14 I said, listen, who do I contact? Okay. If I'm going to pay  
15 all of this money at least make it look nice. Make me feel  
16 warm and fuzzy that it looks good. And he is like, well, I  
17 wouldn't even bother calling them because they are not going to  
18 pay a bill that comes across their desk. So it's going to be  
19 up to you. Okay, fine. So I called them and I said, listen, I  
20 will do a community event thing. I will go door to door and  
21 tell everybody, we will come up to your property and we will do  
22 it ourselves. Can I have permission to be on the property to  
23 do this? No, we'll do it. Well, no, they ain't going to do  
24 it, either. It still is not done. So I'm like, you know what,  
25 nevermind. This will go on and on. My son now, I laugh at him

1 because he tells me, just don't look, mommy. Don't look.

2 Because it just bothers me so bad. But, I'm like, okay, okay.

3           Then I was just talking to my girlfriend the other  
4 day who lives in back of the subdivision, and she was telling  
5 me that this was all her fault. She didn't pay her water bill  
6 and her water got cut. And she said, I know it's my fault,  
7 Shannon, I know. And so she called about noon. The water if  
8 off. Okay. So she called them. She said I need my water back  
9 on. I have children. Oh, okay. She paid the bill over the  
10 phone, got it credited right way. She said when can I get my  
11 water back on? They said tomorrow. And she said, well, why  
12 tomorrow, I paid you just now? She said, well, we have a  
13 24-hour turnaround rule, so that way next time you will  
14 remember to pay your bill. So, I'm like, so you -- so they  
15 were trying to teach you a lesson, make sure you pay your bill  
16 on time or you go a day without water? So, she went to her  
17 neighbors to take a shower and her kids just took a bath --  
18 they just went swimming that night. Okay. I'm like, well, I'm  
19 not surprised.

20           And like I said, as far as anything else goes, it's  
21 mainly everyone else before me most likely they have touched on  
22 everything as far as the cost for the water. I don't want to  
23 seem like I'm bashing Aqua Source, because I have to admit when  
24 the hurricanes did come through three or four years ago, they  
25 did put generators on the pump to keep it running. So at least

1 we had water. No electricity, but at least water. And that,  
2 I'm telling you right know I will never forget, because I was  
3 going to say I was amazed, but it's not like I don't appreciate  
4 it. So, in a way my husband is like, well, you paid for that.  
5 Well, no, I know I don't, because sometimes I think it comes  
6 down to just who is going to do it and who is not. So at the  
7 same time I can't say that they haven't done at least that, and  
8 that was a big help. And I think that's about enough of me  
9 complaining.

10 COMMISSIONER McMURRIAN: Thank you, Ms. Kent.

11 Are there questions for Ms. Kent?

12 Mr. Willis.

13 MR. WILLIS: I have a few. When did the tank  
14 explode?

15 MS. KENT: I was pregnant with my daughter, laying in  
16 the bed, and my husband thought we were under attack. It would  
17 have been -- Latitia (phonetic) was born in 2002 in July, so I  
18 would think it would be around June or July of 2002.

19 MR. WILLIS: Thank you. That's all the questions I  
20 have.

21 COMMISSIONER McMURRIAN: Maybe I should add, if you  
22 talk to your neighbor that paid the bill and didn't get her  
23 water turned back on until the next day, if she would like to  
24 send any comments or anything to us, that's perfectly okay. If  
25 you would like to take one of these green sheets to her.

1 MS. KENT: She will be here tonight. She's working.  
2 So she is coming to tonight's meeting, I guess, at 6:00 o'clock  
3 if she can get her sitter. But I definitely will give her  
4 that, if there's a reason she won't make it, and I will tell  
5 her that I had told you about the situation, so she will be  
6 aware. I think she is planning on speaking anyway.

7 COMMISSIONER McMURRIAN: Okay. Thank you. The next  
8 witness.

9 MR. REILLY: All right. The next witness is Sandra  
10 Torman.

11 SANDRA TORMAN

12 appeared as a witness and, swearing to tell the truth,  
13 testified as follows:

14 DIRECT STATEMENT

15 MS. TORMAN: Good afternoon. I'm Sandra Torman. I  
16 live at 28032 Lois Drive, Tavares, Florida. And I have four  
17 issues, some of --

18 COMMISSIONER McMURRIAN: We're have a little trouble  
19 hearing you. Can bend your mike down a little bit, please?  
20 Thank you.

21 And could you spell your last name for me?

22 MS. TORMAN: T as in Tom, O-R-M-A-N.

23 COMMISSIONER McMURRIAN: Thank you, Ms. Torman.

24 MS. TORMAN: We are a retired military family, and as  
25 you know, when you are a retired military family funds are

1 tight. The increase that we have seen in our bill just this  
2 interim has been 16 percent. That is a lot for us. If the  
3 proposed goes into effect, it will be over 100 percent for us.  
4 Venetian Village (phonetic) is a small community. We have not  
5 seen a lot of improvement with Aqua out there. They did change  
6 a two-inch line to a four-inch line. When that happened, I  
7 thought that the water pressure and whatnot would increase, it  
8 has not.

9 My quality in water is terrible. It is past the word  
10 of terrible. You cannot drink it. We drink bottled water.  
11 When we take a shower, you just about have to hold your breath  
12 to take a shower because the smell is so bad. You pour it out  
13 of the tap, it is a cloudy water. It is not clear water. And  
14 it has not improved at all with the increase in the line, size  
15 and whatnot, it has not increased.

16 The service is unacceptable. We had a leak in our  
17 front yard, and at the same time they had put in a new home  
18 next door to us. We thought, as the owner next door thought,  
19 she was having a septic problem, so they called out all kinds  
20 of septic people. The last person out there went over to our  
21 property line where the leak was coming from, and said this  
22 isn't a septic problem, this is a water main problem. So I  
23 called Aqua. Aqua came out and said, oh, yes, we knew we had a  
24 water leak out here, we just didn't know where it was at. It  
25 took them eight months. They never even came out to look to

1 investigate even though they knew there was leak out there.  
2 And it was in the old two-inch line, not the new four-inch  
3 line.

4 I realize that when a company takes over another  
5 company they just don't go in blindly. They go in and they do  
6 an analysis. They do their research to see how profitable  
7 their purchase is going to be. I cannot believe that Aqua went  
8 in on blind faith and did not know the type of equipment, the  
9 type of system, and how well they were maintained before they  
10 purchased this acquisition. Knowing that, how can they justify  
11 in the little that they have done for our community, how can  
12 they justify 100 percent, 140 percent, 180 percent increases in  
13 a county that has mostly elderly people on fixed incomes?

14 I would be interested to see what the executive  
15 management salaries and incentive bonuses are with these  
16 increases. I do not think it's fair. I do not see anything  
17 that is being done to benefit our water quality, our service,  
18 or the well-being of us as individuals in this community.

19 COMMISSIONER McMURRIAN: Thank you, Ms. Torman.

20 Are there questions for Ms. Torman.

21 MR. REILLY: Very briefly. You indicated a bad  
22 smell. Was that a chlorine smell or was that a sulfur smell?

23 MS. TORMAN: It smells like sewer water.

24 MR. REILLY: Sulfur. Okay.

25 MS. TORMAN: That's exactly what mine smells like is

1 sewer water.

2 COMMISSIONER ARGENZIANO: Did you say that the leak  
3 in the front yard took eight months to have that leak repaired?

4 MS. TORMAN: Eight months.

5 COMMISSIONER ARGENZIANO: It was leaking for eight  
6 months?

7 MS. TORMAN: Yes. And we had the lady next door kept  
8 having people come out there because it was a new home and we  
9 thought -- she thought it was her septic problem, and it  
10 wasn't. Somebody from the state finally came out. My husband  
11 was out there when he showed, and he said this is not a septic  
12 problem, it is a main problem, a water main problem.

13 COMMISSIONER ARGENZIANO: And from the time that the  
14 company was aware of the leak, did it take eight months then  
15 for repairs?

16 MS. TORMAN: They knew. Yes, it was eight months.  
17 They knew that they had a leak somewhere for eight months and  
18 they never did anything.

19 COMMISSIONER ARGENZIANO: Thank you.

20 COMMISSIONER McMURRIAN: Mr. Willis, that is  
21 something that we will follow up on?

22 MR. WILLIS: Yes, Commissioner. Absolutely.

23 COMMISSIONER McMURRIAN: And also out -- also, she  
24 mentioned the executive salaries. Maybe you could just explain  
25 a little bit of -- that that is one of the things that we look

1 at in the rate case, the operating costs of the utility, which  
2 includes salary.

3 MR. WILLIS: Yes, it does. The Commission staff  
4 always looks at prudence of the salaries included. Salaries of  
5 officers as well as your operational staff, office staff. We  
6 always look at the reasonableness of the salaries, not only the  
7 hourly amount paid, the annual amounts paid to see if they are  
8 in line with what they should be. And it is not just the  
9 staff, I'm sure that the other intervenors are looking at that  
10 very thing, also.

