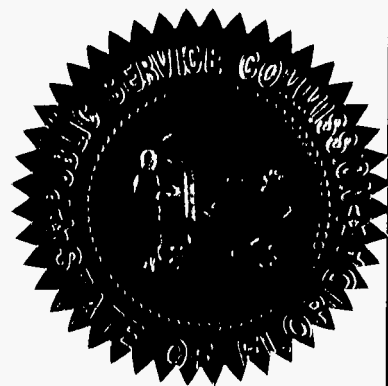


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121-WS

In the Matter of:

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



PROCEEDINGS: OVIEDO SERVICE HEARING

BEFORE: CHAIRMAN MATTHEW M. CARTER, II
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER KATRINA J. McMURRIAN
COMMISSIONER NANCY ARGENZIANO
COMMISSIONER NATHAN A. SKOP

DATE: Thursday, July 17, 2008

TIME: Commenced at 10:16 a.m.
Concluded at 3:35 p.m.

PLACE: Canterbury Retreat & Conference Center
1601 Alafaya Trail
Oviedo, Florida

REPORTED BY: LINDA BOLES, RPR, CRR
JANE FAUROT, RPR
Official FPSC Reporters
(850) 413-6734/(850) 413-6732

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FLORIDA PUBLIC SERVICE COMMISSION 06923 AUG-7 8

FPSC-COMMISSION CLERK

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P R O C E E D I N G S

1
2 CHAIRMAN CARTER: Good morning everyone. We're going
3 to get started here. We appreciate you taking out time from
4 your very busy schedules to come out and be with us today for
5 this, this service hearing.

6 First of all, we've got a few housekeeping matters to
7 take care of and we're going to do that and move forward. Just
8 by way of information, those of you that are wishing to speak,
9 out front on the table there's some white forms here. Just put
10 your name and address on those, your name and address on those,
11 so as we go through the order of speakers, we'll call you up.
12 And as you're called up, you come to the microphone and just
13 state your name, address and what system you're on, what water
14 system you're on and all.

15 Those of you that are here that may be shy about
16 speaking, on the blue forms out here, the last page is the most
17 significant page to me because you can write your comments down
18 and send them in to us at the Commission. Those of you who are
19 here on behalf of your friends and neighbors that could not be
20 here today, please take some of these and send them in to us.
21 There's plenty enough time for us to get that into the record
22 before we finalize the hearing on that. So I want to do that.

23 And just before everyone comes up to speak, we'll do
24 a, we'll swear everyone because this is being recorded. We
25 have our court reporters here and we want to make sure that we

1 get everything on the record because it's important to us to
2 hear from you today.

3 With that, staff, would you please read the notice?

4 MR. JAEGER: Yes, Chairman Carter. By notice, this
5 time and place has been set for a customer service hearing in
6 Docket Number 080121-WS, application for increase in water and
7 wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake,
8 Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole,
9 Sumter, Volusia and Washington Counties by Aqua Utilities
10 Florida, Inc.

11 CHAIRMAN CARTER: Thank you. And now let's take
12 appearances, appearances of the parties.

13 MR. MAY: Mr. Chairman, I'm Bruce May with the Law
14 Firm of Holland & Knight representing Aqua Utilities Florida.
15 With me today is Mr. Chris Franklin, Southern Regional
16 President, and at the appropriate time he'd like to make a very
17 brief opening statement.

18 CHAIRMAN CARTER: Thank you.

19 Mr. Beck.

20 MR. BECK: Thank you, Mr. Chairman.

21 Good morning everybody. My name is Charlie Beck with
22 the Office of Public Counsel, and also here this morning is
23 Steve Reilly also with the office.

24 MS. BRADLEY: Good morning, everyone. I'm Cecilia
25 Bradley and I'm with the Office of the Attorney General.

1 MR. JAEGER: And as stated, I'm Ralph Jaeger on
2 behalf of the Commission. And in addition to the Commission
3 staff here today, we have Jeff Prather from the DEP, Department
4 of Environmental Protection, and also representatives from the
5 county health department.

6 CHAIRMAN CARTER: Thank you. And my name is Matthew
7 Carter, Chairman of the Florida Public Service Commission.
8 With me is my colleague, Commissioner Nancy Argenziano.

9 COMMISSIONER ARGENZIANO: Good morning.

10 CHAIRMAN CARTER: And we wanted to let you know it's
11 important for us to hear from you. That's why we're here
12 today. Let's do this. As I said, we have court reporters here
13 that are going to be transcribing things. We'll have our
14 staff -- we'll go off the record and have staff do a brief
15 overview of why we're here today.

16 Mr. Willis, you're recognized, sir.

17 (Presentation given off the record.)

18 Thank you. We are back on the record. Thank you,
19 Mr. Willis, for that overall presentation.

20 I want to introduce two of my additional colleagues:
21 To my immediate right, Commissioner Edgar, also to my immediate
22 left, Commissioner McMurrian.

23 COMMISSIONER EDGAR: Mr. Chairman, may I make a brief
24 apology?

25 CHAIRMAN CARTER: You're recognized.

1 COMMISSIONER EDGAR: I want to thank everybody, of
2 course, for being here today, but thank you also for your
3 patience, and thank you to the parties and to my Chairman and
4 to Commissioner Argenziano. I apologize for being late. I had
5 car trouble this morning. I'm using a rental car, and when I
6 walked out to the parking lot, with plenty of time to get here,
7 I could not get into the car. So thank you to Commissioner
8 McMurrian, who was staying in the same area, and I called her
9 and she turned around and came back and got me and then came
10 back, and she would have been here on time but for that. So I
11 apologize. I am very glad to be here and I thank you all for
12 your understanding.

13 CHAIRMAN CARTER: Thank you. And thank you for
14 operating the Pony Express this morning.

15 COMMISSIONER McMURRIAN: I'm glad I made it.

16 CHAIRMAN CARTER: Amen. What we'll do now is we'll
17 have opening statements from the parties and then we'll get
18 into our public testimony. With that, we'll now hear from the
19 company. You're recognized.

20 MR. FRANKLIN: Thank you, Mr. Chairman. And with
21 your indulgence, I'd like to face the audience.

22 CHAIRMAN CARTER: You may do so.

23 MR. FRANKLIN: Thank you. Hopefully you can hear me.
24 There we go.

25 Good morning. My name is Chris Franklin. I'm the

1 Regional President for Aqua in our southern region, and I
2 appreciate your kind attention for a few moments this morning.
3 I've met with a lot of customers over the last year and a half
4 since I've had the job of Regional President and I've gained a
5 lot of insight, and I'd like to share some of my observations
6 with you and some, some thoughts on, on where we're going and
7 things that have happened with the company.

8 Just a few things first before I jump into those
9 comments. I just wanted to mention that we do have folks who
10 are right in the back of the room there, they have Aqua shirts
11 on. They're live on our customer billing system. So if you
12 have billing issues or service issues, before you leave here
13 today we will address those. And any that we cannot address
14 here for whatever reason, if they need further investigation,
15 I'll guarantee you a call within 48 hours after you leave the
16 hearing to see if we can resolve those issues. But please take
17 advantage of the folks in the back of the room if you, if you
18 need to.

19 We are also required, as you're probably aware, to
20 deliver to you by July 1st every year our water quality report
21 called the Consumer Confidence Report. This is required by the
22 EPA. And we have copies of those in case you didn't see it
23 when it came to your mail. We also have copies posted on our
24 website for you to look at as well.

25 I also outside of this door right here have a map. I

1 know many of you have been dealing with the issue of dead-end
2 mains and the issues that occur with being at the end of a
3 dead-end main. And so we are, we have a looping project, which
4 is on the, on the construction board, and that project is
5 outlined in detail on a map out front. So if you live on one
6 of those dead-end streets in the older part of Chuluota, I'd
7 encourage you to take a look at that chart and get educated on
8 our, on our project.

9 Some customers have asked us about our emergency
10 plans, hurricane, et cetera. They're also out there for you to
11 review. Actually I guess they're at the back of the room here
12 for you to review.

13 And I also want to mention finally that as we have --
14 and you folks know with our, with our struggles in water
15 quality, which I'll talk about in a few moments, we have, we
16 have to notice on a periodic basis based on, you know, if
17 there's a main break or if there are particular issues, and we
18 typically do that door to door with door hangers. I know the
19 requirement is that we, we either contact the media or go door
20 to door. We think we're trying to go above and beyond by going
21 door to door.

22 We are initiating a new system which we're testing
23 right now. It's already been purchased. It's not exactly a
24 reverse 911 because that's only used by government, but it's a
25 very similar tool which would allow us to automatically contact

1 all the customers at their requested phone number, either home
2 number, cell phone number, computer, whatever it might be. And
3 so we look forward to, to rolling that out in the coming months
4 here.

5 And, finally, right outside here -- there's been a
6 lot of interest in meters. We've installed a lot of meters,
7 I'll address that in just a, just a moment, but there is an
8 example out there. So if you have questions about my meter
9 reading, you know, how to read it, other questions about the
10 meter and its operation, we have an example of that. We also
11 have an example right next to that of one of our automatic
12 flushers which we're using a lot in the system, particularly on
13 those dead-end main areas. So a lot of things to look at and
14 talk about. We have our company management team here that can
15 walk you through any of those things.

16 Now for those of you who maybe are new to the
17 situation, Aqua is a 100-year-old company. We've been a water
18 and a wastewater company that entire time, largely water until
19 more recently, but we've been a water utility that entire time.
20 We're based in Pennsylvania, and only, it was only in 2003 and
21 2004 that we ventured into Florida. We purchased two
22 companies, you're probably aware of some of that history,
23 Florida Water Service, some of the properties from Florida
24 Water Source, and also some of the, all of the Aqua Source
25 properties here in Florida.

1 Now when we purchased those companies, we purchased
2 them both at what we call rate base. And the only purpose of
3 that, to say that is we didn't pay a premium for these
4 companies. We didn't overpay. And that's all public filings
5 that you can look at. However, despite the fact that we didn't
6 pay a premium when we bought these two companies, we found
7 companies that were in great disrepair, in need of capital
8 improvements, and we found ourselves actually in a, in a triage
9 situation: Where to spend the limited capital first.

10 So first we focused on environmental compliance and
11 water quality standards, and, as you know, that's been a
12 constant struggle in the Chuluota area. We've been working for
13 years, and this is a problem in Chuluota that those of you who
14 have been around for a while know that it hasn't started with
15 Aqua but has been a long-standing issue even with our
16 predecessor.

17 And, again, those of you who live in Chuluota and
18 have been around for a while know the issues: Black water, the
19 TTHM or better known as the total trihalomethanes, the
20 disinfectant by-product caused with the reaction essentially
21 from chlorine with the organic, naturally, natural organics and
22 inorganics in the water supply. We have dead-end mains, I
23 mentioned, we have undersized mains, and we're doing
24 significant flushing to try to prevent some of the stagnation
25 that can occur.

1 Now I've personally hosted two internal water quality
2 round tables that included all of our water quality experts
3 throughout the company. We've tried to focus only on Chuluota
4 and only on solutions. All of those experts continue to
5 actively participate in, in the issue of solving our problems
6 in Chuluota. This is a tough problem and I'm not going to run
7 from that and I'm not going to say it any different. This is a
8 very difficult problem. It's a moving target. It's no secret
9 that the water in Seminole County is a very difficult water to
10 treat and deal with, but that's not to say we're not, we're not
11 going to make the investment and we're not going to continue at
12 it.

13 Having said all that, I'm sure you know that we had
14 some good news earlier when we went live with the, with the
15 system, that we did have an average of samples that did meet
16 the MCL, although now we've gone to, to the burnout, which you
17 know about, since that point in time. Now we need to get a
18 running annual average. You know this probably from all the
19 materials we've been sending you. We need to have a running
20 average annual of samples, four quarters essentially, that
21 meets what we call the MCL, the maximum contaminant level for
22 THMs. And that running annual average is the federal standard,
23 and obviously we've met one of, only one of those quarters at
24 this point.

25 Now you recently got a notice from us saying that we

1 were going to move to this, what we -- it's called in the
2 business a burnout. It's fairly commonly known in Florida.
3 This process is generally accepted, and, in fact, the City of
4 Oviedo right next-door is in the midst of their annual burnout
5 as well.

6 I want to tell you though that water quality has
7 always been a concern to this company. We have one of the
8 nation's top water quality laboratories up in our Pennsylvania
9 headquarters just outside of Philadelphia, and we spent a great
10 deal of capital, as you know, here in Florida to attempt to
11 address the water quality concerns. Every year we take in in
12 excess of 6,300 samples for testing throughout our system.
13 However, we realize that even meeting standards is not always
14 providing you with the aesthetic quality that you, or the
15 confidence that you desire.

16 You know, I want to acknowledge the difficulty that
17 any company dealing with small systems on community wells deals
18 with in Florida. Filtration, which is, could be the ultimate
19 solution, is extremely costly for the company and ultimately
20 for the customers. We estimated that it would cost in the
21 range of, for a base solution for filtration in the Chuluota,
22 for the Chuluota wells, in the range of about \$1.2 million. A
23 lot of money. You can rest assured though that we will
24 continue to test the water and we'll continue to work with the
25 agencies to try to resolve the issues in Chuluota.

1 Now in addition to water quality, a year ago one of
2 our customers' biggest concerns was estimated bills. In the
3 past, Aqua had developed -- I'm sorry. In the past year we
4 developed a comprehensive program to change all of the water
5 meters in our, in our PSC-regulated areas in Florida. That's a
6 major undertaking for us in just over a year period of time.
7 These new meters, as you're probably aware, are equipped with
8 radio frequency meter readings so that we drive a vehicle down
9 and there's no more question of are we reading the meters.
10 It's all done electronically by driving a vehicle through the,
11 through the neighborhood. Now I recently checked, and we are
12 estimating less than one-half of 1 percent of meters in the
13 Chuluota area.

14 Now in this transition there are issues. We're
15 changing out all of the meters in a very short period of time
16 and it's a ballet of sorts: The contractor that installs our
17 local operations, then you need to take the, take the baton
18 from there and accurately read the meter, our central customer
19 service billing system that needs to get the right meter and
20 the right radio frequency device in the system. It's, it is a,
21 it is a comprehensive project and undertaking and there are
22 issues that occur. And for those -- if something has happened
23 with your account, I do apologize. Let me point out one so you
24 can look at your bill and make sure if it's occurred to you,
25 that we quickly get it rectified.

1 When the meter readers read the meter manually, they
2 walked up, opened the lid, read the meter, and at the end of
3 the meter there is what we call a stationary zero. If you look
4 at the example out there, it's a black zero. The meter readers
5 had to add that to the reading that they took, they added the
6 reading, they added the zero to make the reading in thousands.
7 On some accounts, fortunately not many, but on some accounts
8 that was carried over into the new computer system. As we've
9 identified them, we've corrected them. However, you need to
10 look at that and make sure that that stationary zero is not
11 added. We are auditing our own system to make sure that we
12 catch every last customer where that would occur. But that was
13 one of the little trips that occur when you do a massive meter
14 change out program. I believe ultimately though these RF
15 devices and a more rigorous reading schedule, which was part of
16 our issue last year, will, will make billing accurate and
17 predictable. I'm not suggesting that we're perfect, but, but,
18 and that there was no pain getting to this point, but things
19 are much improved with our meter reading and our, and our
20 billing.

21 In total, we will have spent about \$5 million on this
22 project in 2007 and 2008 statewide. We are -- we've spent
23 about \$30 million statewide since we bought these two companies
24 in Florida. Another additional \$6 million in 2008 we'll spend
25 on upgrading systems and improving things. In Chuluota, we

1 spent about \$1.6 million on water quality projects, \$600,000,
2 more than \$600,000 in the last year alone, and another
3 \$5 million to address issues with our wastewater plants.

4 Now one of the other major changes last year was our
5 management team. We made a number of changes since these
6 hearings occurred last year. We have a new Chief Engineer
7 formerly with DEP. We have a new Environmental Compliance
8 Manager formerly with DEP. We have a new Regulatory Manager
9 formerly with the PSC. We have a new Chief Operating Manager,
10 and we also have a new Customer Service Manager here in
11 Florida.

12 These management changes were made for a lot of
13 reasons, but more particularly to demonstrate our intent to
14 operate efficiently, provide good customer service and fully
15 comply with the statutes and regulations here in Florida.

16 Now I also need to add, and I'm going to make a point
17 here, that there's been a lot of chatter about ethics of these
18 three former regulators that are now on our management team. I
19 know how painful these allegations or chatter, let's call it,
20 have been for these three former regulators. All three of
21 these people had impeccable reputations as regulators. That's
22 one of the primary reasons we welcomed them into our company.
23 Since they've joined Aqua, each of them has spent countless
24 hours and made significant contributions toward improving the
25 company's regulatory and statutory compliance. I'm here to

1 tell you that the integrity and professional ethics remain, of
2 these folks remain at the highest standard.

3 And, further, some have questioned whether our
4 operators should be handling samples, the water quality samples
5 they take for fear that these employees could tamper with those
6 samples and maybe try to improve the results of the company.
7 This also is disheartening. We have a very dedicated workforce
8 who take their job very seriously and who has no incentive to
9 change samples or alter samples. Additionally, the penalties
10 associated with tampering with samples are severe and could
11 result in the state revoking their license and ultimately
12 eliminating them altogether from the utility business.

13 Now, folks, I hold myself to a very high ethical
14 standard and I hold those who I'm responsible for also to the
15 same standard. I go home every night to three innocent faces
16 and I'm a rock star to them, and there is nothing that I will
17 do that will ever jeopardize my reputation with those faces as
18 being a dishonest man. And I know many of our employees here
19 at Aqua feel exactly the same way. And I'm sorry to spend time
20 on that, but I felt that the charges of our ethics were just
21 one step over the line in the debate on what has happened in
22 Chuluota.

23 Now let's move on and talk a little bit about some of
24 the other improvements we've made. In the call centers we've
25 had some dramatic improvement, I think you'll find. Our, our

1 call handling time and our, our average speed of answer has
2 dramatically improved. We spent six meetings hosted by the PSC
3 on our improved results in customer service. Our ultimate goal
4 is one-call resolution. Again, when you're running a large
5 call center, three in this, in this instance, it's not going to
6 be perfect every time, but we're striving to be as close to
7 that as we can.

8 Last year many of, many of our customers told us they
9 didn't know us, we were new to the state, they didn't know us.
10 So we initiated a program called Aqua Connects and we held one
11 right down the street here at the Holiday Inn back in April.
12 And it was an informal way for customers and company management
13 to get to know each other and ask questions and resolve issues
14 if they had them. We had the customer service folks live at
15 that, at that meeting as well.

16 Now despite the improvements and our significant
17 investment in capital here in Florida, we have, it's been about
18 12 years since we had our last rate increase. So you don't
19 have to be financial experts to figure out that over the last
20 12 years costs have gone up. Just think of gasoline in the
21 last year alone.

22 I think it's also important for you to know that Aqua
23 as an entire company when compared to its, when compared to its
24 peer companies has one of the lowest operating ratios, that's
25 operating expenses to revenues, in the water utility industry.

1 So in comparison to other companies, our expenses really are
2 not out of line. I just have to say I get a chuckle because
3 I've heard it thrown around that I fly down on the corporate
4 jet for my meetings. And I've got to tell you, folks, there is
5 no corporate jet. That's public -- we're a public company.
6 You can find that out on your own. There's no, there's no jet.
7 I do the same thing, I go on the Internet, I book a month in
8 advance, and I look for the \$200 flight if I can get it, and I
9 stay in the reasonably priced hotels every time I come down
10 here. All of that stuff will be reviewed by all the, all the
11 Commission staff. As a matter of fact, it's become a running
12 joke with our President Jack Lihvarcik, who until just recently
13 was driving a car with, you know, 130,000 miles on it. We
14 watch our expenses.

15 Listen, I understand this rate case is associated
16 with years of catch-up. So to minimize the impact we have done
17 what Mr. Willis indicated in proposing a uniform rate structure
18 across the State of Florida. We have a one-page handout that
19 compares our proposed standard rate with a hypothetical
20 stand-alone rate, if we took just the costs associated with
21 every individual system and we gave those costs to only the
22 customers in that particular system. And that's a handout in
23 the back of the room we have so that you can compare what that
24 would be versus the direction we're suggesting, a standard
25 tariff pricing.

1 It's also important to mention to you that the
2 average usage per customer here in Chuluota, in the Chuluota
3 area is about double what our statewide average is. Our
4 statewide average is about 5,000 gallons, and in Chuluota the
5 usage is somewhere, the average usage is somewhere around the
6 range of 9,300 gallons per month.

7 Across the State of Florida regulators such as the
8 DEP, the Public Service Commission and the Water Management
9 Districts are recognizing the growing scarcity of water quality
10 and, therefore, are advocating the implementation of
11 conservation rates, which really come into play when you use
12 more than 5,000 gallons of water. In our proposal, you would
13 pay more -- obviously as the volume goes up, you pay for more
14 volume. In addition to that, as you, as these conservation
15 rates are applied, you would also pay more per 1,000 gallons
16 over five, when you use more than 5,000 gallons. I want to
17 make this point because that's two moving pieces as you get
18 over the 5,000-gallon level. By the way, I should add there is
19 no windfall to the company as we use a conservation rate. What
20 the Commission does is looks at our total revenue requirement,
21 including all of the consumption trends, and makes one revenue
22 decision with all of it inclusive. So it's not like we get a
23 windfall because we put a conservation rate in place.

24 And I think this would be an important time to dispel
25 some misinformation about the Chuluota wastewater plant. The

1 plant was designed, actually planned, I should say planned by
2 our predecessor, Florida Water Services, and that plan had
3 assumptions on customer growth that have never materialized.
4 So that means we have a, basically a 400,000-gallon-per-day
5 plant and we're using only a portion of that today. However,
6 the Commission audits each of our systems for customer count
7 and audits our plants for capacity and does a calculation they
8 call used and useful. It's actually proposed by the company
9 and audited by the Commission. And through that used and
10 useful calculation the customers, you, the customers, only pay
11 for the portion of plant that is in service. And it's done as
12 a calculation by customer count, which, again, the Commission
13 audits. So you're not paying for additional plant that's not,
14 the capacity that is not being used today. Our shareholders
15 actually bear the cost of that overbuilt plant.

16 There is one other issue I wanted to briefly address.
17 Some residents have encouraged Aqua to sell our Chuluota system
18 and I wanted to address this right up-front. I'm here to tell
19 you that we have had multiple discussions with at least two
20 local utilities about the sale of the Chuluota waste, water and
21 wastewater system, and they've been in good faith and much of
22 it has been covered in the press. Now I'll say we're not
23 opposed to selling the system. We're not opposed to other
24 solutions in terms of ownership. What I will say though is we
25 can't sell the system for less than its value, less than what

1 we call rate base. It would, it would be unfair to the rest of
2 our customers and to our shareholders to sell at a deep
3 discount or give a system away that has, that has real value,
4 and that value is on our books and can be reviewed.

5 Although I've not been formally approached, I've also
6 become aware of a plan to, of some Chuluota residents to either
7 use private or government funding to finance a neighborhood
8 purchase, which we would be happy and would cooperate fully
9 with you, should you decide to move down that path.

10 So in summary, I'm going to say that our expenses,
11 when compared to peer companies, are not out of line. That
12 will ultimately be the decision of the folks who sit around the
13 table here. So why are we actually losing money in Florida?
14 This company loses money in Florida. The simple fact that we
15 haven't had a rate increase in 12 years. No company can stand
16 making a \$30 million rate increase -- a \$30 million investment
17 without, without a rate increase. And I will concede that we
18 have had index allowances in the 2 percent range. I do want to
19 acknowledge that in all fairness. I'm talking about a full
20 rate case review by the Commission.

21 Folks, this, you have to imagine this is, this is not
22 the part of my job I enjoy, increasing rates. I work for a
23 water utility largely because I think we make a difference in
24 the communities we serve in providing water and wastewater and
25 better service. I know we have improvements to make, I know

1 we're working on it, I know you have a good, good staff down
2 here at Aqua, a good staff who's working on it. I can also
3 tell you that I don't take this part of my job lightly. When
4 we prepared this proposal, we put the brightest people in the
5 company on it, some of them are in the room here, and we did
6 look for the best solution for the least impact on our
7 customers. I can also say it was prepared with people of great
8 integrity and it was done with true consideration for our
9 customers.

10 Now I've said enough. I do appreciate your kind
11 attention, and I look forward to hearing your comments in ways
12 that we can continue to improve our company here in Florida.
13 Thank you.

14 CHAIRMAN CARTER: Thank you. And we have -- just
15 kind of reorient that so when the public comes up, they can
16 speak to the Commission.

17 Thank you. Mr. Beck, you're recognized, sir.

18 MR. BECK: Thank you, Mr. Chairman. With your
19 permission, I'm going to move that also.

20 CHAIRMAN CARTER: You're recognized. Yes, sir. You
21 may move that as well.

22 MR. BECK: Good morning, everyone. My name is
23 Charlie Beck. I'm with the Office of Public Counsel. And
24 Steve Reilly is also with the Office of Public Counsel. I know
25 it's almost 11:00 and you've been here since the 10:00 starting

1 time, and we saw one couple already leave, so I will be brief.
2 You know, the point of the hearing is to hear from you.

3 I'd like to take just a moment and tell you who we
4 are and what we're doing. The Office of Public Counsel was
5 created by the Florida Legislature to represent your interests
6 before the Public Service Commission. I would like to
7 acknowledge Representative Sandy Adams who is here this
8 morning, who has been tirelessly working. As you recall, she
9 worked tirelessly in the last rate case, which was ultimately,
10 ultimately withdrawn by the company, and she has been working
11 the same way in this case. And she's been very supportive of
12 our efforts and we appreciate it.

13 The office is completely independent of the Public
14 Service Commission. We appear before them as a party. So just
15 as the company has their attorneys representing them before the
16 Public Service Commission, you know, presenting their case to
17 them, we appear as a party in opposition to their, their
18 increase. We will be putting on witnesses and presenting our
19 own case. Right now we have literally, literally served
20 hundreds of interrogatories and requests for documents on the
21 company. We are now getting that data back and are in the
22 process of analyzing it.

23 You recall in the last rate case we intervened and
24 had a similar, and did the same thing, served considerable
25 discovery on the company. It was our experience there after

1 months into the case that we kept getting a changing picture
2 from the company and the data kept changing. And ultimately in
3 our view they changed their case halfway into the case, so we
4 filed a motion to dismiss the case. The Commission staff
5 issued a recommendation supportive of that. The Commission had
6 heard from customers, had heard from customers from here and in
7 other areas, and ultimately the company withdrew the case just
8 before the Commission was to decide it. They refunded a
9 million dollars in the interim rates to the customers.

10 Now in this case we have hired a number of expert
11 witnesses who will be presenting testimony to the Commission,
12 as well as our in-house staff. We have a CPA in our office,
13 Tricia Merchant, who is working very hard on the case. We've
14 also hired three outside consultants. One of them is an
15 engineer. He's with the firm Tetra Tech and he comes from
16 their Orlando office. He will be looking, going and looking at
17 all the plants, he'll be looking at the used and useful
18 calculations that Chris Franklin just mentioned. We will have
19 a difference of opinion, I think, with the company on what
20 portion of the plant is used and useful in providing you
21 service.

22 We also have hired a regulatory accounting and
23 finance expert, who, among other things, specializes in
24 affiliated charges and relationships. One of the issues will
25 be the expenses that are coming down from Pennsylvania, and

1 there's a slough of them, and they find their way into the
2 Florida expenses. So we'll be looking very hard at that.
3 We'll be looking also at their, all expenses, whether they're
4 reasonable, necessary and prudent. Mr. Franklin says that he
5 thinks their expenses are reasonable. Well, we don't, and you
6 can see that just from the charges that they're proposing.

7 In this case -- rates are based on the company's
8 costs, and the rates they're proposing for base facility charge
9 is \$67 before you even use any water at all if you take water
10 and wastewater. If you use 5,000 gallons, which is less than
11 the average here, your bill is \$130 under their proposal, and
12 we think this is just far too high. We're going to do
13 everything we can to bring that down.

14 Our third witness or outside expert that we're going
15 to, will be testifying to the Commission is in the area of
16 finance. They will be addressing what's called return on
17 equity, or that's the profit level that the company is allowed.
18 We will have a very sharp difference of opinion with the
19 company on that, and we'll be providing a witness and trying to
20 convince the Commission to provide a lower profit level which
21 is reasonable to the company but also more reasonable to you.
22 Thank you all for coming. I know it's been a long wait. We
23 look forward to hearing from you. Thank you very much.

24 CHAIRMAN CARTER: Thank you. We also have with us
25 today from the Office of the Attorney General, Ms. Cecilia

1 Bradley. Ms. Bradley, Cecilia Bradley.

2 MS. BRADLEY: I'll be very brief because the reason
3 I'm here today is because I've heard from some of you all
4 saying please come and from Representative Adams. And I want
5 to thank you all for being here. I told the folks last night I
6 figure you probably have something else that you'd really
7 rather be doing today that would be more fun. And for all of
8 you to come out and be here kind of tells us that you're really
9 serious about this. And I don't think I've ever seen a
10 community group as organized and persistent in their goals and
11 their concerns. And your concerns have -- you know, I've been
12 getting your e-mails and your calls and they certainly have
13 concerned us. I wanted to be here so I could actually meet you
14 and hear more details.

15 I was talking to Mr. Jones beforehand, and I know he
16 and any of the other trial attorneys can tell you, I'm also a
17 trial attorney, I do a lot of trial work, and, you know, we do
18 a lot of reading. And we've read a lot of the stuff you've had
19 to say, but trial attorneys have to see it and touch it and
20 feel it and smell it and all that for it to really get home.

21 UNIDENTIFIED SPEAKER: You can smell it.

22 MS. BRADLEY: Okay. I'll do that. But --

23 UNIDENTIFIED SPEAKER: Don't drink it though. Don't
24 drink it.

25 MS. BRADLEY: Okay. But we just -- I just wanted to

1 be here so I could actually meet a lot of you. I've met some
2 at the previous hearings, but I suspect that certainly this
3 morning and again tonight there will be a lot more people, and
4 get a chance for us to meet you and hear from you in person.
5 So thank you again for being here. We appreciate it.

6 UNIDENTIFIED SPEAKER: Thank you.

7 CHAIRMAN CARTER: Thank you, Ms. Bradley.

8 Now those of you that are wishing to speak, you need
9 to be sworn in because that will be part of the public record.
10 So those of you wishing to speak, would you please stand and I
11 can swear you all, I can swear you all in as a group, those
12 wishing to speak today. Would you please raise your right
13 hand?

14 (Witnesses collectively sworn.)

15 Thank you. You may be seated.

16 Mr. Reilly, you're recognized, sir.

17 MR. REILLY: Thank you. Our first witness is Robert
18 Murray.

19 CHAIRMAN CARTER: Wait a minute. One second. Hold
20 on, Mr. Murray. Hold it before you do that. Let me do this.
21 Let me do something. And let me apologize to Chairman Adams
22 for her hard work that she's been doing. As you can see, last
23 year we had one hearing, we have two hearings today, and we've
24 been working with, coordinating with her office, and I want to
25 thank her personally and publicly for her hard work. And first

1 before we go with the public testimony, let me recognize Sandy
2 Adams.

3 REPRESENTATIVE ADAMS: Thank you, Mr. Chairman, and
4 thank you, members of the Commission. And I really appreciate
5 the fact that you are going to have two meetings here. As you
6 know, the last meeting, three of your members sat through lunch
7 and tried to hear as many of my constituents as possible.
8 Unfortunately they had to vacate the building and they weren't
9 able to hear everyone, as much as they did try. So I really
10 appreciate the fact that you are going to hold two meetings
11 today and hopefully hear from every one of the constituents
12 that wants to be heard from.

13 I am here in reference to, in response to my
14 constituents' outcry. As you know and as you've heard, that we
15 have gotten, or you have gotten and DEP has gotten several
16 complaints both on water quality and on the rates. Now what I
17 have heard from my constituents is on the rate issue, well,
18 they called customer service as they did before and they didn't
19 get resolution. And what I have been doing for some of my
20 constituents who have been charged, as some of you heard when
21 you were here last time, these exorbitant water gallon usage,
22 they couldn't understand why, and when they would ask or call
23 into the customer service, they were told, "Well, we don't know
24 what you're doing with your water," instead of resolving the
25 issue or trying to resolve the issue. And so over the last

1 week I have spoken with Jack Lihvarcik several times, and I
2 will say that he is responding once I engage. And my
3 constituents want to know why it takes their state
4 representative to call the president of the company for the
5 company to respond and to resolve their issue.

6 One of my constituents you will hear from, I believe
7 she's here today, if not, she'll be here this afternoon, she
8 finally was, her issue was resolved after about three months
9 and she was told she was charged over 400 percent more than
10 what she was using. So there's a lot of issues still to be
11 resolved. I have some concerns when it comes to water quality,
12 quality, you know, at reasonable rates. It does not appear to
13 be happening here in my district.

14 You'll hear about black water. When I talked to DEP,
15 they said they had a complaint from a daycare center where they
16 had black water coming in. So these are issues that are real.
17 They're important to the people here because this is their
18 water. This is something they can't live without. And they
19 feel like they're being held hostage, they're paying for water
20 they cannot drink or don't feel safe drinking, and they're
21 paying very high rates for those waters, for that water.

22 The other issue is when the meters, the new meters
23 went in and everybody thought that that was going to be the
24 save-all and fix-all, some of the issues that were resolved
25 this week were that numbers were transposed in the meters so

1 they were reading something else and the citizens were paying
2 these higher rates. Now my constituents were afraid not to pay
3 the rates because they were afraid their water was going to be
4 turned off. But at the same time they're still arguing with
5 the customer service people who are telling them they don't
6 know what they're using their water for. Unfortunately it
7 wasn't their meter that they were reading because it was the
8 wrong numbers that were transposed. So apparently they were
9 paying for someone else's water use or someone, a meter that
10 was, you know, not correctly placed.

11 So we have meters incorrectly working or incorrectly
12 read, incorrectly data entried, whatever the case may be, you
13 have a lot of water usage that they can't come to an agreement
14 on how or how they're using this water. One of the things that
15 I asked was, "Okay. If you're drawing down water out of the
16 wells, the St. Johns River Management District, then how much
17 water are you drawing out of those wells? And can you
18 correlate that water use with the usage that you're charging
19 the constituents in my area?" And I would like to ask that you
20 task your staff to ask those questions, because I do know and I
21 do have the water drawdown from the St. Johns River Water
22 Management District. You can do that. And if you get with
23 Aqua, I'm sure they can tell you how much they've charged for
24 the water usage, how much gallons of water they say that the
25 constituents are using. I would like to see the correlation

1 there and see if it actually is close. Because when you tell
2 someone they're using 89,000 gallons and there's only two
3 people in that house and there's no leaks, there seems to be a
4 problem.

5 With that, I noticed -- and I haven't spoken with
6 Chris Franklin. It's the first time I've ever seen him, and I
7 look forward to working with him and Aqua to resolve the issues
8 for my constituents because I believe that they deserve that.
9 We have been through this once already. And I remember when it
10 was Florida Water there were problems with water quality and
11 rates, and things haven't changed under Aqua. And
12 unfortunately, as I listened to him, he said that, I believe he
13 said that in one quarter they had complied, they were in
14 compliance. One quarter. Now since I've been in office
15 basically they've owned Aqua here, and I've been in office six
16 years. That concerns me, one quarter.

17 And in talking with DEP, in talking with DEP, I find
18 that there are some issues with their analyzers. But their
19 analyzers are not going to be put, the new analyzers are not
20 going to be put in place until September. My question is why?
21 Why September? How long does it take to get analyzers? Why is
22 it taking so long to get these analyzers in place? My
23 constituents are paying for water they don't feel safe in
24 drinking, and yet they don't have to or they are not going to
25 put in these analyzers until September, yet they've come to you

1 for another rate increase. I have serious concerns about what
2 is going on here.

3 I've been working closely with Commissioner Dallari,
4 I believe he will speak to you also and I won't go into the
5 issues that he wants to raise, but I will tell you that we hear
6 our constituents and I would like for you to hear our
7 constituents. Listen to them, understand what they're going
8 through, and please help them in getting quality water at
9 reasonable rates. Thank you.

10 CHAIRMAN CARTER: Thank you.

11 Commissioner Argenziano.

12 COMMISSIONER ARGENZIANO: I wonder, I wonder if we
13 can get that answer for the Representative while she's here on
14 the analyzers.

15 CHAIRMAN CARTER: That's for --

16 COMMISSIONER ARGENZIANO: That would be, I think it
17 would be a good idea.

18 MR. FRANKLIN: Yes, Commissioner.

19 CHAIRMAN CARTER: Speak into the -- so we can get it
20 for the record.

21 MR. FRANKLIN: Those analyzers unfortunately are not
22 what we call a shelf item. It's such a precision piece of
23 equipment that they're actually built for us and there's a
24 four-week period to actually build that precision piece of
25 equipment. They're not an inventory item that we can order and

1 bring here.

2 CHAIRMAN CARTER: Wait. Wait. Commissioner Adams --
3 excuse me. Chairman Adams.

4 REPRESENTATIVE ADAMS: I would like to know when the
5 analyzers were identified as defective and when they were
6 ordered then, because it appears that it's been a while.

