

MEMORANDUM

August 28, 2007

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COMMISSION  
CLERK

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (GERVASI) *RG*

RE: DOCKET NO. 060368-WS – 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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Please file the attached e-mail from Gary Schwerdt to Rosanne Gervasi, dated August 28, 2007, in the above-referenced docket.

DATE FILED WITH CLK

8/28/07

RG/PZ  
Attachment

DOCUMENT NUMBER-DATE

07737 AUG 28 5

FPSC-COMMISSION CLERK

**Patti Zellner**

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**From:** Rosanne Gervasi  
**Sent:** Tuesday, August 28, 2007 9:23 AM  
**To:** Patti Zellner  
**Subject:** FW: Aqua Utilities, Docket No. 060368 - WS

PSC Commissioners:

I would like to offer my comments for the record with regard to Aqua Utilities, Docket No. 060368 – WS.

I'd like to offer the perspective that the inaccuracy, audacity, and arrogance with which Aqua Utilities conducts business is a mirror image of its inability to execute on day-to-day operations. An example of that inaccuracy appeared in a recent story in the Orlando Sentinel newspaper --- dated August 26, 2007 (<http://www.orlandosentinel.com/news/local/orl-aqua2607aug26,0,1614218.story>) wherein comments attributed to Aqua Regional President Christopher Franklin stated that Aqua is the only party in this rate case that has not had the opportunity to formally comment – among customers, the office of the public counsel, and the PSC staff: "What this has been so far is a one-sided trial," he said. "The company has not had its day in court yet."

The fact is that Aqua has had dozens, if not hundreds of opportunities to provide public and formal commentary on every pertinent fact in this case, for example in the opening of the Oviedo Service Hearing in City Council Chambers on 6/26/07, when it addressed the Commission before any of its customers had a chance to speak. More important, it has had opportunity after opportunity, over a 3 year-period to respond to omissions, explain why it misstated facts and finances, or did not comply with guidelines. To suggest that everyone but Aqua has had the opportunity to provide relevant information is tantamount to saying that all of the PSC's activities (not to mention AG and Office of Public Counsel's) never took place or were worthless. What was the point of all of the citations, requests for data from SJRWMD, PSC staff, etc. --- if not to allow Aqua the opportunity to provide comment?

On a personal note, I applaud the public process and discourse provided to Florida taxpayers in this matter. For me, the experience of becoming active in this issue has been an opportunity to move away from apathy and be engaged. The meeting in Oviedo on 6/26/07 was a wonderful example of democracy in motion, and provided an opportunity for first-hand experience in how testimony, facts, and history can support a PSC decision that serves the good of the state and its citizens.

I can promise that like others in my community, I will continue to be engaged for as long as it takes to produce a reasonable long-term solution for Chuluota. As a taxpayer and citizen of Florida, I demand nothing more than attention to the facts and pertinent data in this case. That data points to Aqua having questionable business principles, irresponsible billing practices, terrible customer service, poor-quality water at exorbitant rates, and an inability to conduct business per any reasonable guidelines. In addition, its stated corporate goal is to buy any utility with poor infrastructure and then get rates increased --- all the while gouging the taxpayers and making profits for its shareholders. Is it in Florida taxpayers' best interests to support the financial dreams of any company that chooses to take advantage of us?

In summary, having Aqua as a water utility is simply unacceptable. Enough facts have been provided to support a logical decision: support the Joint Motion to Dismiss, rollback the rates (still exorbitant and in dire need of reduction), refund the interim rates with interest, and apply the appropriate fines. Now is the time to govern this utility in a responsible and reasonable manner. Following that, let's find the logical long-term solution worthy of our support and finances.

Thank you in advance for your considerations.

Gary Schwerdt  
 342 Osprey Lakes Circle  
 Chuluota, FL 32766

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