11 MR. REILLY: I would add something. One bone of  
12 contention has been from the Office of Public Counsel and  
13 counsel for the utility is we have been looking at salaries and  
14 we are looking at them under a cloak of confidentiality. We  
15 believe that this is information that should be readily  
16 viewable by the public, and so there have been motions filed to  
17 make this salary information public information. And I think  
18 we are waiting for a ruling from the Commission on that, but we  
19 do believe that the statutes are pretty clear that the salaries  
20 of these people even being allocated down from Philadelphia  
21 should not be held confidential, but should be public  
22 information, and particularly since it is supporting this  
23 substantial rate increase.

24 COMMISSIONER McMURRIAN: And I guess just to add to  
25 that, in the meantime just to make that clear, the staff and

1 the Commission and the parties that signed agreements are privy  
2 to that information in the meantime just to make sure everyone  
3 is aware. That just means it's not available to the public.

4 MR. WILLIS: That is correct.

5 COMMISSIONER McMURRIAN: But the parties to the case  
6 do have that information. We will be looking at those numbers  
7 although they are held confidential. I just wanted to add that  
8 to what Mr. Reilly said.

9 MS. TORMAN: One other thing. I was under the  
10 impression when I looked at this that this increase is like a  
11 blanket increase no matter what area you live in, or is it  
12 geared -- different areas, like Clermont has it, Tangerine has  
13 a certain increase, you know, Venetian Village has a certain  
14 increase, because our area is small compared to Silver Lake or  
15 another area. If you have the same increase across, we are  
16 going to end up paying more than a larger area.

17 MR. WILLIS: If I could address that. The company  
18 has asked for what we call countywide rates where they would  
19 like to combine all of the systems in Lake County, for  
20 instance, into one rate. The calculation for the Commission  
21 will be done both ways. We're going to look at it both ways,  
22 because it is the only way we can calculate needed revenue for  
23 a company, a needed increase is to look at actually each system  
24 and the cost for that system, the investment for that system.  
25 We have to do it system-by-system before you can actually group

1 it together and then look at it.

2 MS. TORMAN: Right. So, if Venetian Village's system  
3 doesn't have any repairs or improvements done in 2007, but  
4 another area does, they would get the increase and we would  
5 not, is that what you are saying?

6 MR. WILLIS: If it was done -- well, there are many  
7 factors that go into that. If there was a need for and you  
8 were combined in everybody else's system for the one rate, and  
9 the Commission approved an increase, if your rates were at a  
10 level where it would need an increase to get to that combined  
11 county-wide rate, yes, you would get an increase. If the  
12 Commission doesn't decide to do that and they decide to keep  
13 individual system rates, your rate would only reflect the cost  
14 of your system. And that's something that will be decided in  
15 the case.

16 COMMISSIONER McMURRIAN: Ms. Torman, I know that  
17 sounds confusing.

18 MS. TORMAN: Yes, it is.

19 COMMISSIONER McMURRIAN: I mean, essentially the way  
20 it is done currently, your system's rates are based on the cost  
21 of providing service to your system. Like, for instance, you  
22 will see on the chart that the interim rates are different for  
23 Venetian Village and all the other systems there in Lake  
24 County. But what Mr. Willis is talking about, if you look over  
25 in the requested final column, and you see the 21.38 all the

1 way down for the county, that's a decision the Commission has  
2 to make as to whether or not to allow uniform rates across the  
3 entire county, a uniform rate across all of those systems, so  
4 the cost of all of those systems would be taken into account  
5 and sort of averaged out. And you can feel free to comment  
6 about that, because that is something that we will be taking  
7 into consideration.

8 MS. TORMAN: I don't agree with it. Because if  
9 nothing is done to the system that gives me my water, then I  
10 shouldn't have to pay for somebody else's water that's having  
11 system problems and they have to pay for it. I mean, that is  
12 their responsibility, that is not my responsibility. If you do  
13 something to my system to improve my water, I expect to pay a  
14 fair amount. But for me to have to pay for something that some  
15 other system is being done to, that is not fair. That's not  
16 fair to me and that is not fair for the quality that I'm  
17 getting. The same way if it were reversed.

18 COMMISSIONER McMURRIAN: We definitely appreciate  
19 your comments on that, because in some of these cases it would  
20 appear that some systems might benefit from uniform rates, some  
21 might be to their detriment, but that is one of the things that  
22 we are going to be taking into consideration of this case. We  
23 appreciate your comments on that.

24 MS. TORMAN: Thank you.

25 COMMISSIONER McMURRIAN: Any other questions for

1 Ms. Torman? Thank you, Ms. Torman.

2 (Audience applause.)

3 MR. REILLY: The next witness is Carolyn Dillon.

4 CAROLYN DILLON

5 appeared as a witness and, swearing to tell the truth,  
6 testified as follows:

7 DIRECT STATEMENT

8 MS. DILLON: Hello. I'm Carolyn Dillon. I'm in  
9 Venetian Village, also, and I live at 27938 Tammi, with an "i",  
10 Drive, Tavares.

11 I want to apologize for not being organized, because  
12 I really did not plan on coming up here, because speaking in  
13 public is not a good thing for me. But I decided if everybody  
14 else can do it, I can do it, too.

15 COMMISSIONER McMURRIAN: Ms. Dillon, were you sworn  
16 earlier?

17 MS. DILLON: No.

18 (Witness sworn.)

19 COMMISSIONER McMURRIAN: Sorry about that.

20 MS. DILLON: I actually wrote I swear on here,  
21 because I was going to remind you that I didn't do it and I  
22 forgot. I have been a Lake County resident all of my life, for  
23 40 years, and I have lived in a house for half of that. I  
24 lived in a house for ten years where we had City of Tavares  
25 water, and I was paying 38, \$40 a month. I lived by myself. I

1 didn't water the lawn because I would rather paint it green,  
2 but that included my trash pick up, which was -- I'm guessing  
3 now because this was over ten years ago, about \$10 a month for  
4 trash pick up.

5           So I moved out to Venetian Village and my first water  
6 bill was \$89, and I'm thinking what's going on. Is the water  
7 more valuable out here than it is where I lived before? And I  
8 was told that that is just the way it is out there, it is more  
9 expensive. So I don't have a whole lot more to add on the  
10 expense, because I think everybody has gone over that enough,  
11 but I saw a huge increase when we moved out, my husband and I  
12 moved out there.

13           Right now we're paying about \$110 a month, just the  
14 two of us and a dog. We water our lawn maybe once a week, but  
15 we don't use the city water, we use canal water because we have  
16 irrigation from the canal. And my husband only waters when the  
17 grass is screaming that it needs water. He is really diligent  
18 about not watering very often.

19           But the issues that I have, and I have three points  
20 to make, is their customer service, and the quality of their  
21 systems. The water to me -- we are in a different section of  
22 the community. She lives in the front half of the section and  
23 I live kind of in a different section, and they have septic  
24 tanks and we don't. And she said hers smells like sewage, mine  
25 smells like chlorine, an extremely strong chlorine smell. It

1 burns your eyes. I let the water sit and boil awhile before I  
2 will add any food to it just because I want to boil off all the  
3 chlorine smell. We do not drink the water. We drink bottled  
4 water or I filter it with a filtration system. But we drink a  
5 lot of bottled water.

6 My main concern is with the fact that they are  
7 increasing our bill, but we have had a lot of problems. I  
8 don't know if we have just got a big X on us or something, but  
9 back in 2004, I think it was right after they had acquired  
10 Florida Water, it hadn't been but a few months, and we had  
11 gotten a notice that they were buying and we had gotten several  
12 letters.

13 And it was right before -- I know everybody remembers  
14 the four storms that crossed over Florida. Well, our house and  
15 our neighbor's house is the lowest in our area. It is  
16 18 inches lower than everybody else, so we get everybody's  
17 water in our community. And about two days before the first  
18 big storm that came across the water main broke in the front  
19 yard. And we don't have a huge yard, we have got maybe  
20 three-quarters of an acre, but it is a long pie-shaped yard.  
21 The front is really skinny and then you have got about 50 feet  
22 to the house, and then about another 50 feet behind our pool.  
23 One of the neighbors called and said you have got a geyser in  
24 your front yard. Now, I'm at work.

25 So I called, and they said, well, is it on our side

1 of the water meter or on your side of the water meter? I said  
2 fortunately for me, it's on your side of the water meter. So,  
3 I called my neighbor and said have they been out there yet? It  
4 had been a couple of hours. No, haven't seen them yet. So I  
5 called again. I called five times during the course of the  
6 day. I kept calling my neighbor. Fortunately he's retired,  
7 and he was there and could watch for me. They never showed up.

8 I got home probably around 5:00 o'clock, 5:30 maybe.  
9 They still hadn't been there. The water had been running all  
10 day. A geyser. I mean, shooting up out of the floor -- out of  
11 the ground. And I called them again, and this time I'm livid  
12 because the water had flooded our entire front yard. And we  
13 are low, and it flooded all the way between our two houses, and  
14 it was coming in our pool from our backyard. And it filled our  
15 pool. So our entire yard was flooded, and we have a storm  
16 coming. And we knew we were low, and we have water problems  
17 when we get storms.