7 CHAIRMAN CARTER: Mr. Franklin.

8 MR. FRANKLIN: I'd be, I'd be happy to give the
9 Commission and Representative Adams, who could share with the
10 audience here, a detailed analysis of what happened with the
11 original equipment, why it failed, when it was, when the next
12 piece of equipment was ordered, why the delay. I'd be happy to
13 lay all that out. I'm not prepared at this point in time to
14 give you that level of detail.

15 COMMISSIONER ARGENZIANO: Okay. But, Mr. Chair --

16 CHAIRMAN CARTER: Commissioner Argenziano.

17 COMMISSIONER ARGENZIANO: Now they are due in -- was
18 it September, Sandy -- in September and that is a fact? I
19 mean, we know they're --

20 MR. FRANKLIN: Installed, installed by September.

21 COMMISSIONER ARGENZIANO: Installed. Okay. He will
22 give us more information.

23 CHAIRMAN CARTER: Okay. Thank you.

24 Let me just say again how much I sincerely appreciate
25 Representative Adams, a member of the Florida House of

1 Representatives, in terms of her hard work.

2 Also, we, as you can see, that we're having two
3 meetings here today because she is persistent about her
4 constituents being heard. We heard you, Madam Chairman, loud
5 and clear.

6 Next I want to bring up the County Commissioner for
7 this district, Bob Dallari.

8 COMMISSIONER DALLARI: Thank you, Mr. Chairman, thank
9 you, Commissioners, for allowing me to speak here today and
10 actually having two meetings here. We did this last year and
11 again we're here this year.

12 I would like to address a couple of other things that
13 the Representative didn't address. As Chris Franklin did
14 state, they did have a public community meeting called Aqua
15 Connects back several months ago. I was present there. I was
16 a little disheartened when I was there because it was held in
17 Orange County; not Seminole County, Orange County. I would
18 have liked to have seen it held right here. The location that
19 it was held in in Orange County was off the beaten track, it
20 wasn't on 434, it was tucked away. When I was there, there
21 wasn't that many residents, and the reason why there wasn't
22 that many residents was because they couldn't find it, at least
23 that's what I heard.

24 I'm very familiar with the surrounding areas. I made
25 a point to be there myself. You would have thought that if the

1 public did know where it was, that you'd have had at least the
2 turnout that's here today, especially when it was in the
3 evening. When I was there there was probably, and I'm
4 guesstimating because I didn't keep a count, but maybe a dozen
5 or so people the whole time, and that was in the evening.

6 When -- also what Chris Franklin spoke about was they
7 didn't get the return on investment when they purchased the
8 utility from Florida Waterways. Well, just like every one of
9 us that invest in our 401K, sometimes you don't always get that
10 rate of return that we've always wanted to, especially in
11 today's market as we see The Dow coming down each day, if not
12 each hour.

13 One of the things that is stopping the growth in the
14 Chuluota area is when the County Commissioners put on the
15 ballot the initiative to declare most of Chuluota, not all of
16 it, but most of it called a rural area. That was voted on in
17 2002, and to my knowledge, I didn't check the records, but we
18 haven't heard anything from Aqua Utilities back then opposing
19 to it. The only people we've heard opposing to it was the City
20 of Winter Springs, and we came to resolution with that and now
21 we're in lock step with Winter Springs and there's no issues
22 with it. But we didn't hear anything from the Aqua Utilities
23 provider.

24 The thing about the rural area, and I'm going to get
25 off of that subject in a minute, it basically allows the

1 existing growth to stay where it is. It's either one unit per
2 three acres, one unit per five acres, one unit per ten acres.
3 So you're not going to get the high density growth that a
4 developer would have wanted for the future. And, again, I
5 would have liked to have heard from Aqua Utilities. And they
6 knew what they were buying when they bought it because they had
7 the experts to research what that rate of return would have or
8 could have been.

9 The things that I keep on hearing from the citizens
10 of Chuluota -- and Chuluota, 100 percent of Chuluota is in my
11 district. It's in Seminole County; it's an unincorporated part
12 of Seminole County. It's very frustrating for the citizens of
13 Chuluota because they think that the basic need for utilities
14 is provided by the county. And I have to tell them time and
15 time again, much to my dismay, that we're not given that
16 oversight. It's the Public Service Commission, it's the State
17 of Florida, and that's why you're all involved, as well as
18 Representative Adams. But I can assure you that I get phone
19 calls, as well as my aide gets phone calls in my office, on a
20 daily basis. If you'd like that phone log, we can present that
21 to you. If you'd like the e-mails, we can present that to you.
22 But I will tell you that as we educate the community, those
23 phone logs go down because they realize it's the PSC and it's
24 the state.

25 But I do walk that community and I'm involved in that

1 community quite a bit, and I got to tell you, the complaints
2 haven't stopped. The quality of service has not gone up. The
3 quality of water has not gone up even from last year when the
4 community packed the City Chambers of Oviedo.

5 One of the things that I did come out of and note
6 over the past couple of months is I have gotten complaints from
7 citizens of Oviedo, and the Mayor of Oviedo is here, Mayor
8 Andrews, and she'll speak about this in a brief moment, was
9 that Walker Elementary is provided water from Aqua Utilities.
10 There are a number of -- there is one community, I believe,
11 that their kids go to Walker Elementary, it's called Live Oak.
12 The residents of Live Oak who do not get the water from Aqua,
13 they get their water from the City of Oviedo, but they're
14 concerned for the safety of their children. And you as parents
15 would understand that concern, but you have to admit it's kind
16 of frustrating for residents that go to work each day, live
17 their life, and all they want to know is that they have good
18 quality service, good quality water and their family and
19 children are safe. And I can honestly tell you that they don't
20 believe that.

21 I've called myself several times. I've stopped
22 calling because I don't get return phone calls. So if I can't
23 get return phone calls, how is a citizen going to do that?

24 The one thing, the one thing I would like for you
25 folks to do is deny the request, ensure the citizens that

1 they're going to get good quality water at a reasonable rate.
2 It's imperative, it's their basic right. Thank you.

3 CHAIRMAN CARTER: Thank you.

4 Commissioner Argenziano.

5 COMMISSIONER ARGENZIANO: Thank you, Mr. Chair. This
6 should be a good time -- we have DEP here. First, first --

7 COMMISSIONER DALLARI: Would you like me to stay here
8 or sit down?

9 COMMISSIONER ARGENZIANO: Well, I have one question
10 for you.

11 COMMISSIONER DALLARI: Yes, ma'am.

12 COMMISSIONER ARGENZIANO: And then, of course, you
13 can sit down.

14 Commissioner, could you tell me when the last time is
15 you tried to call the customer service? And are you calling
16 the one up in Pennsylvania?

17 COMMISSIONER DALLARI: I'd have to check our Rolodex.

18 COMMISSIONER ARGENZIANO: Okay. Will you --

19 COMMISSIONER DALLARI: I mean, but I asked, I asked
20 my aide to do it.

21 COMMISSIONER ARGENZIANO: Okay.

22 COMMISSIONER DALLARI: I mean, I'm -- not that I'm
23 unable of doing it.

24 COMMISSIONER ARGENZIANO: No. I understand. Trust
25 me, I understand. Okay.

1 COMMISSIONER DALLARI: But, I mean, it's been within
2 the last two months, you know.

3 COMMISSIONER ARGENZIANO: Okay. Thank you.

4 COMMISSIONER DALLARI: And the reason why we stopped
5 is because we just get the runaround.

6 COMMISSIONER ARGENZIANO: Okay. Thank you.

7 And the second question to DEP.

8 MR. PRATHER: Yes, ma'am.

9 COMMISSIONER ARGENZIANO: Actually two questions for
10 DEP. One is I'd like to know if we've tested the water at the
11 elementary school, and if, and if that water comes up quality
12 standard or not? And, if not, can DEP get on that? And I'm
13 sure with Representative Adams' inquiry on that also we can
14 make that happen.

15 COMMISSIONER DALLARI: Commissioner, if I may
16 request, when Aqua does send out, send out these notices for
17 these hearings, I'd like to request that they send it out to
18 the children's parents that go to that elementary school.

19 COMMISSIONER ARGENZIANO: So what I would like, what
20 I can do is ask for DEP to, to find out if they have tested the
21 water, especially at the elementary school. Because I think
22 that, to me, is on the top of the priority list right now.

23 COMMISSIONER DALLARI: I would agree.

24 COMMISSIONER ARGENZIANO: And also what testing --
25 and this may be a good time, Mr. Chairman, since we have DEP

1 here, to tell me and the people who are here how often those
2 tests are done and how they're done and maybe go into a little
3 detail.

4 MR. PRATHER: Okay.

5 COMMISSIONER ARGENZIANO: I think that would be very
6 useful at this point.

7 COMMISSIONER DALLARI: Thank you.

8 COMMISSIONER ARGENZIANO: Thank you, Commissioner.

9 CHAIRMAN CARTER: Okay. We also want -- excuse me.
10 We're going to have Representative Adams come up because I
11 think that she has a comment as well. Madam Chairman.

12 REPRESENTATIVE ADAMS: Thank you. And I will tell
13 you that I have been in contact with the local DEP offices, and
14 I know that they are now working on some issues. And I was
15 told yesterday that they were going to contact DOH. Have you
16 done that?

17 MR. PRATHER: We have.

18 REPRESENTATIVE ADAMS: Okay. So --

19 COMMISSIONER ARGENZIANO: Representative, the local
20 Department of Health?

21 REPRESENTATIVE ADAMS: Yes, I believe it was.

22 MR. PRATHER: Both, actually, Seminole County
23 Department of Health, as well as their office up in
24 Tallahassee.

25 REPRESENTATIVE ADAMS: I was concerned because I

1 continually hear a lot of, and you will hear that from the
2 constituents behind me when they come up and talk about the
3 issues, the medical issues and other things, and the fact that
4 we have an elementary school that is serviced by Aqua but they,
5 their families do not live within the Aqua Utilities service
6 area. And also I wanted to know what DEP was doing since we
7 were still out of compliance. And so those were the questions
8 that I was asking, that I'm sure you will be asking also. And
9 so I had been told that they were going to engage Department of
10 Health and that they were going to further look into other
11 issues. And I'll be waiting to hear what -- I think I already
12 know the answer from what my conversations were, but.

13 COMMISSIONER ARGENZIANO: Okay. And maybe, if I can,
14 Mr. Chair.

15 CHAIRMAN CARTER: You're recognized.

16 COMMISSIONER ARGENZIANO: Would like to know -- I
17 guess what I'd like to know is the process. Does DEP look into
18 water quality as far as bacteria, microorganisms, water quality
19 meaning health, safety of the people drinking the water, and
20 how often is it checked and, you know, what is your role?
21 Because I know we do regulatory, but we have water quality
22 issues that we can look at also. So I'd like to know though
23 the process in which DEP works. And if, if it's, you know, if
24 you could do that now, I think it would be a great time.

25 CHAIRMAN CARTER: You're recognized.

1 MR. PRATHER: Would you like me to approach?

2 CHAIRMAN CARTER: Sure. That would be fine.

3 MR. PRATHER: Okay.

4 CHAIRMAN CARTER: Just for the record so she can get
5 it, just state your name.

6 MR. PRATHER: Okay. My name is Jeff Prather. I'm
7 with the Florida Department of Environmental Protection here
8 out of the Orlando District Office.

9 CHAIRMAN CARTER: Thank you.

10 MR. PRATHER: To answer your question, the specific
11 violation that Aqua Utilities has is with disinfectant
12 by-products. I believe Mr. Franklin had discussed, discussed
13 that particular, or those constituents.

14 They are required, they being Aqua Utilities, are
15 required to sample for disinfectant by-products on a quarterly
16 basis. For the most part here in the State of Florida a
17 utility that doesn't have a violation with disinfectant
18 by-products would be sampling them on an, on an annual basis.

19 COMMISSIONER ARGENZIANO: Can I just -- when you say
20 disinfectant products, are you talking about not using the
21 right products, not enough products, bacteria?

22 MR. PRATHER: I'm sorry. I'll -- and I'm not the
23 technical guy but I can probably answer that question. What
24 happens is when you disinfect water with chlorine, the
25 interaction with organic material, you get a by-product from

1 that. And there's four chemicals that are associated. The sum
2 of them give you this number which we would consider TTHMs,
3 total trihalomethanes. And there's a regulatory limit for that
4 sum, and that's what we're -- it's 80 parts per billion. So on
5 a quarterly basis we are getting that information from Aqua
6 Utilities.

7 Now utilities as a whole are required to do all types
8 of sampling. On a daily basis they're looking at chlorine
9 residuals throughout the distribution system, on a monthly
10 basis they're looking at bacteria, they're taking bacterial
11 samples throughout the distribution line. And then on an
12 annual and triennial basis they're doing various types of
13 sampling for other primary drinking water standards.

14 Right now the violation for Aqua Utilities is
15 disinfectant by-products, and we have been working for an
16 extensive amount of time trying to get this problem solved.

17 COMMISSIONER ARGENZIANO: And, I'm sorry, I hate to
18 --

19 MR. PRATHER: Yes, ma'am.

20 CHAIRMAN CARTER: You're recognized.

21 COMMISSIONER ARGENZIANO: But to that point, are
22 the -- how, how much above the standard or the allowed amount
23 are they?

24 MR. PRATHER: It varies. 80 parts per billion is
25 regulatory standard. You can see levels that are around 100,

1 you can see levels up to 170 parts per billion.

2 What we look at is when there's a violation, an MCL
3 violation, they have to have a running annual average. If they
4 had that first sample that came in that was over 80 parts per
5 billion, they're required to go to a quarterly sampling plan.
6 And then what we do is we take each of those quarterly samples
7 and we average them by four. And if that running annual
8 average exceeds 80 parts per billion, then you get the maximum
9 contaminant levels, the violation.

10 Now what happens during the violation? Also let me,
11 let me say that it's broken up into four constituents. I told
12 you the total trihalomethanes are four chemicals. Each of
13 those chemicals have an individual number that we look at as
14 well. So we take the total number, and if there's an MCL
15 violation, the utility has to public notice, they have to say
16 this is what's in your water, this is what we're going to do to
17 resolve the problem. And in this case here they're not being
18 asked to give an alternative source of water. It's saying this
19 is what we're going to do and this is what's in your water.
20 There's some very specific language that's set forth by the EPA
21 that the utility, nobody can change, and it'll go out on a
22 quarterly basis for as long as there's an MCL violation.

23 Now, in addition, if, as we look at the four specific
24 constituents that make up total trihalomethanes, if any of
25 those numbers exceed, there's a standard for them, then there's

1 some mandatory language that would go in there that would make
2 ladies that are pregnant, things of that nature, that language,
3 it's called earth language, which --

4 COMMISSIONER ARGENZIANO: Is that part of the Clean
5 Drinking Water Act?

6 MR. PRATHER: It is. And that earth language isn't
7 required in these public notices. The levels aren't to that
8 point.

9 So what happens is as long as we're over that
10 80 parts per billion quarter after quarter after quarter, the
11 utility continues to have to public notice and they continue to
12 have to sample on that quarterly basis, along with all the
13 other routine sampling that they're doing. So if you ask has
14 the school specifically been sampled for for disinfectant
15 by-products, my answer is no. But they're sampling the
16 distribution system and the disinfectant by-products are in it.

17 COMMISSIONER ARGENZIANO: Are there -- Mr. Chair.
18 Are there any other violations of quality standards?

19 MR. PRATHER: No.

20 So where do we stand today? In 2007, January 2007,
21 we executed a consent order with Aqua Utilities, gave them
22 approximately six months to fix the problem. In addition, they
23 were fined \$9,500 for violations. For every day that they went
24 beyond that deadline for fixing the problem they had to pay
25 \$100 per day stipulated penalty. And in April of 2008,

1 April 7th to be exact, they initiated the fix, and they assumed
2 \$28,900 in stipulated penalties. It took them that long to get
3 the correction in place.

4 In July, just started this month, we received notice
5 that they were going to a free chlorine burn. And understand
6 that it's typical for a drinking water utility that uses
7 chloramines to disinfect, at some point in time, and sometimes
8 on a regular basis, maybe twice a year, they have to do what's
9 called a free chlorine burn. In this case here, implementing
10 the system in April of 2008 and us getting notification in
11 roughly around July 1 or 3rd that they're going to a free
12 chlorine burn, we did do an inspection earlier this week
13 actually and we feel that the system wasn't, it wasn't to do a
14 free chlorine burn. It's the fact that the system wasn't
15 working. So the department is looking at opening another
16 enforcement action for not fixing the problem that we tried to
17 fix with a consent order and penalties in January of 2007.

18 COMMISSIONER ARGENZIANO: Can I ask you another
19 question?

20 I know, I don't know how many years ago, I was in the
21 House at that time, and it was not, it was Florida Water,
22 before that it was Southern States Utilities.

23 MR. PRATHER: Uh-huh.

24 COMMISSIONER ARGENZIANO: And I remember way back
25 then having -- I think -- are there records or can you get to

1 me records going back? It's just really because I want to see
2 how long it's actually been happening.

3 MR. PRATHER: Well, I do have a quick timeline for
4 you.

5 COMMISSIONER ARGENZIANO: Okay.

6 MR. PRATHER: But obviously I can get you any records
7 that you need, Madam Commissioner.

8 COMMISSIONER ARGENZIANO: Thank you.

9 MR. PRATHER: In August of 2000 we did issue a
10 permit, the Department of Environmental Protection issued a
11 permit to Florida Water Services to implement a chloramine
12 system to address the TTHM issue, and it did work.

13 And what happened is in 2000 -- roughly in 2003 into
14 2004 there started to be water quality complaints, black water,
15 things that would be consistent with denitrification and the
16 use of chloramines consistently. The utility asked to go to a
17 free chlorine burn. We certainly granted that, as is
18 commonplace. But chloramine was never put back into the system
19 ever, it stayed on chlorine, and thus the TTHM problem came
20 back, which resulted in our enforcement actions.

21 COMMISSIONER ARGENZIANO: So then if the chloramines
22 were implemented again, that would solve that problem?

23 MR. PRATHER: It certainly is a way of dealing with
24 total trihalomethanes. It's reducing the amount of chlorine
25 that you're putting into the system. And chloramines is one of

1 the ways that we've seen utilities use to address the problem.

2 COMMISSIONER ARGENZIANO: And just one other
3 question.

4 MR. PRATHER: Yes, ma'am.

5 COMMISSIONER ARGENZIANO: And it really doesn't --
6 it's not specific to this company, but because the -- what I
7 recall from the Clean Drinking Water Act there was concerns way
8 back then, microorganisms and so on, that some day all of these
9 systems would have to be on filtration. Is there -- has that,
10 has that been removed from the Clean Drinking Water Act?

11 MR. PRATHER: Probably a little beyond my, my
12 technical expertise.

13 COMMISSIONER ARGENZIANO: Okay. It may be something
14 you can help me look at. And, Representative Adams, several
15 years ago the Clean Drinking Water Act, not too long ago as a
16 matter of fact, had recommended that in the near future almost
17 all of, especially in Florida, some of the systems because of
18 the microorganisms that we were seeing, the Giardia and
19 Cryptosporidium, may have to go on filtration anyway. And I'm
20 wondering -- I think that got peeled back at the federal level,
21 and I'm just wondering, maybe we can look into that and find
22 out if it had or what happened to that language.

23 MR. PRATHER: And on a case-by-case basis that could
24 be very necessary to pretreat water prior to the disinfection
25 process to make it work. So that's --

1 COMMISSIONER ARGENZIANO: But I know it's very
2 expensive.

3 MR. PRATHER: Yes, ma'am.

4 COMMISSIONER ARGENZIANO: But, but if that's what we
5 have to do. I'm sorry, Mr. Chairman.

6 CHAIRMAN CARTER: Commissioner, on the -- as
7 Representative Adams comes up, did I miss it? You asked a
8 question about the children, were the parents of the children
9 notified about this, because they're not part of the district.

10 MR. PRATHER: It's, it's public noticed. And, again,
11 not being in the program, but it would be public notice to the
12 school.

13 CHAIRMAN CARTER: Because that would -- I was
14 following your line and I was just trying to -- I didn't hear
15 the answer to that.

16 COMMISSIONER ARGENZIANO: Right. Public notice to
17 the school -- you would hope that the school would send notice
18 out. But I would think, I would think that I would feel
19 comfortable, and I think the Representative would also, as well
20 as the parents, to maybe work in conjunction with DEP and DOH
21 to actually check the water at the school and have that out to
22 the members of the community just to make sure.

23 REPRESENTATIVE ADAMS: Thank you, Mr. Chair.

24 In listening to Mr. Prather and in my conversations,
25 the question I would like answered is in April when they

1 switched over, I believe that's when they found their analyzers
2 went out, that they weren't working, and the reason they did
3 the chlorine burn, if Mr. Prather will correct me if I'm wrong,
4 was because of the black water that was reported to the daycare
5 center. Is that right?

6 MR. PRATHER: I don't know if it's specifically to
7 the daycare center. But certainly going back to the free
8 chlorine burn is something that is done if you experience black
9 water, if you will, in the lines from possible use of
10 chloramines.

11 I will say this. Some more information that I have
12 is that they did take two sets of samples in April for the
13 disinfectant by-products. One of them, at least by my record,
14 show that it was under the regulatory limit, one of them was
15 above. The second one was the one that was above. That could
16 have very well been an indicator that analyzers were not
17 working maybe. And, again, I'm not an engineer, so I would
18 only be speculating saying if maybe ammonia was being fed too
19 much, not enough, that could have been the cause of the black
20 water. But certainly it was in July -- the beginning of this
21 month was when we were notified at the department that we were
22 going to go to a free chlorine burn, and it was during our
23 inspection of earlier this week that it's because their
24 analyzers weren't working, period.

25 COMMISSIONER ARGENZIANO: And just one other

1 question.

2 CHAIRMAN CARTER: Yes, ma'am.

3 COMMISSIONER ARGENZIANO: How often are your
4 inspections?

5 MR. PRATHER: We do sanitary surveys on an annual
6 basis, so, for wastewater plants and drinking water systems.

7 COMMISSIONER ARGENZIANO: And, Mr. Chair, I'm sorry.
8 I think they used, I think DEP used to do them at least two or
9 three times a year, if I'm correct.

10 MR. PRATHER: Well, we investigate all complaints.
11 Your routine, your routine sanitary surveys are on a, on a
12 routine basis for wastewater plants and so forth. And then on
13 top of that your utilities have to submit what's called a
14 Monthly Operating Report, an MOR.

15 COMMISSIONER ARGENZIANO: Right.

16 MR. PRATHER: Which is feeding us the information on
17 what their daily chlorine residuals are throughout the
18 distribution system as well as what their Bact results were
19 throughout the month. So that's more oversight that, that we
20 have on a monthly basis. And we have staff that do nothing all
21 day but review MORs from drinking water utilities.

22 COMMISSIONER ARGENZIANO: All right. Thank you.

23 CHAIRMAN CARTER: Thank you. Commissioners, any
24 further questions? Thank you. And you'll be with us all day;
25 right?

1 MR. REILLY: Could we just ask one quick question?

2 CHAIRMAN CARTER: Oh, Mr. Reilly, you're recognized,
3 sir. Yes, sir.

4 MR. REILLY: Did I understand you to say that the
5 April '08 implementation of the chlorination program in your
6 judgment, the Department's judgment did not fix the problem or
7 is not working?

8 MR. PRATHER: Was not working, no.

9 MR. REILLY: And could you give a little elaboration
10 as to what allowed you to make that judgment, what --

11 MR. PRATHER: Well, we have no, we have no assurance
12 that it is working. We're looking at just two pieces of
13 information in that we have a, we have a sample that shows that
14 it was below the regulatory limit, we have one that shows that
15 it's above, and based on our inspections earlier this week the
16 analyzers are not working and they have to be replaced.

17 MR. REILLY: But since April there have not been
18 other samples, like May and June?

19 MR. PRATHER: No. Because they're required, they
20 would be required -- once they had the implementation in place,
21 they're required to do quarterly sampling. And even if they
22 were to have a single result that was below the MCL, a second,
23 a third, we would still require the quarterly sampling until we
24 know and are comfortable with the fact that this, that this
25 plant is in place and working, so.

1 CHAIRMAN CARTER: Thank you. One second.

2 Commissioner McMurrian.

3 COMMISSIONER McMURRIAN: Thank you, Chairman.

4 Thank you, Mr. Prather. I wanted to make sure I
5 understood right. You said in 2003 and 2004 the complaints
6 started bumping up again about the quality of water, and the
7 utility asked for a free chlorine burn at that time, but they
8 never used chloramines again after that. So that includes from
9 roughly 2004 forward they never used the chloramines again.

10 MR. PRATHER: Correct. And in that time there was
11 the transfer of ownership between Florida Water Services and
12 Aqua Utilities as well.

13 COMMISSIONER McMURRIAN: Okay. That's what I was
14 about to ask, too, to ask staff. That was around the time that
15 they came in.

16 MR. PRATHER: And part of our enforcement action and
17 the initial penalty assessment of \$9,500 separate of the
18 stipulated penalties addressed the fact that chloramines were
19 never returned to.

20 COMMISSIONER McMURRIAN: Okay. And I guess,
21 Chairman, one thing I'd like to ask staff to look into, and
22 they probably already are and I'm sure Mr. Prather is helping,
23 is why the utility made the decision not to use chloramines
24 again or not to continue that past practice from the prior
25 owner. And I don't know if you have an answer now, but that's

1 something we definitely want to look, I think, in the --

2 MR. WILLIS: I'm glad you asked that question. I'm
3 glad you asked me that question, Commissioners. I would like
4 to point out that staff, through our Memo of Understanding with
5 the Department of Environmental Protection, will be sponsoring
6 DEP witnesses in this case, and part of their testimony for the
7 Chuluota area will be going in depth into all of this
8 information. So you will have that for the actual technical
9 hearing and these witnesses will be presented. So that's part
10 of what we will be doing as part of our job in this case.

11 CHAIRMAN CARTER: Commissioner Argenziano.

12 COMMISSIONER ARGENZIANO: Can we at this point hear
13 from the company's point of view or is that -- as to why or
14 what their decision was in not using the chloramines? I think,
15 think that would be good. And they may have an explanation,
16 and I'm sure we're going to hear more about it in our upcoming
17 hearings, but I think they deserve the opportunity to reply to
18 that, if they can. I know it's off the cuff right now, but
19 maybe they can.

20 MR. FRANKLIN: Commissioner, I would have to defer.
21 Patrick Farris, who is a former DEP employee and head of water
22 quality essentially for Florida, I'd have to ask him for his
23 technical experience on this as to, as to how those decisions
24 were made.

25 CHAIRMAN CARTER: I think, Commissioners, what we

1 could probably do is let staff flush this issue out, no pun
2 intended. We can have our witness -- I mean, particularly let
3 DEP know exactly what we're asking for so when we do get to
4 that level, we can have drilled down on this particular issue
5 here. Because I -- this is information that we really need to
6 know, so it needs to be flushed out as an issue in the case as
7 it's brought forth to us. Yes, ma'am.

8 COMMISSIONER ARGENZIANO: Absolutely. My only
9 concern is if the company is here and they can answer that
10 while the people are sitting here -- and they may have a good
11 answer and may not. I don't know. And I don't -- if you're
12 not able to do that today, I understand that, too. But that's
13 something, as the Chairman said, we need to know.

14 MR. FRANKLIN: Commissioner, I would love to be able
15 to give you a concise answer as to how the decisions were made
16 and what went into those decisions. I'm just concerned that
17 we're not prepared to give you an articulate answer.

18 COMMISSIONER ARGENZIANO: Okay. And I respect that.
19 And when you can, if we can get that and get it to
20 Representative Adams so that she can make sure that the people
21 that are here get that answer, too.

22 MR. FRANKLIN: I'd be happy to.

23 COMMISSIONER ARGENZIANO: Thank you.

24 CHAIRMAN CARTER: Thank you, Commissioner.

25 We also have with us today visiting Ms. Mary Lou

1 Andrews, the Mayor of Oviedo. Madam Mayor.

2 MR. PRATHER: Mr. Chairman, thank you.

3 CHAIRMAN CARTER: Thank you for coming.

4 MAYOR ANDREWS: Good morning. Thank you very much.

5 First of all, this is on a personal note. My, my mom
6 and dad lived on Lake Mills in Chuluota for years and I lived
7 on 2nd Street, East 2nd Street in Chuluota for years. My
8 husband and I raised our little daughter there and she attended
9 Geneva Elementary. So I guess if you live long enough,
10 everything cycles back. Because I remember I was always
11 worried as a, as a young mother about the water quality. I
12 knew the -- you know, Chuluota was an agricultural entity. My
13 parents lived on a 17-acre orange grove and you always saw
14 those chemicals absorbed into the soil. Where did they go? So
15 raising a young child -- and as we know, young children are
16 much more susceptible, because of their cell formation they're
17 much more susceptible to anything that you put into their
18 bodies. So I did always worry.

19 Back in those days I think we did have Southern
20 Utilities when I lived in Chuluota on 2nd Street. And Geneva
21 Elementary, at one point they tested the water at Geneva
22 Elementary, and low and behold they found some contaminants in
23 that water. And that was always a real source -- because I was
24 also a school teacher at Geneva Elementary and I worried about
25 the contaminants in the water there at the school. They had to

1 shut off the drinking fountains for us while they got that,
2 that situation cleaned up. So families are very concerned
3 about the health of their children, particularly as they're
4 developing.

5 And I just wanted to say on a personal level I very
6 much, am very passionate about the situation in Chuluota,
7 first, because I've lived there. But, second of all, I hear
8 from a lot of Chuluota residents. Believe it not, I still know
9 a lot of people out that way. And so even at our council
10 meetings sometimes Chuluota residents will come up to the City
11 of Oviedo council meetings and say, "Is there anything that you
12 can do for us for the water situation in Chuluota?" And so it
13 is something that our city, our city council actually
14 considers. And, and being our neighboring community, we want
15 to see what assistance we might be able to provide.

16 Let's see. I guess I should say that in the past our
17 city council, our staff primarily has talked with Aqua
18 Utilities to see if there's some kind of assistance that we
19 might provide to Aqua Utilities. Those negotiations have never
20 proven to be fruitful whatsoever.

21 I know that you mentioned about the alternative water
22 out for Aqua Utilities. But actually a great source of
23 alternative water is the City of Oviedo's water lines that lie
24 right across the street from many of these places. So in, in
25 many ways if, if Aqua Utilities wanted to negotiate

1 successfully with the city, there may be something, and I say
2 may, there may be something that we can provide as far as
3 assistance to our Chuluota neighbors.

4 Last week I got a phone call from a woman who was
5 very concerned. It's not actually Live Oak. It's actually The
6 Sanctuary, which is on the other side of 419. They live in one
7 of our very upscale communities called Live Oak and their
8 children do attend Walker Elementary. Now here in the City of
9 Oviedo, and you can correct me if I'm wrong, but I believe that
10 our standards environmentally are higher than those of Aqua
11 Utilities because of the size of our utility and we're under
12 more stringent regulations than the company of Aqua. So,
13 therefore -- like, for instance, I think we were talking about
14 some of those contaminants. Our level is much lower for those
15 contaminants than Aqua's level would be, and that's just
16 because of the way the sizes of the companies and who they
17 service.

18 But so when people move into Oviedo, one of the
19 reasons they move into Oviedo is the utility system. We have
20 great fire and police, but also our water quality. We have
21 always, as a council and as constituents, have always demanded
22 a very high water quality. So here we have people -- and I
23 think if this woman, the woman who called me, the child attends
24 Walker, and she says she thinks there's a couple hundred
25 children who attend Walker from our Live Oak Subdivision.

1 Well, that is a real concern to us as city officials because
2 here we're doing everything we can to keep that water quality
3 high in Oviedo, and yet when those children go to school and
4 when those -- they are exposed to a different quality of water
5 standard. And so I think -- personally I did call the
6 principal at Walker Elementary the other day and I did call the
7 school board. But I want to see that water tested immediately.
8 I want to know what's in that water. I want to know if there
9 is any exposure risk whatsoever in that water. It needs to be
10 done now.

11 And basically, you know, the City of Oviedo stands
12 posed to work with and assist Aqua Utilities, but as I've said,
13 our negotiations have never been fruitful. And we will extend
14 our hand again if you need an alternative source, but you need
15 to come to the table and we need to negotiate and we need to
16 talk. But if there's something that the City can do to be of
17 assistance to Aqua Utilities, please contact us and let's see
18 what we can work out, because we don't want our fellow
19 community in Chuluota going through this anymore. Thank you.

20 CHAIRMAN CARTER: One second, Madam Mayor.

21 Commissioner Argenziano.

22 COMMISSIONER ARGENZIANO: Yes. Thank you. Thank
23 you, Mayor. Could I ask for your city's utilities to
24 contact -- or if we can contact Oviedo's? I would like to know
25 the differences in how each -- I'd like to know your, I guess

1 your -- what word am I looking for -- your system, how your
2 system --

3 MAYOR ANDREWS: Our standards?

4 COMMISSIONER ARGENZIANO: Not the standards, because
5 I know that there is a difference in the size and the people
6 that you -- the -- your purification, your sanitation --

7 CHAIRMAN CARTER: Right. Sanitation, your treatment.

8 COMMISSIONER ARGENZIANO: Your treatment. Thank you.
9 There it was. Your treatment, I'd like to know what you do in
10 comparison. I'd love to know the differences to just, to just
11 have that difference.

12 And as far as the buying, that's, I can't do anything
13 about that. That's, that's a business decision between you and
14 the, and the utility. But --

15 MAYOR ANDREWS: We do have a staff member here today
16 that could probably answer those questions at the break or
17 when -- I don't know that he swore in an oath, so I don't know
18 that he --

19 COMMISSIONER ARGENZIANO: And I know there are
20 differences in wells and where they're set and what you have,
21 but you mentioned something that was very important. And when
22 I was Ag Chair in the Senate, I remember this issue came up
23 because there were certain places where heavy agriculture took
24 place from decades ago where there were chemicals that you're
25 not even allowed to use anymore could still be in the waters,

1 and those areas we were looking at asking DEP to try to test to
2 find out if this was a problem that's just been around for
3 decades and decades besides the new problems that we have. And
4 in those cases something needs to happen for those communities
5 that may be above and beyond what the utilities are, you know,
6 can do at this point. And I'm wondering if DEP has ever looked
7 into this area as far as finding, you know, old chemicals. And
8 I'm not sure exactly what we're looking for today besides the
9 bacterias and the microorganisms.

10 MR. PRATHER: Well, I can say this is that --

11 COMMISSIONER ARGENZIANO: Thank you, Mayor.

12 MAYOR ANDREWS: Thank you.

13 CHAIRMAN CARTER: Thank you.

14 MR. PRATHER: As Aqua Utilities is a drinking water
15 utility, they are required to sample for all types of chemicals
16 that fall under the primary drinking water standards, and
17 there's a schedule in which they have to do that no different
18 than Oviedo, no different than any other utility that provides
19 water.

20 I think that when the Mayor was relating her story
21 about the elementary school in Geneva, it could have very well
22 been a private drinking water, they might have had their own
23 well back in the days when we didn't sample for as many things
24 as we sample for today. And I can say that the issue that
25 we're addressing right now with Aqua Utilities isn't that

1 they're not sampling for the things that they're required to
2 sample for as a utility.

3 COMMISSIONER ARGENZIANO: No. No.

4 MR. PRATHER: It's that what they are sampling for,
5 it's the disinfectant by-products, the total trihalomethanes
6 which is out in their distribution system right now which has
7 to be addressed.

8 COMMISSIONER ARGENZIANO: Mr. Chair. I know, I
9 realize that. And sometimes when I'm asking questions it's
10 because I think everybody needs to hear them.

11 MR. PRATHER: Sure.

12 COMMISSIONER ARGENZIANO: What I was referring to,
13 and I'm not sure if those come up in regular analysis of water,
14 are any -- let's see. I can't remember the name of some of the
15 chemicals that have been banned.

16 MR. PRATHER: There's a list of pesticides that
17 everyone -- and, again, a little bit beyond my scope of
18 expertise, but there is a list of all different types of suites
19 of chemicals, whether they be volatile organic constituents,
20 pesticides, and every utility is required to sample for those
21 on a very routine basis. If not, if they don't hit them on an
22 annual basis, there's some that are required to be done every
23 three years. And, again, we review all that data to make sure
24 that that's, that that's not there.

25 COMMISSIONER ARGENZIANO: And not to belabor the

1 point, but if you can find out for me if those are including
2 chemicals that are not in use today anymore.

3 MR. PRATHER: Okay. That's, that's something that we
4 can do.

5 COMMISSIONER ARGENZIANO: Thank you.

6 CHAIRMAN CARTER: Thank you. Thank you.

7 MR. PRATHER: Okay.

8 CHAIRMAN CARTER: Before we go further, let me also
9 introduce my colleague Commissioner Skop.

10 As we go forward, Commissioners, just for the public
11 that's here, if you, if you noticed, a lot of us here at the
12 bench had some questions and all like that. We're trying --
13 we're here because we want to know what's going on. We're also
14 here because we want to know what your opinions are on these
15 issues. So thank you for indulging us, but we did want to ask
16 some questions. I mean, Representative Adams has been on this
17 and you know how hard she fights for that. So we've been
18 talking to her about that. The Attorney General's Office is
19 here. DEP has come with us. And we're trying to get as broad
20 a perspective as possible on this because this is people's
21 lives hanging in the balance, so it's important to us and we
22 thank you for that. But we did want to let you know that.