18 So I'm on the phone just, like, you have got to get  
19 somebody out here. So they finally brought somebody out there  
20 at night in the dark. I called -- the first time I called them  
21 was about 9:00 in the morning, and it was dark by the time they  
22 came out to work on it. And they put kind of a temporary patch  
23 on it where it wasn't shooting out anymore, but it was still  
24 leaking some. But that was the best that they could do  
25 because, you know, they knew the storm was coming and they were

1 trying to prepare for the storm. And their excuse was they  
2 didn't get to us because they were trying to prepare for the  
3 storm. Which I can understand that, but, you know, when I'm  
4 saying we are low here and we are flooding, you know, you need  
5 to get somebody out there quickly.

6           When the storm hit, that storm wasn't the straw that  
7 broke the camel's back. It was the third storm. We were  
8 already totally saturated with water because of the main. We  
9 get three storms. The power goes out. I called them to let  
10 them know that we had sewage coming up through our showers and  
11 through our tubs. I happened to notice it because I was going  
12 in -- the yard was so flooded that the back porch -- rafts were  
13 floating where the furniture sits on our carpet. I mean, it  
14 was almost coming in the back door. So I went inside to put  
15 our furniture up on blocks, because I thought the house was  
16 going to flood. And I noticed a smell, and that is when I  
17 found it. And I patched it. I did what I could. I mean, I  
18 took rubber mats, and, you know, a big, huge lantern, heavy  
19 cast iron lantern, put a bowl on it and tried to keep it down,  
20 and I stopped it.

21           It didn't dawn on me that my neighbors were out  
22 dealing with their water problem, too, and I didn't even think  
23 to tell them. But I did call Aqua to let them know sewer is  
24 coming up. And our water was off because our power had gone  
25 out. So, you know, we had to switch over to a gas-powered pump

1 to pump the water away. We were dealing with all that, and it  
2 didn't even dawn on me. Well, they finally go in into the  
3 night when the power came back on and their house was totally  
4 filled with sewage. And they had to replace all the drywall in  
5 their house, all the baseboards, all the carpet, everything,  
6 because of all the stuff coming up in their house.

7           They finally came out with generators in the middle  
8 of the afternoon and hooked generator up, but by then it was  
9 too late. It had already done the damage it was going to do.  
10 You know, we had another storm after that. We have since fixed  
11 our problems with, what's it called, French drains and things  
12 like that just to try to keep the water back. Because they  
13 build houses now and they build them up, you know, three feet  
14 almost off the ground, and everybody around us is built that  
15 way, and all of their water comes our way. So we had to do  
16 what we could do to protect our house.

17           But the next thing that happened that really  
18 surprised me is on June 2nd of this year, my husband was mowing  
19 the lawn and when he came through the front yard he went  
20 through water. And the same water main had broken again. We  
21 called them, and this time I told them, I said the last time  
22 this happened -- and it was on June 2nd, I remember, but it was  
23 right before the first named storm this year was coming  
24 through, and I said, oh, no, not again.

25           So I called them and I gave them my sob story that,

1 you know, you cannot take almost 12 hours to come out and fix  
2 this. You have got to fix it now, because we've got a storm  
3 coming, and I'm not going through this again. And she is like,  
4 ma'am, I'm just dispatch, but I'll get a guy to call you.  
5 Within an hour they called me, and I told him my story, and he  
6 was out near the Fruitland Park area and had a long way to  
7 come, but he said I won't be 12 hours. I will be out there  
8 within the next couple of hours.

9           But when he dug everything out, by this time we are  
10 considering hooking pumps up to it to just try to keep it from  
11 flooding. And he said they didn't put a shut off valve. They  
12 were there in 2004 with a broken water main, fixed the problem  
13 eventually. It leaked for a while. I don't even know when it  
14 got fixed, because once it's fixed you kind of forget about it,  
15 but they didn't put a shutoff valve on it. So, here this guy  
16 is trying to fix a broken pipe when he can't shut the water off  
17 to just our house. He had to pretty much shut the water off to  
18 all the neighbors in order to fix the problem. Because he's  
19 trying to pump the water away, and as fast as he was pumping it  
20 away it is coming back out, and he couldn't work on it.

21           So, my problem is, you know, I do have a huge problem  
22 with the increase in water and the prices, but I felt like  
23 these for me are not bigger issues, but I felt like price  
24 issues had been addressed enough, and that I had some other  
25 points I should bring. So that's really all I have.

1           COMMISSIONER McMURRIAN: Ms. Dillon, I have one  
2 question, too. I'm sorry. Have they repaired it now to put in  
3 a shutoff valve, or did this problem --

4           MS. DILLON: I don't know if they put in a shutoff  
5 valve. They left it that day with -- June of this year when  
6 they fixed it, he left it open with caution tape around it, and  
7 I think he put a temporary fix on it. My assumption, and I  
8 don't know for sure, but my assumption was the reason why he  
9 did that was because he may not have had what he needed to fix  
10 it that way with the shutoff valve, so he left it open to come  
11 back and do that, and he put it in a new box. Because  
12 everything was so deep in the ground it was hard for him to get  
13 to everything. But now it's all covered, and I can't tell  
14 whether they put a shutoff valve in there or not.

15           COMMISSIONER McMURRIAN: And when you say he left it  
16 open, are you talking about June of this year, or are you --

17           MS. DILLON: June of this year they left the ground  
18 open when he worked on it. It took him about an hour and  
19 another guy came out to help him because he didn't have a pump  
20 or anything. I mean, it was coming out. And once you pulled  
21 the earth away it just goes nuts because there is nothing to  
22 hold it back. And he was pumping the water just kind of into  
23 another place in my yard because he didn't have a hose to  
24 connect to it to pump it into the drain. So he was just trying  
25 to get the best he could, and then all of a sudden my water

1 went off. And I said, well, he's going to do something now.  
2 And my husband had talked to him a little bit, and had gone out  
3 and checked on things, but all I know was eventually the water  
4 came back on. And a few days later the hole was filled and the  
5 tape was gone, the caution tape was gone, and a new box was  
6 sitting there. So I don't know what the actual repair was.

7 COMMISSIONER McMURRIAN: But this all started back in  
8 2004?

9 MS. DILLON: 2004 is when it broke the first time.

10 COMMISSIONER McMURRIAN: Thank you.

11 Commissioner Argenziano has a question.

12 COMMISSIONER ARGENZIANO: I'm not sure if you can  
13 answer this. Maybe the company can, I don't know. When you  
14 say the generators, they didn't have -- or they brought in  
15 generators, but it was too late. Was it generators for a lift  
16 station or were they to pump water away from your home?

17 MS. DILLON: The power was off, so we didn't have  
18 water. And I think the problem was with our houses being so  
19 low, our lift station is right like two houses around -- we are  
20 on a cul-de-sac, and that's why we are so high. Once they did  
21 that the sewage started going back down.

22 COMMISSIONER ARGENZIANO: My concern was obviously do  
23 they have generators in their lift stations.

24 MS. DILLON: They don't. They had to bring them out.  
25 And we called numerous times before they finally were able to

1 bring them out. I mean, because we are in the middle of a  
2 hurricane at this point, so you have to have a little sympathy  
3 for a company. But we were, like, you have got to do  
4 something. And we didn't have a generator and I wouldn't have  
5 known what to do anyway.

6 COMMISSIONER ARGENZIANO: The reason I asked, if I  
7 may just elaborate, that in the hurricanes that we had in the  
8 past I have found that many of the central systems, not Aqua,  
9 it didn't have anything to do with those, in cities and other  
10 places they backed up and caused more leakage than the average  
11 septic out there does, and it was because of lack of  
12 generators. And I think that's something that needs to be  
13 thought about. Thank you.

14 COMMISSIONER McMURRIAN: Any other questions for Ms.  
15 Dillon? Thank you, Ms. Dillon.

16 MR. REILLY: That's all we have listed.

17 COMMISSIONER McMURRIAN: I guess at this time I will  
18 ask are there any other people who wish to speak who maybe  
19 didn't sign up, but are customers of the utility and would like  
20 to make any comments? Are you sure? Just kidding. Well, I  
21 guess at this time, then, I will just make a few final  
22 comments.

23 One thing, and Commissioner Argenziano mentioned it  
24 earlier, too, and we try to usually point this out. On the  
25 front of the green sheet there are numbers for some of the

1 staff people that are working on this case. Feel free to  
2 follow up with them with your questions. Ms. Cheryl Banks'  
3 number is on here. And Rosanne Gervasi is our attorney on the  
4 case if for some reason you have more of a legal question.  
5 There's also an 800 number, and several of you have mentioned  
6 things about problems you have with the utility.

7           If you for any reason ever have trouble getting  
8 through to them, or you just want to talk to the Commission and  
9 get input from our technical staff or from the complaint  
10 analysts, give us a call. That 800 number is listed there, as  
11 well as an e-mail address that goes to those same consumer  
12 complaint analysts, and they work with the technical staff and  
13 all to get your questions answered and concerns resolved.

14           And also there is a lot of information on our website  
15 about this case and all the other cases that are before the  
16 Commission. You can use what we call the docket number that's  
17 listed up at the front of this to find out a lot of information  
18 in this case, probably more than you want. And if you have any  
19 trouble navigating any of that, contact some of our staff and  
20 they will be glad to help you.