23 And as you come up, we may ask you some questions,
24 too. But we really, really want to make sure -- it's not a
25 foregone conclusion, it's not a rubber stamp. We are concerned

1 about the quality of water in Florida, we're concerned about
2 your, we're concerned about your livelihood. It's important to
3 us. And so I just wanted to kind of let you know just in case
4 you were wondering why we were doing what we were doing, we
5 want to know the facts. This is fact-finding for us. Because
6 before we get into, as Mr. Willis was going through that legal,
7 where the trial takes place in Tallahassee, before we get
8 there, we want to make sure that we've heard from the people.
9 So with, Mr. Reilly, you're recognized, sir.

10 COMMISSIONER SKOP: Excuse me, Mr. Chair.

11 CHAIRMAN CARTER: One second.

12 Commissioner Skop.

13 COMMISSIONER SKOP: Thank you, Mr. Chairman. And
14 I'd like to thank everyone. I apologize for my tardiness. But
15 to the Mayor of Oviedo, I just wanted to thank her for her
16 comments and wanting to be part of the dialogue. As many of
17 you know, I grew up in Sanford, so I'm very familiar with
18 Oviedo, Geneva, Chuluota. This place has grown tremendously
19 since I graduated from high school in 1985. But I think it's
20 commendable that the, that Oviedo would lend a helping hand and
21 their support to their sister community Chuluota in their time
22 of need.

23 And like Chairman Carter stated, it's very important
24 to this Commission that consumers have quality water and
25 affordable water available to them. So we take all of your

1 concerns very seriously and I look forward to hearing them.

2 Thank you.

3 CHAIRMAN CARTER: Thank you.

4 Mr. Reilly.

5 MR. REILLY: Again, the Office of Public Counsel
6 truly appreciates Representative Adams and Commissioner Dallari
7 and Mayor Andrews for your presence here and all your comments.

8 Our fourth witness, customer witness to be sponsored
9 today is Robert Murray.

10 CHAIRMAN CARTER: Mr. Murray.

11 Whereupon,

12 ROBERT MURRAY

13 was called as a witness on behalf of the Citizens of the State
14 of Florida and, having been duly sworn, testified as follows:

15 DIRECT STATEMENT

16 MR. MURRAY: Good morning. My name is Robert Murray,
17 504 Yellow Tail Place in Chuluota. I've got a couple of quick
18 statements.

19 I'm a new customer to Aqua Utilities. I just
20 received my bill about two weeks ago, and it was for over
21 \$1,000. My wife contacted the utility and explained the
22 problem. They said they would check into it and get back to
23 her. They did call her back and say the meter was reread and
24 the amount was correct: 224,000 gallons.

25 So yesterday I went out to the property and read the

1 meter myself, I have a utility background, it's not a hard
2 thing to do, and what I discovered is they had transposed an
3 extra zero on to this reading from day one. Now they told my
4 wife that we had a water leak and we needed to call a plumber.
5 And they said -- we asked for a supervisor to return the call.
6 They said they would return within three days, and that was
7 about six or seven days ago. So we still haven't resolved this
8 problem.

9 I'd just like to make a quick comment. Only
10 companies that provide quality product and service should
11 deserve a raise. This company does not. They have a history
12 in Chuluota of bad water and overcharging. My water has a
13 heavy sulfur content. It is basically undrinkable. And I urge
14 you to deny their rate increase and require them to improve
15 their water quality and service. Thank you.

16 CHAIRMAN CARTER: Thank you.

17 MR. MURRAY: I'd also like to turn this into the
18 Commission.

19 COMMISSIONER ARGENZIANO: Mr. Chair.

20 CHAIRMAN CARTER: The other thing, too -- one second,
21 Mr. Murray. Don't go away.

22 Commissioner Argenziano.

23 COMMISSIONER ARGENZIANO: No. This is in keeping
24 with what I've done at the other meetings. I would ask that
25 while Mr. Franklin is sitting here, that you personally check

1 on this issue. Because I know that you've had a problem in
2 other areas too with the transposition of the, of the meter
3 reading. And if you could handle that and find out why your
4 supervisors are not calling people back, I think that would be
5 something that would do the company a lot better, because we're
6 hearing it over and over again. And we'd like to -- I'd like
7 to find out resolution from Mr. Murray afterwards.

8 MR. MURRAY: Thank you.

9 CHAIRMAN CARTER: And I think, I think that with the
10 company having, with them having staff here today in the back,
11 they could probably look into it right away.

12 COMMISSIONER ARGENZIANO: Yes.

13 COMMISSIONER SKOP: Mr. Chair.

14 CHAIRMAN CARTER: Commissioner Skop.

15 COMMISSIONER SKOP: Thank you, Mr. Chairman.

16 And to Commissioner Argenziano's point, I wonder, you
17 know, with the concerns that the Commission hears from the
18 consumers in the various areas in the state that we've had
19 service hearings regarding this issue, I wonder if staff might
20 be able to do some spot calls to the extent of the customer
21 service provided. Or, you know, frankly, you know, I've got a
22 BlackBerry. I'm happy to offer it up to have somebody call
23 customer service. Because I'd like as a Commissioner, and I
24 don't know if my colleagues would share this concern, to
25 actually hear what consumers are experiencing when they try to

1 call in and receive some sort of customer service on the other
2 end of the line. I mean, I don't know what would be
3 appropriate.

4 COMMISSIONER ARGENZIANO: Well, Mr. Chair --

5 CHAIRMAN CARTER: Commissioner Argenziano.

6 COMMISSIONER ARGENZIANO: -- in all fairness, we have
7 heard from other places that the customer service is getting
8 better. The point that I just heard from Mr. Murray is that he
9 tried to get to a supervisor, and I've heard this in three
10 other meetings, that the supervisor is not to be found, and
11 maybe that is something you could get to the customer service
12 area that says, hey, when we need a call back, we need to get a
13 supervisor back to the people who are trying to reach them.

14 CHAIRMAN CARTER: Thank you. That would be, the
15 exhibit from Mr. Murray, that would be Exhibit 25; is that
16 correct?

17 MR. JAEGER: Chairman Carter, I wasn't sure if you
18 wanted to make this an exhibit. This was one of the -- on the
19 back that you were going to have them hand in. We can make it
20 an exhibit, if you want.

21 CHAIRMAN CARTER: Oh, okay. Okay. The customer
22 comment?

23 MR. JAEGER: Customer comment form.

24 CHAIRMAN CARTER: We'll make it part of the record.
25 Okay. Thank you.

1 MR. JAEGER: All right. So just add it to our
2 consumer --

3 CHAIRMAN CARTER: Add it to the comments. Okay.
4 Mr. Reilly.

5 MR. REILLY: Marlene Haas.

6 CHAIRMAN CARTER: Marlene Haas.

7 Whereupon,

8 MARLENE HAAS

9 was called as a witness on behalf of the Citizens of the State
10 of Florida and, having been duly sworn, testified as follows:

11 DIRECT STATEMENT

12 MS. HAAS: Thank you. I'm going to respond first to
13 something, some of the questions about the fertilizers and
14 that. I have two of the reports that do detail this. One is
15 from 2004, and on that -- one of the things that's kind of
16 scary is the cyanide level was up at the maximum. In 2007 they
17 don't even include it in the report, so I imagine it must have
18 been so bad they didn't even want to tell us about it.

19 And I'm looking at the levels of the TTHMs, and it
20 goes from 2004 at 76.5 to the current one, which is 148.5. So
21 we're getting much worse, not better. That's the first point.
22 I have these reports, if anybody would like to see them.

23 CHAIRMAN CARTER: Would you like to have them entered
24 into the record?

25 MS. HAAS: Yes, please.

1 CHAIRMAN CARTER: Okay. So that'll be Exhibit 25.
2 Just give it to our staff person here.

3 MS. HAAS: May I have the originals back then?

4 CHAIRMAN CARTER: Yes, ma'am. We'll just, we'll
5 have, staff will try to just get a copy and get you your
6 originals back. So that will be Exhibit 25.

7 MR. JAEGER: And those were the 2004-2007 TTHM
8 reports?

9 COMMISSIONER ARGENZIANO: 2004 to current, yes.

10 CHAIRMAN CARTER: Yes. We'll try to get a copy. If
11 not, we'll have to go with Plan B, but we'll get it done.

12 (Exhibit 25 marked for identification.)

13 MS. HAAS: The first part of the point I'd like to
14 make is the water cost increases. Back in 1988 when I moved to
15 Chuluota it cost me \$18 every three months for my water, which
16 was great. It was lousy water, but, you know, what are you
17 going to do? Now they're proposing the rate to be for the same
18 kind of usage \$60 a month. That's a 1,000 percent increase. I
19 still have lousy water, I still have lousy water pressure and
20 still have the same old pipes in front of my house that are on
21 a dead-end. And what am I paying all this increase for? For
22 the water quality getting worse year by year? The water
23 pressure is so bad that when I go to clean the filter for my
24 pool and I use the jet spray on the nozzle, I have to stand
25 less than two inches from each of the blades and go like this

1 to clean it because I don't have enough water pressure to even
2 blow out the residue in the filter.

3 Every two weeks I change the water filter going into
4 my house. The stuff in here is unbelievable. It's filth.
5 It's brown crap. Excuse my language. This is the water from
6 the bottom of the little reservoir where this filter goes in.
7 I change this every two weeks and this is what I have. I'd
8 like everyone here to see it. Just take a look and see if you
9 would like your drinking water to come out of the line that
10 that is coming through.

11 You turn on, you turn the faucet on in the bathroom,
12 I don't use the main bathroom that often, turn the faucet on,
13 the first things that comes out looks like you took the salt
14 and pepper shaker or Mrs. Dash and poured it all over the base
15 of the sink. All this crap comes out of here constantly. I
16 have all the plates in the bottom of the sink, all the drains
17 and that, they're all pitted and all the finish is gone from
18 them. I've replaced the kitchen faucets four times in the less
19 than 20 years I've lived there just because they just literally
20 fall apart. I have garden hoses with the brass ends on them
21 that disintegrate and I have to cut them off and go buy plastic
22 ends and replace them because they absolutely disintegrate.
23 They get stuck inside a little sprinkler head because they're
24 so corroded. That's crazy.

25 In addition to that, all the extra costs associated

1 with having this bad water. I have to buy bottled water. I
2 wouldn't even consider drinking this stuff. As a one-person
3 family, it costs me at least \$35 a month to buy bottled water.
4 I don't want to boil my spaghetti with this water out of the
5 spigot. I'm buying bottled water. I don't even like to brush
6 my teeth with the water that comes out of there.

7 Then there's the water filters. Of course, I had to
8 put the system in to put the filters in, but I have to change
9 the filters. That costs me at least \$15 a month to change
10 those filters out, plus the extra effort to do it.

11 I have to buy extra cleaning agents. I buy CLR in
12 the great economy size bottles because that's the only thing
13 that will take all the mineral and all the residue from all
14 this yucky water. I have to pour it into the toilet and go
15 around and clean the whole scum around there. And it's not
16 from use of the toilet, it's just from the water. I have to
17 buy, you know, all kinds of cleaning agents.

18 You do your laundry, you have to put stuff in your
19 rinse cycle in your washer so your clothes don't smell bad.
20 Anybody that's ever lived in another area and you leave your
21 clothes washed in the washer and you forget about them and you
22 go back the next morning and you think, oh, my goodness. You
23 do that now, you might as well throw the clothes away because
24 you're not going to get that smell out of them. It's a smell
25 just like old, sour, stale water. It's really nasty. And as

1 far as your white clothes, you can never get them clean. After
2 a certain period of time you just end up throwing them away
3 because they are so dingy, there's nothing you can do. If
4 you're washing with dirty water, how are you going to get your
5 clothes clean? It just doesn't happen.

6 This is a lot of extra work that you go through
7 trying to keep the stains off things, trying to keep things
8 looking right. You don't just wipe a counter off. You have to
9 wipe it dry because if there's any bit of that water left on
10 there, it's going to leave a film. It's disgusting, it really
11 is. And this is saying nothing of the health issues. You
12 know, I have skin problems, I have problems with my hair
13 starting to fall out. I'm beginning to wonder if it isn't
14 something to do with the water in the area.

15 I know when I go to Pennsylvania, visit the family
16 for three weeks, my hair is shiny when I come back. The rest
17 of the time it's dull and awful. And it's not a coincidence.
18 I mean, there's something to do with this. It's the water.

19 And why are we going to pay a 1,000 percent increase
20 over 20 years when the quality is going down, down, down? I
21 mean, it's so bad I don't even like to open up the reports
22 anymore. And what do we get out of it? There's, there's
23 nothing good. I feel like I want to just turn the water off
24 and go and buy everything that comes into the house, put a
25 cistern in and start doing my own thing. Thank you for your

1 time.

2 CHAIRMAN CARTER: Thank you. One second. One
3 second.

4 COMMISSIONER ARGENZIANO: Ms. Haas? And
5 Representative Adams, you may be --

6 CHAIRMAN CARTER: Ms. Haas? Ms. Haas? Ms. Haas,
7 would you come back up for a second?

8 MS. HAAS: Sure.

9 CHAIRMAN CARTER: Commissioner Argenziano.

10 COMMISSIONER ARGENZIANO: I'm not sure who can answer
11 this. And I asked, I think I asked it last year too, and I'm
12 asking it everywhere I go. Are you allowed either by the city
13 or the county to sink your own well?

14 MS. HAAS: I don't know that. I know that they're
15 putting a ban on wells for sprinklers. In 2012 you'll no
16 longer be able to sink an irrigation well. But that's the only
17 thing I can answer. I don't know anything else about it.

18 COMMISSIONER ARGENZIANO: Okay. Thank you.

19 MR. PRATHER: It's something you have to get a permit
20 to do, and certainly there's -- thank you. It's something that
21 you have to get a permit to do a private individual well. You
22 get that permit through the Department of Health, and certainly
23 I'm sure that there's setbacks and things like that that --

24 COMMISSIONER ARGENZIANO: But now --

25 MR. PRATHER: Is it? It may not be.

1 CHAIRMAN CARTER: Representative Adams, you're
2 recognized.

3 REPRESENTATIVE ADAMS: Thank you. And I think
4 there's a lot to do with St. Johns River Management and the
5 fact there's a down, you know, a drawdown and such. And I'm
6 not sure if -- you know, last year Aqua was operating under a
7 consent order from St. Johns because they were drawing down on,
8 they were taking too much of the cup, and I don't know if they
9 still are. So there's a lot of water being drawn down. And I
10 think it's very hard for anyone, and the commissioner left, so
11 I don't know if the county is approving any deep water wells,
12 but I don't believe so when they're, when you are covered by a
13 water utility.

14 COMMISSIONER ARGENZIANO: Yeah.

15 REPRESENTATIVE ADAMS: That's the problem.

16 COMMISSIONER ARGENZIANO: Well, that's been my
17 problem even when I was in the legislative process. And it's
18 kind of -- I don't mean it to be anti-utility, but if the, if
19 the people need water to drink and they can't afford water or
20 the water quality is not what they want, they should be able to
21 sink their own well and then -- but I don't know if they can.
22 I know that a lot of counties prohibit that because a lot of
23 counties provide the water also. And let's face it, once the
24 county gets in that business, it's a moneymaking business for
25 the county too, so they don't want you sinking your own well.

1 My concern is if they can't get it someplace else or
2 simply can't afford water anymore, everybody should be able to
3 sink their own well and drink their own water. But if they're
4 being prohibited -- but the water, Representative Adams, comes
5 from the same place as the well. So it's not a matter of
6 consumption because it all comes from the same place, it's just
7 that there's a lot of laws and local prohibitions against doing
8 so. And I didn't know if people would be able to opt out to
9 sink their own well and then opt out of the base rates of the
10 utilities. So I don't know. But I just -- I'm curious because
11 everywhere I go I ask that question, and I'm finding more and
12 more that it's just prohibited. Thank you.

13 MS. HAAS: I've been asked to please restate my name
14 and address because I forgot the address before.

15 Marlene Haas, 200 West 3rd Street. That's in North
16 Chuluota.

17 CHAIRMAN CARTER: Thank you so kindly.

18 MS. HAAS: You're welcome.

19 CHAIRMAN CARTER: Mr. Reilly.

20 MR. REILLY: Okay. Our next witness is Susan
21 Mortenson.

22 Whereupon,

23 SUSAN MORTENSON

24 was called as a witness on behalf of the Citizens of the State
25 of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

MS. MORTENSON: Good morning, or afternoon now. I live -- Susan Mortenson, 430 East 5th Street, Chuluota. I've been a homeowner there for six years. The water is, has always been at worst. I first moved in, my son's hair literally turned orange. You know, quality, I wonder if I'm drinking the wastewater. It's the smell, it's horrendous. And I know what she was talking about the hair and your skin. Go other places and it's like, it's incredible.

The cost, I can buy two weeks, over two weeks groceries and eat and live for what it costs me to pay for water. It's not, it's not, that's not reasonable. It's not effective, it's not reasonable. And if they decided to buy this company, why should I pay for a bad investment? One plus one equals two. Obviously there were problems.

Water is a necessity. No living form on this planet can live without it. It should be nonprofit. It should be nonprofit.

And service, I could address that. I pay my bills in a very timely manner, I'm going to bill payer heaven, and I came home from work and my water is not working. So I went and asked the neighbors, "Problem?" And they're like, "No. Everybody has got water." There's a lock on my box. I'm like, "Oh, no, no, no, no, no," because I know my bills are paid. No question in my mind. I even have the little receipt, the date,

1 the time, the check, everything I write out. I called for
2 eight hours, eight hours, and I'm talking to people in PA,
3 Pennsylvania. Are you flying them down? I mean, they could
4 have flown down and turned my water back on. It was
5 ridiculous. I finally cut the lock off in order to have water.

6 And I tried to talk to a supervisor. There was
7 not -- the next day -- I tried, I mean, that evening I tried to
8 talk to a supervisor. But to pay your bill, have someone shut
9 your water off and someone may have showed up, at what time, it
10 was well after 9:00 because I went to bed and left the lock
11 laying there. But mind you, my bill was paid and I was having
12 even these people on the phone arguing, "Well, when you get
13 your water shut off, you know you have to wait 24 hours
14 before -- it's paid. Get my water back on."

15 So it just, you know, water is not a commodity. It's
16 a necessity. And there has to be a limit. Something in this
17 world has to be free.

18 COMMISSIONER ARGENZIANO: Well, ma'am -- sorry.
19 Ms. Mortenson, could you tell me when they cut off?

20 MS. MORTENSON: An exact date?

21 COMMISSIONER ARGENZIANO: Or was it in the last few
22 months or --

23 MS. MORTENSON: Oh, yeah. It was just about, oh,
24 three weeks ago. I'd have to look at -- yeah. Oh, I'm sure
25 they've got my calls.

1 COMMISSIONER ARGENZIANO: Did you ever get a call
2 back after you cut the lock? And by the way --

3 MS. MORTENSON: Huh? No. No. Somebody showed up.
4 The lock -- it was a little after 9:00 when I went to bed. I
5 left the lock laying there, which you owe me a saws-all. And I
6 bet if you called, you'd get your water turned back on and it
7 wouldn't be eight hours later. But, no, I left the lock laying
8 there and it was gone in the morning. So somebody obviously
9 came. I don't know, you know.

10 COMMISSIONER ARGENZIANO: But you never got a call
11 back?

12 MS. MORTENSON: Huh? No. What do you mean? I can't
13 even get, I couldn't get anybody to even come out. It was like
14 eight hours. We cut the lock after -- I know it was at least
15 eight hours that no one had touched that lock, no one had come,
16 and we cut the lock after about six hours. So I'm, like, done
17 with this.

18 COMMISSIONER ARGENZIANO: Mr. Chair, I would ask that
19 staff look into that particularly to find out -- obviously
20 there was a mistake.

21 MS. MORTENSON: And then I called back the next day
22 wanting to say, you know, where, where was someone? And they
23 knew -- I talked to Lord knows how many people in Pennsylvania
24 over that period of time. I've got it written down. I called
25 at 1:15, 1:20, it goes on and on and on with Lonnie and so and

1 so. And some were nice and then some were just, you know, they
2 kept insisting that I had not paid my bill. And I was going,
3 "No. We are not communicating here." But it was just, it was
4 just one of those things that, you know -- and when I tried to
5 address it, because I think a manager or someone should be
6 aware of situations that when there was obviously a mistake, it
7 was not rectified in a prompt manner at all, and then I could
8 speak to no one about my -- it was very, highly irritating. It
9 was just highly irritating.

10 COMMISSIONER ARGENZIANO: I can imagine. Thank you.

11 CHAIRMAN CARTER: Yes, ma'am. Thank you.

12 Mr. Willis.

13 MR. WILLIS: Commissioners, I'm wondering if this
14 might be appropriate for the company to provide a late-filed
15 exhibit explaining exactly what happened with this account and
16 that would actually be put into the record.

17 COMMISSIONER ARGENZIANO: That would be good.

18 Well, I think -- if I can, Mr. Chairman.

19 CHAIRMAN CARTER: Yes, ma'am.

20 COMMISSIONER ARGENZIANO: I think that would be
21 great. It also would give the company a heads up that there
22 needs to be some kind of other -- when something like that
23 happens, there needs to be somebody that can come back and turn
24 that water back on, especially if somebody has paid their bill.
25 So I think that would be good. But if we could do that, I

1 think, Marshall, I think that would be great.

2 UNIDENTIFIED SPEAKER: I don't think that's an
3 isolated incident.

4 UNIDENTIFIED SPEAKER: No.

5 CHAIRMAN CARTER: Mr. Franklin.

6 MR. FRANKLIN: Mr. Chairman, we'd be happy to file
7 that and follow up. I will say this too, we do tape record
8 every phone conversation that comes into our call center, so
9 I'd be happy to look all those calls up, do the research and
10 look at what exactly happened.

11 COMMISSIONER ARGENZIANO: That would be great.

12 CHAIRMAN CARTER: Okay. Thank you.

13 Mr. Reilly.

14 MR. REILLY: Thank you. Diane Twiford.

15 CHAIRMAN CARTER: Wait a second. Hang on a second.
16 Hold on.

17 MR. JAEGER: Chairman Carter, so we're going to have
18 a late-filed Exhibit 26, explanation of Susan Mortenson cutoff
19 by the utility?

20 CHAIRMAN CARTER: That will be Exhibit 26,
21 Commissioners. Thank you.

22 (Exhibit 26 marked for identification.)

23 Mr. Reilly.

24 MR. REILLY: Diane Twiford.

25 Whereupon,

DIANE TWIFORD

was called as a witness on behalf of the Citizens of the State of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

MS. TWIFORD: Hi. My name is Diane Twiford. Sorry. I'm from 334 Velveteen Place. I thank you all for coming here. I really appreciate it. I really appreciate the DEP making a presence as well. My.

husband and I and my family moved out to Chuluota in 2003. Came from Oviedo, the water was great. It was under Seminole County water as well. One year after moving into our home my husband fell very, very, very ill. From November, the middle of November of that year until January of the following year he was starting to run fevers for 24 hours, seven days a week. His fevers ranged from 102 to 104. They would get excessively higher as the time went on. The only way we were able to control that, we were seeing doctors, of course, alternating Ibuprofen and Tylenol. I felt like I had babies again because I was up every three hours. My husband's body would shake. His body swelled up; it got to the point where he could not walk. When we moved into our home in Chuluota, Florida, he was a healthy man. My husband and I, we eat well, we do not drink, we exercise. It was nothing for him before we moved to Chuluota, Florida, to be able to go for a 25-, 30-mile bike ride. That was our recreation together and for exercise.

1 He was known to time himself, look at his averages of how fast
2 he could go and try to beat it. He was a healthy man.

3 Back to his health. His body started swelling, he
4 was barely able to walk. We have a two-storied home. It
5 caused a big problem. Christmas Eve we spent with an
6 oncologist. Our primary doctor looked at his blood work that
7 they had run, they ran CAT scans, they ran all kinds of tests,
8 he looked at the blood work and he shook his head. His liver
9 was one of the main indicators in his health that was affected,
10 greatly affected. Other parts of his body were his spleen. He
11 was in bad shape.

12 He was at the hospital for quite a while. He saw
13 every specialist we could possibly get ahold of, and they all
14 shook their heads and they said, "We don't know." I
15 specifically remember going into his room and we were at the
16 end of a ward and he was thirsty. He was shaking because of
17 the fevers. They couldn't break the fevers in the hospital for
18 ten days. I walked into the room to get him some water, and I
19 remember walking down the hall with my pitcher, the nurses knew
20 me well, the nurse interceded, stopped me in the hall, and
21 said, "You can't come out of that room. We don't know what's
22 wrong with your husband. Don't take anything out of his room."
23 This has impacted me tremendously. His fever was finally able
24 to be stopped and broken and he was discharged from the
25 hospital. He was given a -- the doctors still didn't really

1 know what was wrong. He was given a diagnosis. We later found
2 out it was correct.

3 We were home for one month and the symptoms came back
4 and they came back stronger with additional things going on.
5 We then took three trips to Shands Teaching Hospital in
6 Gainesville. I don't know if all of you are aware of it, but
7 it's kind of like the last hope here in this area as far as
8 finding out what's wrong. They, they were able to diagnose him
9 with something called polyarteritis nodosa, which is a very
10 serious, rare and potentially fatal disease. My healthy
11 husband who was cycling with me as my partner one year later.

12 Reading online I started realizing that he might have
13 six weeks. At the time I had a one-year-old and a
14 three-year-old in my home. He was the rock star to my children
15 and still is.

16 He began his treatment. He was given chemotherapy
17 for two years. The pharmacist, when I went to fill his first
18 prescription, looked at me and said, "Wow. I haven't carried
19 this form of chemotherapy for years. I don't have it. I'll
20 have to order that for you." I said, "Okay." I came back to
21 the pharmacy and, to pick up my prescription. As I was signing
22 my name and paying for the drugs, she looked at me and she
23 said, "Be sure not to let this touch your skin." Okay. This
24 is an oral form of chemotherapy that he had to take several
25 times a day and she's telling me not to touch it, not to get it

1 on my hand. It's going into his body.

2 He lost two precious years of my children's lives,
3 one and three years old until three and five years old, to
4 sleep. I remember standing downstairs looking up, we have an
5 open way, my bedroom is upstairs and I can see the door. I
6 remember staring at the door wondering is he going to come out
7 and will he wake up, because he slept all the time.

8 We had huge hospital bills, trips to Shands Medical
9 Center, the pharmacy bills. The medication he was taking
10 didn't allow him to sleep. We had a lot of medications, sleep
11 aids that were not covered under insurance that if he couldn't
12 sleep, he can't handle. So we had a lot of out of pocket too.
13 He had lost wages, of course. Now he has huge risks of
14 potential side effects from all the chemotherapy and medication
15 that he did take in his body to address this.

16 The exceedingly high level of TTHMs in our water, the
17 bacteria that's found sometimes, I believe, sometimes are not a
18 safe variable in his future remission of his disease. I
19 believe a cumulative effect of these high, high levels of TTHMs
20 have an impact on anybody who is a healthy individual. And I
21 look at my children and I wonder, wow. I just pray that the
22 Lord will protect them.

23 Now that he's in remission, what did I do? I stepped
24 back and I stopped looking at the medical files and the
25 terminology and all those things I had to start learning and

1 educating myself on to take care of my family because he
2 couldn't do it, he was sleeping. I started educating myself on
3 TTHMs and Aqua Utilities. I realized how many times Aqua had
4 failed us and left our health vulnerable.

5 There was one particular night after Dallas's
6 remission, my husband's remission, that I was showering my
7 children, and this is after I started reading about the TTHMs,
8 and it hit me. And I had my little girl in the shower, who was
9 three or four at the time, it hit me. I finished up her shower
10 as quickly as I could, I got her out of that water, dried her
11 little body off as fast as I could, dried her hair, got her in
12 bed and just fell to pieces. I crumbled. I just couldn't
13 handle it. It was at that point where I realized, okay -- I
14 came up for breath. We got through my husband's health issues.
15 Now we have to take care of ourselves because Aqua Utilities is
16 not being responsible. I cannot count on this water provider
17 to give me safe water in my home, safe showers for my children.
18 The steam in a shower, a doctor, a pediatrician will tell you,
19 they'll say if your child has bronchitis, go stand in the
20 shower, let them breathe that steam. Not my steam. There is
21 no way. That steam makes me cry to see my children breathe it
22 in. It's frightening.

23 That day was a turning point to what I was going to
24 do next, and that was I started researching water systems
25 because I knew Aqua Utilities has failed us countless times. I

1 found a system that we felt comfortable with. It's not the
2 solution to everything, but it was for my sanity at this point.
3 We purchased two, a whole house system with two extra
4 dechlorinator tanks to address the TTHMs in my home, in my
5 water, because they say that the carbon tanks are the best
6 things or one of the best things for this for your house. So I
7 purchased that in April. We spent over \$4,000 for that tank.
8 That's not in our budget. I stay home with my children, I'm
9 thankful to stay home with my children, and I don't want to get
10 a job to pay my water bills.

11 The water company came out to my house starting in
12 April one to two times a week, not Aqua, my new house system,
13 trying to figure out what's wrong with my water. One to two
14 times a week. They were constantly tweaking the system. My
15 house started reeking of eggs. It wasn't when the water was
16 on. At this point it started smelling from the time you would
17 walk into my home, and it smelled horrible. It was upstairs,
18 it was downstairs, it was in the bathrooms, it was throughout
19 my house. It reeked of eggs. My children, the ages of four
20 and six now, would joke, "We have egg water." They have all
21 kinds of conversations about water they shouldn't have to even
22 think about.

23 The water system came out, the private company that
24 we hired, and they reconfigured my system. They relined things
25 up, they added KDF, which is supposed to be able to help if

1 there's, I guess, a small amount of bacteria in the tank, and
2 you guys probably know all this. It didn't help, it didn't
3 even touch it. So what they started doing is they would flush
4 my system out one time, two times a week, flush the water from
5 Aqua Utilities' water, turn off my system, flush it through my
6 entire house because they said, "That smell is from bacteria.
7 We've got to see what we can do." So we flushed my house two
8 to three times a -- or one to two times a week to get rid of
9 the smell. And it would hold for a week. About six days
10 later, seven days later that smell would just come back and it
11 would just be potent as anything. The manager from the water
12 company personally came out to my house many times and he said,
13 "You know what," he said, "you have bacteria in this water. I
14 know it." I got to the point where I didn't even know if he
15 knew what he was doing because my house smelled like eggs.

16 He was telling me that the chlorine from Aqua
17 Utilities' water, which was now on that chloramine system, that
18 small amount that was in the chloramine system was masking that
19 smell. I had hired them to take care of my TTHM problem. You
20 could ask them. They heard all kinds of things about my
21 concerns. So we decided on the two dechlorinator tanks. Well,
22 that took out all the chlorine and left the bacteria and its
23 smell and it reeked in my house. Well, that smell mysteriously
24 went away. Then my letter came from Aqua: There is bacteria
25 in my water during that whole time period. We wasted

1 2,000 gallons of water flushing through my system to try and
2 get rid of a bad smell. I would have been happy to pay for
3 that water if it was my water system. It was Aqua and their
4 bacteria that was growing and coming into my house. So we had
5 to pay an extra 2,000 gallons, and you can check my bills,
6 Aqua, during those two months. It was about 1,000 gallons each
7 month over what I usually use.

8 I called Aqua, I spoke to an individual. I was told
9 that they knew we were tired of hearing about these notices.
10 Because I said, "Wait a minute. I received this notice about
11 bacteria in my water, and I'm really frustrated because you
12 said you have bacteria in your water for this time period. And
13 guess what, we took care of it for you." I called him and I
14 said, "You are irresponsible. It's not right because you
15 didn't notify me." I had all this time that I was fighting
16 trying to get egg smell out of my house, and it was this,
17 because of this notice that I received, and they knew. So they
18 could have saved me those 2,000 gallons and that headache, but
19 they didn't. They decided that we just didn't want to know
20 until we knew that they could solve our problem.

21 At that point I asked him, I wanted to know anything
22 that's wrong with my water. I explained my history, my
23 husband's history of health, that I'm very concerned for him.
24 He's in remission. There's no guarantees. We have to do
25 everything that we can. I said, "I want to know if there's

1 bacteria in my water, I want to know if the levels of anything
2 gets crazy that I can make alternative choices for my family,"
3 because I don't want Aqua Utilities making choices for me,
4 especially when I have a compromised immune system in my
5 household.

6 I was told that he would, he would look into that for
7 me, that they don't have a formal list, but he would look at
8 that. So a month later I received my first phone call. There
9 was a list at my request to call people if there was a problem,
10 and I greatly appreciated that. I did appreciate Aqua taking
11 the time and calling me to tell me that they're going to start
12 their free chlorine burn. That was going to be July 3rd, he
13 told me. He let me know the dates.

14 We discussed how our TTHM levels would increase
15 during this free chlorine burn period and how they would pretty
16 much go back to the dangerous levels that we were prior to
17 their chloramine system. We talked about how short that
18 chloramine system was in place before all this bacteria started
19 growing. Chuluota was again at the previous risk that they
20 were with the TTHMs. We started back where we were again. On
21 the first day of the burn, July 3rd, I checked my mailbox.

22 Now I was aware in my household and I told my family,
23 they all knew about the island sink. We have our outside
24 system on our house because mommy needed that to know that her
25 family is going to be as safe as we can make it. The kitchen

1 island has a tank underneath now with carbon and a Brita system
2 on top that blinks at me when it says that it wants to be
3 changed in two weeks. We change it as soon as it blinks. My
4 family was told, "Do not drink anything, do not brush your
5 teeth, don't do anything except using that island starting July
6 3rd." Well, when I got my mail that day and I got my warning
7 letter from Aqua saying that they're going to start their free
8 chlorine burn July 3rd, it was 3:30 in the afternoon when I got
9 my mail. The mailman came by, put it in my box at 3:30. And
10 it sickened me because I looked at that letter and I thought,
11 oh, my, there are people on dialysis and I know it and I don't
12 know where they live and I couldn't have warned them, but I
13 don't know if they had their treatments this morning. Because
14 I don't want anybody to go through the scare that we have been
15 through in our household and anybody else's bodies to be
16 affected the way there's a lot of us being affected. It was
17 pertinent information that came too late.

18 I was speaking with my neighbor behind me around the
19 corner last night encouraging her to come today because she has
20 told me numerous stories, and she has given up. She shared
21 with me that they're ready -- if this increase goes through,
22 they can't afford it. Her husband, he is associated with the
23 building industry. Building is not up. She's a school
24 teacher. She doesn't have a job. They can't afford it. She
25 said, "We'll have to leave." Families just cannot afford this

1 water. We are -- my husband is the breadwinner. We can't
2 afford it. We do our budget, we are very responsible with our
3 finances. It's just not -- it's out of line. When I lived in
4 the City of Oviedo I paid about \$35 for my water. Right now I
5 have a well for irrigation and I don't use Aqua for any of my
6 lawn watering. We have four people in my household and we try
7 to conserve very strongly, and our water usage is about
8 4,700 gallons a month. We pay about \$100 a month. Our usage,
9 if anything, it hasn't changed this time period. Excuse me.

10 Aqua hasn't earned any of the money that I've paid
11 them for the past five years in my eyes. My meters were
12 confirmed incorrect for four years. I've been stood up for two
13 Aqua appointments. I believe this water has contributed to my
14 husband's serious condition, and we're still in danger because
15 our TTHM levels are not controlled. I'm not convinced Aqua can
16 fix them or protect us from the unacceptable levels of bacteria
17 because they can't balance it.

18 A vote in favor for Aqua's increase would state to
19 Chuluota and other interested parties the Public Service
20 Commission sides alongside with Aqua and these irresponsible
21 and dangerous public practices. That's it. Thank you.

22 CHAIRMAN CARTER: Thank you.

23 Commissioners, any questions?

24 Thank you, Ms. Twiford.

25 Commissioners, what we need to, what we need to do is

1 trade out the court reporters and then pick up from that. So
2 let's take ten minutes, give the court reporters an opportunity
3 to trade out, and also time for the necessary room. We'll come
4 right back. So we'll be back -- we're on recess for ten
5 minutes.

6 (Recess taken.)

7 **CHAIRMAN CARTER:** We are back on the record. And
8 before we proceed further, Mr. Jaeger, you are recognized, sir.

9 **MR. JAEGER:** Yes. In regards to the time line for
10 the analyzers, when they were put in, broke down, and just sort
11 of how they came to where they are today, the utility has asked
12 if we wanted to make that an exhibit, and so I think that would
13 be a good idea, and we will have a time line for the analyzers
14 for Exhibit 27.

15 **CHAIRMAN CARTER:** Exhibit 27.

16 **MR. JAEGER:** And that will be a late-filed.

17 **CHAIRMAN CARTER:** Show it done.

18 (Late-filed Exhibit Number 27 marked for
19 identification.)

20 **CHAIRMAN CARTER:** Mr. Reilly, you're recognized, sir.

21 **MR. REILLY:** Thank you. Our next witness is Nancy
22 Evans.

23 NANCY EVANS

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

DIRECT STATEMENT

1
2 **MS. EVANS:** Hi. I'm Nancy Evans. Most of you,
3 unfortunately, know me, probably on a first name basis, as I
4 have made desperate pleas for attention and still couldn't get
5 it, and I find myself here again. Another year, another day,
6 another time to do it again, as many times as is asked of us, I
7 guess, since that is the only way we are supposed to be able to
8 voice our opinions here.