21           I guess, finally, I should say thank you all very  
22 much for coming. The purpose of this was to hear from you. We  
23 are glad that you shared your concerns with us. Those will be  
24 part of the docket file and available for everyone to follow up  
25 on, and staff will be looking into a lot of the concerns you

1 have raised. And definitely I just can't say strongly enough  
2 we appreciate your input, and thank you for taking time out of  
3 your schedule to be here with us.

4 Ms. Gervasi, am I forgetting anything, any other  
5 procedure?

6 MS. GERVASI: Just to move in the exhibits.

7 COMMISSIONER McMURRIAN: Thank you. Is that Exhibit  
8 79 through 81?

9 MR. REILLY: Correct.

10 COMMISSIONER McMURRIAN: Any objection? So moved.

11 (Exhibits 79 through 81 admitted.)

12 COMMISSIONER McMURRIAN: With that, I thank you  
13 again, and we are adjourned. We will have another meeting at  
14 6:00 p.m. tonight.

15 (The service hearing adjourned at 1:25 p.m.)

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STATE OF FLORIDA )

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CERTIFICATE OF REPORTER

COUNTY OF LEON )

I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 25th day of July, 2007.



\_\_\_\_\_  
JANE FAUROT, RPR  
Official FPSC Hearings Reporter  
(850) 413-6732

Exh. 79

# Proof of Publication

from the  
**SUMTER COUNTY TIMES**  
Bushnell, Sumter County, Florida  
**PUBLISHED WEEKLY**

STATE OF FLORIDA  
COUNTY OF SUMTER

Before the undersigned authority personally appeared

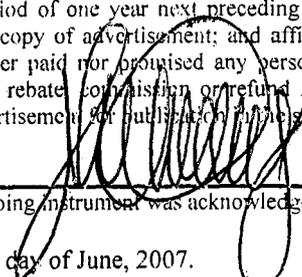
Amanda K. O'Kelley

Of the Sumter County Times, a newspaper published weekly at Bushnell, in Sumter County, Florida, that the attached copy of advertisement being a public notice in the matter of the

**627-0531 SCT**  
**LEGAL NOTICE**  
**NOTICE OF COMMISSION**  
**CUSTOMER SERVICE HEARINGS**

published in said newspaper in the issues of  
May 31<sup>st</sup>, 2007.

Affiant further says that the Sumter County Times is a Newspaper published at Bushnell in said Sumter County, Florida, and that the said newspaper has heretofore been continuously published in Sumter County, Florida, each week and has been entered as second class mail matter at the post office in Bushnell in said Sumter County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

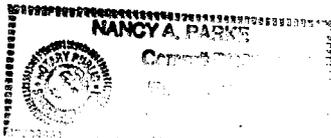
  
The forgoing instrument was acknowledged before me

This 8th day of June, 2007.  
By: Amanda K. O'Kelley

who is personally known to me and who did take an oath.



Notary Public



**FLORIDA PUBLIC SERVICE COMMISSION**  
DOCKET NO. 060368-w EXHIBIT 79  
COMPANY Aqua Utilities, FL, Inc.  
WITNESS Notice of Publication  
DATE 06/27/07

627-0531 SCT

**Legal Notice**

**Notice of Commission Customer Service Hearings**

RE: Application by Aqua Utilities Florida, Inc. (Utility) for rate increase in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington counties, Florida. (Docket No. 060368-WS)

Date of Publication: May 31, 2007

Notice is hereby given that the Florida Public Service Commission will hold customer service hearings in the above-referenced docket to consider the Utility's application for an increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington counties, Florida. The purpose of the customer service hearings is to allow customers the opportunity to comment on the Utility's proposed final rates or service. The nearest customer service hearings to you will be conducted at the following times and places:

Date and Time: June 20, 2007 at 10:00 a.m. and 6:00 p.m.  
Place: West Pasco Government Center  
County Commission Board Room (Suite 160)  
7530 Little Road  
New Port Richey, FL 34654

Date and Time: June 27, 2007 at 10:00 a.m. and 6:00 p.m.  
Place: Mount Dora Community Center Auditorium  
520 Baker Street  
Mount Dora, FL 32756

At the hearing, customers will be given opportunity to present testimony and other evidence concerning the Utility's proposed rates or service. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

Any customer comments regarding the Utility's service or the proposed rate increase should be addressed to the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Such comments should identify Docket No. 060368-WS assigned to this proceeding.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Commission's Division of Regulatory Compliance and Consumer Assistance at 800.342.3552 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 800.955.8771 (TDD).

706518

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121 Bell Avenue • Bushnell, FL 33513  
INC.  
FLOOR COVERING

Exh. 79

## Legal Notice

### Notice of Commission Customer Service Hearings

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Date of Publication: May 30, 2007

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Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

Re: Docket Number 060368-WS

Dear Sirs:

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The "proposed final rate" for usage under 6,001 gallons is an increase of 73%.

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Your continued diligence in protecting the consumers of Florida is certainly appreciated.

Sincerely

*Mrs M. Zane*  
205 Brigadeon Ci.  
Seesburg, FL 34788

**FLORIDA PUBLIC SERVICE COMMISSION**  
DOCKET NO. 060368-WS EXHIBIT 80  
COMPANY Aqua Utilities FL, Inc.  
WITNESS (Longnecker) Letters of Complaint  
DATE 06/26/07

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

R: Docket Number 060368-WS

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Sincerely

*Joseph S. Kluft*  
1620 NEW ABBEY AV  
LEESBURG, FL 34788

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

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Sincerely

*Mr & Mrs. Stanley Powell*  
*2003 Toward Ct.*  
*Leesburg, FL 34788*

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
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Sincerely

*Jeanene A. Dicken and Robert L. Dicken*  
*1718 Oakney Dr.*  
*Leesburg, FL 34788*

Director, Division of the Commission Clerk,  
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2540 Shumard Oak Boulevard  
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Sincerely

*Norman H. Anderson*  
*Lucy M. Anderson*

*4 Burness Court*  
*Leesburg, Fl. 34788*

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2540 Shumard Oak Boulevard  
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Sincerely

*Larry Corman*  
*318 Skye et.*

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Tallahassee, FL 32399-0870

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Sincerely

A handwritten signature in black ink, appearing to read "J. Bob". The signature is written in a cursive style with a large initial "J" and a stylized "Bob".

Director, Division of the Commission Clerk,  
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Florida Public Service Commission  
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Tallahassee, FL 32399-0870

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Sincerely

*Kenneth W. Postlewaite*  
2241 ORKNEY DR  
LEESBURG, FL 34788

Director, Division of the Commission Clerk,  
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Tallahassee, FL 32399-0870

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Sincerely



1034 Scotch Pine Ct  
Leesburg, FL 34188

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2540 Shumard Oak Boulevard  
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Sincerely

*Michael Doris*

*2309 Bonnie View Ct.*

*Leesburg, Fl 34788*

Director, Division of the Commission Clerk,  
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Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

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Sincerely

*Billye Dorcia*  
*2309 Bonnie View Ct.*  
*Leesburg, FL 34788*

Director, Division of the Commission Clerk,  
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Sincerely

*Joan C. De Vasier*  
*38 Brigadoon Cir.*  
*Leesburg, Fl. 34788*

Director, Division of the Commission Clerk,  
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Sincerely

*Robert W. Stroud*  
*4 Aberdeen Cir*  
*Leahurst, FL 34748*  
*Seffert Highlands*

Director, Division of the Commission Clerk,  
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Sincerely

*Wanda Adina B. Shrode*  
*# Blanken Crude*  
*Jacksonville FL 32208*

Director, Division of the Commission Clerk,  
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Sincerely

*Davis L. Nunez*  
*44 Brigadoon Cir.*  
*Lecsbury, FL 34788*

Director, Division of the Commission Clerk,  
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921 DUNDAS CIR.

LEESBURG, FL 34788

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W. Alfred J. Smith 16-C  
316 BRIGADOON CIR  
JESBURG FL 34788

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*William G. Wright*  
*1136 Ben More Jr.*  
*Scottish Highlands*

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

Re: Docket Number 060368-WS

Dear Sirs:

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Sincerely

*Floyd J. Anstead*  
*610 Fannin Ct*  
*Leesburg, FL 34788*

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*David and Germaine Williams*

18 EASTER ROSS CT

LEESBURG FLA.

34788

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2306 BONNIE VIEW CT  
LEESBURG, FL 34788

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*Mrs. + Mr. William J. Brown  
1506 New Albany Ave  
Teesburg, FL 34784*

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*Harmon Christian - 466 Glasgow Ct.*

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*Everett Leeds*  
*44 Brigadoon Circle*  
*Leesburg, Fl. 34788*

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*Virginia M. Komar  
326 Skye Court  
Scottish Highlands*

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*Robert D. Macdonald*  
*Marie G. Macdonald*

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*Steven L Frost*  
1034 Scotch Pine Ct.  
Leesburg, FL 34788

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*Erling F. Tengelsen*

*1438 NEW ABBEY*

*LEESBURG, FL 34788*

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*James M. Best*  
*Judy A. Bush*  
*1 Aberdeen Circle*  
*Leesburg FL 34788 \**

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A handwritten signature in black ink, appearing to read "Rafael Benitez", with a horizontal line underneath the name.

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*Robert A. Lee*  
1001 D Jade Cir  
Keesburg, FL  
34788

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*Pierrrette Whitfield*  
*1625 New Albany Ave.*  
*Leesburg FL 34788*

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TALMADGE C. LEWIS, JR      06-05-07  
505 GALLOWAY CT  
LEESBURG, FL 34788

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*Patricia A. Lewis*

PATRICIA A. LEWIS

06-05-07

505 GALLOWAY COURT

SCOTTISH HIGHLANDS

LEESBURG, FL 34788

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*Robert L. Weyhe*  
*Mary Ann Weyhe*  
1138 Ben More Dr.  
Scottish Highlands  
Leesburg

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*Eleanor B. Janick*  
*511 Galloway Ct.*  
*Scottish Highlands*  
*Leesburg*

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*Gloria M. Rivera*

*Joseph Daur*  
2409 GREENLAW CT  
LEESBURG 34788

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*Deborah Meek*  
*53 Aberdeen Circle 34788*

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*Richard and Dorothy Minick*

*2240 ORKNEY DR.  
LEESBURG, FL 34788-7655*

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*John Harris*  
1701 Oakway Dr.  
Leesburg, FL 34788

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*Russell G. Ruby, Sr. Schreck*  
*1505 New Abbey Ave.*  
*Leeburg, FL 34788*

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*Theresa Ppione*  
*2412 Greenlaw Ct*  
*Leeburg, FL 34788*

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*Evelyn Hahn*

*1414 New Abbey Ave.*

*Leesburg, FL 34788*

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*Fern Jones Steinke*  
2207 Yorkney Drive  
Leesburg, FL 34788

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*Virginia Moll*  
*Gordon Moll*

1308 MORAY CT.  
LEESBURG, FL 34788

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*Carolyn J. Korman*

*H. B. Brigadon Birele*

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*Helen Anderton*  
*1141 Ben More Dr*  
*Leesburg*

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*Nancy Thirion*

*1310 Moray Ct -*

*Leesburg FL - 34788*

---

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

Re: Docket Number 060368-WS

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Sincerely



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Sincerely

*Robert W. Donald*  
*508 Galloway Court*  
*Scottish Highlands*  
*34788*

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*Theresa McDonald*  
508 Galloway Ct  
Scottish Highlands  
Leesburg FLA 34788

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*Davis P. Shunkberg*  
*1624 New Abbey Ave*  
*Leesburg, FL 34788*

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*Patricia K. Koster*  
*1630 New Abbey Ave*  
*Leesburg, Fl. 34788*

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*Dolores Gordon*

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*Harold Gordon*

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53 Aberdeen Ave  
34788

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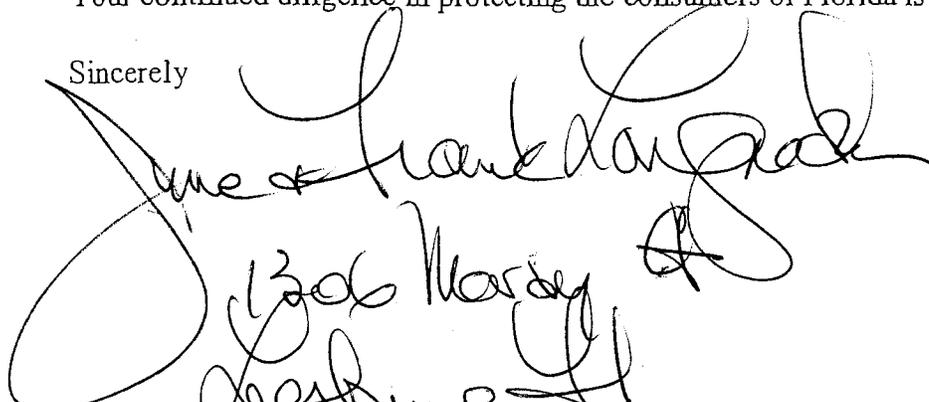
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James Frank Langford  
1306 Marney  
Washington

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*Virginia L. Leonard*

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Mrs. Edward (Judy) Ziegmont  
1636 New Abbey Lane  
Leesburg, FL  
34788

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*Chris J. Scates*  
*20 Aberdeen Cir.*  
*Leesburg, Fla*  
*34788*

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Ruth Cauzza  
1207 Loch Rannoch Ct  
Leesburg Fl 34788

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*Monna Rockefeller*  
*1308 Loch Rannoch Ct*  
*Leesburg, FL 34788*

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*Ethel M. Crane*  
*906 Sutherland Ct.*  
*Leesburg, Fl.*  
*34788*

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*Sheela Gilmore*

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*Mr. & Mrs. Robert A. Kawalk*  
*1637 New Abbey Ave*  
*Leesburg Fla 34788*

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*Deborah Dugan*  
50 ABERDEEN CIRCLE  
LEESBURG, FL 34788  
DEBORAH DUGAN

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*David Bootler*  
1647 SELKIRK DR.  
LEESBURG, FL.  
34788

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*James + Luella Pierce*  
1607 SELKIRK DR.  
LEESBURG, FL. 34788

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*Milton & June Possinger*  
*1610 Lelkirk Drive*  
*Leesburg, Fl. 34788*

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*Jane C. Luppitt*  
*1510 New Abbey Ave*  
*Leesburg, FL 34788*

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*Sheron M. Monarch* 322 Sky CT.  
*Jay E. Monarch*

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*Agnes M Mc Auley*  
*1142 Ben more Dr.*  
*Leeburg, FL 34788*

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*Lawrence W. Wilson*

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*Malcolm M. Wolleson*

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*Jean Chaver*  
*504 Brigadoon Dr.*  
*Leesburg, FL 34788*

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*Jan B. Powell*  
*1634 New Abbey Ave*  
*Zephyrus, FL 34758*

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Sincerely *Charles & Mary A. Davis*  
*42 Aberdeen Circle*  
*Leesburg, Fla. 34788*

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Sincerely *Kathryn A. Hunter & Paul G. Hunter*  
*1215 Loch Rannoch Ct.*  
*Leesburg FL 34788-7644*

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And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

Re: Docket Number 060368-WS

Dear Sirs:

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Sincerely



1038 Scotch Pine Ct.

Leesburg, Fl. 34788

Director, Division of the Commission Clerk,  
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*May V. Hoyer*

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*Herald Foley*  
*Sally Foley*

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*Gerard Blackburn*  
*Susan Blackburn*

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*Frank Robert Null  
809 Loch Lomond Ct  
Leesburg, FL 34788*

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*Virginia Fuchs*  
1003 Dundee Circle  
Leesburg FL 34788

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*Jean Rytel*  
1103 Ben Hope Drive  
Leesburg, FL 34788

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*Lydia R. Parks*  
*501 Brigadoon Co.*  
*Leesburg, FL 34788*

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Cecilia M. Wright  
1626 New Albany Ave  
Seebury, FL 34788

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*J. Pytko*

1103 BEN HOPE RD.  
LEESBURG, FL. 34788

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Ken & Jan Willis

1206 Lock Rannoch CT

Keeshburg FL.

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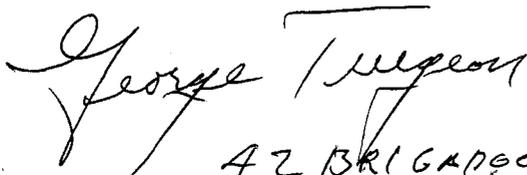
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*Daisy S. Geagley*  
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*1844 Dunde Circle*  
*Leesburg Fl 34788*

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*Joan Cathell*  
*2226 Orkney Dr.*  
*Leesburg, Fl. 34788*

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 (RONNIE INMAN)

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*Dorothy Culligan*  
*2313 Bonnie View Ct.*  
*Leesburg Fl 34788*

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*William Lee Reynolds*  
2206 Oakway Dr  
Leesburg, Fla.  
34788

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*Inogene Wigglesworth*  
*1429 New Abbey Ave.*  
*Leesburg, Florida 34788-7638*

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*Barbara M Hoff*  
*Robert G. Hoff*

*1124 Ben Hope Dr*  
*Leesburg, Fla 34788*

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*Dorothy Ratchiff*  
2501 Loch Ness Ct.  
Leesburg, Fla. 34788

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*Walter Hoskins*  
*1908 Tweed Court*  
*Leesburg, Fl.*  
*34788*

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*Albert S. Bowman*

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*Jean M. Bowerman*

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*Donald R. Peale*  
*30 Aberdeen Cir*  
*Leakburg,*

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J Maureen Poulton  
1045 Dundee Circle  
Leesburg FL 34788

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*Sue B. Long*  
*1 Durness Court*  
*Leesburg, Fl. 34788*

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*Charles H. Burley*  
*509 Galloway Ct.*  
*Leesburg, FL 34788*

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*Shirley R. Burley*  
*509 Halloway Ct.*  
*Leesburg, FL 34788*

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Re: Docket Number 060368-WS

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Sincerely

*Margaret Lechel Hamann*  
*1706 Ordway Dr*  
*Seaburg, Fl. 34988*

Director, Division of the Commission Clerk,  
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1008 DUNDEE, CIR.