9 I'm going to try to just stick -- I can't do what
10 Ms. Twiford just did. She has had two years to recover, I
11 haven't had that yet. All I can say is I don't think Aqua
12 needs to increase our rates at all. Florida Water didn't
13 deserve it then, and any other company that has been out there
14 that looked at it as a source of income and profit, and a way
15 to monopolize and make money, which everybody is due that. I
16 run a small business. You know, you want protection. You want
17 laws to protect you, they do, we do. I'm just basically going
18 to state my experience, where it started, and go from there.

19 We moved there four years ago. Downsized so I could
20 stay at home with my family. I'm looking for a dream, to go to
21 the last part of the rural area. Seminole County wasn't built
22 out. The last protected area, a place where a lot of police
23 officers live, a lot of sheriffs, a lot of school teachers.
24 Anybody who doesn't want to be around crime, wants to be out at
25 night, and doesn't have to watch their kid lives there. That

1 is a rare thing to find. That's why we moved there. It had a
2 brand new elementary school. One of the last brand new
3 facilities to be built in our county. It was so attractive to
4 be there. We could walk to school. We could have a great
5 school. We could have a clean school. We could have people
6 who stayed at home or gave up, you know, huge amounts of money
7 to be home with their children, sacrifice lots of things to be
8 there. So we went.

9 It was a traumatizing time because we were going
10 through different things. My father-in-law had Alzheimer's.
11 We were his legal guardians at the time. It took up a lot of
12 our time. We moved there in a stressed situation. We were
13 quite unaware of a lot of things. We just knew we needed a
14 great safe haven to be in, and that was going to be it.

15 Eighteen months later my dog passed away of renal and
16 liver and central nervous system failure. She was a healthy
17 dog. She was a real healthy dog. You saw her pictures, as the
18 Attorney General's Office blew those up poster-sized for you
19 last year in Tallahassee. I didn't ask them to do that. They
20 got word of these things on their own. They then showed you a
21 poster size of my dog the morning she died laying on the
22 kitchen floor. You saw what she looked like when she got
23 there. You saw what she looked like after we had been under
24 that water system for 18 months.

25 The vet himself asked me at that time, you know, what

1 is she taking in? How can her liver readings be so elevated?
2 You know, how much water? She must be taking in lots of water.
3 And we didn't even know at the time. We had never received a
4 DEP warning yet. The system was in the midst of takeover for
5 three years. There was no warnings that I am aware of. We
6 didn't know what to tell the vet. I knew the water was brown
7 sometimes. I thought, well -- I don't know what I thought to
8 be honest with you. I was distracted. I don't know what the
9 pink ring around the bowl was. I had thought maybe it just
10 gets -- we are in a humid house and something is different
11 here, you know. And I'm from north Georgia; Pennsylvania
12 originally. I've lived throughout the northeast, the midwest,
13 and then eventually landed here in Florida. I have never had
14 this experience in 40 years. I don't know anybody except the
15 people in this room personally that have had this experience
16 anywhere else.

17 I mean, I am finding small towns across the country
18 that Aqua has bought systems in that they are fighting the same
19 thing we are with other PSCs. This is what they do. I'm sure
20 they are on the way -- I'm sure there is an appointment
21 tomorrow somewhere. I mean, this is the living that they make.
22 This is what they have to do to get the funds, to get the
23 approvals, to keep buying systems, to keep redoing them. And I
24 appreciate that when they are really stepping in to do the
25 right thing first. Excuse me, I know I'm going to be scattered

1 here.

2 But back to our experience, when the dog passed away
3 and they talked about doubling the rates, and the vet asked me
4 those questions, and we couldn't figure it out because she
5 wasn't taking in extra amounts of water, we knew that. When
6 she was so dizzy and couldn't stand up and she was vomiting
7 from the central nervous failure, they asked me -- they really
8 couldn't figure out what had gotten into her system. That did
9 cue me. That was when I had my wake up call. And I pictured
10 that brown water a year before, and it just clicks in your head
11 at that moment. And then you think I poured it in her bowl and
12 I gave it to her every day. I fed it to her.

13 Without notice from anybody, not a builder, because
14 the builder didn't have to tell me, because the EPA says they
15 don't have to warn anybody. The county commissioners can't
16 help me. They helped -- they created some rural boundaries.
17 They stopped development. They knew about the problems out
18 there. You know, everybody did the best they could, and we
19 came to you in the end, because that is where everybody said,
20 you have got to go to the PSC, you've got to tell Aqua.

21 Then we got told, you know what, we can't help you
22 with the quality. We can help you with your complaints about
23 my water meter being off, which is originally what I had
24 started before I connected the dog and then the meter and I
25 knew it was being read wrong, and, you know, that all started

1 at one time. But, I mean, to come full circle and be here a
2 year later, I feel humiliated that I have to do this in front
3 of the public, that I have to take the time to do this one more
4 time, and I know it's not the last.

5 But once I started that, and I made that trip to
6 Tallahassee last year, and I thought, you know, we are doing
7 something. They withdrew their rate increase. They knew
8 something wasn't up. We have got to do something or, you know,
9 we are going to end up paying fines. I'm sure it was a
10 budgetary matter and a decision in their minds, which they run
11 a business, they have to think like that. But this isn't a
12 business that we have a choice on receiving.

13 I'm force-fed that water. There is no other option
14 for me. I don't have anybody else on my side. All I've got
15 are these pipes running to my house, which they assure me are
16 new, and they are PVC. And I'm the fourth one on the line that
17 DEP -- or that Patrick Farris actually says with Aqua. He used
18 to work for the DEP until recently. He tells me you have got
19 high chlorine residual. On the chloramine system, three weeks
20 ago my chlorine coming out of there was 3.1 before it hit my
21 house on chloramine. And we all know you can't go over a 4 for
22 a national average. They can be at an 8 one day and a 2 the
23 next, and reach that 4 anytime they want. They can pick what
24 time of the month they are testing.

25 Their switching systems, yes, that is normal. Oviedo

1 does similar things. Oviedo has so much capacity it's not even
2 an issue. Oviedo is huge. They are bound by other rules than
3 they are bound by. I don't see how that is fair seeing I could
4 throw a stone across the street to the Oviedo house with the
5 good water, whose community is not deteriorating; it's
6 thriving.

7 Again, these are reasons I don't think they should be
8 awarded an increase. I think the money is there. They made
9 92 million in profit in 2006. It will take a million and a
10 half to do what they need to do out there. That's a drop. I
11 know it's a big thing over the years. I know they are losing
12 money. I know you guys aren't making a huge return your first
13 year. It takes 20 years for them to get their return, but when
14 they do get their return, it is larger than Exxon, Home Depot,
15 and Wal-Mart. And that is per CFO.com, and you will get
16 articles and facts that I will be submitting.

17 They are just too big to make these decisions on our
18 behalf anymore. I think maybe their intentions in the
19 beginning, yes, we are going to do just what we do. We buy
20 them; we fix them. I don't think they counted on what was out
21 in our area, to be honest. Who would? Who would rightfully
22 even want that headache, to be honest.

23 But the fact is there have been so many things. I
24 have found stuff on the docket from years ago. People came
25 before you here in this community, and they tried to tell you,

1 wait, the hurricanes, we're right in the middle of cleaning
2 trees out of our houses, and they are filing for application.
3 We don't want this dumped on another company until it is done
4 right.

5 Those letters were dated 30 days after you guys had
6 already given them the application to start the process. You
7 know, that was back in '03 and '04. Those are also the records
8 that are missing from the federal EPA site. And the only way I
9 can find out all my readings readily is through the EPA site.
10 I have them all here printed, all the way back, everything the
11 EPA can give me back to '96. Every testing, coliform,
12 coliform, coliform, coliform, coliform, coliform until 2003,
13 2004, and 2005, the records are completely missing. There is
14 nothing reported.

15 The EPA tells me there is no follow-up action been
16 reported. Please contact your state drinking water program for
17 more information. It tells us to contact the PSC. It tells me
18 that violations are more than ten years back and ask the
19 operators of your water system to contact your state or file a
20 Freedom of Information Act request. I don't know how to do
21 that. I'm looking for help on how to do it. Anything at this
22 point.

23 I, myself, after coming to Tallahassee, doing what we
24 did, filed the formal PSC complaints, got responses. In the
25 midst of all of that going on, Thanksgiving Day we got up, my

1 husband started vomiting, throwing up and collapsed. We go to
2 the hospital because, you know what, it's serious, something is
3 up. We spend six hours in two different places, one clinic,
4 one hospital. They couldn't tell us anything. They sent him
5 home that night. We don't know, unknown. We just really don't
6 know. It could be something with your kidneys, we don't know.

7 You can imagine after seeing me last year what that
8 was doing all of a sudden, the flush that comes through your
9 head. We still didn't get it. We still showered in it. We
10 still showered in it. We thought it can't be, right? Nobody
11 can really have these stories. This isn't really happening, is
12 it?

13 They sent us home. They said you need to see a
14 urologist this week, find a specialist. We waited three or
15 four days. We called everybody trying to get in to somebody.
16 Of course, nobody can see you that fast, no specialist. He
17 collapsed again three days later. We went to the hospital
18 again. We went to a different hospital this time in hopes that
19 maybe they would have a different reaction.

20 They were upset with the other hospital for even
21 sending him home, to be honest. They were shocked. They said
22 you have those ER doctors call us, if need be, or we will call
23 them. And they decided actually, you know, he's having renal
24 failure. His kidney is not draining at all. He went through a
25 battery of tests. He has had five procedures. I have waited

1 for him to wake up five times, five times since I met you all
2 last.

3 You saw the pictures I sent you of him in the
4 hospital. That was a last minute plea the morning of their
5 preliminary hearing to have any voice. And that was somebody
6 just being desperate and humiliated. I didn't bring those
7 pictures today. I didn't bring the pictures of the dog. I
8 can't go through that again, and I don't think I should, I
9 really don't.

10 I think you guys need to hear it loud and clear. We
11 are not idiots. We are educated people that fell into the
12 wrong spot. We got baited to be out into this beautiful area,
13 this wonderful place that could be no better. And it's not the
14 case. It's destroyed. It's a depressed community, in my
15 opinion. Those people have been out there since the farming
16 days, the original people, and they are living in houses that
17 have been eaten through, just eaten through. They have
18 testified here. Twelve years back they have been in
19 Tallahassee telling you guys. This isn't the first time
20 anybody has heard of it. So I feel like we are here again. We
21 are going to go through it for another company, and I don't
22 know how long anybody gets.

23 Where is the limit? Where does DEP say we have got
24 to fine them more than 100 a day. Where are the regulations
25 that really come in to protect us at some point, and those are

1 questions I want answered. I'm finding there are no laws to
2 protect us. I'm going back to that.

3 I'm going to show you some pictures. We have filed a
4 claim on our house with State Farm. We do not live there.
5 When they announced that my husband would have ports and drains
6 hanging out of his side, we decided it wasn't best to be in
7 that water and take that in our nose, our ears, our mouth, or
8 get near those areas. I'm glad we didn't.

9 That surgery was on Easter weekend, another holiday.
10 Good Friday he had the surgery to rebuild his ureter. It had
11 collapsed. They are not really sure for sure how or why it
12 could happen. It could be natural, maybe not. They heard
13 about our issues. They heard about the holes in our pipes.
14 That shocked the doctors. Still not -- you know, nothing more
15 the doctor could do, but to, basically, put him back together
16 and hope it drains again. Again, he had that surgery
17 March 21st.

18 As far as I know, per Patrick Farris with Aqua,
19 former DEP employee, on April 9th they got the first positive
20 test for coliform. They say coliform in our little letters
21 that tell us how wonderful it is, and it is naturally present
22 in the environment. It is. When your dogs use the bathroom on
23 your lawn and it soaks into the ground, that is coliform. That
24 is E. coli. It is naturally present. But you don't bathe in
25 it, you don't eat it. And you certainly don't pour it into

1 ports and drains or deal with people who are compromised.

2 That is just my husband. I didn't even mention my
3 own issues, because to be honest, I think you put them behind
4 when you are worried about your own family's sake. I, myself,
5 last year stopped drinking, bathing, and consuming the water in
6 the spring, May and June of last year. Somebody had given me a
7 gift certificate for Bed Bath and Beyond, because I gave away
8 free lessons to their children, and I bought Brita water
9 filters with it.

10 Shortly after that, in 30 days time I lost 20 pounds
11 in 30 days. I went through every battery of test you can
12 imagine. Yes, cancer; yes, ultra sounds; dye tests, blood
13 scans, just a mere comparison of what my husband has already
14 gone through. And all for them to tell me that all of a sudden
15 when I moved there my thyroid went hypo, by the way. It
16 couldn't produce enough immunities. And it happened the same
17 years I lived there, and I had never, like I said, been not
18 looking at myself until the weight loss happened, and I lost
19 the muscles in my right leg, which I am still actually trying
20 to repair, and they can't figure out why. It's not thriving,
21 but they know it is not cancer at this point.

22 But, basically, what happen is a hypothyroid flipped
23 when I stopped. That is the only coinciding factor we can find
24 that everybody is noticing. And it went into hyper. It
25 started overproducing, and it went out of control as if it

1 didn't need to work so hard anymore. Again, I'm just stating
2 the facts of our own personal experiences.

3 I am going to submit these to everyone to look at. I
4 do want you to see my plumbing because I am in a brand-new
5 house. I'm not in the depressed area where the homes haven't
6 been able to keep up with because of the quality. These
7 pictures are pictures of my sink. That is three and a half
8 years old. That's brand-new. The builder replaced it for me,
9 and we haven't even been residing in the house, and it looks
10 like this again.

11 Something is wrong with our house. I know that. You
12 can't tell me any different anymore. Something ate through our
13 house. The builder is willing to replace those parts. You
14 know what it took me to get my parts back out of their
15 warehouse to keep them? It took a lot of effort, but the
16 builder gave them to me, they did.

17 This is more pictures of my faucets. This is the
18 house. This is where we run the kitchen sink to cook from.
19 This is the inside of my faucet and my pipes. That is new.
20 This is what the outside looks like. You will be able to see
21 this close up. There are pin holes that are eaten from the
22 outside, inside out. Water just poured out all of those.

23 **CHAIRMAN CARTER:** Excuse me. Ms. Evans, do you have
24 a copy that you can give us?

25 **MS. EVANS:** These are all for you, and I am just

1 going to quickly --

2 **CHAIRMAN CARTER:** That's okay. I just wanted to make
3 sure.

4 Commissioners, for your records, that will be Exhibit
5 27.

6 **MR. JAEGER:** 28.

7 **CHAIRMAN CARTER:** 28? Exhibit 28. Thank you.

8 (Exhibit Number 28 marked for identification.)

9 **CHAIRMAN CARTER:** You may continue.

10 **MS. EVANS:** Thank you. So, again, many views. Close
11 up all the way to where you could see the holes, basically, all
12 the way through. You will have a chance to see all of those.

13 This is the Brita filter that we drink out of, we
14 did. This is what it looked like after four months. You will
15 see the buildup of residue. More than likely bacteria,
16 chlorine, TTHMs that comes out immediately out of my Brita
17 system.

18 I'm going to show the toilet. We don't live there
19 right now. We go by every two to three weeks to pick up the
20 mail. We are still moving our things out of the house. This
21 is -- when you see a close up, you will see a dark gathering at
22 the bottom of my toilet. This is what happens when I don't
23 flush my toilet for three weeks. I did a close up shot of
24 that. You can see the bacteria and the bugs and the attraction
25 that brings to my house completely. That is what we are in.

1 That is what we are in.

2 That same toilet, this is one of the rods that has
3 been eaten up with the chlorine. These are brand-new toilets.
4 They have only been in the house three years.

5 This is where I brushed my teeth. This is where my
6 husband brushed his teeth. This has not been replaced by the
7 builder. It is still there. That is where the water comes out
8 of that I brushed my teeth in.

9 That's a new faucet. It is not the pretty picture
10 that is on display on the PowerPoint. That is not what our
11 faucets look like. I'm not alone, either. I'm just one person
12 who figures I can give it one more chance.

13 This is the showerhead that my family bathed in.
14 This shower only worked the first year and a half we lived in
15 the house. After that it was too clogged, no water would come
16 out. It was going to cost us \$1,000 we were told. We finally
17 put pressure on the builder. He came out. He gutted the wall.
18 He replaced the valves. He unclogged the pipes, the goo, the
19 black goo. He replaced every fixture like that.

20 You can see the buildup on here. Would you want to
21 pour that on your head? Do you really want to sniff that in
22 your nose? You just can't.

23 This is the tub in the extra bathroom. This is the
24 drain. This is where my son bathed. My son went to Walker
25 Elementary last year. He missed 28 days of school. He was

1 very sick. I was a room parent. I watched sick kids. I
2 wondered. I even commented -- hindsight is everything.
3 Commenting to the kindergarten teacher, they are just all so
4 sick. I thought it was a public school, what do I know? He
5 didn't miss a day of school this year. He doesn't live in the
6 house, and he goes to a school with a private well, who would
7 be closed down with this very same reading that Aqua is
8 getting. He didn't miss one day. He had perfect attendance.
9 He wasn't even late.

10 Those pictures that you just saw, this is the house
11 they came from. This is a brand-new house. That is what the
12 inside of my house looks like. From the outside everybody
13 thinks it is a wonderful place to live. I've just found out
14 through the EPA the only person who is allowed to tell what
15 happened to them is the homeowner that once resided there.
16 There is nobody else that has to speak up anywhere out of any
17 agency I can find, to be honest. I'm still learning. That is
18 a sample of where I live and what my experience has been.

19 I'm going to show you a couple of pictures of
20 Chuluota, so I'm assuming, and I would hope that somebody in
21 this room has been out there outside of Aqua Utilities, because
22 this has become such a severe situation that somebody has
23 really ridden out there and checked out the rural area, or how
24 close we are in proximity, or seen anything.

25 I am going to show you what Chuluota was before D. R.

1 Horton and Maronda went out there, and the county commissioners
2 and everybody approved the school. This is Chuluota Grocery, a
3 little mom and pop grocery store. Most of these people you're
4 hearing testify on Third, Fourth, Fifth, Sixth Street, this is
5 where they have grown up, had their own kids, recycled. Do you
6 see this tank right in the back? That is an Aqua Utilities'
7 facility that's in operation. That's one of them. This is
8 where the kids go to the grocery store. Right next door to
9 this is the fire station, the only county fire station we have
10 out there.

11 This is a big picture of the Aqua Utilities system
12 that everybody is taking so much pride in. It looks like
13 something out of a movie. I didn't realize it until I started
14 looking at this myself. This is what contains my water. Do
15 you see how it is eaten from the inside out? They can't even
16 treat it themselves as much as they try. You have to break
17 down this infrastructure. You have got to replace pipeline.
18 You have got to do what they are doing in New Jersey, New York,
19 Pennsylvania, where Aqua has replaced hundreds of miles of
20 pipeline when they come into communities to buy delapidated
21 systems.

22 They know it's galvanized. The Aqua people that work
23 for them will tell you their stories. They have been out there
24 for years. Do you want -- I just have got to ask, who wants to
25 drink out of that? Who wants to bathe out of it? Do you know

1 what it's coming through to even get into my house? I don't
2 even want to know how much is built up.

3 I can't find any inspection records. I can't find
4 any sewer line inspection records. I can't even find companies
5 that have purchased equipment to go out there and inspect the
6 sewer lines. I don't know if this is all out-sourced. I don't
7 know if it was ever done before the company, you know, took on
8 this project themselves and took it off Florida Water.

9 That plant we are looking at, that is a plant that is
10 in use, by the way. Those are the ammonia and chlorine tanks
11 outside. They sit right outside the grocery store, as I
12 mentioned, with a hazard sign on them. And the fire station,
13 more civil servants that live and want to thrive and be in this
14 area to serve, they are next door to the tank. They walk
15 across to the grocery store. This is where they live.

16 I found this a good piece just to show the feelings
17 that are coming out of our community. This is posted on a
18 local building out there in rural Chuluota. I don't know who
19 made it. There is -- it's a cartoon sign, though. It has Aqua
20 and Chuluota with some of these clip arts they have pictured.

21 This is how people feel. This is a bad guy, and he
22 is pointing the money -- a gun at the money, and the monopoly
23 guy running away with the money. Aqua over one side, Chuluota
24 over the other. Underneath, though, there is still hope. You
25 see this little bad guy, he's sitting on the money bags, and

1 he's hiding behind a glass of water with skull and cross bones
2 on it. And you know what the little Chuluota guy is doing? He
3 looks like he is almost satisfied, like he might win. He is
4 sweating, but he might win.

5 I mean, how can we go from these small levels of
6 people speaking out to coming all the way up to the state level
7 and not have some type of fix? I mean, shut the system down,
8 condemn it, bring potable water out. That is my personal
9 opinion. I am very affected by this, and you guys know that at
10 this point.

11 I am also going to show -- you saw a picture of my
12 house. You know where the big builders are. These are some
13 pictures of the rest of rural Chuluota who is speaking today.
14 Most of them are so tired. They have been here all of these
15 years. They don't have the time and money to get here. They
16 have given up. This person doesn't even -- her front window is
17 broken out, okay. She still has a car. She works. She lives.
18 The same with these people. They work, they live here, they go
19 to school at Walker Elementary. You can throw a stone,
20 basically, from one of these houses to Live Oak Reserve. Some
21 of those kids do go to Walker at Live Oak. They have been
22 given choices.

23 This is beautiful, pretty, thriving area is an eighth
24 of a mile away from my water line that I could be a part of. I
25 could be living like that. I really could. I moved out there

1 to live like that.

2 I'm going to show you another subdivision, Osprey
3 Lakes. This is the other Chuluota subdivision, people are
4 testifying, it's gated, a lot of professors, a lot of
5 attorneys, a lot of UCF researchers. A lot of people who care
6 moved out here for a reason. Again, they are on the Chuluota
7 water.

8 Now, I am going to show you my subdivision. Maronda
9 Homes, where it says realtors are welcome, because they can't
10 sell any houses. They couldn't sell any before the market
11 crashed, before we all lost everything in our houses that's
12 there. They couldn't move the houses then. We don't have a
13 homeowners association. We have a management company, who
14 cannot give it to us, because the builder has to keep their
15 appointed board members until they can sell 75 percent of the
16 homes and turn it to us.

17 We pled for them to be here to represent us today.
18 They can't be here. They said it doesn't have anything to do
19 with them. They can't sell the homes and here are the empty
20 lots beyond that sign. These are empty. Why would you not
21 want to live across the street from an A school, an A school in
22 Seminole County that is brand new? How come they can't sell
23 those homes? Live Oak sold out and is still going. They are
24 across the street from this. It's all the water line; one
25 block, that's it.

1 This is the beautiful elementary school across the
2 street from the vacant lots that everybody took so much pride
3 in because they are very rare to come by. Outside the school
4 is this beautiful sign. It says gone fishing, caught an A.
5 They take pride. Everybody in this room that testifies today,
6 whether they live in a small house, a big house, a new house,
7 an old house, they are all here together. I mean, we built the
8 school. People wanted to be here. We didn't expect what we
9 were going to get. We didn't expect any of it. And to know
10 that not any of those parents in that school have ever been
11 notified of any health concern is shocking, just completely
12 shocking. That no matter whose ball -- whose court the ball
13 falls in, who is responsible to tell them, come on, does it
14 even matter anymore? It doesn't.

15 The fact is get some potable water out there. I
16 talked to the facilities maintenance supervisor. I talked to
17 the construction superintendent going out there. You know
18 what, they claim they have heard stuff on the news, but we
19 didn't get any formal notice from the board. We didn't get any
20 formal notice from the principal. In fact, we heard there
21 might be something wrong with it, but it is a private utility,
22 so we don't touch it unless somebody tell us to.

23 Geneva Elementary last year had problems with a well.
24 We went out there, and we fixed it, because DEP was going to
25 shut us down. We fixed Geneva Elementary. They have a private

1 well. They are fine. What has happened to Walker Elementary?
2 Half of these kids used to go to Geneva. They got zoned to
3 come to Walker. Was that a blessing? They thought it was
4 going to be. It's not.

5 How many kids come in there with urinary tract
6 infections and compromised immune systems? The teachers don't
7 let the little ones carry bottles of water. You can't even
8 carry Chapstick for the zero policy. You can't do anything in
9 the school. My five-year-old, he sat there for eight hours a
10 day, and he drank what they made him drink out of the fountain.
11 And that is the way it goes.

12 Now I have heard some teachers allow the bottles in
13 the classroom. We have all done this on our own. Keep in
14 mind, nobody has ever been formally told. It will happen as of
15 today. I'm sure it's going to happen now. The City of Oviedo
16 didn't know they had so many children at risk.

17 I am going to submit these violation reports. Like I
18 said, it is ten years of reporting for the EPA for Chuluota.
19 You will see after the missing data appears again here, in
20 2006, there is no more coliform, it is all TTHMs. Basically,
21 everybody knew going in you were going to have to dose that
22 water to get rid of bacteria. It's coming -- well, it's coming
23 from a lot of areas, and that is why I would like to know why
24 the research isn't being done.

25 I know they are cutting funding for research for this

1 type stuff this year. I think it's the wrong thing to cut when
2 it is something that affects your health. It is something you
3 have to consume, you have no choice. As far as the Florida
4 DEP, these are highlights for 2006 and 2007, their report.
5 Chuluota is cited as a pollution prevention area, November 3rd,
6 2006. I know you guys have seen all of this. This is just me
7 doing my study, because I'm grasping at anything to prove me
8 sane at this point.

9 These projects are in force. These aren't voluntary
10 projects. This is pollution projects. This is problems with
11 the rural area that they knew about long before the takeover.
12 Having all of that knowledge all of these years, I got the
13 coliform warning June 4th. The first bacteria was found on
14 April 9th. They are supposed to notify us within 30 days. I
15 didn't find out from April 9th to June 4th.

16 I was led the whole time to believe everything was
17 fine. We have asked them to call us when there are issues with
18 the water. We have people with health concerns that are on a
19 list. They told us recently they aren't going to retest that
20 water right now. It will skew their compliance numbers for the
21 year. Again, who's on our side? How do we speak up? I don't
22 know anymore. It's obviously not being handled.

23 I have something here that was filed with the
24 Commission Clerk in the PSC on September 29th, 2004. This is a
25 letter begging you to not turn that system over to anybody

1 without guaranteeing it was going to be taken care of. This is
2 from an Osprey Lakes resident, who has probably come and gone
3 since, as many people have.

4 I have a temporary consumptive use permit that Aqua
5 filed on August 19th, 2004, 30 days before this poor letter
6 from somebody in the community who was pleading with you not to
7 do it, because we just went through a ton of hurricanes, and we
8 were asking for some breathing room.

9 In this application that Aqua filed, I find letters
10 of extensions, extensions, extensions, second extension letter,
11 and then I see a request from you asking them for additional
12 information. I see a second request, a third request for more
13 information, a 45-day extension of the request. It says right
14 here that -- and it's submitted to the staff's third request
15 for additional information letter, "Although the results are
16 currently under review, the staff has determined that
17 additional information will be required to address outstanding
18 technical issues. This is due to unpredicted rapid
19 urbanization within the Chuluota service area." It says
20 everything you need to know. I don't think I'm saying anything
21 that people don't know. I just want the rest of my friends and
22 neighbors to know.

23 **CHAIRMAN CARTER:** Ms. Evans, are you close to
24 summation?

25 **MS. EVANS:** Yes. I'm almost there.

1 **CHAIRMAN CARTER:** Appreciate it. And, by the way, we
2 will make all of this Composite Exhibit 28. It will just be
3 one exhibit.

4 **MR. JAEGER:** Yes, Chairman, I think just a composite
5 exhibit of letters, photos --

6 **CHAIRMAN CARTER:** Letters, photos, violation reports,
7 and all. So it will just be Exhibit 28.

8 **MS. EVANS:** All right. The last point I'm trying to
9 make is why I don't think they should get the rate increase,
10 period. The U.S. Environmental Protection Agency per Forbes
11 said Aqua America, which focuses on water main replacement
12 projects and cleaning will be able to capitalize on that
13 long-term demand. It's capitalization, no matter what way we
14 you look at it. No matter what the product is, we are not
15 getting the product.

16 I have mentioned to you about how they consider it a
17 virtual monopoly, what their -- you know what their profits
18 are. You know how they get their profits. We build a big
19 system, say we're going to handle 10,000 households for the
20 waste and the sewer, oh, guess what, we get more money. You
21 know what, it just doesn't need to happen anymore. It needs to
22 be shut down.

23 When I referred to laws and who is going protect us,
24 I found out there is a National Association of Regulatory
25 Commissioners. They submit legislation to help us make laws to

1 protect us. There's something that just got submitted
2 February 7th, 2008. The law, as it is called, is Safe Harbors.
3 The resolution regarding the creation of the state legislative
4 safe harbors from lawsuits alleging injuries received from
5 drinking water that is in compliance with state and federal
6 standards. Chris Franklin spoke to me personally, the CEO of
7 Aqua. He tells me we know we can't meet your -- we are not
8 there. We know that in Chuluota. This law is not to protect
9 them from people like us. It's to protect them from the people
10 who are getting bad water that falls right underneath the DEP
11 standard.

12 Why would we want any law that did anything except
13 promote pristine water? Not a small guideline. Be the best,
14 deliver. Lead the world. We are going there. We all know we
15 are paying \$4 a gallon for water soon. It's going there.
16 Let's do it right. And humanity, the human way.

17 This legislation is submitted by a committee. The
18 people who sit on that committee are the CEOs of the top six
19 water companies in our country. One of them is Chris Franklin.
20 Nancy Argenziano, I'm sorry, but I know you sit on that, and
21 you went to the meeting with Chris Franklin, I'm assuming.
22 Maybe you didn't go, but you sit on the committee that
23 submitted the legislation for Safe Harbors. I'm sure you are
24 looking out for our interests. I don't think it is of our
25 interests when we are trying to protect lawsuits. I think you

1 do the best you can.

2 COMMISSIONER ARGENZIANO: I'm not sure what committee
3 you are talking about.

4 MS. EVANS: On the bottom of your biography, it says
5 you sit on the National Regulatory Commission.

6 COMMISSIONER ARGENZIANO: No, that's when I was in
7 the Legislature and not that --

8 MS. EVANS: Not the Safe Harbor?

9 CHAIRMAN CARTER: No, it's not the same.

10 MS. EVANS: Well, then I do apologize, and I'm glad
11 that you're giving me the chance to ask those questions,
12 because I feel like I'm digging on my own. So, thank you.
13 Thank you.

14 But the fact is, we don't need laws to protect more
15 businesses. We need it for the people.

16 And the last, very last point I want to say, I guess
17 there has been a Supreme Court ruling and a 3-to-2 vote in
18 Indiana against Aqua Utilities. The same time of situation;
19 poor color, poor pressure, hair turning colors, disgusting
20 appliances. Indiana granted them eminent domain. They did it
21 last year. Aqua is appealing it right now from what I can
22 tell. I will submit all of this that I find.

23 We are going to be right behind them, and that's why
24 they are willing to work with us, I'm assuming. Which is
25 smart, because, you know, get out, do it right, condemn it,

1 close those pipelines, dig up everything. What is it going to
2 take? I mean, we can build an interstate in months. Well,
3 maybe not in Florida, but it can be done. We all know it can
4 be done. We are here. We are living it. We could get up and
5 roll our sleeves up. We would have it -- we would be out
6 there.

7 We are all willing to do it, and I just hope that you
8 take everything into consideration from the health concerns,
9 the risks, what we are actually showering and brushing our
10 teeth in. The fact that people have left homes. I don't live
11 in my house. I don't know if I'm going to be able to sell it.
12 State Farm says contamination, but they are probably not going
13 to cover it.

14 They are in shock. Everybody is in shock that we
15 have finally gone public with it. And I say gone public,
16 because I just finally started talking and realizing how many
17 other people left their homes. I decided I'm not just going to
18 leave and not help. I still own two pieces of property in
19 Chuluota. That was my dream to go out there. I'm going to try
20 to continue that dream.

21 My husband will have renal scans every year for a
22 long time. He may have another surgery. His ureter could
23 collapse again with the scar tissue. We don't know what is
24 going to happen to his other kidney. My son I know is very
25 healthy. I don't what the long-term effects of that exposure

1 are going to be on him. I don't know how much more I am going
2 to, you know, take on myself trying to take on my own health
3 care. I do know I am better since I haven't been there. We've
4 had no vomiting, no diarrhea, no thinking we had food poisoning
5 in the middle of the night. It hasn't happened again. It just
6 hasn't even happened.

7 We have a new dog. My son named the new dog after
8 the old dog. The old dog was Maggie. He couldn't say Maggie.
9 He was only two when we moved there. He called her Aggie. The
10 new dog's name is Aggie. He's doing fine. He doesn't drink
11 the water. He doesn't live there. And we are trying to start
12 over. Just listen to what we're saying. Help us all get to
13 the right point, all right? And that's all.

14 **CHAIRMAN CARTER:** Thank you. Would you give our
15 staff member --

16 Ms. Evans, would you hold on one second, please.

17 **COMMISSIONER ARGENZIANO:** It's not a question for Ms.
18 Evans.

19 **CHAIRMAN CARTER:** Okay. Thank you.

20 **MS. EVANS:** I can answer questions if you would like.

21 **COMMISSIONER ARGENZIANO:** No, it's not a question.
22 What it is -- what I'm hearing is people need to understand
23 where our jurisdiction begins and ends. That doesn't mean we
24 can't make suggestions to our Legislature who makes the
25 policies, or to DEP. I would like to know from DEP what

1 correlations there are between the high TTHMs and diseases, if
2 the company is -- you know, is it something that would require
3 shutting down the company or condemning the company, which I
4 don't believe we have authority to condemn anything, do we? Or
5 do we?

6 **CHAIRMAN CARTER:** I don't --

7 **COMMISSIONER ARGENZIANO:** We don't. So that --

8 **MS. EVANS:** Can I tell you what the health department
9 told me?

10 **COMMISSIONER ARGENZIANO:** Wait a minute. But it is
11 only fair to let you know where you need to go for some of the
12 suggestions.

13 **MS. EVANS:** Please. Please.

14 **COMMISSIONER ARGENZIANO:** Because we can't, and we
15 have certain things we -- I just discovered now that quality is
16 an issue -- not now, but just recently that quality is an issue
17 that the PSC can have somewhat jurisdiction over. And as a
18 past legislator, I can tell you that the legislation that
19 passes dictates to us what we can and can't do. Even at the
20 federal level when I talked about the Clean Drinking Water Act,
21 and the same thing with the Clean Air Act, a lot of those
22 measures have been peeled back, and they have to come from the
23 legislators to get those measures back in as far as safety is
24 concerned. And that is my opinion as far as needing to
25 reinstate those.

1 But what I want to make sure that the people
2 understand is what we have jurisdiction over and what we don't.
3 We can also, as I said, make suggestions to the Legislature.
4 Whether they take it or not is going to be up to them. But I
5 need to know from DEP is there something right now, and as
6 Ms. Evans had talked about, the levels and the standards. You
7 know, we have to count on our EPA and DEP to tell us what are
8 safe levels and what are not.

9 **MR. PRATHER:** Well, Ms. Commissioner, obviously, all
10 of our rules that the Department of Environmental Protection
11 has in put in place to be protective of human health and the
12 environment. So first and foremost the rule is there and it is
13 important. We are not the toxicologists, the Department of
14 Environmental Protection. The Department of Health is here,
15 and I believe at the last hearing we had a year ago Dr. Sekerke
16 was here with the Department of Health. I think he has since
17 retired, and they have a new person in place.

18 The Department of Health would be the appropriate
19 entity to do any type of epidemiological study, which I know
20 that Representative Adams has asked, and we have actually
21 forwarded her request on to the Department of Health. And what
22 they would take a look at are health incident rates of various
23 diseases in a certain community, and then compare that to what
24 the national average or state average would be to try to
25 determine if there are, indeed, higher rates, and they move

1 forward. So it really does fall within the Department of
2 Health.

3 Not being a toxicologist, I can tell you that our
4 drinking water standards are meant to be protective and provide
5 us a safety net to address these issues. And I don't want to
6 get too hung up, but it is based on long-term exposure. All
7 your MCLs that you have for all of your contaminants are based
8 on roughly two liters a day, 70 years consumption. And I know
9 this from listening to the Department of Health.

10 **MS. EVANS:** Were those studies conducted?

11 **MR. PRATHER:** And, again, I'm not -- I can't tell
12 you, you know, who did the studies, where they did it. It's
13 just that our drinking water standards are based on that, so it
14 allows us to have flexibility to try to cover --

15 **COMMISSIONER ARGENZIANO:** If I can. I guess part of
16 what is curious to me, or what I would like to know is, you
17 know, all of us know that in the state of Florida there are
18 pockets of good water and there are pockets of really, excuse
19 me, crappy water.

20 **MR. PRATHER:** Sure.

21 **COMMISSIONER ARGENZIANO:** I have hydrogen sulphate
22 that makes my house smell like rotten eggs, and I had to put an
23 aerator on that. But I did know, because I looked and there
24 was nothing else. In some areas the rotten eggs may be
25 something else entirely. Is there something different that the

1 DEP looks at from just the standard, well, this is just scaly,
2 crappy water, but it is not high bacteria. You know, not
3 unsafe to drink, you know, in large quantities.

4 MR. PRATHER: You do have a -- and, again, you had a
5 little bit --

6 COMMISSIONER ARGENZIANO: Is there a differentiation?

7 MR. PRATHER: There is a primary drinking water
8 standard, which is a health-based standard. There is a
9 secondary drinking water standard, which includes hydrogen
10 sulfide, which isn't a health based standard, but it is based
11 on aesthetics.

12 COMMISSIONER ARGENZIANO: Right.

13 MR. PRATHER: What's visible in the water, the odor.

14 COMMISSIONER ARGENZIANO: But hydrogen sulfide, if it
15 is very high, can cause problems.

16 MR. PRATHER: And I'm not saying that it isn't, but
17 it is part of a secondary drinking water standard. So, yes,
18 there is. And with the concerns that we have from this
19 community, the Department of Health would look at those
20 concerns. There is a process that can be followed to
21 determine, first, identify if there is higher incident rates of
22 a particular illness, and then they move forward and try
23 to determine what the causes may be.

24 If there is, indeed, a higher incident rate. So
25 there is someone with that authority, it is the Department of

1 Health here in Florida. As a matter of fact, we contacted a
2 Kendra Goff, who is in Tallahassee, who is a toxicologist for
3 the department, replacing Dr. Sekerke. So she is well aware of
4 your meeting today and certainly would be a resource for us to
5 use.

6 **COMMISSIONER ARGENZIANO:** And I guess -- and not to
7 come to the defense of the company or anybody else, but this
8 problem has been happening here a long time. And I wonder if
9 the Department of Health has done any of these studies, or if
10 there is anything, because the people, obviously, if you come
11 to the PSC, we can only do what we have statutory authority to
12 do.

13 **MS. EVANS:** And I have gone to every agency you have
14 recommended, and they all send me right back in a circle. The
15 Department of Health told me to call the DEP and the PSC. And
16 I said we have done all of that. And they recommended we take
17 legal action. That is their words. I said, well, we can't
18 afford that. We're just -- come on, let's just do what we have
19 got to do. So I did get passed around, and I have talked to
20 the DEP. I don't know where else to go.

21 **COMMISSIONER ARGENZIANO:** I hear you.

22 **MS. EVANS:** How do we get the studies done. How do
23 we shut it down. How do we make an enforcement happen? What
24 agency does the enforcing?

25 **COMMISSIONER ARGENZIANO:** Well, does the Department

1 of Health do that upon -- I mean, you had a representative
2 making your request. I did that when I was in the House and
3 the Senate for parts of my district. Does the Department of
4 Health -- have they actually looked into any kind of incidences
5 of health abnormalities?

6 **MR. PRATHER:** In this community?

7 **COMMISSIONER ARGENZIANO:** Yes.

8 **MR. PRATHER:** I'm unaware if they have or have not.
9 But what I do know is that they were present at this hearing
10 last year. I do know that members of the Seminole County
11 Health Department have addressed various complaints for
12 secondary drinking water standard complaints, you know, smelly
13 water, and so forth, in the past. So it is not something that
14 the Department of Health is unaware of what we are all
15 discussing today.

16 **COMMISSIONER ARGENZIANO:** Mr. Chair, when you have --
17 if your water meets the standards that are put out there, and
18 it is still that hard water deposits, or hydrogen sulfide, and
19 then, you know, nothing gets done about that, you start to
20 wonder. And that is what's happening, and you have people who
21 are ill, they have to question whether they don't know whether
22 it is done or not. I would be curious to find out if the
23 Department of Health has actually moved on anything and
24 answered some of those questions to find out have they actually
25 started to study.

1 **MR. PRATHER:** And I would expect that disinfectant
2 byproducts is not uncommon, so it isn't anything that they have
3 not seen before or have probably addressed in other
4 communities.

5 **COMMISSIONER ARGENZIANO:** Let me ask this question.
6 Is DEP right now concerned to the level that would prompt a
7 call to the Department of Health, or anything else, or the
8 county? And, by the way, the county can condemn a facility if
9 it's harming the citizens in the area, but it has to kick in
10 somewhere, and I don't know that the facility is at this --

11 **MR. PRATHER:** Commissioner, we are always concerned.
12 We have been concerned. We are frustrated and want to resolve
13 it as much as everyone else at the table. And, certainly, we
14 are not the toxicologists or the doctors. We can certainly
15 take a look at the rules and know that they are not meeting it
16 and do to the greatest extent possible within our legal
17 authority to get them to fix the water quality out there. And
18 certainly our data -- and, Ms. Wood, certainly, I --

19 **MS. EVANS:** Nancy Evans.

20 **MR. PRATHER:** I'm sorry, Nancy Evans. I would be
21 more than happy to get you as much information as possible. A
22 lot of the things that you are talking about is available on
23 our website. We have --

24 **MS. EVANS:** I have been to the website. I have seen
25 the lab studies.

1 **MR. PRATHER:** And we have files upon files, and we
2 can certainly help you get as much information as you like.
3 Not only current information, but also historical information.
4 And that goes for everyone in the audience today. Please see
5 me, and we'll make sure you get any information you could
6 possibly want.

7 **COMMISSIONER ARGENZIANO:** And may I ask Ms. Evans
8 just a question, also. Have any of the doctors in your
9 husband's case indicated that anything could be coming from the
10 water?

11 **MS. EVANS:** To be honest, when you go to all the
12 specialists, and that's what they are, they are not
13 researchers. They look at you, and they go, huh, tap water.
14 Well, everybody has got this voodoo thing, maybe. But when you
15 tell them and you show them the pictures, the holes being burnt
16 through our pipes and you give them the confirmed cases of
17 E.coli and the other kidney failures on our street, which will
18 all, hopefully, be here today to testify to, then they go, yes,
19 they question it. An Interlachen pediatrics doctor called me
20 at home three weeks ago at night to discuss all the reports she
21 has received over all of these years. And she did confirm
22 don't put those kids in that water. Don't let them breathe
23 that water.

24 We have never been notified of the shower and the
25 chlorine content, and from what I understand, it goes straight

1 to your bloodstream. It goes straight there.

2 COMMISSIONER ARGENZIANO: And, Mr. Chairman, excuse
3 me. To the DEP, have there been incidents of high E. coli or
4 coliform?

5 MR. PRATHER: I believe that what we are referring
6 to, at least in the April incident, what happens is every
7 utility has to do their BacT sampling on a monthly basis, and
8 depending on how large you are, Oviedo has to do more BacT
9 sampling than probably Aqua Utilities. If you get a positive,
10 a coliform positive hit in any of the samples that you take,
11 you are required to do repeat samples, and that would be above
12 in the distribution line where you actually took the sample to
13 begin with and below the distribution line. And I believe that
14 they had multiple positive hits for coliform.

15 MS. EVANS: Nine out of 24 tests.

16 MR. PRATHER: And so they --

17 COMMISSIONER ARGENZIANO: Recently?

18 MS. EVANS: In April.

19 MR. PRATHER: Well, this was in April. And they had
20 to do the repeat samples for each of those -- for each of those
21 positives, they would have to do three repeats, so 27 tests.
22 Those came back negative. I guess it's not uncommon. I mean,
23 we get positive bacteria hits in drinking water. And they
24 followed the rules that they had to follow, because there was
25 more than one, even though the repeat samples came back

1 negative, they had to public notice to tell everybody within 30
2 days. It wasn't a boil water notice. They had to notify, and
3 they did that.

4 MS. EVANS: I have never received coliform notices in
5 any other place I have lived in my whole life.

6 COMMISSIONER ARGENZIANO: Any testing done directly
7 from the well?

8 MR. PRATHER: Yes, they do have to do testing from
9 the well, also. And that could also -- that can also play a
10 part in whether they have to public notice or not and how many
11 repeat samples. I'm unfamiliar -- I don't have enough
12 familiarity with it to know if it came from the well.

13 COMMISSIONER ARGENZIANO: Okay. Let me ask you this:
14 Does DEP do any actual testing themselves?

15 MR. PRATHER: DEP does not at utilities. It's the
16 utility's responsibility to take those samples and use a
17 certified laboratory.

18 COMMISSIONER ARGENZIANO: Is there any instance that
19 DEP would take a sample?

20 MR. PRATHER: We usually contract through the
21 Department of Health to do those samples for us.

22 COMMISSIONER ARGENZIANO: That would be advisable.

23 MR. PRATHER: For bacteria?

24 COMMISSIONER ARGENZIANO: The gamut. I would just
25 want to see what is coming out of the well, and then maybe what

1 is coming out of the other line if it's not from the well. And
2 if it is not, then you clear up the problem. And if it is, you
3 have a good understanding, I think, of finding that out. I'm
4 sure Representative Adams would like to see the same thing.

5 **MR. PRATHER:** We can certainly work on that.

6 **CHAIRMAN CARTER:** Thank you.

7 Ms. Evans, hang on one second, please.

8 Commissioner Skop.

9 **COMMISSIONER SKOP:** Thank you, Mr. Chairman.

10 And thank you, Ms. Evans, for coming back out and
11 taking the time to be here last year and also in Tallahassee.
12 So I appreciate you sharing your concerns.

13 Just to summarize, because I know you covered a lot
14 and had a chance in the question period to review some of the
15 photos and such. Am I correct to understand that you are not
16 in support of the increase?

17 **MS. EVANS:** Not in support of the increase.

18 **COMMISSIONER SKOP:** But beyond that, you also are
19 advocating that the system, local system go through a
20 condemnation process?

21 **MS. EVANS:** In fact, the City of Oviedo said that if
22 they were to purchase it, they would just condemn it and run
23 the water to us. I have concerns with that, too, because the
24 pipes that are going to run to us have already been rotten.
25 They need to dig up the infrastructure like they do in other

1 very heavy states with lots of activists. But, yes, I do think
2 that they need to do something quickly, and you have got to
3 stop fooling people. It's not fair.

4 **COMMISSIONER SKOP:** And just to Commissioner
5 Argenziano's point, which I clearly support, having some
6 independent testing through the Department of Health
7 coordinated through the DEP might be appropriate. I mean, now,
8 I guess as we have heard in the customer hearings, they do
9 their own lab analysis through their own company, which may be
10 a certified lab, but, again, having some independent
11 confirmation. Because what it sounds like from my perspective
12 is that, you know, we are bogged down in a multi-agency
13 bureaucracy here, and the consumers are trying to get some near
14 term resolution of the problem. And as we have heard, I think
15 it seems to be a merry-go-round. So, hopefully, through a
16 coordinated effort --

17 **MS. EVANS:** Thank you very, very, very much.

18 **CHAIRMAN CARTER:** Thank you. And we will be asking
19 our staff to follow up.

20 Marshall, Mr. Willis, the doctor that was here last
21 year from the Department of Health, let's follow up with him
22 and find out what studies the Department of Health has done to
23 kind of coordinate, because I think it's appropriate for us to
24 provide information. Whether we have jurisdiction or not, to
25 provide the information. So let's try to coordinate with them.

1 If they have done any studies, if so, what have they found.

2 And let's bring that out so we can flush -- so we can -- give
3 me another word.

4 **MS. EVANS:** It's hard to come up with them, believe
5 me. I have been in many situations.

6 **CHAIRMAN CARTER:** But I do believe that,
7 notwithstanding our jurisdiction, which we don't have, if we
8 can identify a public safety concern in the state of Florida,
9 we need to bring that up to the policymakers and also to deal
10 with it. So as we do that, Marshall, find that doctor that was
11 here last year and find out what they have done.

12 **MR. WILLIS:** Actually, the doctor has retired from
13 last year, but there is a replacement.

14 **CHAIRMAN CARTER:** Okay. Well, let's see if he -- he
15 didn't take his files with him, did he?

16 **MR. WILLIS:** Hopefully not.

17 **CHAIRMAN CARTER:** Representative Adams.

18 **MR. WILLIS:** I would want to point out that we will
19 look into that, but there are -- there were some
20 representatives from the health department here this morning,
21 and they had to leave because they had an appointment. But
22 they said they would be back. But we will follow up.

23 **CHAIRMAN CARTER:** Thank you. Representative Adams.

24 **REPRESENTATIVE ADAMS:** Mr. Chair, if I might, they
25 were here, and they are coming back at 6:00. But due to some

1 really encouragement through DEP from my end, and then DEP
2 engaged DOH, it was too last minute to get them here from
3 Tallahassee. However, it is my understanding that the people
4 that are returning that were here earlier will be in contact
5 with the Tallahassee doctors of epidemiology and other studies,
6 and they are going to take some of this information that they
7 are gathering here today and, hopefully, get some more
8 information from your staff. But I think that that is
9 something that really truly needs to be looked at. I was very
10 insistent that I felt that we should have someone go out and
11 take another look. And I was told this week that DEP would go
12 out and do a spot check.

13 I was under the assumption that they would go out and
14 maybe test the water, and then I found out that they just went
15 out and looked at the system. And I was a little disappointed.
16 And then I was told that DOH would have to take the water
17 sample. But I also agree that we do need DOH to take at least
18 a sample and do their study, also, and come back with
19 information to us to let us know.

20 I mean, this is a small pocket. And, yes, it
21 sounds -- you know, some people say, well, the studies are this
22 and that. But you have a small pocket of people, but a large
23 area of illnesses very similar in nature. So I think that that
24 is prudent, and I appreciate that.

25 **CHAIRMAN CARTER:** Thank you. Thank you. And thank

1 you, Ms. Evans.

2 **MS. EVANS:** The last point, and the terms that are
3 hard to come up with, the last thing I do want to state for the
4 record, Patrick Farris who works with Aqua, former DEP
5 employee, who has been wonderful, I will say Patrick has been
6 great. He has shared a lot of information and history with us.
7 He is a former Chuluota resident, coincidentally, too. When he
8 worked for the DEP, he wrote federal and state levels. And the
9 DEP even told him it was okay, go ahead. We want you to
10 represent us. We want the better, but they didn't let him do
11 too much. They said don't muddy the waters to him, and those
12 are the words out of his mouth to me.

13 This was reported ten years back. He remembers the
14 black water, too. And I do believe he's here to help us all,
15 but I think it has just been a little too late. But those
16 agencies have been notified, so maybe you can find records of
17 that.

18 **CHAIRMAN CARTER:** Commissioner Argenziano.

19 **COMMISSIONER ARGENZIANO:** Just a quick question for
20 DEP. The other thing that I have a concern with is the boil
21 water notices, and the company, too. What I heard from several
22 people is that they get their notices too late to take any
23 precautions. Is there any rules that DEP has regarding making
24 sure that notices get out in a timely manner? And I
25 understand, you know, sometimes you just find out. It could be

1 at midnight. Is there something in place that tells the
2 company that you've got to get those notices out as quickly as
3 possible, so people can take precautions?

4 **MR. PRATHER:** There is, when a boil water notice is
5 required.

6 **COMMISSIONER ARGENZIANO:** Okay. Then have you found
7 any violation? I'm hearing people say that they don't get
8 their notices until late.

9 **MR. PRATHER:** What we are talking about in April did
10 not require a boil water notice. It was a public notice. It
11 wasn't a boil water notice. And that public notice is required
12 to go out 30 days as a form of information.

13 **COMMISSIONER ARGENZIANO:** Oh.

14 **MR. PRATHER:** Versus if there was a boil water notice
15 that was required, had any of those repeat samples came back
16 positive, required boil water notice, then they would have to
17 move quickly to get that boil water notice out.

18 **COMMISSIONER ARGENZIANO:** Okay. Thank you.

19 **MR. PRATHER:** But to answer your question, yes, there
20 are very specific rules.

21 **COMMISSIONER ARGENZIANO:** Okay. Thank you for
22 clarifying that.

23 **CHAIRMAN CARTER:** Thank you.

24 Mr. Reilly.

25 **MR. REILLY:** Our next witness is Hope Witt. I'm not

1 sure if she -- she is here.

2 **CHAIRMAN CARTER:** Hope, what's the last name?

3 **MR. REILLY:** Hope Witt.

4 **HOPE WITT**

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

7 **DIRECT STATEMENT**

8 **MS. WITT:** I'd just -- I'd like to address the
9 quality of the water.

10 **CHAIRMAN CARTER:** Do me a favor before you do that.
11 I probably said it early this morning, but as you come up,
12 because we are taping this -- the court reporter is typing it
13 in, and it is going to be part of the record, name, address,
14 and system, so we can have that for the record.

15 **MS. WITT:** What do you mean, system? Oh, the water
16 system. Hope Witt. I live at 240 East 6th Street in Chuluota.
17 The water system that I'm under is Aqua Utilities.

18 I have been a long-time resident of Chuluota. I have
19 lived there for -- well, I moved in in 1986. I have seen water
20 companies come and I have seen water companies go. I guess I
21 have, you know, my own family's health concerns, which you have
22 heard a lot of health concerns here now. I really don't want
23 to get into my own personal family's health concerns.

24 What I want to address is what I feel -- I don't feel
25 we should have ever had to be here. I don't think I should

1 have ever had to come here and ask for just water to be safe
2 for my children or safe for us. I think when you live in a
3 home and you live in the United States, I'm not in a third
4 world nation. I would never in my life expected to have to
5 address this. And to be -- I don't use the water. We, of
6 course, have to shower in it. It's just too expensive to fill
7 up the bathtub with bottled water. Sometimes I have been in
8 stopped in Publix as I'm filling up my cart with the bottled
9 water, and people asked me, is there a hurricane coming? No,
10 we just use bottled water.

11 My children aren't even permitted to brush their
12 teeth with it. I have great concerns for the coliform, for the
13 bacteria. I hear great things about, oh, when you need to boil
14 your water, your door gets tagged. I don't get the tags. I
15 did get a phone call from my child saying, oh, the water is
16 sputting and stuff. Later on that night, of course, after
17 customer service hours, I find out that they replaced the
18 meter. Oh, but they just forgot to tag my door. And my
19 children cooked with the sputty dirty water that was coming out
20 with it.

21 I also have a daughter who is prone to getting sick
22 very easily, which, of course, is one of the questions that are
23 raised here, you know, is that because of the water. Will we
24 find out? Will we ever find out? I don't know. Can we go
25 back and change the health things that have happened? No. But

1 we can control, and we can change what is done from here out.

2 There is a beautiful elementary school there. I have
3 concerns. I know my children are not permitted to drink the
4 water out of the water fountains at school. My children also
5 had told me at one point in the last couple of years that they
6 are not allowed to take their water bottles to PE. If you want
7 to drink while you are at PE, you need to stand in line and
8 drink out of the water fountain. I tell my children, you wait
9 until you get back to the classroom to drink out of the water
10 fountain (sic). You don't drink out of the water fountain, you
11 drink the bottled water.

12 I think we also have to consider what is an
13 unreasonable expectation. I don't think that it is
14 unreasonable to expect to have a safe product for consumption,
15 especially a product that I'm paying for. I pay for my water
16 to come to my house. I pay for that water, and then I go to
17 Publix and I buy my water for us. I don't boil spaghetti in
18 it. We don't cook with it. Anything that is consumed into the
19 food does not get consumed by us. And it gets expensive.

20 So now here I'm asked to pay a higher rate for an
21 unacceptable, unsafe product. And then I would ask all of
22 these gentlemen here if they would bathe their children in it,
23 if they would wash their dishes in it, if they would feed their
24 family with it, if they would run it to their elementary school
25 with their children and their teachers and the staff.

1 I think the school has 950 students, 850 students. I
2 don't know how many staff members it has, but I don't see why
3 our children's food services should be using this water. I
4 wonder, I do wonder now where are they getting the water that
5 they cook the children's food in, that they make the lemonade
6 that they serve to the staff with.

7 I just don't think it's fair to ask us to pay a
8 higher rate for an unacceptable product and an unacceptable
9 service. My door is not getting tagged. We are not getting
10 notices about the bacteria. We're not able to use our water.
11 We live in America and we can't come home and just turn the
12 water on and fill up a glass of tap water.

13 It ruins our appliances. I have a brand-new
14 dishwasher, less than a year old. The white residue doesn't
15 come off. The white residue doesn't come off the dishes. The
16 white residue doesn't come off my pots and pans. We do know
17 there are other companies drawing from the same water source
18 providing a safe product that can be consumed without that
19 daily concern of whether it is affecting their long-term
20 health.

21 What about the children? My children were born and
22 raised in that home. I'm raising my children there. Are they
23 going to have health problems by the time they are a young
24 adult? I don't know, but I do wonder. And I don't think it's
25 fair to ask us to pay more money for an unacceptable service.

1 We wouldn't do it at a restaurant. We wouldn't go back to that
2 restaurant. We wouldn't do it in other areas. Why are we
3 going to do it here?

4 I think that we have to think about what is right.
5 Is it right to reward them for doing such a lousy job? I don't
6 think I have anything else that I want to say, other than I
7 don't think it's right. I think instead of a rate increase
8 that they should be forced to make the water safe.

9 **CHAIRMAN CARTER:** Thank you, Ms. Witt.

10 **MS. WITT:** Thank you.

11 **CHAIRMAN CARTER:** Commissioners, any questions?

12 Thank you very much, Ms. Witt.

13 Mr. Reilly.

14 **MR. REILLY:** Melissa Davis. She may come in this
15 evening, I think.

16 **UNIDENTIFIED SPEAKER:** She's here.

17 **MR. REILLY:** Oh, she is here. I'm sorry.

18 MELISSA DAVIS

19 appeared as a witness and, swearing to tell the truth,
20 testified as follows:

21 DIRECT STATEMENT

22 **MS. DAVIS:** Thank you very much, Mr. Reilly. I was
23 going to be a little bit more appropriately dressed. I
24 apologize for the jeans. I'm used to testifying in court a
25 little bit better dressed.

1 I think you all have met me last year. I spoke here.
2 Recently I sent a scathing e-mail to the Public Service
3 Commission, and I think I spoke directly to you. And I will
4 gladly rescind everything I said, just prove me wrong, prove
5 that e-mail wrong.

6 I grew up on Long Island. I came down here to have a
7 great, you know, warm weather year-round kind of life. I lived
8 in Geneva. I lived on the Geneva bubble. It was wonderful
9 water. I had no significant health issues. I moved out to
10 Chuluota to be closer to work, because I drive two hours a day
11 in commuting, because I'm a law enforcement officer in Orange
12 County. But I wanted to stay in rural Chuluota near my son's
13 school where I didn't have to worry about the crime rates that
14 we have in Orange County.

15 I shouldn't have to worry about my son's health or my
16 health going home. I have to potentially take a bullet, you
17 know, at work. My life is, as they say, on the line every time
18 I go to work every day in Orange County. I shouldn't have to
19 worry about the bullets coming out of my faucet. And although
20 I would take a bullet for anyone in here, even you guys, I
21 shouldn't have to die a slow suffering death, or be very ill,
22 or have to listen to ten-year-old son curled up cramping in
23 pain from his abdomen.

24 We can't determine what's going on. The doctors are
25 at loss for what is wrong with him at ten years old. This is a

1 vibrant, healthy -- generally speaking, healthy fun-loving kid
2 that is into all sorts of sports, and it just so happens around
3 the same time frame that, of course, we got the notice about
4 the coliform over 30 days from when they found it, was the same
5 time frame two of my dogs had severe diarrhea, could hold
6 nothing down at either end. They had to just live outside for
7 a while, because I couldn't -- I couldn't control it. And my
8 son was having that, and I was having stomach problems.

9 I am now waiting for results from lab work and
10 ultrasounds on my thyroid, because they are very concerned with
11 some issues going on there. I'm not going to say what they are
12 speculating, because until they know, they don't know.

13 I went ahead and got a shallow well put in, because I
14 was getting complaints from our management company about my
15 lawn. Well, I can't afford -- you know, I can't afford to pay
16 for the water, so I am certainly not going to water the lawn if
17 I can barely pay for what we are forced by the monopoly, what
18 we are forced to consume or bathe in. That's the maximum I can
19 do. I usually take my laundry to a laundromat, because that it
20 actually cheaper than washing my clothes in my house.

21 Anyway, when they took out some of the piping when
22 they put in my swallow well, they showed this to me. They
23 knocked on my door and said you need to see this. This is the
24 water that is coming out of -- this is what the inside of your
25 pipe looks like that is coming out directly from the Aqua

1 lines. And I will pass this around, but with all due respect,
2 I do want to hold on to this. I looked at it, and I said,
3 well, that's nasty. And he is like, yeah. And this is -- this
4 is a line that I hardly use because I can't afford the water.
5 And if any one of you would like to drink the -- pour water
6 through this into a cup and drink it, I will gladly go buy a
7 bottle of water for you. But I will go ahead and pass this
8 around.

9 It might be harmless, I don't know. It might be, but
10 the bottom line is, is do you want to drink water that is
11 coming through those pipes, because I don't.

12 **COMMISSIONER ARGENZIANO:** Excuse me, Mr. Chair.

13 **CHAIRMAN CARTER:** Commissioner Argenziano.

14 **COMMISSIONER ARGENZIANO:** Is there a way of finding
15 out what the residue is? I mean, these are things, to me, I
16 would want to know.

17 **MS. DAVIS:** I'm sure it's testable, but I can't
18 afford it.

19 **COMMISSIONER ARGENZIANO:** Right. Is there a way DEP
20 can -- or get it to DOH. The Department of Ag has labs in
21 Tallahassee. I would think that somebody should be able to --
22 I mean, it could answer a lot of questions. It could say,
23 look, this is just simply such and such, or it is something to
24 worry about. I mean, if we don't do something to get to the
25 conclusion of the questions, we are never going to find out

1 what the answers are. I'm just wondering if there is a way, a
2 possibility.

3 And, Representative Adams, you might want to talk to
4 Commissioner Bronson about the possibility of maybe taking some
5 of those samples and seeing if the lab in Tallahassee can
6 determine what it is.

7 **REPRESENTATIVE ADAMS:** Well, maybe Deputy Secretary
8 Berfield from DOH could help out with that.

9 **COMMISSIONER ARGENZIANO:** Absolutely. And it may
10 very simply be just the residue of what's in our water.

11 **MS. DAVIS:** It might me. And I will gladly open my
12 house up to any official that wants to come and drink a glass,
13 or take a test, or do whatever. But I will tell you that when
14 my family from Long Island comes down to visit now, because the
15 last two times they came down and stayed at my house they got
16 violently ill, they now stay in a hotel. My house isn't even
17 suitable enough for my brother.

18 When I am not here, when I have gone visiting or gone
19 away to whatever kind of schools I'm sent to, my skin problems
20 clear up and I start feeling better. I don't want to sleep
21 20 hours a day. So there's obviously something going on. I
22 didn't have this problem before. And when I leave this area
23 for any length of time, I don't have the problems.

24 Nothing has changed with the quality of water, for
25 the better, anyway, yet they want to raise our rates. It will

1 significantly -- the rate increase will significantly
2 negatively impact an already depressed real estate market. I
3 mean, our real estate market is not great now, but in Chuluota
4 it is really bad. People are going into foreclosure left and
5 right. I will be one of those people, I'm going to tell you
6 that right now. I cannot afford a two and \$300 a month water
7 bill for water I can't drink or certainly not feel comfortable
8 drinking, and pay my mortgage. So it's going to come down to
9 do I pay my mortgage, or do I pay a water bill, or what else --
10 where else do I cut back?

11 I'm a single mom. I don't do a lot of stuff. I
12 don't go out to nightclubs. I don't go out to the movies. I
13 make his father take him to the movies, because I can't afford
14 to make my son to the movies. This is just wrong. And I dare
15 say that no one in here that is sitting here, or you guys
16 consume this water and/or have to live with this. And,
17 obviously, it's going to hurt the economy, because we already
18 don't have the money to go out and spend on -- you know, we all
19 know what our economy is nationally. Well, Chuluota is just
20 going to be hurt even more, and it is just not right.

21 This is a monopoly. We don't have a choice. Those
22 of us that live in a subdivision, we cannot legally put in deep
23 wells for drinking water. Nor can we put in septic tanks. So
24 we are stuck. We have absolutely no recourse. We are stuck
25 with their garbage water at their exorbitant rates.

1 They have promised the same promises time after time,
2 year after year, again and again and again. And it is one
3 extension after the other, after the other. And with all due
4 respect, I know you guys have a lot do with a lot of people to
5 deal with, but would you stop giving them all these extensions
6 and start saying, no, you are responsible for what you are
7 doing. You bought this service. You bought this -- you bought
8 this system. You can't possibly tell us you didn't know what
9 you were buying, because we all knew, and we are not the
10 experts, and you paid big bucks for it.

11 Please don't try to make us think that -- don't think
12 we're so stupid that we're just going to sit there, oh, well,
13 they didn't know what they were buying. Hello? They don't do
14 their homework before they invested? Well, you know what, if I
15 don't do my homework before I invest, shame on me. It
16 shouldn't be shame on everybody else. They need to take
17 ownership for what they are doing and what they have done. We
18 don't want them in Chuluota.

19 I guess I just want to end with saying a couple of
20 other just little things that I would like to point out. My
21 faucets are also rotting. I have had to replace sinks and
22 faucets. You know, \$700 later. Just last year, I had to have
23 my kitchen faucets and sinks replaced. They're starting to
24 leak again. My bathroom sink, the little thing that you use to
25 stop the water, and I'm a little nervous right now, I can't

1 even think of what it is called.

2 COMMISSIONER ARGENZIANO: Stopper.

3 MS. DAVIS: Okay. Thank you. Water stopper, that
4 has rotted and corroded and fallen apart. My house is only
5 four years old. I now have an open hole, because I have to try
6 to figure out how to fix that. The quality of life is just
7 unbelievable. And like the other lady said, this is not a
8 third-world country. My question is is this a third-world
9 state? And I hope it is not. But this is just wrong.

10 I went into Ms. Evans' vacant home, because she
11 wanted to show me her pictures. I went in, and I didn't say
12 anything to her because I'm like, okay, well, I don't know what
13 is going on with me, but my eyes started to burn. Now, her
14 water was shut off, but the toilets are still open. My eyes
15 started burning.

16 The next thing I knew -- and when I was in the
17 bathroom, because she was showing me her toilets and what was
18 going on in there. And then my throat started burning so
19 severely that I had to look at her and say, "Nancy, I've got to
20 get out of here. I can't -- this is -- something's wrong."

21 Now, I have a system in my house that helps to get
22 rid of the chlorine, but it doesn't help with the coliform. It
23 doesn't help with the TTHMs and all the other things that are
24 in there. And, again, if anyone wants to buy my house with
25 this water, I will gladly sell it, because I cannot afford the

1 water rates, and I don't want to keep exposing myself or my son
2 to this water. I doubt any one of you want to live in there,
3 though. So that's all I have.

4 **COMMISSIONER ARGENZIANO:** One question.

5 **CHAIRMAN CARTER:** Thank you, Officer Davis.

6 Commissioner Argenziano.

7 **COMMISSIONER ARGENZIANO:** Did you mention --

8 Ms. Davis, did you mention before that -- is it a homeowners
9 association, and are you required to water the lawn?

10 **MS. DAVIS:** Yeah. What it is, is we have the
11 homeowner by-laws, but because of the percentage of homes that
12 are sold or unsold, we're still under the builder. So they
13 have a management company basically controlling us. So we
14 don't have an HOA where we can go and get assistance, per se.
15 So, yes, I have xeriscape. They try to make me resod. I had
16 to throw them the statute that says --

17 **COMMISSIONER ARGENZIANO:** And that's something I know
18 that Representative Adams is looking at, too. It's something
19 that needs to be done, I think, at the state level to disallow.
20 At a time when not only water is costing people a lot of money,
21 but when we are trying for water conservation, to possibly lose
22 your home to not having a green lawn is probably the opposite
23 of the policy that the state should have.

24 **MS. DAVIS:** Right. And I would like to just also
25 point out that since I stopped using Aqua's water on my lawn

1 and Aqua's water on my plants, my plants are thriving. I can't
2 mow fast enough. And, yes, I have a lot of land, and I have a
3 push mower, so I kind of don't like that so much. But I used
4 to get complaints left and right about my lawn, about my
5 plants. Everything looked nasty. And I was embarrassed to
6 come home. I work really hard every day. I travel a really
7 long distance to go to work. I want to come home to my little
8 haven and just have fun with my son, and I can't do that.

9 You grew up here. Would you like to come home to
10 that? Are you not disgusted that where you grew up is going to
11 this? And so I just -- it's ridiculous. And when the water
12 that is coming out of a shallow well is healthier for my plants
13 and my animals, it's probably healthier for me. I just can't
14 quite figure out how to pipe it into the house.

15 **COMMISSIONER ARGENZIANO:** A question for DEP.

16 **CHAIRMAN CARTER:** One second, let me go to
17 Commissioner Skop, and I will come back to you.

18 Commissioner Skop.

19 **COMMISSIONER SKOP:** Thank you, Mr. Chairman. And
20 thank you again, Ms. Davis, for coming out. Just a quick
21 question to you on Commissioner Argenziano's point. The pipe
22 segment that you have had removed, where exactly -- because
23 this is very thick wall pipe. So is that by the meter that
24 this came from?

25 **MS. DAVIS:** It goes from the meter, it pipes to these

1 pipes that were on the side of my house.

2 **COMMISSIONER SKOP:** Okay. Because, like I say, I
3 don't really --

4 **MS. DAVIS:** Yeah. And when they were cutting off
5 those pipes that were on the side of my house, because now the
6 irrigation was going to the shallow well, they cut off that
7 piece for me. And they explained to me that that is the same
8 quality water that was going to them that was coming into my
9 house.

10 **COMMISSIONER SKOP:** And to that point, and I think
11 Commissioner Argenziano raised this issue, it seems to me --
12 and you are referring to the yellow substance?

13 **MS. DAVIS:** Yeah. It's a slimy yellow substance. It
14 might be totally benign, but, again, if anyone wants me to pour
15 water through it, I will be glad to.

16 **COMMISSIONER SKOP:** Well, I agree with Commissioner
17 Argenziano's point, that it ought to be relatively simple to,
18 you know, get a sample from that and do a chemical analysis and
19 just substantiate, you know, if there is -- what's in there.

20 **MS. DAVIS:** I'd love to know, too. I just, you know.

21 **CHAIRMAN CARTER:** Commissioner Argenziano.

22 **COMMISSIONER ARGENZIANO:** Another question, because
23 we are having a lot of water quality concerns that are being
24 raised. I know that there is hard deposits in water. Does DEP
25 look at -- let me ask this this way: Corrosives, corrosive

1 water, we have that around the state of Florida. I guess what
2 I would like to know is if it is harmful to the person drinking
3 it, and is it -- when we are talking about pitted faucets and
4 so on, I know that sometimes the hard water can do that, but
5 can DEP get to me any information regarding what else could be
6 causing that, or can just water, hard water, do that? I mean,
7 there is --

8 **MR. PRATHER:** I will make note of that, and we can
9 certainly get that information back to you.

10 **COMMISSIONER ARGENZIANO:** Thank you.

11 **MS. DAVIS:** And I didn't even touch on the smell of
12 my water. I don't think that's even necessary.

13 **CHAIRMAN CARTER:** Thank you, Officer Davis. We
14 appreciate you coming. We will make sure you get your pipe
15 back.

16 **MS. DAVIS:** Okay, thanks.

17 **CHAIRMAN CARTER:** Mr. Reilly.

18 **MR. REILLY:** Next we have Rita Fuston or Fuston.

19 **RITA FUSTON**

20 appeared as a witness and, swearing to tell the truth,
21 testified as follows:

22 **DIRECT STATEMENT**

23 **MS. FUSTON:** Good afternoon. My name is Rita Fuston.
24 I live at 400 East 4th Street, and I have been in Chuluota
25 fifteen years, and I have had Aqua Utilities since they took

1 over the system.

2 My first concern was when I started receiving the
3 notice that the TTHMs were above the maximum limit. And I
4 called, and I was told that it really is not a problem. You
5 don't have to worry about it, that it's not a health concern.
6 So I let it go. I trusted them. My mistake.

7 A year and a half ago, my young cat developed cancer
8 of the mouth. And, of course, quickly passed away. What
9 concerned me was that my father, who also lives in Chuluota and
10 is on Aqua Utilities, had a cat in the same time frame that
11 developed the same type of cancer of the mouth and passed away.
12 So I was concerned.

13 I called, spoke with customer service, and was told
14 that if I was concerned that I could purchase bottled water. I
15 can't afford to purchase bottled water for everything. I can't
16 afford to put a system on my entire house. I did purchase a
17 faucet mount system for my drinking water. I didn't think --
18 you know, they said that it wasn't that big of a deal. But I
19 was concerned because two pets had died from the same cancer.

20 This year -- that was a year and a half ago. This
21 year my farther's pet dog just died of the same cancer of the
22 mouth. I'm afraid to drink the water. I only recently learned
23 that even showering in it is a problem. So I just want that
24 known, that I really think the service and quality of water is
25 horrible.

1 The other issue I had, I will try to be brief, is in
2 May I received a letter from Aqua saying that my sewer system
3 had not been activated and that they could charge me for up to
4 the past 12 months, but they were going to be nice and not do
5 that and just charge me starting right away. Well, I called
6 their service because I'm on sewer -- I mean, I'm on septic.
7 I'm on septic. And I was just going to advise them that this
8 was a mistake.

9 The lady tried to convince me that I didn't know what
10 I was talking about, that I was on sewer. That it had been
11 changed over and that I just didn't know about it. Well,
12 fortunately, the week before I had had my septic pumped. So I
13 saw the water come out from my house into the septic system.
14 But she did not believe me. She informed me that someone would
15 come to my house to show me. No one has been to my house.
16 This was May 14th.

17 So I'm concerned with the quality of water that they
18 are providing, and I am also concerned with their management.
19 They can't tell which customers are on what system. So I
20 just -- I don't feel like they deserve a rate hike when they
21 can't provide basic quality.