LEESBURG FL. 34788

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*E. J. Lilly*  
1109 Ben Hope Dr  
Leesburg FL 34788

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1712 ORKNEY DR.  
LEESBURG, FL 34788

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*J. Claire Page  
320 Mye St.  
Leloburg, FL  
34788*

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*Ruth Herbel*  
*1436 New Abbey Lane*  
*Leesburg, FL 34788*

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KETHA CLAHN  
1640 NEW ABBEY AVE  
LEESBURG, FL 34788

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*Constance Pfeiffer*  
*8 Durness Ct*  
*Leesburg FL 34788*

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*Jason Meekins*

*9 Durness Ct*

*Leesburg FL 34788*

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*George Libert*  
*22 E. Ester Lane Court*  
*Leesburg, Fl. 34788*

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Bernie Boulton  
1045 Dundee Circle  
Leesburg FL 34788

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Mary Louise Bishop  
19 Aberdeen Circle  
Leesburg Fla  
34788

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19 ABERDEEN CIRCLE  
LEE SBURG, FL  
34788

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*Joan L. Whitten*  
*1501 New Abbey Ave*  
*Leesburg, Florida 34788.*

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*Mr. & Mrs. Alfred Christensen*  
*2408 Greenlaw Court*  
*Leesburg Fl 34788*

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Harry & Joan Purcell Jr.

1115 BEN HOPE DRIVE  
LEESBURG, FL 34789

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*John F. Messerzone*  
*402 Glasgow court*  
*Leesburg Fl.*

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*Gail K. Hampy*  
*36 Gordon Ct*  
*Leesburg FL 34788*

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*Arthur Hampf*  
36 Gordon Ct  
Leesburg FL 34788

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*Anthony R. Path*  
21 Aberdeen Cir.  
Leesburg, FL 34768

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*21 Aberdeen Circle*  
*Lisshurg, FL 34788*

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*Janetta E. Kelley*  
2301 Bonnie View Ct  
Seesburg, FL 34788

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*Shiley + John Buttafuoco*  
*314 Brigadaon Cr.*  
*Leesburg, Ad. 34785*

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*Homer B. Davis*  
33 GORDON CT.

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*Loy Archer*  
2214 Oakney Dr.

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*Geraldine Archer*  
2214 Oakney Dr  
Leesburg, FL 34746

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*Donald E. Phillips*  
*Patricia Phillips*  
*1511 New Abbey Ave.*  
*Leesburg, FL 34788*  
*352-253-0448*

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*Donna Wright*  
*1136 Ben More Dr.*  
*Leshburg FL 34788*

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*W. C. SAMMON*

*1605 DUNDEE CIRCLE*

*WEESBURG FL. 34788*

*HELEN K. SAMMON*

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*Patricia Renaud*

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*Robert H. Dalley*  
*1503 New-Abbey Ave.*

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Sincerely

*J. Franklin Ring*  
2307 Bonnievale Ct  
Leesburg FL 34788

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

Re: Docket Number 060368-WS

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*Richard & Margaret Barton*  
407 GUNSHOW CT.  
LEESBURG 34788

Director, Division of the Commission Clerk,  
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*Dorothy & Linda Baker*  
*40 Aberdeen Cir*  
*Leesburg FL 34788*

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*Donald E. Wulter*  
*Erin F. Wulter*

*1646 Selkirk Dr.*  
*Lakewood, Fl. 34788*

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*Clarence G. Rank*

*2231 ORCHIEY RD*

*LEESBURG, FL 34788*

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Sincerely

*Nancy E Carrigg*  
Nancy E Carrigg  
1513 New Abbey Ave  
Leesburg, FL 34788

Director, Division of the Commission Clerk,  
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2540 Shumard Oak Boulevard  
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*David E. Woodkin + Lillian Hoodin*  
*808 Dundee Circle*  
*Leesburg, FL 34788*

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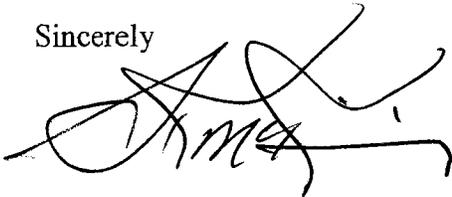
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Director, Division of the Commission Clerk,  
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Julia C. Noyes *Julia C. Noyes* 1102 Ben Hope Dr. Leesburg Fl. 34788

Director, Division of the Commission Clerk,  
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*Paul J. Dabson*  
PAUL J. DABSON  
2209 ORTNEY DRIVE  
LEESBURG FL  
34788

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Florida Public Service Commission  
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*Jacelyn Barlow*  
*67 Aberdeen Cir.*  
*Leesburg, FL 34788*

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*Elizabeth Charles Holmes*  
*35 Aberdeen Circle*  
*Leesburg FL 34788*

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*Edward L. Noyes*  
*1102 Ben Hope Drive*  
*Leesburg, FL 34788*

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*Rosina M. Wilk*  
*2236 Orkney Drive*  
*Leesburg Fl 34788*

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*Clarence Webb*  
*41 Brigadoon Circle*  
*Leesburg, Fl.*  
*Scottish Highlands*

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*Jeanne Roy*  
*1801 Tweed Ct.*  
*Leesburg Fl.*  
*34788*  
*Scottish Highland*

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*Ron Dupre*  
607 Fannick Ct  
Luston FL

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*Barbara C. Williams*  
*32 Aberdeen Circle*  
*Leesburg, FL 34788*

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*Laura Jorgensen*

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*Frances Broadney*  
*24 Aberdeen Circle*  
*Leesburg FL 34788-8517*

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Warren J. Ayer Sr.  
2404 Greenlaw Ct.

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*F. L. Jacobs*  
*2106 Greenlaw St.*  
*Leesburg FL 34788*

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*Alice L. Smeyth*  
*Ray W. Smith*  
1307 Maray Ct.  
Leesburg, FL 34788

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*Brem Campbell*  
*2107 Greenlaw ct.*  
*Leeburg Fl. 34788*  
*Scottish Highlands*

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*Donald H. Sevor*  
*Jean V. Secot*

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*Margaret Stone*  
*1903 Sweet Court*  
*Leesburg, FL 34788*

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*Bisela Thornton*

Director, Division of the Commission Clerk,  
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2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

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Your continued diligence in protecting the consumers of Florida is certainly appreciated.

Sincerely

*J. P. Nasdi*  
J. P. Nasdi  
907 SUTTERLAND CT  
LEESBURG FL 34788  
91

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

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*Ruth and Lester Yano*  
*1412 New Abbey Ave*  
*Leesburg, FL 34788*

Director, Division of the Commission Clerk,  
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*LeEstia & Carl Skidmore*  
*708 Brigadoon Cir.*  
*Leesburg, Fl. 34788*

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*Barbara Schmeltz*  
70 Stonehaven Ct,  
Leesburg, FL 34788

Director, Division of the Commission Clerk,  
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1713 Oakview Dr.  
Leesburg, FL 34788

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*Frank W. Andrews*  
913 Sutherland Ct  
Leesburg, FL 34788-

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*Frank M. Finner*  
2410 Greenlaw Ct  
Dessburg Fla 34788

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*Kay Jones*  
*2410 Greenlaw Court*  
*Seesburg, FL 34788*

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*Deborah Schmandel*  
1502 New Abbey Ave.  
Leesburg, FL 34788

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*Lecelle Tugel*  
*1707 Orkney Drive*  
*Leesburg, FL 34788*

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2411 GREENHAW CT  
WESBURG FL 34788

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*Mildred E Langer*

*2235 Orkney Dr.*

*Leesburg, FL 34788*

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*Gerald Smith*  
*819 Loch Lomond Court*  
*Leesburg FL 34788-7685*

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*R. C. Crafton*

*1121 Ben more Dr.  
Leesburg, FL 34788*

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2224 ORTIVEY DR

LEESBURG FL

34788

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*Mary C. Staples*  
*702 Brigadoon Cr.*  
*Leesburg, FL 34788*

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*Mr & Mrs Joel E. Stefan  
2506 LOCH NESS CT.  
LEESBURG FL  
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*Paul Schertl*  
*1717 Oakney Drive*

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*Shirley M. Green*  
*29 Aberdeen Cir.*  
*Leesburg, FL*  
*34788*

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*Virginia M Beary*  
*28 Aberdeen Circle*  
*Leesburg Fl.*  
*34788*

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*Elmer F. Kuehl*  
*Harriette Kuehl*

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*Salita Fuentes*  
1503 New Abbey Ave  
Leesburg Fla. 34788

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*Susan Smart*

*2108 Greenlaw Ct*

*Leesburg FL 34785*

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*Mr. & Mrs. M. Wilmar*  
*1041 Dundee Circle*  
*Leesburg, FL 34788*

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*Judith S. Volk*  
*807 Dundee Circle*  
*Leesburg, FL 34788*

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*Patricia Kelsing*  
*1205 Loch Rannoch Ct*  
*Leesburg, Fla 34788*

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*Paul Lynn Carattini*

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Sincerely

*Jean M Breusch  
2304 Bonnie View Ct  
Leesburg, FL 34788*

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

Re: Docket Number 060368-WS

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*Mrs. Barbara M. Jones*  
*2507 Loch Muir Ct.*  
*Leesburg FL 32788*

Director, Division of the Commission Clerk,  
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Florida Public Service Commission  
2540 Shumard Oak Boulevard  
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*Lorraine Madden*  
1128 Ben Hope Dr.  
Leesburg FL 34788

Director, Division of the Commission Clerk,  
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Florida Public Service Commission  
2540 Shumard Oak Boulevard  
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*John and Eleanor Bayne*

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A handwritten signature in black ink, appearing to read "Carolyn King". The signature is written in a cursive style with a large, looped initial 'C'.