22 **CHAIRMAN CARTER:** Thank you. One second, please.
23 Commissioner Skop and then Commissioner McMurrian.
24 **COMMISSIONER SKOP:** Thank you, Mr. Chairman. And
25 Ms. Fuston, thank you for coming out. With respect to that

1 discussion that they were going to start charging you for
2 wastewater service, and I think that you mentioned they were
3 supposed to call you back in mid-May. Have they actually, in
4 fact, charged you yet for that on the bill?

5 **MS. FUSTON:** Not as of my last bill.

6 **COMMISSIONER SKOP:** Thank you.

7 **CHAIRMAN CARTER:** Commissioner McMurrin.

8 **COMMISSIONER McMURRIAN:** Thank you, Ms. Fuston.

9 I wanted to ask you, you said -- I think you said
10 that on that last call that you talked to them around May 14th.
11 But I was wondering, because Mr. Franklin said that they keep
12 records of calls, if you had an idea of when you called. You
13 said you called after you got the notice about it being above
14 the TTHM standard, and that you also called one time and you
15 were told to purchase bottled water if you were concerned about
16 it. Do you kind of know who you talked to or what time frame?

17 **MS. FUSTON:** No. No. That was a few years ago when
18 I first started getting the notices. But I was -- I remember
19 hanging up feeling very frustrated that their solution was that
20 I should just go buy bottled water.

21 **COMMISSIONER McMURRIAN:** I understand. Thank you.

22 **CHAIRMAN CARTER:** Thank you.

23 Commissioners, anything further?

24 Mr. Reilly, any questions?

25 **MR. REILLY:** No.

1 **CHAIRMAN CARTER:** Thank you. Thank you so kindly.
2 Mr. Reilly.

3 **MR. REILLY:** The next witness is Barbara Barretta.

4 BARBARA BARRETTA

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

7 DIRECT STATEMENT

8 **MS. BARRETTA:** Hello. Can you hear me? It's up
9 really high.

10 **CHAIRMAN CARTER:** There we go.

11 **MS. BARRETTA:** Thank you.

12 My name is Barbara Barretta. I live at 336 Osprey
13 Lakes Circle, and I have Aqua Utilities. And I would like to
14 talk about the customer service department and the billing. I
15 have a detailed log here of my communication with them, with
16 the customer service department regarding this billing dispute
17 I have had and been going through for the last two or three
18 months now. And I would definitely like to give you a copy of
19 this. In fact, I have made five, one for each of you. So can
20 I hand it over?

21 **CHAIRMAN CARTER:** Yes.

22 **MS. BARRETTA:** I would like to make four quick points
23 here. Customer service satisfaction is nonexistent until a
24 member of the State House of Representatives makes a phone call
25 to Aqua. And immediately after that, the next day I got -- I

1 got action from Aqua. They have been to my house every day
2 since. But up until that, the last two or three months, I have
3 had -- I've had 13 phone calls, been on the phone 150 minutes,
4 I have spoke with ten Aqua employees. I have their names,
5 times, all of that. They have promised to send me a corrected
6 bill five times. I haven't received one yet. They promised to
7 call me back twice. I haven't been called back. I have
8 received zero corrected bills so far and also two shutoff
9 notices.

10 When they tell me don't pay your bill yet because we
11 are trying to work it out, don't pay it. So I don't pay it,
12 but they still send me a shutoff notice because I'm not paying
13 my bill. So I'm not quite sure what's going on there.

14 My meter reading seems to be inaccurate and some
15 months is as high as 400 percent over my actual usage. Aqua
16 put in their new meter in my house April 2nd, and I have taken
17 my own readings myself. I have done exactly a one-week period.
18 I have done a three-week period. I have done the math. I've
19 calculated my usage, and I'm at 12,000 gallons, and that's not
20 using it to cook with, not using it to brush my teeth with,
21 very minimal usage.

22 I have received bills for 20,000 gallons,
23 30,000 gallons, a 50,000-gallon bill. It just doesn't add up,
24 because my numbers aren't the same as their numbers. Aqua
25 themselves have admitted to misreading my meter and billing me

1 incorrectly for an amount which adds up to be about 15,000
2 gallons in one month. On June 24th an Aqua customer service
3 representative told me that they did read my meter incorrectly,
4 and she gave me the new meter numbers. So I took those
5 numbers -- they read it again. It was three weeks later, and
6 they read it, and the number ended up being 6,000 less than
7 what they told me it was three weeks ago. So that adds up to,
8 with the numbers, about 15,000 on gallons that they say I have
9 used that I didn't.

10 It seems like the Aqua customer service department
11 and the Aqua billing department aren't on the same page.
12 Because, as I said, I received notices that I'm not paying,
13 shut off my water. But I'm going -- I'm not paying my bill
14 because it is inaccurate. I don't have an accurate bill to
15 pay. So, basically, if you take a look at this, you will see
16 all the phone calls, you will see what they have told me, some
17 contradictions. It's pretty frustrating.

18 And I'm very happy to have Sandy Adams here to help
19 us out, because the average person here is getting nowhere. So
20 there has been a huge change in the quality of service I have
21 had since she has gotten involved. So I just want to make that
22 note, and thank you for listening.

23 **CHAIRMAN CARTER:** Thank you so kindly.

24 Ms. Barretta. Ms. Barretta, would you come back for
25 one second, please. I have a question.

1 **MS. BARRETTA:** Yes.

2 **CHAIRMAN CARTER:** Wait one second. First, let me do
3 this, let me take care of the homework first.

4 Commissioners, for your records, this will be Exhibit
5 29. Is that right, staff?

6 **MR. JAEGER:** Yes. It's 29. Would that be a detailed
7 log of billing problems? I didn't see the paper before it went
8 past.

9 **CHAIRMAN CARTER:** Detailed log of Barbara Barretta,
10 okay?

11 (Exhibit Number 29 marked for identification.)

12 **CHAIRMAN CARTER:** Commissioner Skop.

13 **COMMISSIONER SKOP:** Thank you, Mr. Chairman. And
14 thank you, Ms. Barretta.

15 In reading your summary of the calls that were made
16 and the call times, were those the total elapsed time of the
17 call, or just the whole time in trying to get through?

18 **MS. BARRETTA:** I got the call times off of my Sprint
19 bill.

20 **COMMISSIONER SKOP:** Okay. All right. So that may be
21 time that you were actually talking to representatives.

22 **MS. BARRETTA:** That could a lot of being on hold, a
23 lot of I will check into this. So it isn't actual
24 conversation. It's call time that I have been billed from my
25 Sprint bill.

1 COMMISSIONER SKOP: Thank you, ma'am.

2 MS. BARRETTA: Thank you.

3 MR. JAEGER: I had one question, also, if nobody else
4 has any.

5 CHAIRMAN CARTER: Let me see. Anything further from
6 the bench, Commissioners?

7 Mr. Jaeger.

8 MR. JAEGER: Did they replace your meter in April,
9 was that what you said?

10 MS. BARRETTA: Right. That's not just me, but the
11 whole neighborhood. They went through and did an overall
12 replacement. They were going to some digital system of
13 reading.

14 MR. JAEGER: Yeah, that radio frequency meter.

15 MS. BARRETTA: Right.

16 MR. JAEGER: And so that was in April?

17 MS. BARRETTA: That was on April 2nd.

18 MR. JAEGER: Okay. Thank you.

19 CHAIRMAN CARTER: One second. Commissioner
20 Argenziano.

21 COMMISSIONER ARGENZIANO: Yes. As we stated before,
22 and I think the company did also, that since they have put in
23 those meters they have had that problem in many communities,
24 and they are trying to resolve that. Has your problem been
25 resolved yet as far as the excess water?

1 **MS. BARRETTA:** No, I'm still in dispute with them.

2 **COMMISSIONER ARGENZIANO:** Okay. Mr. Franklin, I'm
3 going to ask you again if you could personally look into that
4 one and possibly get it resolved. I think it would go a long
5 way.

6 **MS. BARRETTA:** Well, I have to say that since Sandy
7 got involved, Aqua is doing their best, and I'm happy with the
8 service I'm getting now, but the sad thing is it took a State
9 Representative to make that happen.

10 **COMMISSIONER ARGENZIANO:** But, also, just -- I would
11 still ask that he do that now to solve that problem. Because
12 if it has been an ongoing problem, he may be able to get it
13 straightened out very quickly.

14 **MS. BARRETTA:** Okay. Thank you.

15 **MR. JAEGER:** And, Ms. Barretta, I do have one more
16 question. With the misreading, the problem started in June of
17 this year, or was that after the radio frequency meter went in?

18 **MS. BARRETTA:** The problem was when I received my
19 bill for 49,500 gallons.

20 **MR. JAEGER:** But that May or June of this year?

21 **MS. BARRETTA:** That was this year, just a few months
22 ago. And it is just my husband, myself, and a nine-year-old
23 boy. And we don't use the water for cooking. We don't use it
24 for many things.

25 **MR. JAEGER:** Thank you very much.

1 **MS. BARRETTA:** Okay. Thank you.

2 **CHAIRMAN CARTER:** One second, Commissioners, before
3 we -- pass it down. Give her my copy. I put 49. Do you guys
4 have a copy for the court reporter? No, they do not. Here,
5 you can have my copy.

6 **MS. BARRETTA:** If you need another copy, I have one.

7 **CHAIRMAN CARTER:** We've got it covered. I
8 just wanted to be sure.

9 **MS. BARRETTA:** Thank you.

10 **CHAIRMAN CARTER:** We've got it covered.

11 Mr. Reilly.

12 **MR. REILLY:** Okay. Our next witness is Barbara
13 Locke.

14 BARBARA LOCKE

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

17 DIRECT STATEMENT

18 **MS. LOCKE:** My name is Barbara Locke. I live at
19 51 East 2nd Street in Chuluota, and I have Aqua Utilities.

20 Now, the service, excuse my mouth, but it sucks. I
21 have been out here since 1988, December. I lived on 1st Street
22 then. And my daughter -- my youngest daughter is 20 now. She
23 was six months old and, of course, still in diapers. She would
24 wake up in the middle of the night wanting a drink of water, on
25 and off during the night. And in the mornings, you know, when

1 I would go to change her diaper at times it -- I would go in
2 her room, and it smelled like she had a pants full of poop, and
3 it was just because she was wet. There was nothing in it.
4 That's how bad. And to this day the water has not gotten any
5 better. It smells.

6 My dog can't even drink the water from the faucet.
7 When she was a puppy and stuff we had to take her to the vet
8 because we didn't know what was wrong with her. And the vet
9 couldn't figure it out, either. So I just went and got a
10 gallon of water from the store, and then it stopped. And went
11 back to the faucet water, and she started up again with
12 diarrhea and everything. In her cage at 3:00 o'clock in the
13 morning, I was getting up cleaning her up because of the
14 diarrhea.

15 And we went on vacation here just recently, my
16 husband and I, gone for week, and came back and turned the
17 faucets on on 2nd Street and the water was pure black. Blacker
18 than that instrument panel over there. And it just smells like
19 rotten eggs all the time, even in the middle of the night in my
20 bathroom. Get up to use the restroom and it smells. The whole
21 bathroom smells.

22 My next door neighbor had a dog, a little miniature
23 Dachshund. And I didn't get to her in time, and her little dog
24 ended up dying because she was -- with kidney failure, I
25 believe it was, from the vet. It's just -- it's getting

1 ridiculous.

2 They can't do their jobs. You are on hold for who
3 knows how long to the customer service department. And they
4 expect raises when they can't even do their job? I don't think
5 so.

6 Thank you.

7 **COMMISSIONER ARGENZIANO:** I have another question.

8 **CHAIRMAN CARTER:** Ms. Locke, one second.

9 **COMMISSIONER ARGENZIANO:** Not for Ms. Locke, no. I
10 have another question to ask.

11 **CHAIRMAN CARTER:** Give me a second.

12 Commissioners, any questions of Ms. Locke?

13 Mr. Reilly, any questions of Ms. Locke? Thank you,
14 Ms. Locke.

15 **MS. LOCKE:** Thank you.

16 **CHAIRMAN CARTER:** Commissioner Argenziano.

17 **COMMISSIONER ARGENZIANO:** I have another question to
18 ask. If we could ask the Department of Health to find out if
19 we are dealing with a hydrogen sulfide problem or something
20 else. I think what I'm hearing is that the smell, and I would
21 like to differentiate between the two, if it's hydrogen sulfide
22 or something other.

23 **MR. PRATHER:** Yes, ma'am.

24 **CHAIRMAN CARTER:** Thank you.

25 Mr. Reilly.

1 **MR. REILLY:** The next witness is Deborah Schafer.

2 DEBORAH SCHAFER

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

5 DIRECT STATEMENT

6 **MS. SCHAFER:** My name is Deborah Schafer. I reside
7 at 1740 Brumley Road in Chuluota. I am not an Aqua Utilities
8 customer. I have lived in Chuluota for 17 years. I'm an
9 extremely active member of the community. I have been an
10 activist in the environmental community for over 35 years, so I
11 stay actively involved in issues.

12 I spoke many years ago prior to these new
13 developments and the new school going in. I spoke at the
14 county level. I spoke at the Department of Community Affairs
15 in Tallahassee. I spoke about the problems that Chuluota has
16 dealt with for years. We are not a third island. We are not a
17 county or a country that should not be taking care of our
18 people. If Mr. Crist received this notice at his house, do you
19 think he would be treated like the people in Chuluota have been
20 treated?

21 There is something wrong. Something is broken. We
22 are talking 35 years people have dealt with the water issue out
23 there. There is something wrong. DEP sits here and you ask
24 them questions. Why aren't these questions answered? They
25 shouldn't be asked here today. They should have been asked 32

1 years ago. Yes, Aqua took on an issue that Florida Water had,
2 that the other people had. You asked about health issues.
3 There hasn't been studies done. Why haven't there been? We
4 don't have an Erin Brockovich, I guess. We need one.

5 I speak every day in public meetings. No one that I
6 know, whether it be a commissioner, a senator would want to be
7 treated like the people of Chuluota have been treated. This is
8 unfair to a community. You may not have power as a board. You
9 have power as DEP and our Governor has power. These are his
10 people. If this message isn't getting to him, it needs to be.
11 This is not a game. This is people's lives.

12 I think our state should be ashamed of how this
13 situation has been handled, and that this has gone on for so
14 long. And if I sound emotional, I am, and it is not even my
15 family. This is my community.

16 When I stood before the Department of Community
17 Affairs, I explained to them how many years ago before the
18 trails, the schools, Osprey Lakes was built, you already have a
19 problem. You're going to allow these homes to be built, you
20 are going to allow our children to drink this water. I stood
21 there and explained to them the problems. Everything got
22 passed, everything got built.

23 The community of Chuluota is tired. When this first
24 happened before Aqua took over, it was a blue collar community.
25 People got tired. People are still tired. This room isn't

1 filled today. People are tired. They don't want to do this.
2 Do you want to do this? Do you want to do this? Do you want
3 to do this? You get paid for this. You all get paid. These
4 people are taking times out of their lives away from their
5 families, their dying family members, to stand here to beg for
6 water.

7 We all know water is going to be a precious
8 commodity. Trust me, I'm involved in that every day. It is
9 not the price of the water. I think anybody would be glad to
10 pay for water, but they deserve water that is not killing them
11 and is not causing them to go through 32 years of going,
12 somebody, help us.

13 You asked about a well. Why don't they take a well?
14 Why don't they dig a well? My house is on a well. I don't
15 have potable water, and I don't want it, because I choose to
16 live in a rural area. I choose to live behind the rural
17 boundary. But because of this, St. Johns has allowed each one
18 of these homes, 250 wells to be dug so they can irrigate their
19 lawns. Do you think that hasn't affected my water quality of
20 my well? Gee, something is wrong with this picture, also.

21 They live in an urban area. You cannot legally dig a
22 well in an urban area. You can't drink out of a well that is
23 in an urban area. It's not allowed. Gee, there is something
24 wrong again.

25 We shouldn't be asking this question. The Governor

1 should be here today asking this question. DEP. I have dealt
2 with DEP folks for years, whether it be sludge dumping on
3 ranches, whether it be this gentleman sitting here today. Why
4 do the people have to ask these questions? They knew there was
5 a problem 32 years ago, and we are still here asking the same
6 questions.

7 I see a younger gentleman sitting here today who has
8 children and families and babies. I see older people who have
9 grandchildren. Would you live in Chuluota? Would you put up
10 with this? First of all, the people in Chuluota proper many
11 years ago were hard working, blue collar workers barely paying
12 their bills. Do you think we all had time to come up here and
13 fight this? Thank God the trails went in. Thank God, Osprey
14 Lakes went in, because these folks have had more time and more
15 money, and they've helped. What I thought was going to be a
16 horrible blessing has turned out to be a wonderful blessing
17 that they are here, because they care about their community. .

18 Something is wrong. We don't need to be here next
19 year. Would you be here next year? It's hard enough for
20 people to make their bills right now. We all know where the
21 economy is. People don't need this taxing burden. People
22 don't need the stress. I choose to have the stress, because I
23 choose to be an environmentalist and a conservationist. I want
24 to do this kind of thing. I choose to take hours out of my day
25 to care about our environment, but my son is raised. He has

1 gone through college. This is my time. So I have that time.
2 But it's not right that families take time. It is not right
3 for the cost. Think of the cost to each one of these
4 consumers. Think of the water systems, think of the new
5 equipment. These people have budgets, so do you. How would
6 you like an extra \$10,000 thrown in your budget, or an extra
7 ten in yours, just because you can't drink the water. There's
8 something wrong, folks.

9 What about our businesses in Chuluota? Do you hear
10 any of them standing here? Heck no. You know why? Because
11 they are going to lose their customers. Are you kidding me?
12 Would you go to a business that had this kind of water and you
13 knew you were drinking it? Would you buy a house in Chuluota?

14 What amazes me is that we are here 32 years. I look
15 in the audience and there are some people here that have lived
16 in Chuluota that long. My 98-year-old neighbor built her house
17 32 years ago in Chuluota, and I can tell you the health issues
18 out there I'm sure are great. People have died. People have
19 moved. People have changed their houses. You are not going to
20 find all that information now, but it should have been done
21 32 years ago.

22 I don't know what it's going to take. I don't know.
23 In this state I stand before people every day and talk about
24 water issues and how precious water is, and it's a right. But
25 it is an issue everywhere. We are all going to pay for water

1 some day. You are, you are, and you are. And you are going to
2 be paying more than these folks are. But I bet you are going
3 to pay for quality water. These people don't deserve this.
4 And I think if we have to be here next year, everyone in this
5 room should be ashamed of themselves, whether it is a
6 government agency, or a public agency, or any of our elected
7 officials. Something has to change, and if we have to be here
8 again, I hope Governor Crist is here.

9 **CHAIRMAN CARTER:** Commissioner Argenziano.

10 **COMMISSIONER ARGENZIANO:** I just want to make mention
11 that Ms. Locke -- oh, no, Ms. Schafer, I'm sorry, had mentioned
12 my comment about a well. And as I said before, that is -- to
13 the point you made is that if you go back 32 years ago, or
14 40 years ago, people here had their own wells, and that was my
15 point. If you do a little history and find out why a lot of
16 cities now have utilities in place, some are because of the
17 quality of the water. It was supposed to change the quality of
18 water and help the quality of water.

19 In some other cases, the cities or counties wanted to
20 build more and to do that you had to have water systems to be
21 able to do that, because that's what they felt was important to
22 do. My whole point of mentioning the well was that in some
23 places where you can't afford to pay for water anymore, which
24 is what everybody has to have to live on, or where the county
25 has prohibited that, or where the quality of water -- maybe you

1 can dig a well and get a better quality of water, having a
2 different well or your own systems attached to it is
3 prohibited.

4 And that's the reason I mentioned that, Ms. Schafer,
5 was that I was concerned with the fact that since many counties
6 and cities have gone to using utilities and sometimes for very
7 good reasons, to provide better quality of water, and sometimes
8 it is just the opposite, is that people maybe can't afford the
9 water anymore, and they should have the right to dig their own
10 wells. But I just wanted to make that clear so it was
11 understood.

12 And just to the fact that 32 years has gone by, I
13 mean, there were people here years ago who had their own wells.
14 But I think there has always been a real water quality problem
15 in this area, as well as other parts of the state. And just
16 once again to DEP and to DOH, if we can get this across to them
17 and while the representative is sitting in the room, is we need
18 to find out. I think to answer a lot of these questions is it
19 just plain water from a certain part of the aquifer, which, of
20 course, when we are in droughts gets worse, or is it just the
21 type of -- is there bacteria, is there harmful chemicals in the
22 water? I think those things need to be found out first,
23 because that is the biggest concern.

24 And when you don't answer those questions, then you
25 have people wondering what's going on. And I think those

1 things need to be addressed first. Thank you for just letting
2 me share that, because I hear it over and over again. And I
3 really think with the agencies working together we can maybe
4 get some answers. Is it just the quality of water? Is it
5 hydrogen sulfide? Is it something else? And I think that
6 needs to be addressed.

7 **CHAIRMAN CARTER:** Thank you, Commissioner.

8 Before we go further, what I need to do is that we
9 have been giving the court reporter two hours, and we are going
10 to probably need to switch out, give her a break. And
11 I have been -- and I appreciate, Commissioners, you allowing me
12 to just kind of press on through, because we're trying to do
13 that, because we want to hear from everyone. But she's got to
14 write down everything that everybody says, so why don't we do
15 this: Why don't we give the court reporter a break, and then
16 maybe you guys can hit the necessary room, and we can come back
17 from there.

18 So I'm looking at 15 minutes, and we will come back
19 in. So right now I'm looking at my watch and that would be
20 that we will come back in at ten of.

21 We're on recess.

22 (Recess.)

23 **CHAIRMAN CARTER:** We are back on the record.

24 Mr. Reilly, you're recognized, sir.

25 **MR. REILLY:** Thank you. Our next witness is Deborah

1 Herod.

2 CHAIRMAN CARTER: It's been a while since I said it,
3 but as you come up, please give your name and address.

4 Ms. Deborah --

5 MR. REILLY: Deborah Herod.

6 CHAIRMAN CARTER: Okay. Let's skip to the next.

7 MR. REILLY: Okay. The next witness is Rod
8 Santomauro.

9 CHAIRMAN CARTER: Rod Santomauro. Was I close on
10 pronouncing your name?

11 MR. SANTOMAURO: You do it better than I did.

12 CHAIRMAN CARTER: Welcome.

13 Whereupon,

14 ROD SANTOMAURO

15 was called as a witness on behalf of the Citizens of the State
16 of Florida and, having been duly sworn, testified as follows:

17 DIRECT STATEMENT

18 MR. SANTOMAURO: Thank you very much.

19 My name is Rod Santomauro. I live at 492 Osprey Lake
20 Circle in the subdivision of Osprey Lakes. I'm the president
21 of the Osprey Lakes Homeowners Association. And I've never
22 testified before, and I only wrote one letter to the previous
23 Commission at the previous hearing, so I'm not considered, I
24 would think, your habitual person that would come in and make
25 statements.

1 Having said that, I truly would like to thank
2 everybody, and especially Sandy Adams and Bob Dallari, for
3 getting involved. And as that involvement would be last year,
4 directly after that several things were done from the point of
5 view of Aqua Gold, as I call them.

6 Aqua Gold made a statement, or Chris Franklin made a
7 statement of the many things that they had done after the last
8 meeting, since then and up 'til now. It was quite interesting
9 to listen to all the things that were done, which leads me to a
10 question, and I guess that he's not here right now, but I
11 wanted to ask him a question because he brought into the
12 conversation and the testimony that he's a rock star and he has
13 to look at innocent eyes when he comes home. And I'm just
14 wondering if he came home one night and those innocent eyes
15 said to him: Why did it take a blowout in Chuluota to make
16 these changes? Why wasn't it done before? Why did the
17 Commission have to make, get involved? Why did Sandy Adams
18 have to get involved? Why did all these homeowners have to get
19 involved? And then the other question I would think that they
20 might want to ask is: Why is it taking you so long, Rock Star,
21 to respond to these violations with DEP? Why hasn't it been
22 done? Why are we going into years?

23 Having said that, I would like to confirm what many
24 of the speakers have testified so far. Our laundry, on a
25 personal note, our laundry smells. We use, you name it, we put

1 the deodorizer in there, we use Downy. It still smells when
2 you open the washer up. The water is corroding -- and I'm
3 going to give you specific examples when I say the water
4 corrodes, what it does. And I would have to say that up to
5 this point Aqua Gold's service matches the water and basically
6 it stinks.

7 They sent out a notice of water treatment change for
8 the Chuluota residents that I know that you're aware of. And
9 the first sentence starts off by saying, "Starting July 3rd,
10 2008, Aqua Florida, Aqua Utilities will temporarily switch the
11 disinfectant of your public water system," et cetera, et
12 cetera. Again, starting July 3rd. I would like to thank Aqua
13 for getting that in my mailbox on the afternoon of July 3rd.
14 Very timely. In addition to that, the notice about the
15 bacteria in the water as indicated before, I would like to
16 confirm that in the Osprey Lakes Subdivision, again, it was
17 received after the fact. Thank you very much.

18 In addition to that, to reinforce the smell issue, my
19 wife -- we do not have a swimming pool and my wife has been
20 after me to get a swimming pool put in. But thanks to Aqua
21 Utilities I think I've been saved because now every morning
22 when we wake up and we turn on the faucets and do the shower,
23 it smells like a swimming pool in the house. So I just tell
24 her it's out there because of the chlorine smell in the water
25 every day.

1 The other issue I would like to address is that we
2 moved into Osprey Lakes, which, again, was a new subdivision,
3 brand new home. We've been there approximately five years. In
4 that five-year period we have replaced two hot water elements,
5 we have replaced an entire hot water heater, we've replaced a
6 dishwasher, we've replaced a complete kitchen faucet and all
7 associated parts and pipes, we've replaced two complete
8 showerheads, we've replaced three shower cartridges, two tub
9 faucet cartridges and two sink faucet cartridges. Luckily we
10 have Moen, which is a brand name cartridge, but luckily it's a
11 lifetime warranty. So I just keep sending the cartridges to
12 Moen and they keep sending them back. The last time I spoke to
13 somebody they said, "Are you sure there's not something wrong
14 with your water? We don't have this problem anyplace else."

15 In addition to that, there's just some questions I
16 would just like to put out. And that is, number one, why after
17 five or ten years is Aqua, who did not have the system for that
18 entire period, I realize that, but why are they still exceeding
19 the THMs guidelines? Why isn't the water as a result being
20 tested more? Why isn't it being tested independently and why
21 aren't their results being verified?

22 I also would just like to address very quickly,
23 Mr. Franklin made a couple of comments at the beginning and I
24 just sat back there, and I just, I cannot let it go by. But a
25 couple of his comments were that, number one, I believe, Aqua

1 has been in business for 100 years. And I say if they've been
2 in business for 100 years, when are they going to get it right?

3 Number two, they said they paid a fair price for the
4 system in Chuluota, but it's in disrepair. Well, what's a fair
5 price? And if it's in disrepair and they have so many
6 problems, why don't they sell it to Oviedo? They paid a
7 reduced price for it and they want to charge a premium for the
8 water, and they say they don't want to sell it to anybody
9 because they want it to be based on premium rates. Well, they
10 bought it on a fire sale and now they want premium rates and
11 the water is still not any good.

12 They also mentioned that they haven't had a rate
13 increase for 12 years or 15 years. Well, number one, they
14 haven't had the Chuluota system for 12 or 15 years. I believe
15 it's been about six. But the other thing is to me you only get
16 a rate increase or you raise your price when you've corrected
17 the problem. And if you have a problem that you haven't
18 corrected with DEP that you're still being fined for and if you
19 have issues in the water, in the water and system and the
20 service, why would you ask for a raise in the rates? And,
21 again, why would you ask for such an obnoxious amount to raise
22 the rates?

23 Finally, my wife had to leave and go back to work,
24 but she asked me to please make a few comments for her. Her
25 name is Mary Jean Santomauro. And if I don't do that, I'll be

1 in hot water when I get home.

2 She, her comment was that we need help from the PSC.
3 We have nowhere else to turn. Even though we pay exorbitant
4 water rates that are so high for clean, safe water, we still
5 don't have it. We worry about our health and the health of our
6 children. We're afraid to drink with the water, we're afraid
7 to cook with it, we're afraid to wash with it, we're afraid to
8 use it, period.

9 We had an opportunity to watch our six-month-old
10 grandson a week ago. He came over and spent the night. His
11 mom brought all the things, all the face cloths and everything
12 that he usually uses. He has eczema that's being treated on
13 his cheeks and it's under control, no problem. My wife took
14 the washcloth, put it in the water and wiped off his cheeks.
15 The next morning he woke up, they were both bright red checks,
16 and he had to be returned to the doctor and he had to get
17 another treatment of steroid to clean up his cheeks. The only
18 thing that changed was the water. Now I'm not saying it's the
19 water, but that's the only thing that changed in this scenario.
20 He had the same food, he had the same clothes, he had all the
21 same detergents used on his clothes.

22 And then finally, the value of the homes. Several
23 people have addressed that, and that's an absolute fact. We
24 have been told by no fewer than three realtors that people do
25 not want to even come out and look at homes in Chuluota because

1 of the water problems in the community. End of story. Thank
2 you very much.

3 CHAIRMAN CARTER: Thank you very much.

4 Commissioners?

5 Thank you. And we'll make sure that Mary Jean knows
6 that you gave a good report on her behalf.

7 MR. SANTOMAURO: I appreciate that.

8 CHAIRMAN CARTER: Mr. Reilly.

9 MR. REILLY: The next witness is Cowboy Whitman.

10 CHAIRMAN CARTER: Cowboy Whitman.

11 Whereupon,

12 JOHN COWBOY WHITMAN

13 was called as a witness on behalf of the Citizens of the State
14 of Florida and, having been duly sworn, testified as follows:

15 DIRECT STATEMENT

16 MR. WHITMAN: Hi. My name is John Cowboy Whitman.

17 I've been in Chuluota for 38 years and the water has never been
18 any better. I got cancer back in 2000. My dog got it a year
19 ago and he ended up dying. The hardest thing I had to do was
20 tell him he had to stay there with the vet because they had to
21 put him down.

22 I've had to change my faucets about four times --
23 every four years. I've been in the same house 37 years. I
24 live at 141 East 2nd Street. I just don't understand. I had
25 to redo my roof before the hurricanes, the insurance company

1 made me, and I had to pay for that. I didn't -- I couldn't
2 call Social Security Disability up and tell them I needed a new
3 roof on my house, how about giving me some extra money. I had
4 to pay for it myself, and I don't see why these guys don't have
5 to pay for their own stuff. That's all I've got. Thank you.

6 CHAIRMAN CARTER: Thank you.

7 Mr. Reilly.

8 MR. REILLY: The next witness is Maria Chiles.

9 She stepped away.

10 CHAIRMAN CARTER: Okay.

11 MR. REILLY: I think at least our last signed witness
12 is Simeon Ungaro.

13 Whereupon,

14 SIMEON UNGARO

15 was called as a witness on behalf of the Citizens of the State
16 of Florida and, having been duly sworn, testified as follows:

17 DIRECT STATEMENT

18 MR. UNGARO: Good afternoon. Thank you for letting
19 me speak. Again, my name is Simeon Ungaro. I live in The
20 Trails, 559 Granite Circle.

21 CHAIRMAN CARTER: Mr. -- help me with the spelling of
22 your last name.

23 MR. UNGARO: S-I-M-E-O-N.

24 CHAIRMAN CARTER: Okay.

25 MR. UNGARO: U-N-G-A-R-O.

1 CHAIRMAN CARTER: Thank you.

2 MR. UNGARO: I just have a few points, I'll be brief,
3 and I do have some pictures over here, some digital media.

4 I moved here from Orange County in December of 2005.
5 My water and sewer bill was, the highest was \$43. I used to
6 live in a community in East Orange County. My builder did not
7 disclose that we had a private water company until three months
8 after I had moved in, Maronda Homes. Shame on me for not
9 researching that. I mean, I saw a meter and I saw plumbing,
10 you know, going in the streets. I figured we just had city
11 water and sewer, you know, the City of Oviedo would tie into it
12 we're so close. Didn't know that. My first bill was about
13 \$300, and I hit the roof. "What is going on?" "Oh, well, you
14 have a private water company." Okay. Well, the bills slowly
15 got lower because I conserved water. That was when I started,
16 you know, noticing a problem. A few other people got the
17 notices about the THMs, and I'm not familiar with all the
18 terms, but, you know, the notices. It started getting me
19 wondering.

20 I have two small children, a four-year-old and a
21 five-month-old. I'm just concerned about their health, you
22 know, long-term stuff going on. The bacteria in the water, you
23 know, is it going to harm my five-month-old? You know, their
24 immune system is not developed yet. You know, what --
25 thousands of dollars in doctor bills. I mean, the economy is

1 terrible right now. I mean, you know, we can't add into our
2 budget. Enough about that though.

3 Where was I? I've got some pictures. They're
4 already up there. Two and a half years I've been in my house.
5 That's my four-year-old daughter's drain in her tub, which I
6 clean weekly. And I've got to clean them again. But look at
7 the corrosive agents that are on that metal. It's supposed to
8 be stainless steel plugs, but that's what she takes a bath in
9 every day. And I just wonder what it's doing to her skin if
10 it's doing that to stainless steel or aluminum coated,
11 whatever.

12 You know, my showerhead in the master bathroom, if
13 you can go probably the last picture, I think, occasionally I
14 see stuff -- I mean, that's a week. I've cleaned it with CLR
15 and it gets white a week later. That stuff comes out of it,
16 and I look down on the floor and I'll see, you know, black
17 sludge. And I deal with that weekly, excuse me, weekly. And
18 that's the kind of water you guys are putting out and it's just
19 terrible. You know, had I known about this problem, I
20 definitely would not have moved to Chuluota. We got a really
21 good price for the -- I have a half acre in the subdivision.
22 That's about unheard of these days. I love my community, love
23 my neighbors, but the utilities are just terrible. And if I
24 could sell my house right now, I would, and I'd move to where I
25 could have a well, you know, a lake well and not be on public

1 water or even city water. I'm just, I'm fed up with it.

2 That's really all I have.

3 CHAIRMAN CARTER: Thank you. Wait one second.

4 Mr. Reilly? Excuse me.

5 MR. REILLY: No questions. Not a question, but we do
6 have another witness.

7 CHAIRMAN CARTER: Okay.

8 MR. JAEGER: Did we -- or is that going to be an
9 exhibit?

10 CHAIRMAN CARTER: Let's do this. Hang on a second.
11 Marshall, you have that. Can we just make that as an exhibit
12 and we download it? Do you mind if we keep that?

13 MR. UNGARO: No. Keep it. Yeah, you can copy it.

14 MR. WILLIS: I'll copy it.

15 CHAIRMAN CARTER: Okay. Commissioners, that will be
16 exhibit -- I'm going to not guess this time.

17 MR. JAEGER: Number 30. And it's Simeon, pictures of
18 piping in his, in Simeon's house.

19 CHAIRMAN CARTER: Okay. That would be Exhibit --

20 (Exhibit 30 marked for identification.)

21 MR. UNGARO: Can I say one more thing?

22 CHAIRMAN CARTER: Yes, sir.

23 MR. UNGARO: I've replaced the plumbing in all of my
24 toilets, they totally rusted out, three toilets. I replaced
25 all of it. Two and a half years it took to eat away.

1 CHAIRMAN CARTER: Thank you.

2 Linda, did you get that?

3 THE COURT REPORTER: Yes, sir.

4 CHAIRMAN CARTER: Okay. Thank you.

5 Mr. Reilly.

6 MR. REILLY: Okay. We have Michelle Humphrey.

7 Whereupon,

8 MICHELLE HUMPHREY

9 was called as a witness on behalf of the Citizens of the State
10 of Florida and, having been duly sworn, testified as follows:

11 DIRECT STATEMENT

12 MS. HUMPHREY: Hello. Michelle Humphrey. I own a
13 business in Chuluota at 141 West 4th Street. I opened the
14 business approximately three years ago on September 5th. I
15 built the business from the ground up. It was a wooded lot.
16 So it was a brand new building less than three years ago. It
17 was a dream of mine. Eighteen, for 18 years I worked in
18 education. I finally decided to open my own school. I cater
19 to babies starting at six weeks up through age 12. Six weeks
20 old, that's a little baby, and the majority of my school is all
21 early childhood. I'd say more than half of it is babies,
22 toddlers.

23 About two months ago we started noticing half the
24 toilets in the school weren't working on a brand new building,
25 in my opinion it's a brand new building, and I'd already

1 replaced the floats in them twice. The stench when you flushed
2 it was worse than if you had gone in the bathroom being sick.
3 The stench that was coming out when we went to wash dishes,
4 wash our hands, the stench was unbearable. In a business like
5 mine, the smell is a great factor when parents walk in. If
6 they think a school smells, they think it's unsanitary. So
7 that was a big concern just recently that's come up.

8 And then we started noticing large amounts of
9 yellow-orange stuff coming out, brown stuff coming out of the
10 water. And then about a month ago Aqua came and they asked me
11 to fill up some containers so they could test my water. And
12 then actually that was, let me see, approximately I guess early
13 June that they showed up.

14 And we also had issues all of the sudden where the
15 backflow system wouldn't work. It was completely rotted. No
16 one had asked me for annual testing, which surprised me,
17 because in the City of Oviedo they make it mandatory. So then
18 I brought out a private company that said my backflow system
19 had completely rotted away. Water was flowing out of it. So I
20 had to have that replaced.