5/8/07

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
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*Coalie Southworth*  
*Robert E. Southworth*

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Director, Division of the Commission Clerk,  
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A handwritten signature in cursive script that reads "John F. Messinger". The signature is written in dark ink and is positioned at the bottom of the letter.

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A handwritten signature in cursive script that reads "Martin H. Curry". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Director, Division of the Commission Clerk,  
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Karen Hickey  
John Hickey

Director, Division of the Commission Clerk,  
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*Jan Ball*  
*Thomas J. Ball*

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Vicki Preest  
James Preest

Director, Division of the Commission Clerk,  
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A handwritten signature in black ink that reads "Hank Vandermaas". The signature is written in a cursive style with a long, sweeping tail on the final letter.

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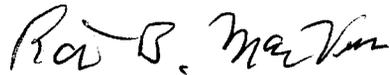
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A handwritten signature in black ink that reads "Rob B. Martin". The signature is written in a cursive, slightly slanted style.

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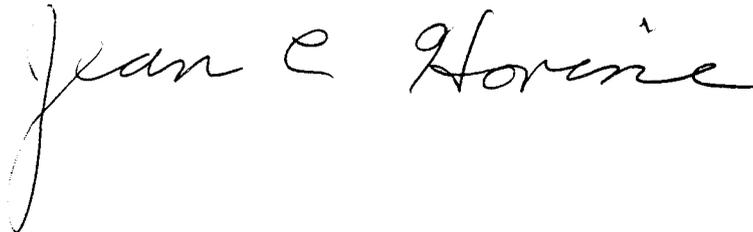
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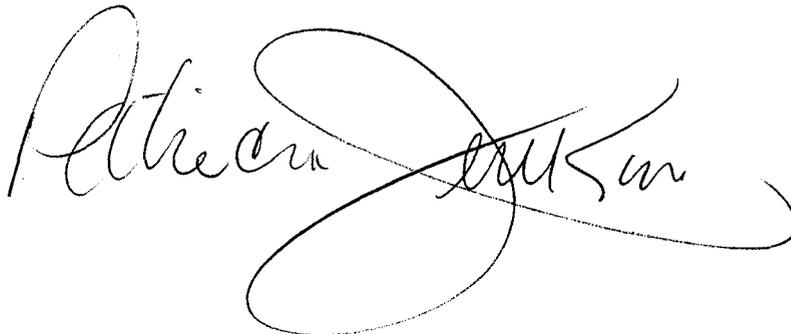
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*Elaine Wack*

Director, Division of the Commission Clerk,  
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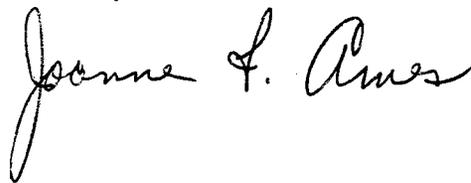
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A handwritten signature in cursive script that reads "Joanne F. Ames". The signature is written in black ink and is positioned below the word "Sincerely".

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A handwritten signature in cursive script that reads "Ronald R. Ward". The signature is written in black ink and is positioned below the word "Sincerely".

*May 9, 2007*

Director, Division of the Commission Clerk,  
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Florida Public Service Commission  
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*Anna Ward*

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*Margie Cochran*

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*Jack E. Kennard*  
*1508 New Abbey Ave.*  
*Leesburg, FL 34788*

Director, Division of the Commission Clerk,  
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Sincerely

  
811 Loch Lomond Ct.  
Leesburg, Fl.  
34788

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

Re: Docket Number 060368-WS

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1116 Ben Hope Dr.

Leesburg, FL. 34788

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*Lorene Match*  
*1026 Dundee Circle*  
*Leesburg, FL 34788*

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*Don & Caryl Miller*  
*1014 Dundee Circle*  
*Seesburg, FL 34788*

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*Waldo Banks*  
*Janice Banks*  
*823 Dundee Circle*  
*Leesburg Fl. 34788*

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Leesburg FL 34788

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*Barbara Sue Godwin*  
*813 Lock Leonard Court*

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*Barbara P. Alan Smith*  
*16 Easter Ross Ct -*

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*Mrs S. L. Nepper*  
*1111 Ben Hope*  
*Leesburg, FL*

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*Susan & Ronald Engler  
909 Sutherland Court  
Leesburg FL 34788-7686*

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*Wendy Howle*

*902 Dundee Circle*

*Leesburg FL.*

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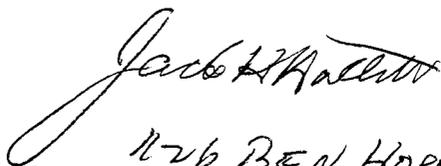
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1126 BEN HOPE DR.  
LEESBURG FL 34788

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*Kathleen Reynolds*

*Dan Reynolds*

*1426 Oakney Dr.  
Leesburg, FL 34788*

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*Harry & Sharon Rues*  
*1417 Oakney Dr*  
*Leesburg FL 34788*

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*Paul E Maurant*  
*71 Stoneham Ct*  
*Leesburg Fl 34788*  
*Scottish Highlands*

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*Judith V. Smith*  
405 Glasgow Ct  
Leesburg, FL 34788  
*Joseph R Smith*  
405 Glasgow Ct  
Leesburg, FL 34788

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*Joyce Watkins*  
*2317 Bonnie View Ct.*  
*Leesburg, Fla. 34788*  
*Phone 352-343-6885*

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*Norothy J. Kozlowski*  
*66 Aberdeen Circle*  
*Leesburg, Fl. 34788*

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*Carol Jensen*  
*327 Shye Court*  
*Leeburg, FL 34777*

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*Madison N. Hartzell*  
*6088 Gannett Court*  
*Leesburg Fl*  
*34788*

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*James L. Stemen*  
*1037 Scotch Pines Ct*

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*2230 Oakney Dr.*

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*Mary Hucks*  
*33605 Picciolo Dr.*  
*Smithland Park, FL*

*34731*

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*Joseph C. & Margaret Bergeron*  
*2 Aberdeen Circle*  
*Leesburg, FL 34788*

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*Edmund S Hill*  
514 Yellowway Ct.  
Leesburg, Fl. 34788

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*Sally Walters  
821 Dundee Circle  
Leesburg, FL*

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Christine Martiny  
2313 Bonnie View Ct.  
Deesburg Fl. 34788

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*Israel Martsch*  
2313 Bonnie View Ct  
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*Dorothy Culligan*  
*2313 Bonnie View Ct.*  
*Leesburg FL 34788*

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*Norma P. Barrow*  
*15 Brigadoon Circle*  
*Leesburg, Fl. 34788*

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Usage: the interim rate increase is approximately 32%

The "proposed final rate" for usage under 6,001 gallons is an increase of 73%.

The "proposed final rate" for usage over 6,000 gallons is an increase of 117%.

Your continued diligence in protecting the consumers of Florida is certainly appreciated.

Sincerely



1623 NEW ABBEY AVE  
KEESBURG, FL 34788

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

R: Docket Number 060368-WS

Dear Sirs:

This letter is intended to formally file a complaint regarding the rate increases proposed by Aqua Utilities water services.

The increase is in two increments, meter and usage.

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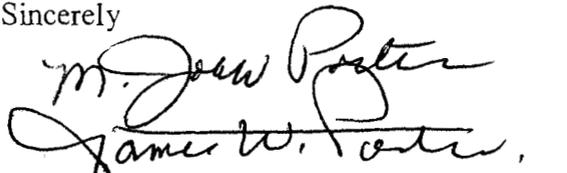
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James W. Foster,  
1024 DUNDEE CIR,  
LEESBURG, FL 34788

Director, Division of the Commission Clerk,  
And Administrative Services,  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

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Sincerely

*Joe J. Lee*

*1042 Dundee Cir*

*Leesburg FL 34788*

FLORIDA PUBLIC SERVICE COMMISSION  
 DOCKET NO. 060368-W-EXHIBIT 81  
 COMPANY Aqua Utilities FL, Inc  
 WITNESS (Shigley) Composite

# AQUA

Service To  
**WAYNE SHIGLEY**  
**35118 QUEENS WAY**  
**FRUITLAND PARK, FL 34731-6061**

Account Number  
**0008974**  
 KINGS COVE

**Aqua Utilities Florida, Inc.**  
 762 W. Lancaster Avenue  
 Bryn Mawr, PA 19010-3489

Tel: **877.987.2782**  
 Fax: **866.780.8292**  
 e Mail: **custserv@aquaaamerica.com**

Questions about your water/sewer service?... Contact  
 Bill Date **May 10, 2007**  
 Total Amount Due **\$ 84.53**

### Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings
90092750	5/8	05/04/07	29	Actual	5257300
		04/05/07		Actual	5239000

Average Daily Usage = 631 Gallons

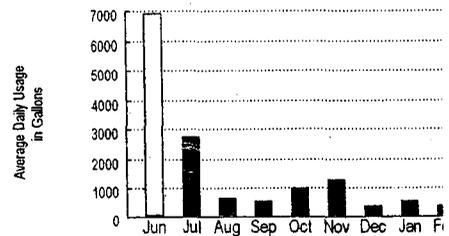
Total Days: 29

Total Usage:

### Billing Detail

Amount Owed from Last Bill .....	\$ 110.02
Total Payments Received .....	110.02
<b>Balance</b> .....	<b>0.00</b>
Current Water Charges .....	42.24
Current Sewer Charges .....	42.29
<b>Amount Due 06/01/07</b> .....	<b>\$ 84.53</b>

### Water Usage History



Read Types:  Actual  Estimate

*Paid 5/16/07*  
*CK# 756*

**Employee Identification:** All company employees carry an identification card showing their picture and employee number.