21 I'm on my second washing machine there. We do
22 regular laundry of like the linens, any type of towels, bibs.
23 Second washing machine in two and a half years. And I bought
24 brand new equipment from Sears, Kenmore, highest commercial
25 grade. So that's unexplainable why they're completely rusting

1 away.

2 My dishwasher is already unfunctional. All the
3 sinks, the screens have to be, have been removed from the
4 faucets because they're so clogged. They're completely rusted
5 where the drains are. And this is a brand new school that I
6 paid over a million dollars for that I will be paying for on an
7 SBA loan probably until the day I either sell it or retire.

8 The biggest concern I think is when I asked for test,
9 the test results from the water that they tested, no one will
10 provide them. But they mysteriously showed up with huge
11 quantities of bottled water from the head local people who are
12 sitting in the back row today, Ryan from Aqua, Bill and Eddie,
13 who are both technicians. Certain technicians could not look
14 me in the eye and had tears in their eyes over the concern that
15 I had with the children at my school. These babies are like
16 family to me. I care for these people's, these people's
17 children for ten to 12 hours a day, five days a week. When
18 they mysteriously end up with sicknesses and viruses at high
19 levels, even though Seminole County, when they inspect me, says
20 I am the cleanest county, cleanest school in the county. I buy
21 very expensive sanitizing chemicals, keep that place spotless,
22 yet we have a large amount of sickness among the children
23 there. That -- although I am not at all trained to say that
24 water is causing it, it makes you wonder. It makes you wonder
25 why the people at Aqua now are providing me at free -- for an

1 uncertain amount of time they've now brought Culligan water to
2 the school.

3 UNIDENTIFIED SPEAKER: Oh, I'd like to get that.

4 UNIDENTIFIED SPEAKER: Me too.

5 MS. HUMPHREY: So we have bottled water for all the
6 staff and students. We have Culligan water service. We have
7 huge amounts of bottled water, so much that I have to use one
8 of my bathrooms now as a storage facility for the bottled water
9 because they have provided so much bottled water to me. So you
10 have to wonder are they finally so scared that they're
11 acknowledging the unsafe water in Chuluota? I mean, I'm pretty
12 much the only business out there besides a couple of
13 convenience stores. But, you know, that's, that's what you,
14 you know, really that's to me -- it's scary to think about
15 maybe the past and future exposure that this water may be
16 causing to my clients.

17 And now a big issue is for six months now we've had
18 the drinking fountain in the lobby unplugged, which is a code
19 that you have to provide water to the public. We've provided
20 them bottled water for months now. But we've actually
21 unplugged our drinking fountain since we've been getting
22 notices about the quality of the water. We were paying for the
23 bottled water out of pocket until recently, which is a huge
24 expense that I've incurred. But my clients are starting to ask
25 me, first of all, "What is that stench? Why does the water

1 smell bad, and why is there so much bottled water at the
2 school?" They're concerned.

3 I'm concerned for the future of these kids, for the
4 future of my business, which was my dream. And, you know, I
5 expected some depreciation of equipment, some equipment to have
6 to be replaced five, ten years down the road, but not replacing
7 a washer and dryer already, not replacing a washer, not
8 replacing a dishwasher, not having plumbing problems this early
9 on.

10 And I was recently told by someone here that even
11 cooking with the water or when it's heated that it could be
12 unsafe. So washing clothes that children touch, bedding that
13 children sleep on could be unsafe. I don't know. I'm not a
14 scientist.

15 But I also know that they won't release any of the
16 water results for me of the water that I've had tested, that I
17 provided them water from my facility, and they won't give me
18 any of those results. And I think legally they should have to.
19 I shouldn't have to pay out of pocket to pay another company to
20 tell me what's really going on. And I know that if they're
21 providing bottled water, that it's a pretty serious issue. And
22 I know that they've been regularly coming to try to give me
23 updates as to what they're doing, as to the fact that my school
24 is on the end of the street where the water lines end and
25 they're going to try to replace that and that was a big issue.

1 And I know that they've made an effort by providing the bottled
2 water, but why? And why for two and a half years have I ran a
3 school with young children and they didn't acknowledge this
4 sooner? Why would they want to put children at risk?

5 Why do I have right now a third of my staff and
6 probably a third of the school with major stomach issues going
7 on in the last month? Some people, their children have been to
8 the doctor three times with major diarrhea and vomiting, and
9 they've been told it's some sort of unexplainable virus. And
10 it's continuing and it's affecting especially the younger
11 children and the staff that work with those younger children
12 that are in there. And so we don't know for sure. Is it just
13 a random virus or is it something that could be pinpointed to
14 high levels of bacteria that younger children can't filter out
15 in their system maybe the way, you know, a middle-aged person
16 or someone in their 20s and 30s. You know, younger people,
17 older people don't have that ability, so we don't know.

18 And I don't want to tell my clientele. I'm afraid.
19 Instead I'm just trying to do everything I can on my end to
20 keep, you know, the children safe, which is my biggest job as
21 owning a school is, you know, beyond educating them is keeping
22 them safe and happy and nurtured in a home away from home
23 environment while they're not with their parents.

24 I was told by my insurance company when I've had them
25 in several times for safety discussions that my staff and

1 myself are responsible to provide a higher level of quality to
2 these children than what their own parents provide. They pay
3 an average of close to \$150 to \$200 a week to have their
4 children at my facility, and they expect these standards. And
5 they're going to start questioning why I continuously have
6 bottled water delivered, why their kids are getting sick. You
7 know, the word is going to get around and they're going to
8 wonder what's going on and they're going to start pointing at
9 me and at Aqua Utilities and everybody else that's not doing
10 something about this. And I'm sure once people are aware of
11 what's really going on, there's a lot of people that are going
12 to have to answer to that.

13 I also wanted to mention that they installed a timer
14 to continuously flush the water at my school, continuously
15 flushing it to the point of sometimes the pressure into the
16 school is affected because they have to flush it so often just
17 to maintain the smell in the building, let alone, I don't know,
18 the chemical levels. And, you know, I was explained by the
19 area manager from Aqua that we install, they installed the new
20 system on 10th Street that was supposed to be switching from
21 their original system of sanitizing the water to a chloramine
22 type system that didn't work, and now they're going back to the
23 old system until they can figure out what to do. But we
24 already know that didn't work. So the old system didn't work,
25 the new system is not working, which was actually the cheaper

1 route that they took to begin with. They're switching back to
2 the old system until they can figure out what to do, which is
3 why I'm on bottled water until they can figure out what to do.
4 But no system works.

5 Somebody needs to stop them and tell them what system
6 is going to work and do it right away before we have any more
7 unquestionable amounts of sick people, dying animals. I mean,
8 God forbid if even one child at my school ends up with anything
9 unquestionable, there's going to be attorneys, there's going to
10 be everybody asking questions why, any unquestionable illness.

11 And there are many residents that I draw from the
12 surrounding area around my school, from Osprey Lakes, from
13 different subdivisions in and around Chuluota, and they're all
14 aware of it. You know, they're aware of it. But then I also
15 draw from Orange County and from Oviedo and most people have no
16 clue. The people that are on the end of 419, the people that
17 are just one block away and getting Oviedo water, they don't
18 have these issues. I know from living in Oviedo they're not
19 aware of Chuluota's issues, and the minute they become aware,
20 you know, they question whether they should bring their child
21 to my school, but they also question the past exposure that
22 they've had. And I'm sure I'm going to start getting questions
23 the more this comes out.

24 My, my concern also as a business owner that I'm
25 incurring obviously unnecessary expenses from already having to

1 provide bottled water, from replacing all these different
2 things, and now incurring an increase in rate would be a slap
3 in the face. I'm literally a single mom who worked her entire
4 life through college to get all my degrees, worked, you know,
5 in education for, like I said, 18 years. Finally got to this
6 level of my career to own this place, and if I lose it because
7 of this or even see one child sick over this, that will be the
8 end of a dream for me. I would have to start over in my career
9 and probably leave the area too on top of that if I lost my
10 business.

11 And my own children attend that school too. My own
12 children have gone -- they're there. My youngest goes there
13 every day, and he knows not to touch the water, don't drink the
14 water, don't wash your hands with it unless you have to.

15 And now, you know, we were originally under the
16 impression that you could at least boil the water and use it to
17 like make pasta or you could wash dishes and wash your hands,
18 but now I've been informed that that's not even safe. So we're
19 going to have to get double the bottled water that we were
20 getting. But the smell that comes out of the toilet, how do we
21 know that that's not a safe or unsafe chemical smell for the
22 children? Young children being exposed to those smells, it
23 could be toxic. We don't know, but we're all concerned about
24 that.

25 I guess in closing I just, I'd have to say that

1 clearly, I mean, a lot of the residential people that are here,
2 which is everybody besides me obviously, I don't see any,
3 anyone that owns the convenience stores or the veterinary
4 clinic in Chuluota, which is the only other business that's in
5 Chuluota, they're not out here. So all the residents, why
6 aren't they being provided the bottled water, you know, if it's
7 that unsafe? And, you know, that should be right there a
8 considering factor that it's unsafe. Clearly it's unsafe,
9 clearly they're acknowledging that it's unsafe by providing me
10 with that.

11 They know that as a business owner I probably have
12 resources for attorneys and clientele that would have resources
13 and that I may be more educated or have other access to
14 question them, which I think they're acknowledging by providing
15 this water to me. They're clearly acknowledging, you know,
16 there's something going on here that we cannot fix right now,
17 and until we can, this is what we're going to do. We're going
18 to put a Band-Aid on it, we're going to give you this Culligan
19 water service, we're going to try to appease you by weekly
20 coming and giving you little updates.

21 But I'm worried about the future, you know, the past
22 and future exposure to this water and also, you know, to the
23 life of my business, and I'd like to see someone take some
24 serious recognition to this. I mean, this to me -- none of
25 these local people can tell you that they've gotten water

1 delivered, but I have now. I can acknowledge it, you know, and
2 tell you I have receipts, I have all the people that I've
3 talked to regularly at Aqua. And I didn't go to them right
4 away. I went to them when my backflow was spilling out water,
5 when all my toilets, and I finally started putting two and two
6 together. It smells in here, my toilets are mysteriously
7 turning colors, within a matter of a month, you know, I had to
8 replace the dishwasher, the washing machine. Those are the
9 things that started making me question it. And they came to
10 me. They're the ones that came to me and said, "I think we
11 better test your water again. I think we better give you
12 bottled water." You know, I was already doing it privately on
13 my own, but they came to me and said, "This is what we're going
14 to do." So that's something that really needs to be looked at.
15 So thank you.

16 CHAIRMAN CARTER: Thank you, Ms. Humphrey.

17 Commissioner Argenziano.

18 COMMISSIONER ARGENZIANO: I have a question to staff.
19 Can we request the test results?

20 MR. REILLY: Yeah. That's what we -- we were going
21 to ask that question, the test results.

22 COMMISSIONER ARGENZIANO: Yes. I'd like to request
23 the test results of that daycare center that --

24 MR. JAEGER: Do we want that as a late-filed exhibit
25 then provided by the company?

1 CHAIRMAN CARTER: Yes. That'll be Exhibit 31.
2 Exhibit 31.

3 (Late-Filed Exhibit 31 identified for the record.)

4 Mr. Reilly.

5 MR. REILLY: That was my question there. And we do
6 have one other witness that's been added. It's Evan Evans.
7 Whereupon,

8 EVAN EVANS

9 was called as a witness on behalf of the Citizens of the State
10 of Florida and, having been duly sworn, testified as follows:

11 DIRECT STATEMENT

12 MR. EVANS: Hello. My name is Evan Evans, and I own
13 a property at 319 Velveteen Place in Chuluota. My wife, Nancy
14 Evans, was up here earlier. And we do -- had Aqua Utilities as
15 a service. We don't anymore because we decided to move before
16 I had kidney surgery.

17 And that house is -- the appliances are rusty and
18 moldy. Like all these people here, there's been so many people
19 talking about this, and something needs to be done. I think it
20 will be done. I hope it does and doesn't go on for 32 years
21 or, you know, how many ever years we've been going on with
22 this, the people in Chuluota.

23 Our dog did have tumors with renal failure, and my
24 uretal, uterus (sic.) was rebuilt, which is a procedure that is
25 a six-month long procedure that -- a lot of the procedures,

1 some of them you're awake when you, when they do this to you,
2 and a lot of it is right through the penis. And I felt like an
3 alien experiment after I got finished with all this stuff. I'm
4 clear for a year now. I don't have to go back. And like most
5 mothers and wives, like my wife, she worries about me
6 continuously. She's afraid I'm going to be passed out on the
7 floor again. But now we're not on the water, so I think I'm
8 okay.

9 Also my wife cut her hand a few weeks ago and the
10 doctor said, "Do not put chloroform (sic.) on this, on this
11 open cut." We just said okay. So that's about the chloroform
12 (sic.) issue being there.

13 We did have private testing done that showed our
14 water was out of compliance. Let's see here. And I just hope
15 something can get done on this. So I feel very lucky because
16 I've already been through my procedure. I got sick, I fixed
17 it, I moved out of the area. These people here, they're going
18 to be going through the stuff that I went through and feeling
19 like an alien experiment. And it's not a good thing,
20 especially the holidays, that was Thanksgiving Day. I'm
21 supposed to be eating turkey and having fun, you know, and that
22 was just a bad day. And I think that's all I have to say. Any
23 questions?

24 CHAIRMAN CARTER: One second.

25 Commissioner Argenziano.

1 COMMISSIONER ARGENZIANO: Yes. Mr. Evans, you said
2 that you had a testing done from a private company?

3 MR. EVANS: Yes.

4 COMMISSIONER ARGENZIANO: Do you have those results
5 to give us?

6 MR. EVANS: Let me see. We can provide those for
7 you. Yes.

8 COMMISSIONER ARGENZIANO: That would be great.

9 CHAIRMAN CARTER: Let's make that late-filed Exhibit
10 Number 32, I believe that is. Is that right?

11 MR. JAEGER: 32 is correct.

12 CHAIRMAN CARTER: And, staff, make sure you get with
13 Mr. Evans so we can get that into the record for the parties.
14 So that will be Exhibit 32, if I can spell Exhibit.

15 (Late-Filed Exhibit 32 identified for the record.)

16 MR. EVANS: Okay. Thank you.

17 CHAIRMAN CARTER: Thank you very much, Mr. Evans.

18 Mr. Reilly.

19 MR. REILLY: That concludes our witnesses for the
20 morning session.

21 CHAIRMAN CARTER: Okay.

22 MR. REILLY: We have an afternoon session still to
23 come.

24 CHAIRMAN CARTER: Thank you, Commissioners, and thank
25 you, staff.

1 MS. DEMELLO: Commissioner? Chairman Carter?

2 CHAIRMAN CARTER: Yes, ma'am.

3 MS. DEMELLO: We have one more person that would like
4 to speak.

5 CHAIRMAN CARTER: Well, come on up. Come on down.

6 And for the record, state -- have you been sworn? By
7 the way, the last couple of witnesses -- right, Mr. Evans, you
8 were here before. Have you been sworn, sir?

9 MR. MALASPINA: No, I have not.

10 CHAIRMAN CARTER: Okay. Would you please stand --
11 well, you're already standing. How about raising your right
12 hand. The food deprivation is messing with my brain.
13 Whereupon,

14 MATT MALASPINA
15 was called as a witness on behalf of the Citizens of the State
16 of Florida and, having been duly sworn, testified as follows:

17 DIRECT STATEMENT

18 MR. MALASPINA: My name is Matt Malaspina. I live at
19 169 Osprey Lake Circle. I see a few of my neighbors that are
20 here, and one in particular just spoke. I have a ten-year-old,
21 a two-year-old and my wife is eight months pregnant. I'm
22 obviously very, very concerned by what's going on. And, you
23 know, this can be a very emotional thing. It's a very
24 practical matter and it's also very emotional when you have
25 children. And hearing some of these things makes me hurt for

1 my kids, not knowing all these things that, you know, are going
2 into their bodies and what not. And, you know, if somebody
3 from Aqua can stand up and swear that this water is perfectly
4 good, perfectly healthy and it doesn't cause any problems more
5 than, you know, Winter Garden, Oviedo, just name the city, then
6 I would love to hear that because that would be, at least they
7 would officially be on the record saying we absolutely swear
8 that there's no problems with this water whatsoever. I don't
9 know if anyone is willing or brave enough to do that, or stupid
10 enough for that matter.

11 But obviously, you know, the goal of the Commission
12 is to hear all this. You know, we're real people just like
13 you. There's no difference. And the people from Aqua have
14 families too, and I'm sure they're not deliberately trying to
15 poison people. But the bottom line is what it is and something
16 has to be done. And I urge you to act aggressively, quickly
17 and get the wheels rolling on this. It's more than just a
18 matter of money. It's people's lives at stake here. I mean,
19 dogs and all that is unfortunate. But like the woman said, the
20 minute the first kid has something, there'll be a legion of
21 attorneys, I'm sure, which is not the route that anybody wants
22 to go. We just want, you know, clean water.

23 You buy a car; if the brakes don't work, you bring it
24 back. It's obvious. I mean, when you buy a house, at least in
25 this country you assume that the quality of the water is

1 drinkable, especially when you're paying three, four times the
2 rate two blocks away, that people pay two blocks away.

3 I moved a mile and a half away. I lived in
4 Riverside, which is right up on 419, and then I moved just
5 around the corner and was not even aware of this until -- I got
6 the notices but didn't think much of it until I saw the action
7 coming out. And, you know, I don't have, I can't show you
8 pictures or bills or whatever, but I beg you to get something
9 done here to urge, to put the fire to those people's feet.
10 Because they're a business, they're about making money, which
11 is fine, there's nothing wrong with that, but provide a quality
12 service. Provide something that doesn't poison us, potentially
13 cause cancer, ailments, whatever. That's the bottom line and
14 that's really all I have to say.

15 CHAIRMAN CARTER: Thank you.

16 MR. JAEGER: Chairman, I didn't get his name and I
17 don't think we have it spelled out anywhere.

18 CHAIRMAN CARTER: Matt, help us.

19 MR. MALASPINA: Sure. No problem.

20 CHAIRMAN CARTER: Sometimes we have to spell
21 phonetically.

22 MR. MALASPINA: It's Matt Malaspina,
23 M-A-L-A-S-P-I-N-A, and that's 169 Osprey Lake Circle in
24 Chuluota. Thank you.

25 CHAIRMAN CARTER: Thank you so kindly.

1 Mr. Reilly.

2 MR. REILLY: That's all we have at this time.

3 CHAIRMAN CARTER: Commissioners, we thank you for
4 giving up your lunch hour, thank you for giving up lunch to be
5 here. And I look forward to our evening session. And those of
6 you that were here today, thank you for coming out. And with
7 that, we are adjourned.

8 MR. JAEGER: Mr. Chair, one last thing.

9 CHAIRMAN CARTER: We've already -- consider it done
10 without objection.

11 MR. REILLY: And we know what, we know what "it" is.

12 CHAIRMAN CARTER: It is entering the exhibits.

13 (Exhibits 25 through 32 admitted into the record.)

14 (Service Hearing adjourned at 3:35 p.m.)

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1 STATE OF FLORIDA)
 :
2 COUNTY OF LEON)
3

CERTIFICATE OF REPORTERS

4 WE, LINDA BOLES, RPR, CRR, and JANE FAUROT, RPR,
5 Official Commission Reporters, do hereby certify that the
6 foregoing proceeding was heard at the time and place herein
7 stated.

8 IT IS FURTHER CERTIFIED that we stenographically
9 reported the said proceedings; that the same has been
10 transcribed under our direct supervision; and that this
11 transcript constitutes a true transcription of our notes of
12 said proceedings.

13 WE FURTHER CERTIFY that we are not a relative,
14 employee, attorney or counsel of any of the parties, nor are we
15 a relative or employee of any of the parties' attorneys or
16 counsel connected with the action, nor are we financially
17 interested in the action.

18 DATED THIS 7th day of August, 2008.

19
20
21
22
23
24
25

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121-WS EXHIBIT 25

COMPANY Witness on behalf of the Citizens of FL

WITNESS Marlene Haas

DATE 07/17/08

Exhibit 25
D. No. 080121-WS

FIRST CLASS
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MARLENE HAAS
200 W 3RD ST
CHULUOTA, FL 32766-9088

2007 Annual Drinking Water Quality Report Chuluota PWS ID # FL3590186

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.

Chuluota obtains its water from a groundwater source, which comes from the Floridan Aquifer. The water is aerated and chloraminated 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 that Chuluota Water System is of moderate susceptibility to contamination due to two potential sources. The assessment results are available on the DEP Source Water Assessment and Protection Program website at 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 1.800.426.4791.

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 (1.800.426.4791)**.

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.

Maximum Contaminant Level Goal or MCLG: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum residual disinfectant level goal or MRDLG: The level of drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

NA: Not applicable.

ND: means not detected and indicates that the substance was not found by laboratory analysis.

Parts per million (ppm) or Milligrams per liter (mg/l): one part by weight of analyte to 1 million parts by weight of the water sample.

Parts per billion (ppb) or Micrograms per liter (µg/l): one part by weight of analyte to 1 billion parts by weight of the water sample.

Picocurie per liter (pCi/L): measure of the radioactivity in water.

Aqua Utilities Florida
P.O. Box 490310
Leesburg, FL 34749



5-DIGIT 32766 0465
KRAL, MARLENE
200 W 3RD ST
OVIEDO, FL. 32766-9088

2004 Annual Drinking Water Quality Report Chuluota PWS ID # 3590186

Este informe contiene información importante sobre la calidad de su agua de beber. Hable con alguien que lo entienda o llame al 1-888-370-6527.

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 1-800-250-7532 or visit us at www.aquautilitiesflorida.com.

Chuluota obtains its water from a groundwater source, which comes from the Floridan Aquifer. The water is aerated and chloraminated for disinfection purposes. A statewide source water assessment project is underway by the Florida Department of Environmental Protection (FDEP). These assessments will identify and assess any potential sources of contamination in the vicinity of your water supply. A Source Water Assessment for our system will be available at the DEP Source Water Assessment and Protection Program web site: <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.

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Maximum Contaminant Level Goal or MCLG: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum residual disinfectant level goal or MRDLG: The level of drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

NA: Not applicable

ND: means not detected and indicates that the substance was not found by laboratory analysis.

Parts per million (ppm) or Milligrams per liter (mg/l): one part by weight of analyte to 1 million parts by weight of the water sample.

Parts per billion (ppb) or Micrograms per liter (µg/l): one part by weight of analyte to 1 billion parts by weight of the water sample.

Picocurie per liter (pCi/L): measure of the radioactivity in water.

Action Level (AL): The concentration of a contaminant that, if exceeded, triggers treatment or other requirements that a water system must follow.

2004 ANNUAL DRINKING WATER QUALITY TEST RESULTS

Aqua Utilities Florida routinely monitors for contaminants in your drinking water according to Federal and State laws, rules, and regulations. Except where otherwise noted, this report is based on the results of our monitoring for the period of January 1 to December 31, 2004 for **Chuluota PWS ID # 3590186**. The Environmental Protection Agency (EPA) requires monitoring of over 80 drinking water contaminants. Those contaminants listed in the table below are the only contaminants detected in your drinking water.

* Results in the Level Detected column for radiological contaminants, inorganic contaminants, synthetic organic contaminants including pesticides and herbicides, and volatile organic contaminants are the highest average at any of the sampling points or the highest detected level at any sampling point, depending on sampling frequency.

Radiological Contaminants

Contaminant and Unit of Measurement	Dates of Sampling (mo./yr.)	MCL Violation Y/N	Level Detected*	Range of Results	MCLG	MCL	Likely Source of Contamination
Alpha emitters (pCi/l)	03/03	N	3.3	2.0 - 3.3	0	15	Erosion of natural deposits
Radium 226 or combined radium (pCi/l)	03/03	N	2.5	1.1 - 2.5	0	5	Erosion of natural deposits

Inorganic Contaminants

Contaminant and Unit of Measurement	Dates of Sampling (mo./yr.)	MCL Violation Y/N	Level Detected*	Range of Results	MCLG	MCL	Likely Source of Contamination
Barium (ppm)	03/03	N	0.020	0.019 - 0.020	2	2	Erosion of natural deposits
Beryllium (ppb)	03/03	N	0.17	ND - 0.17	4	4	Discharge from metal refineries and coal-burning factories; discharge from electrical, aerospace, and defense industries.
Cyanide (ppb)	03/03	N	79	24 - 79	200	200	Discharge from steel/ metal factories; discharge from plastic and fertilizer factories
Fluoride (ppm)	03/03	N	0.16	0.14 - 0.16	4	4	Erosion of natural deposits; water additive which promotes strong teeth
Nitrate (as Nitrogen) (ppm)	09/04	N	0.014	0.013 - 0.014	10	10	Runoff from fertilizer use; leaching from septic tanks, sewage, erosion of natural deposits
Selenium (ppb)	03/03	N	2.5	ND - 2.5	50	50	Erosion of natural deposits
Sodium (ppm)	03/03	N	73	60 - 73	NA	160	Salt water intrusion, leaching from soil

TTHMs and Stage I Disinfectant/ Disinfection Byproduct (D/DBP) Parameters

*For Bromate, Chloramines, Chlorine, Haloacetic Acids, and/or TTHM- Level Detected is the highest annual average of the quarterly averages. Range of Results is the range of results (lowest to highest) at the 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)	2004	N	2.0	0.8 - 3.2	MRDLG =4	MRDL =4	Water additive used to control microbes
Total Haloacetic Acids (HAA5) (ppb)	7/04	N	15	NA	NA	60	Byproduct of drinking water disinfection
TTHMs [Total Trihalo-methanes] (ppb)	7/04	N	76.5	66 - 87	NA	80	Byproduct of drinking water disinfection

Lead and Copper (Tap Water)

Contaminant and Unit of Measurement	Dates of Sampling (mo./yr.)	AL Violation Y/N	90 th Percentile Result	No. of sampling sites exceeding the AL	MCLG	AL (Action Level)	Likely Source of Contamination
Copper (ppm)	08/03	N	0.30	0	1.3	1.3	Corrosion of household plumbing systems

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.

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 (1-800-426-4791).

2007 ANNUAL DRINKING WATER QUALITY TEST RESULTS

Aqua Utilities Florida routinely monitors for contaminants in your drinking water according to Federal and State laws, rules, and regulations. Except where otherwise noted, this report is based on monitoring results from January 1 to December 31, 2007 for **Chuluota PWSID# FL3590186**. The Environmental Protection Agency (EPA) requires monitoring of over 80 drinking water contaminants. Those contaminants listed in the table below are the only contaminants detected in your drinking water. The state allows us to monitor for some contaminants less than once per year because the concentrations of these contaminants do not change frequently. Some of our data, though representative, are more than one year old.

Microbiological Contaminants -*For systems that collect fewer than 40 samples per month, the MCL is more than 1 positive sample per month.						
Contaminant and Unit of Measurement	Date Sampled	MCL Violation Y/N	Highest Monthly Result	MCLG	MCL	Likely Source of Contamination
Total Coliform	08/07	N	1	0	1	Naturally present in the environment

* Except as noted, results in the Level Detected column are the highest average at any sampling point or the highest single detected level at a sampling point, depending on sampling frequency.

Contaminant and Unit of Measurement	Dates of Sampling (mo./yr.)	MCL Violation Y/N	Level Detected*	Range of Results	MCLG	MCL	Likely Source of Contamination
Radiological Contaminants							
Alpha emitters (pCi/l)	03/03	N	3.3	2.0 - 3.3	0	15	Erosion of natural deposits
Combined radium (pCi/l)	03/03	N	2.5	1.1 - 2.5	0	5	Erosion of natural deposits
Inorganic Contaminants							
Barium (ppm)	08/06	N	0.02	0.018 - 0.02	2	2	Erosion of natural deposits
Fluoride (ppm)	08/06	N	0.092	0.077 - 0.092	4	4	Erosion of natural deposits
Nitrate (as Nitrogen) (ppm)	05/07	N	0.013	0.011 - 0.013	10	10	Fertilizers; leaching from septic tanks, sewage, erosion of natural deposits
Sodium (ppm)	08/06	N	91	75 - 91	NA	160	Salt water intrusion, leaching from soil
Thallium (ppb)	08/06	N	1.2	ND - 1.2	0.5	2	Natural sources and industrial facilities

TTHMs and Stage I Disinfectant/ Disinfection Byproduct (D/DBP) Parameters 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	1.3	0.7 - 1.9	MRDLG =4	MRDL =4	Water additive used to control microbes
Total Haloacetic Acids (HAA5) (ppb)	09, 11/06	N	17.86	15.1 - 21.82	NA	60	Byproduct of drinking water disinfection
TTHMs [Total Trihalomethanes] (ppb)	2007	Y (a)	153.3	135.5 - 167	NA	80	Byproduct of drinking water disinfection

(a) **Violation:** In 2007, we received a violation for exceeding the MCL for total trihalomethanes. Our customers have been notified quarterly of this violation. Aqua Utilities Florida received a permit from the Florida Department of Environmental Protection on April 25, 2007 to modify the disinfection process at the treatment plants to reduce TTHMs. The new process went online on April 7, 2008. You will continue to be notified until the results are below the MCL. Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems, with liver, kidneys, or central nervous systems, and may have an increased risk of getting cancer.

Lead and Copper (Tap Water)							
Contaminant and Unit of Measurement	Dates of Sampling (mo./yr.)	AL Violation Y/N	90 th Percentile Result	No. of Sites exceeding the AL	MCLG	AL (Action Level)	Likely Source of Contamination
Copper (ppm)	09/06	N	0.36	0	1.3	1.3	Corrosion of household plumbing
Lead (ppb)	09/06	N	0.42	1	0	15	

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Aqua is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

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.

NOTICE TO THE PUBLIC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

For Aqua Utilities Florida Customers in Chuluota (PWS # 3590186)

The Chuluota water system routinely monitors for the presence of drinking water contaminants. Test results conducted during the past four quarters through the fourth quarter 2007 (December 5, 2007) showed that our system exceeded the U.S. Environmental Protection Agency (EPA) standard, or maximum contaminant level (MCL), for total trihalomethanes (TTHMs). The MCL for TTHMs is 80 micrograms per liter ($\mu\text{g/L}$). The running annual average (RAA) level based on test results of the last four quarters was 150.75 $\mu\text{g/L}$. The table below shows the quarterly test results for TTHMs (second column) and the RAA (third column).

SAMPLE DATE	TTHM ($\mu\text{g/L}$)	RAA ($\mu\text{g/L}$)
First Quarter 2007 2/8/2007	161.5	153.30
Second Quarter 2007 5/18/2007	167	150.85
Third Quarter 2007 8/24/2007	135.5	152.9
Fourth Quarter 2007 12/5/2007	139	150.75

Although this is not an emergency, as our customer, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

What should I do? You do not need to use an alternative (e.g., bottled) water supply or boil your water. However, if you have specific health concerns, consult your doctor. Customers who are concerned about exposure to TTHMs can choose alternative sources of water (e.g. bottled water) or use a home water treatment device, such as a "flow through" pitcher, certified by NSF for reducing TTHMs. (Contact NSF at 1-800-673-6275 or <http://www.nsf.org>.)

What does this mean? This is not an immediate risk. If it had been, you would have been notified immediately. Disinfectants combine with naturally occurring organic and inorganic matter in water to form chemicals called disinfection byproducts (DBPs), including TTHMs. The EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water. *Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys or central nervous system, and may have an increased risk of getting cancer.* It has been estimated by the EPA that harmful effects may be noticed if a person consumes 2 liters of water with TTHMs in excess of the standard on a daily basis for 70 years.

What happened? What is being done? When will the problem be corrected?

Aqua Utilities Florida received a permit from the Florida Department of Environmental Protection (DEP) on April 25, 2007 to modify the disinfection process at the treatment plants to reduce TTHMs. The modifications are nearly complete with equipment testing currently being conducted. The new disinfection process will go online as soon as all the equipment passes testing. We will continue quarterly testing and notify you of our progress and future results until the RAA is below the MCL.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

For more information, please contact:

Responsible Person Patrick Farris	System Name Chuluota Water System	Aqua Utilities Florida P.O. Box 490310 Leesburg, FL. 34749
Phone Number (352) 787-0980	System PWSID # FL3590186	

For more information, please contact:

Responsible Person Patrick Farris	System Name Chuluota Water System	Aqua Utilities Florida (Street) P.O. Box 490310
Phone Number (352) 787-0980	System PWSID # FL3590186	Aqua Utilities Florida (City, State, Zip) Leesburg, FL. 34749

NOTICE TO THE PUBLIC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

For Aqua Utilities Florida Customers in Chuluota (PWS # 3590186)

The Chuluota water system routinely monitors for the presence of drinking water contaminants. Test results from monitoring conducted during the past four quarters through the third quarter 2006 (8/4/06) showed that our system exceeded the U.S. Environmental Protection Agency (EPA) standard, or maximum contaminant level (MCL), for total trihalomethanes (TTHMs). The MCL for TTHMs is 80 micrograms per liter (ug/L). The running annual average (RAA) level of TTHMs for the last four quarters was 135.5 ug/L. Based on these results, an MCL violation continues to exist as indicated in the table below.

SAMPLE DATE	TTHM (ug/L)	RAA (ug/L)
<i>Fourth Quarter 2005 12/30/05</i>	123.1	
<i>First Quarter 2006 3/9/06</i>	114.8	104.768
<i>Second Quarter 2006 5/16/06</i>	176.8	148.988
<i>Third Quarter 2006 8/4/06</i>	127.3	135.5

Although this is not an emergency, as our customer, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

What should I do? You do not need to use an alternative (e.g., bottled) water supply or boil your water. However, if you have specific health concerns, consult your doctor. Because some research suggests a possible connection between high levels of TTHMs and pregnancy problems, women of childbearing age may wish to seek alternative water sources. Customers who are concerned about exposure to TTHMs can choose alternative sources of water (e.g. bottled water) or use a home water treatment device, such as a "flow through" pitcher, certified by NSF for reducing TTHMs. (Contact NSF at 1-800-673-6275 or <http://www.nsf.org>.)

What does this mean? This is not an immediate risk. If it had been, you would have been notified immediately. Disinfectants combine with naturally occurring organic and inorganic matter in water to form chemicals called disinfection byproducts (DBPs), including TTHMs. The EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water. ***Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys or central nervous system, and may have an increased risk of getting cancer.***

What happened? What is being done? When will the problem be corrected?

Aqua Utilities Florida is currently developing modifications to the disinfection process at the treatment plants to reduce TTHM levels. These improvements will be made after necessary permits and approvals are obtained. Meanwhile, interim measures have been taken to reduce THM levels. We will continue quarterly testing and notify you of our progress and future results until the RAA is below the MCL and compliance is achieved.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Aqua Utilities Florida
P.O. Box 490310
Leesburg, FL 34749

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CHULUOTA FL 32766-9088

NOTICE TO THE PUBLIC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

For Aqua Utilities Florida Customers in Chuluota (PWS # 3590186)

The Chuluota water system routinely monitors for the presence of drinking water contaminants. Test results conducted during the past four quarters through the first quarter 2008 showed that our system exceeded the U.S. Environmental Protection Agency (EPA) standard or maximum contaminant level (MCL), for total trihalomethanes (TTHMs). The MCL for TTHMs is 80 micrograms per liter ($\mu\text{g/L}$). The running annual average (RAA) level based on test results of the last four quarters was 147.5 $\mu\text{g/L}$. The table below shows the quarterly test results for TTHMs (second column) and the RAA (third column).

SAMPLE DATE	TTHM ($\mu\text{g/L}$)	RAA ($\mu\text{g/L}$)
Second Quarter 2007 5/18/2007	167	150.9
Third Quarter 2007 8/24/2007	135.5	152.9
Fourth Quarter 2007 12/5/2007	139	150.8
First Quarter 2008 2/8/2007	148.5	147.5

Although this is not an emergency, as our customer, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

What should I do? You do not need to use an alternative (e.g., bottled) water supply or boil your water. However, if you have specific health concerns, consult your doctor. Customers who are concerned about exposure to TTHMs can choose alternative sources of water (e.g. bottled water) or use a home water treatment device, such as a "flow through" pitcher, certified by NSF for reducing TTHMs. (Contact NSF at 1-800-673-6275 or <http://www.nsf.org>.)

What does this mean? This is not an immediate risk. If it had been, you would have been notified immediately. Disinfectants combine with naturally occurring organic and inorganic matter in water to form chemicals called disinfection byproducts (DBPs), including TTHMs. The EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water. *Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys or central nervous system, and may have an increased risk of getting cancer.* It has been estimated by the EPA that harmful effects may be noticed if a person consumes 2 liters of water with TTHMs in excess of the standard on a daily basis for 70 years.

What happened? What is being done? When will the problem be corrected?