**Estimated Bill:** When we are unable to read your meter, we base the bill on your past water use. If you receive an estimated bill, you may have a new bill by reading the meter and calling the company with that reading. Note, revised bills will not be issued after the due date of the estimated bill.

**Late Charge:** A penalty on past due balances.

**Meter Reading:** We attempt to read the water meter every billing period. We either have our meter reader visit your property or obtain the reading through one of our automatic meter reading systems.

**Method of Payment:** You can pay your bill by any of the following methods:

**By mail:** Place your check or money order in the enclosed pre-addressed envelope. Put a stamp on the envelope and mail it to us.  
Aqua Utilities Florida: P.O. Box 1229, Newark, NJ 07101-1229. DO NOT SEND CASH.

**By phone:** Customers with bank accounts or credit cards may pay their bills over the phone for a fee by calling this toll free number:  
866.269.2906.

**ZipCheck®:** A program in which your payment is automatically deducted from your bank account. You save the cost of postage and using bank checks. Details and applications are available from the company. Please call our Customer Service Department.

**Payment Terms:** You should pay your bill on or before the due date.

**Return Check Charge:** If for any reason your check is returned to us from the bank, we will add a service charge to your account.

**Sewer Base Facility Charge:** A charge to recover the fixed costs of utility service regardless of usage.

**Utility Tax:** A county service tax.

**Water Base Facility Charge:** A charge to recover the fixed costs of utility service regardless of usage.



Service To:  
**WAYNE SHIGLEY**  
**35118 QUEENS WAY**  
**FRUITLAND PARK, FL 34731-6061**

Account Number *W 81*  
**000897430 0640273**  
 KINGS COVE

**Aqua Utilities Florida, Inc.**  
 762 W. Lancaster Avenue  
 Bryn Mawr, PA 19010-3489

Tel: **877.987.2782**  
 Fax: **866.780.8292**  
 e Mail: **custserv@aquaamerica.com**

Questions about your water/sewer service?... Contact us before the due date.

Bill Date  
**April 24, 2007**

Total Amount Due  
**\$ 110.02**

Due Date  
**May 16, 2007**

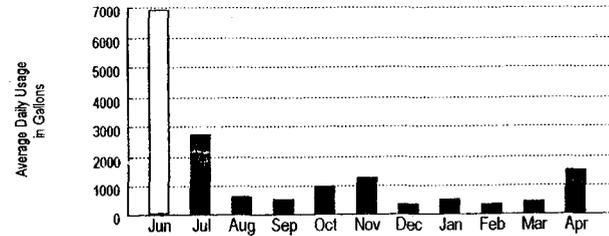
**Meter Data**

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
90092750	5/8	04/05/07	30	Actual	5239000	46,000	Gallons
		03/06/07		Actual	5193000		
Average Daily Usage = 1,533 Gallons			Total Days: 30	Total Usage:		46,000	Gallons

**Billing Detail**

Amount Owed from Last Bill .....	\$ 67.18
Total Payments Received .....	67.18
<b>Balance</b> .....	<b>0.00</b>
Current Water Charges .....	68.38
Current Sewer Charges .....	41.64
<b>Amount Due 05/16/07</b> .....	<b>\$ 110.02</b>

**Water Usage History**



Read Types:  Actual  Estimated  Customer

*on 5/08/07*  
*52602750*

**Employee Identification:** All company employees carry an identification card showing their picture and employee number.

**Estimated Bill:** When we are unable to read your meter, we base the bill on your past water use. If you receive an estimated bill, you may have a new bill by reading the meter and calling the company with that reading. Note, revised bills will not be issued after the due date of the estimated bill.

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Radium 226 (pCi/l)	03/03	N	0.5	N/A	0	5	Erosion of natural deposits
<b>Inorganic Contaminants</b>							
Barium (ppm)	10/06	N	0.0088	N/A	2	2	Erosion of natural deposits
Fluoride (ppm)	10/06	N	0.11	N/A	4	4	Erosion of natural deposits
Sodium (ppm)	10/06	N	6.4	N/A	N/A	160	Salt water intrusion, leaching from soil

**TTHMs and Stage I Disinfectant/ Disinfection By-Product (D/DBP) Contaminants** \*For Chlorine, Haloacetic Acids and TTHM the level detected is the highest annual average of the quarterly averages. Range of Results is the range of results (lowest to highest) at individual sampling sites.

Contaminant and Unit of Measurement	Dates of Sampling (mo./yr.)	MCL Violation Y/N	Level Detected*	Range of Results	MCLG/ MRDLG	MCL/ MRDL	Likely Source of Contamination
Chlorine (ppm)	2006	N	1.1	0.9- 1.3	MRDLG =4	MRDL =4	Water additive used to control microbes

Haloacetic Acids and Total Trihalomethanes were not detected in 2006.

<b>Lead and Copper (Tap Water)</b>							
Contaminant and Unit of Measurement	Dates of Sampling (mo./yr.)	AL Violation Y/N	90 <sup>th</sup> Percentile Result	No. of sites exceeding the AL	MCLG	AL (Action Level)	Likely Source of Contamination
Copper (ppm)	2005	N	0.15	0	1.3	1.3	Corrosion of household plumbing
Lead (ppb)	2005	N	2.3	0	0	15	Corrosion of household plumbing

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbiological contaminants are available from the SAFE DRINKING WATER HOTLINE 800.426.4791.

MCLs are set at very stringent levels. To understand the possible health effects described for many regulated constituents, a person would have to drink 2 liters of water every day at the MCL level for 70 years to have a one-in-a-million chance of having the described health effect.

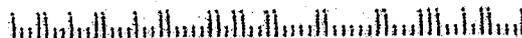
Our water systems are designed and operated to deliver water to our customers' plumbing systems that complies with state and federal drinking water standards. This water is disinfected using chlorine, but it is not necessarily sterile. Customers' plumbing, including treatment devices, might remove, introduce or increase contaminants in tap water. All customers, and in particular operators of facilities like hotels and institutions serving susceptible populations (like hospitals and nursing homes), should properly operate and maintain the plumbing systems in these facilities. You can obtain additional information from the EPA's Safe Drinking Water Hotline at 800.426.4791.

Aqua Utilities Florida  
P.O. Box 490310  
Leesburg, FL 34749

FIRST CLASS  
U.S. Postage  
**PAID**  
S. Hackensack, NJ  
Permit No.  
1450

WAYNE SHIGLEY  
35118 QUEENS WAY  
FRUITLAND PARK FL 34731-6061

347316061 F003



## 2006 Annual Drinking Water Quality Report Kings Cove, PWSID# FL3350655

*Este informe contiene información importante sobre la calidad de su agua de beber. Hable con alguien que lo entienda o llame al 877.WTR.AQUA (877.987.2782).*

We're pleased to present to you this year's Annual Water Quality Report. This report is designed to inform you about the quality water and services we deliver to you every day. If you have any questions about this report or concerns about your water utility, please contact us at 877.WTR.AQUA (877.987.2782) or visit us at [www.aquautilitiesflorida.com](http://www.aquautilitiesflorida.com).

Kings Cove obtains its water from a groundwater source, which comes from the Floridian Aquifer. The water is chlorinated for disinfection purposes. The Florida Department of Environmental Protection (DEP) performed a Source Water Assessment on our system in 2004. Information provided by this assessment indicated no potential sources of contamination near our wells. The assessment results are available on the DEP Source Water Assessment and Protection Program website at [www.dep.state.fl.us/swapp](http://www.dep.state.fl.us/swapp).

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

- A) **Microbial contaminants**, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- B) **Inorganic contaminants**, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- C) **Pesticides and herbicides**, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.
- D) **Organic chemical contaminants**, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also, come from gas stations, urban stormwater runoff, and septic systems.
- E) **Radioactive contaminants**, which can be naturally occurring or result from oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, the EPA prescribes regulations, which limit the amount of certain contaminants in water provided by public water systems. The Food and Drug Administration (FDA) regulations establish limits for contaminants in bottled water, which must provide the same protection for public health.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 800.426.4791.

### Terms and Abbreviations

**Action Level (AL):** The concentration of a contaminant that, if exceeded, triggers treatment or other requirements that a water system must follow.

**Maximum Contaminant Level or MCL:** The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.