Aqua Utilities Florida received a permit from the Florida Department of Environmental Protection (DEP) on April 25, 2007 to modify the disinfection process at the treatment plants to reduce TTHMs. The new process went online on April 7, 2008. We will continue quarterly testing of TTHMs and notify you of our progress and future results until the RAA is below the MCL.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

For more information, please contact:

Responsible Person Patrick Farris	System Name Chuluota Water System	Aqua Utilities Florida P.O. Box 490310 Leesburg, FL. 34749
Phone Number (352) 787-0980	System PWSID # FL3590186	

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ABOUT YOUR DRINKING WATER**



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CHULUOTA FL 32766-9088**

NOTICE TO THE PUBLIC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

For Aqua Utilities Florida Customers in Chuluota (PWS # 3590186)

The Chuluota water system routinely monitors for the presence of drinking water contaminants. Test results conducted during the past four quarters (that is the 2nd quarter 2006 through the 1st quarter 2007) showed that our system exceeded the U.S. Environmental Protection Agency (EPA) standard or maximum contaminant level (MCL), for total trihalomethanes (TTHMs). The MCL for TTHMs is 80 micrograms per liter ($\mu\text{g/L}$). The running annual average (RAA) level based on test results of the last four quarters was 153.3 $\mu\text{g/L}$. The table below shows the quarterly test results for TTHMs (second column) and the RAA (third column).

SAMPLE DATE	TTHM ($\mu\text{g/L}$)	RAA ($\mu\text{g/L}$)
Second Quarter 2006	176.8	148.9
Third Quarter 2006	127.3	135.5
Fourth Quarter 2006	147.6	141.6
First Quarter 2007	161.5	153.3

Although this is not an emergency, as our customer, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

What should I do? You do not need to use an alternative (e.g., bottled) water supply or boil your water. However, if you have specific health concerns, consult your doctor. Customers who are concerned about exposure to TTHMs can choose alternative sources of water (e.g. bottled water) or use a home water treatment device, such as a "flow through" pitcher, certified by NSF for reducing TTHMs. (Contact NSF at 1-800-673-6275 or <http://www.nsf.org>.)

What does this mean? This is not an immediate risk. If it had been, you would have been notified immediately. Disinfectants combine with naturally occurring organic and inorganic matter in water to form chemicals called disinfection byproducts (DBPs), including TTHMs. The EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water. *Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys or central nervous system, and may have an increased risk of getting cancer.* It has been estimated by the EPA that harmful effects may be noticed if a person consumes 2 liters of water with TTHMs in excess of the standard on a daily basis for 70 years.

What happened? What is being done? When will the problem be corrected?

Aqua Utilities Florida submitted plans to the Florida Department of Environmental Protection (DEP) on December 11, 2006 to modify the disinfection process at the treatments plants to reduce the TTHMs. On March 12, 2007, the DEP issued a construction permit on to install the chloramine disinfection system to reduce the TTHMs. We will continue quarterly testing and will notify you of our progress and future results until the RAA is below the MCL.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

For more information, please contact:

Responsible Person Patrick Farris	System Name Chuluota Water System	Aqua Utilities Florida (Street) P.O. Box 490310, Leesburg, FL. 34749
Phone Number (352) 787-0980	System PWSID # FL3590186	

NOTICE TO THE PUBLIC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

For Aqua Utilities Florida Customers in Chuluota (PWS # 3590186)

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers you have a right to know what happened and what is being done to correct the situation.

The Chuluota water system routinely monitors for the presence of drinking water contaminants. The state of Florida as well as many other states requires the use of a disinfectant (chlorine) to minimize the possibility of bacterial contamination in the drinking water distribution system. Disinfectants (chlorine) combine with naturally occurring organic and inorganic matter in water to form chemicals called disinfection byproducts (DBPs), including TTHMs.

The U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP) sets standards for controlling the levels of disinfectants and DBPs in drinking water. Test results from monitoring conducted during the past four quarters through the 2nd Quarter, 2006 showed that our system's running annual average (RAA) exceeded the EPA standard or maximum contaminant level (MCL), for Total Trihalomethanes (TTHMs). The MCL for TTHMs is 80 ug/L (micrograms per liter).

SAMPLE DATE	TTHM (ug/L)	RAA (ug/L)
Third Quarter 2005 7/28/05	180.85	
Fourth Quarter 2005 12/30/05	123.05	
First Quarter 2006 3/9/06	114.8	104.68
Second Quarter 2006 5/16/06	163.0	148.88

What does this mean? This is not an immediate risk. If it had been, you would have been notified immediately. Some research suggests that people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.

What should I do? Although this is not an emergency, as our customer, you have a right to know what happened, what you should do, and what we are doing to correct this situation. You do not need to use an alternative (e.g., bottled) water supply or boil your water. However, if you have specific health concerns, consult your doctor. Customers who are concerned about exposure to TTHMs can choose alternative sources of water (e.g. bottled water) or use a home water treatment device, such as a "flow through" filter, certified by NSF for reducing TTHMs (Contact NSF at 1-800-673-6275 or <http://www.nsf.org>).

What happened? What is being done? When will the problem be corrected?

Since acquiring the Chuluota water system in July 2004, Aqua Utilities Florida has cleaned and inspected the storage tanks at both water plants, increased flushing of the distribution system, and improved the control of chlorination. Design is underway for modifications to the disinfection process at the treatment plants in order to implement chloramination to reduce TTHM levels. These improvements will be made after receiving the necessary agency approvals. We will continue quarterly testing and will notify you every ninety days of future results until the RAA is below the MCL and compliance is achieved.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

For more information, please call Brian Heath at 352-787-0980 or write to him at Aqua Utilities Florida, P.O. Box 490310, Leesburg, FL 34749.

This notice is being delivered by Aqua Utilities Florida on 7/13/06.

NOTICE TO THE PUBLIC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

For Aqua Utilities Florida Customers in Chuluota (PWS # 3590186)

The Chuluota water system routinely monitors for the presence of drinking water contaminants. Test results conducted during the past four quarters through the second quarter 2007 (May 18, 2007) showed that our system exceeded the U.S. Environmental Protection Agency (EPA) standard, or maximum contaminant level (MCL), for total trihalomethanes (TTHMs). The MCL for TTHMs is 80 micrograms per liter ($\mu\text{g/L}$). The running annual average (RAA) level based on test results of the last four quarters was 150.9 $\mu\text{g/L}$. The table below shows the quarterly test results for TTHMs (second column) and the RAA (third column).

SAMPLE DATE	TTHM ($\mu\text{g/L}$)	RAA ($\mu\text{g/L}$)
Third Quarter 2006 8/4/2006	127.3	135.5
Fourth Quarter 2006 11/16/2006	147.6	141.6
First Quarter 2007 2/8/2007	161.5	153.3
Second Quarter 2007 5/18/2007	167	150.9

Although this is not an emergency, as our customer, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

What should I do? You do not need to use an alternative (e.g., bottled) water supply or boil your water. However, if you have specific health concerns, consult your doctor. For more information, please read the other information contained in this Notice. Customers who are concerned about exposure to TTHMs can choose alternative sources of water (e.g. bottled water) or use a home water treatment device, such as a "flow through" pitcher, certified by NSF for reducing TTHMs. (Contact NSF at 800.673.6275 or <http://www.nsf.org>.)

What does this mean? This is not an immediate risk. If it had been, you would have been notified immediately. Disinfectants combine with naturally occurring organic and inorganic matter in water to form chemicals called disinfection byproducts (DBPs), including TTHMs. The EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water. *Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys or central nervous system, and may have an increased risk of getting cancer.* [Source: EPA] EPA standards are set based on persons consuming two liters of water with TTHMs in excess of the standard daily for 70 years.

What happened? What is being done? When will the problem be corrected?

Aqua Utilities Florida received a permit from the Florida Department of Environmental Protection (DEP) on April 25, 2007 to modify the disinfection process at the treatment plants to reduce TTHMs. The modifications are currently underway and the project should be completed before the end of this year. We will continue quarterly testing and notify you of our progress and future results until the RAA is below the MCL.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

For more information, please contact:

Responsible Person Patrick Farris	System Name Chuluota Water System	Aqua Utilities Florida (Street) P.O. Box 490310
Phone Number (352) 787-0980	System PWSID # FL3590186	Aqua Utilities Florida (City, State, Zip) Leesburg, FL. 34749

Aqua Utilities Florida, Inc.
1100 Thomas Avenue
Leesburg, FL 34748

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34748

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CHULUOTA
MARLENE HAAS
200 W 3RD ST
CHULUOTA FL 32766-9088

NOTICE TO THE PUBLIC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

For Aqua Utilities Florida Customers in Chuluota (PWS # 3590186)

The Chuluota water system routinely monitors for the presence of drinking water contaminants. Test results conducted during the past four quarters through the third quarter 2007 (August 24, 2007) showed that our system exceeded the U.S. Environmental Protection Agency (EPA) standard, or maximum contaminant level (MCL), for total trihalomethanes (TTHMs). The MCL for TTHMs is 80 micrograms per liter ($\mu\text{g/L}$). The running annual average (RAA) level based on test results of the last four quarters was 152.9 $\mu\text{g/L}$. The table below shows the quarterly test results for TTHMs (second column) and the RAA (third column).

SAMPLE DATE	TTHM ($\mu\text{g/L}$)	RAA ($\mu\text{g/L}$)
Fourth Quarter 2006 11/16/2006	147.6	141.60
First Quarter 2007 2/8/2007	161.5	153.30
Second Quarter 2007 5/18/2007	167	150.85
Third Quarter 2007 8/24/2007	135.5	152.9

Although this is not an emergency, as our customer, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

What should I do? You do not need to use an alternative (e.g., bottled) water supply or boil your water. However, if you have specific health concerns, consult your doctor. Customers who are concerned about exposure to TTHMs can choose alternative sources of water (e.g. bottled water) or use a home water treatment device, such as a "flow through" pitcher, certified by NSF for reducing TTHMs. (Contact NSF at 1-800-673-6275 or <http://www.nsf.org>.)

What does this mean? This is not an immediate risk. If it had been, you would have been notified immediately. Disinfectants combine with naturally occurring organic and inorganic matter in water to form chemicals called disinfection byproducts (DBPs), including TTHMs. The EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water. *Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys or central nervous system, and may have an increased risk of getting cancer.* It has been estimated by the EPA that harmful effects may be noticed if a person consumes 2 liters of water with TTHMs in excess of the standard on a daily basis for 70 years.

What happened? What is being done? When will the problem be corrected?

Aqua Utilities Florida received a permit from the Florida Department of Environmental Protection (DEP) on April 25, 2007 to modify the disinfection process at the treatment plants to reduce TTHMs. The modifications are currently underway and the project should be completed before the end of this year. We will continue quarterly testing and notify you of our progress and future results until the RAA is below the MCL.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

For more information, please contact:

Responsible Person Patrick Farris	System Name Chuluota Water System	Aqua Utilities Florida P.O. Box 490310 Leesburg, FL. 34749
Phone Number (352) 787-0980	System PWSID # FL3590186	

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**IMPORTANT INFORMATION
ABOUT YOUR DRINKING WATER**

|||||
**MARLENE KRAL
200 W 3RD ST
CHULUOTA FL 32766-9088**

NOTICE TO THE PUBLIC

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

For Aqua Utilities Florida Customers in Chuluota (PWS # 3590186)

The Chuluota water system routinely monitors for the presence of drinking water contaminants. Test results from monitoring conducted during the past four quarters through the third quarter 2006 (8/4/06) showed that our system exceeded the U.S. Environmental Protection Agency (EPA) standard, or maximum contaminant level (MCL), for total trihalomethanes (TTHMs). The MCL for TTHMs is 80 micrograms per liter (ug/L). The running annual average (RAA) level of TTHMs for the last four quarters was 135.5 ug/L. Based on these results, an MCL violation continues to exist as indicated in the table below.

SAMPLE DATE	TTHM (ug/L)	RAA (ug/L)
<i>Fourth Quarter 2005 12/30/05</i>	123.1	
<i>First Quarter 2006 3/9/06</i>	114.8	104.768
<i>Second Quarter 2006 5/16/06</i>	176.8	148.988
<i>Third Quarter 2006 8/4/06</i>	127.3	135.5

Although this is not an emergency, as our customer, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

What should I do? You do not need to use an alternative (e.g., bottled) water supply or boil your water. However, if you have specific health concerns, consult your doctor. Because some research suggests a possible connection between high levels of TTHMs and pregnancy problems, women of childbearing age may wish to seek alternative water sources. Customers who are concerned about exposure to TTHMs can choose alternative sources of water (e.g. bottled water) or use a home water treatment device, such as a "flow through" pitcher, certified by NSF for reducing TTHMs. (Contact NSF at 1-800-673-6275 or <http://www.nsf.org>.)

What does this mean? This is not an immediate risk. If it had been, you would have been notified immediately. Disinfectants combine with naturally occurring organic and inorganic matter in water to form chemicals called disinfection byproducts (DBPs), including TTHMs. The EPA sets standards for controlling the levels of disinfectants and DBPs in drinking water. ***Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys or central nervous system, and may have an increased risk of getting cancer.***

What happened? What is being done? When will the problem be corrected?

Aqua Utilities Florida is currently developing modifications to the disinfection process at the treatment plants to reduce TTHM levels. These improvements will be made after necessary permits and approvals are obtained. Meanwhile, interim measures have been taken to reduce THM levels. We will continue quarterly testing and notify you of our progress and future results until the RAA is below the MCL and compliance is achieved.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

For more information, please contact:

Responsible Person Patrick Farris	System Name Chuluota Water System	Aqua Utilities Florida (Street) P.O. Box 490310
Phone Number (352) 787-0980	System PWSID # FL3590186	Aqua Utilities Florida (City, State, Zip) Leesburg, FL. 34749

Additional Costs of Using Poor Quality Water (>\$1620/yr.)

- **Buy Bottled Water (\$35/mo.)**
- **Buy Water Filters (\$15/mo.)**
- **Buy Extra Cleaning Agents (\$20/mo.)**
- **Replace Plumbing Components (\$300/yr.)**
- **Buy Products to Treat Laundry (\$15/mo.)**
- **Replace Dingy Clothes (\$300/yr.)**
- **Extra Work to Clean Stains**
- **Unknown Health Issues**

SUBMITTED BY: MARLENE HAAS

Water Cost Increases

- **1988, \$18 every THREE months**
- **1990, \$15 every month**
- **2008, \$25 every month**
- **Aug. 2008, Proposed Increase to \$60/mo.**

This is an increase of 1000%. We still have lousy water quality, poor water pressure, and old water pipes. Exactly what are we paying for?

SUBMITTED BY: MARLENE HAAS

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121-WS EXHIBIT 26

COMPANY Explanation of Cutoff by Utility (Late Filed)

WITNESS Susan Mortenson

DATE 07/17/08

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121-W EXHIBIT 27

COMPANY Aqua Utilities (Late Filed)

WITNESS Aqua Time Line for Analyzers

DATE 07/17/08

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 08D12-WS EXHIBIT 28

COMPANY Composite of pictures + Letters of Violations

WITNESS Nancy Evans

DATE 07/17/08

Kitchen Sink 3 yrs old.

319 Velveteen Pl
Chuluota, FL

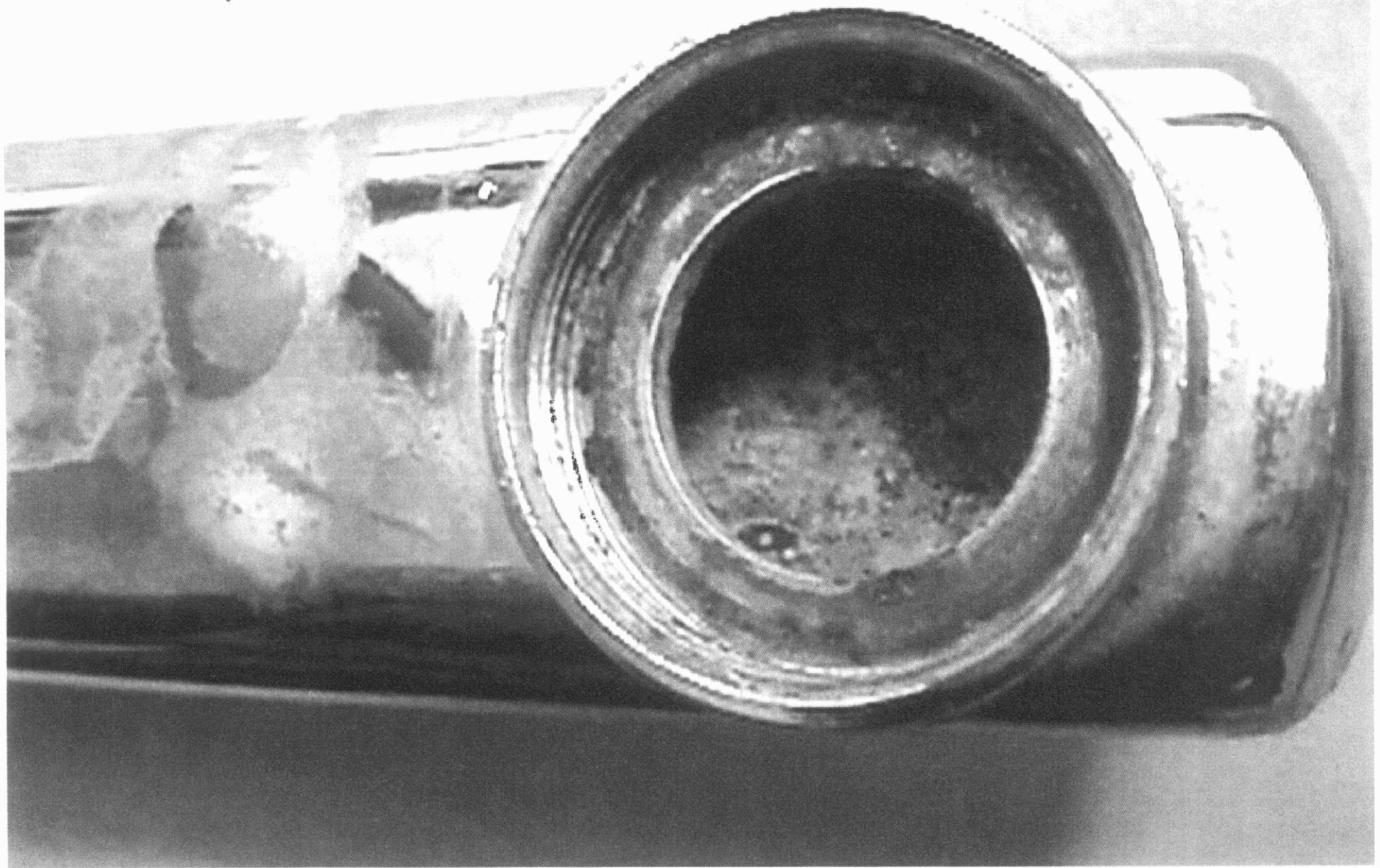


Kitchen Sink 3yrs old



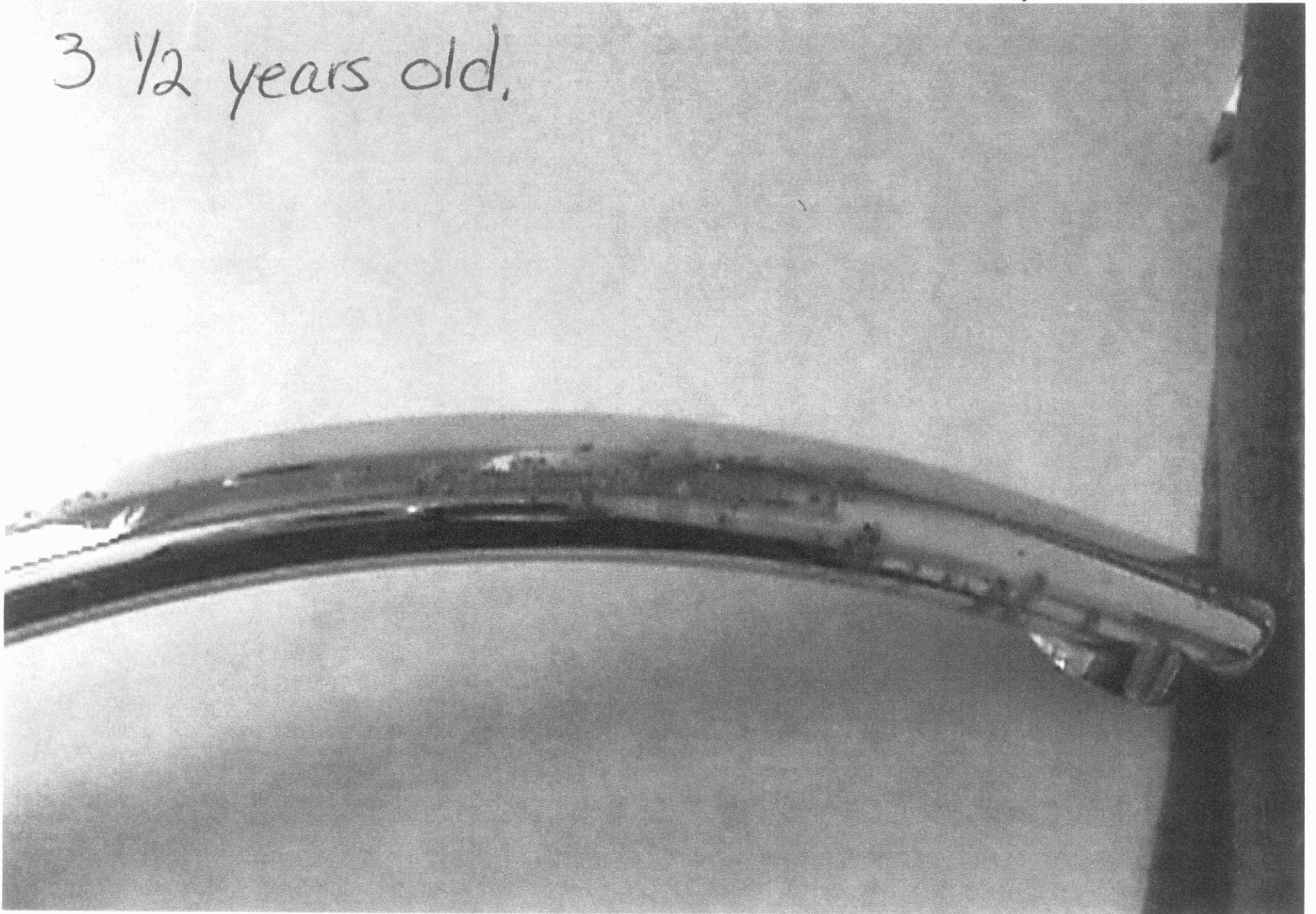
Kitchen Faucet before replaced
by the builder

3 1/2 yrs old



-Holes from the inside out
Kitchen Faucet before replaced.

3 1/2 years old,

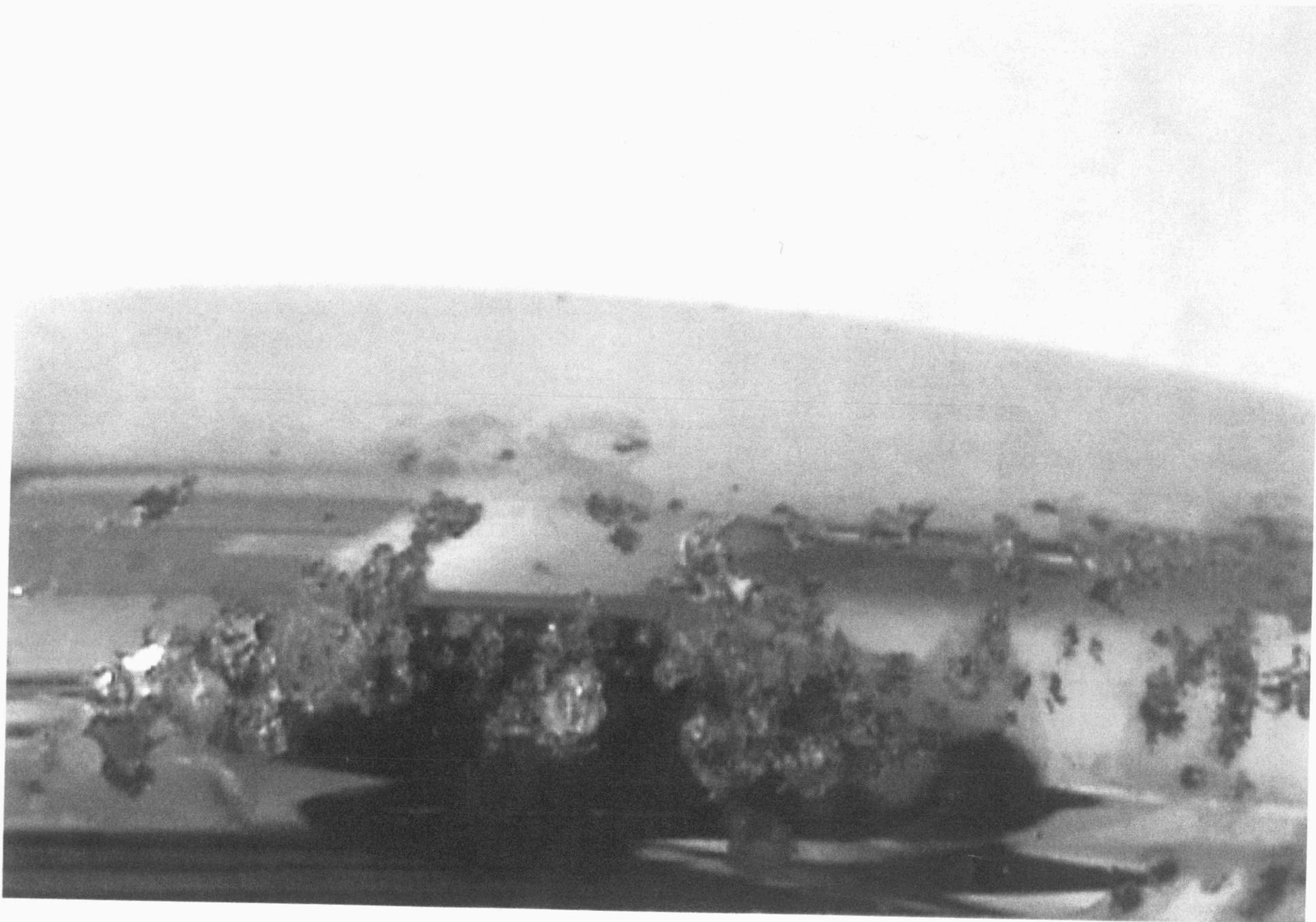


Kitchen Faucet before replaced by builder
- holes from the inside-out.

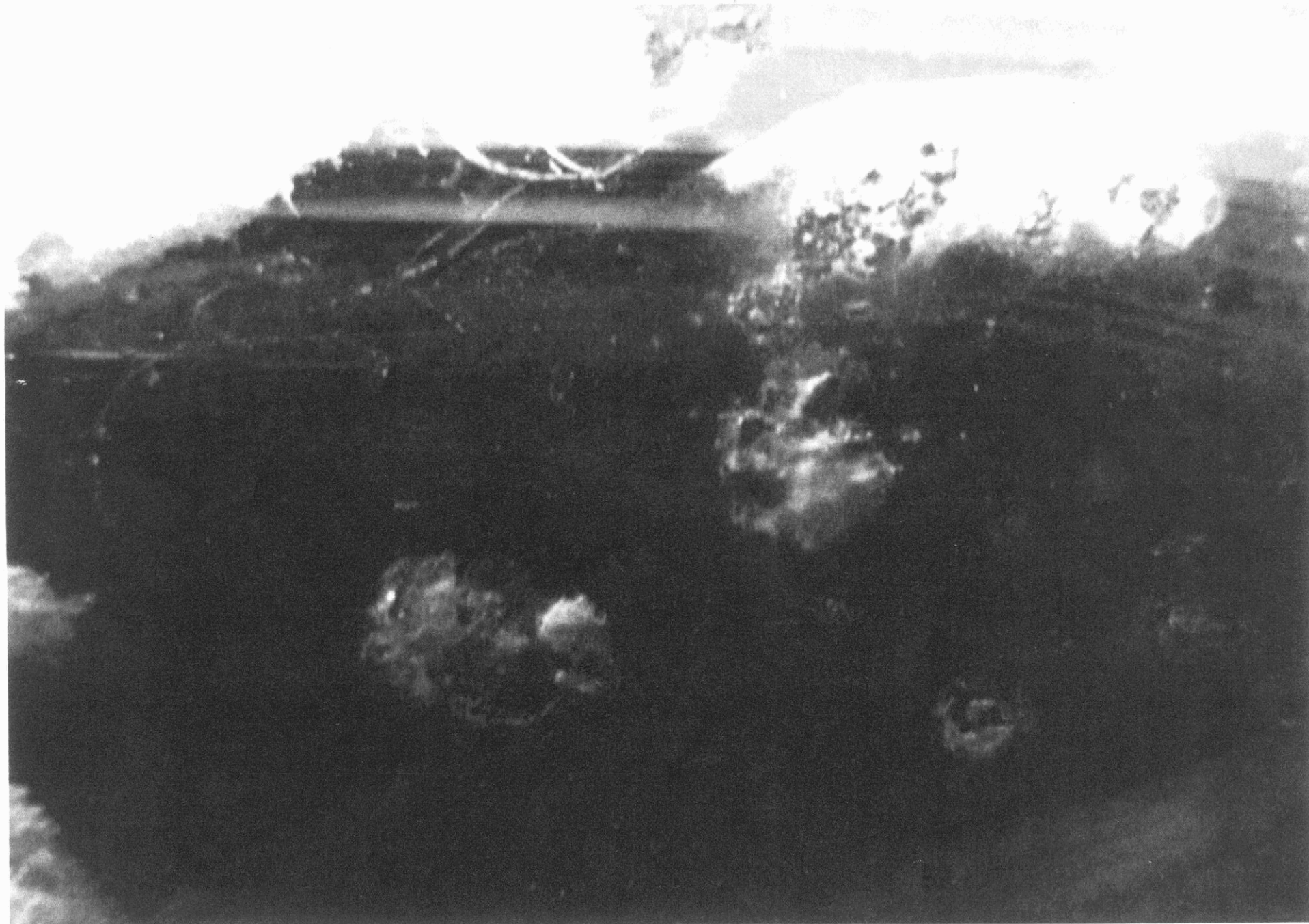
3 1/2 years old.



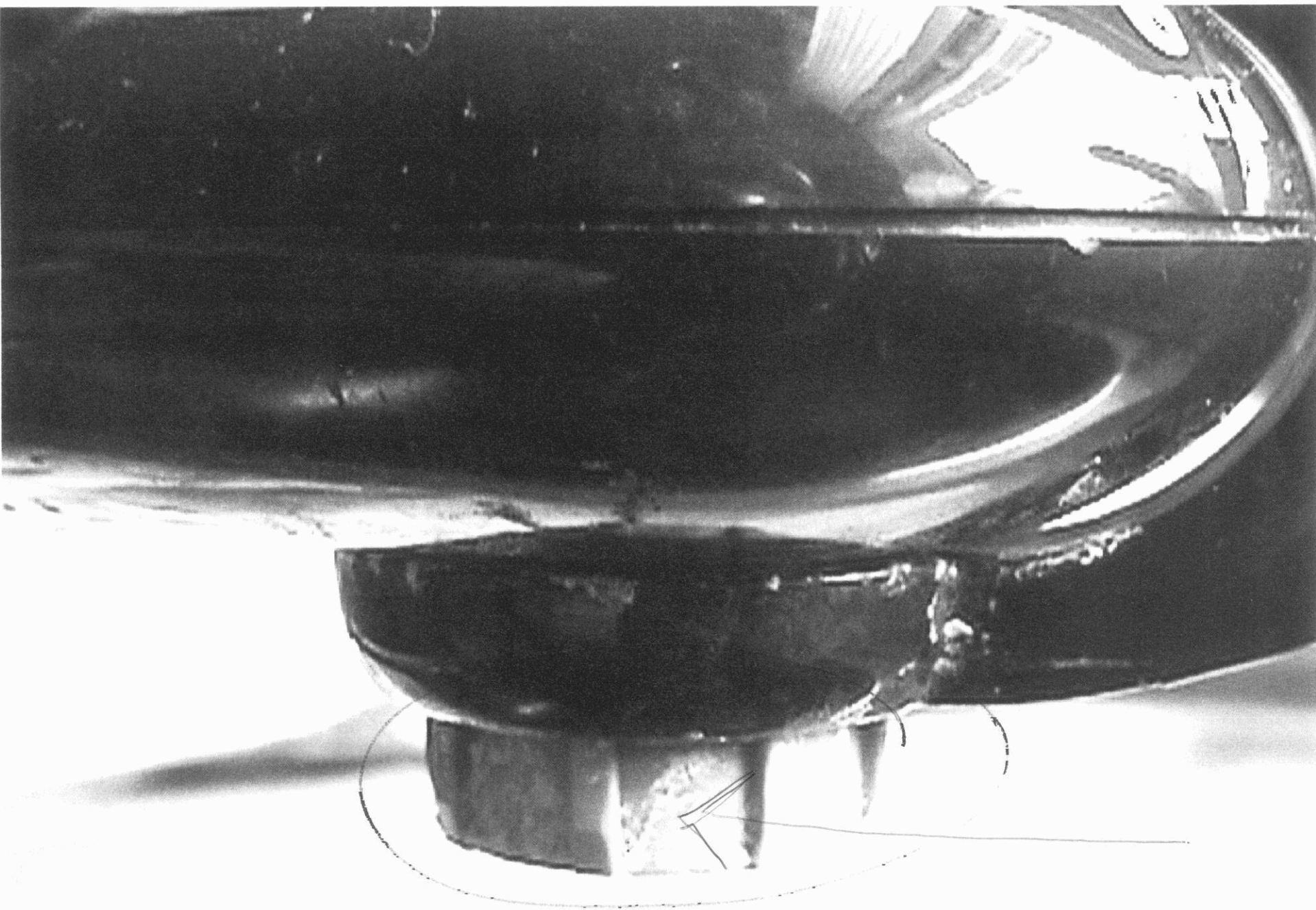
Kitchen Faucet



Kitchen

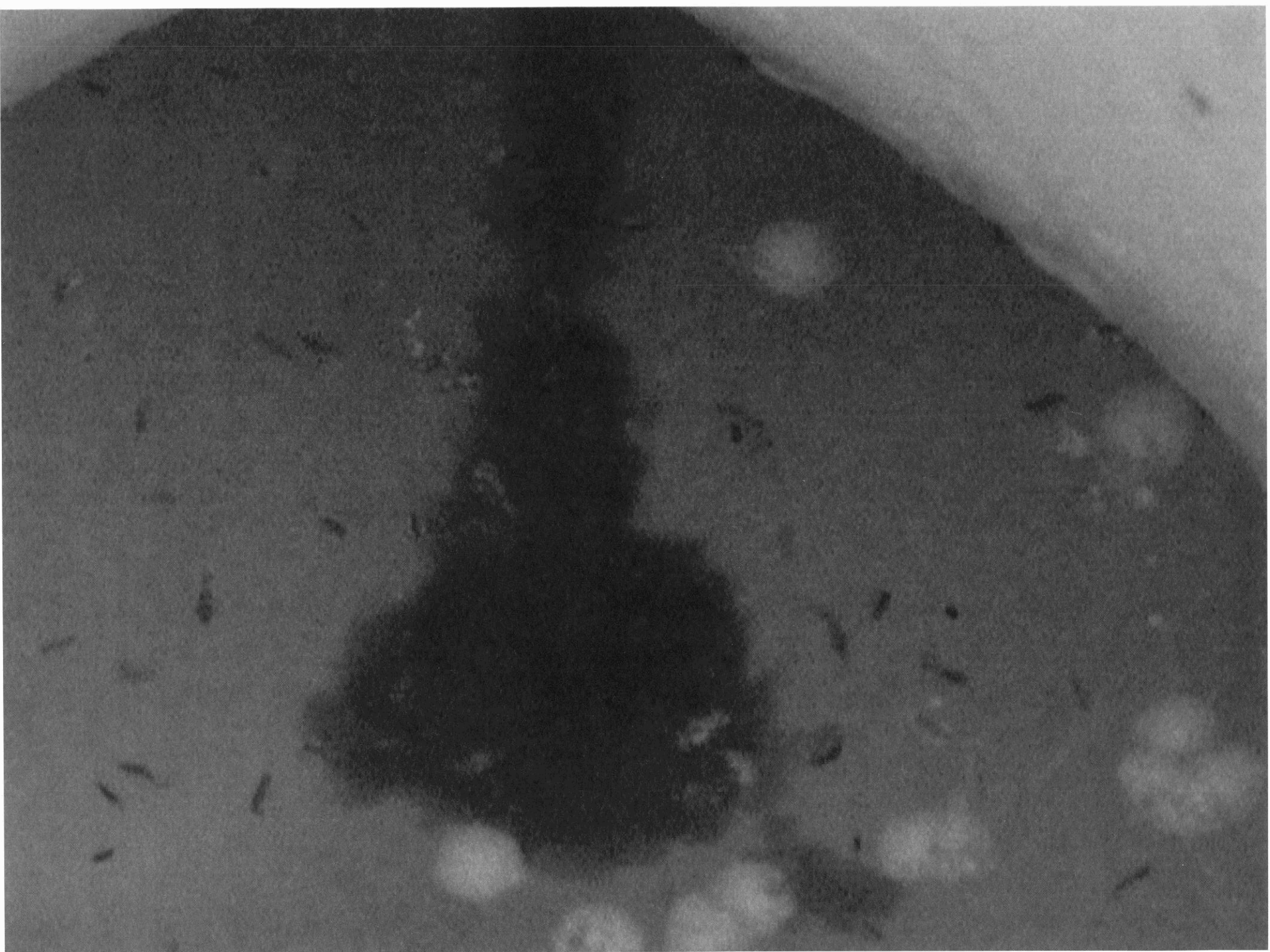


Britta Filter after 4 mo.



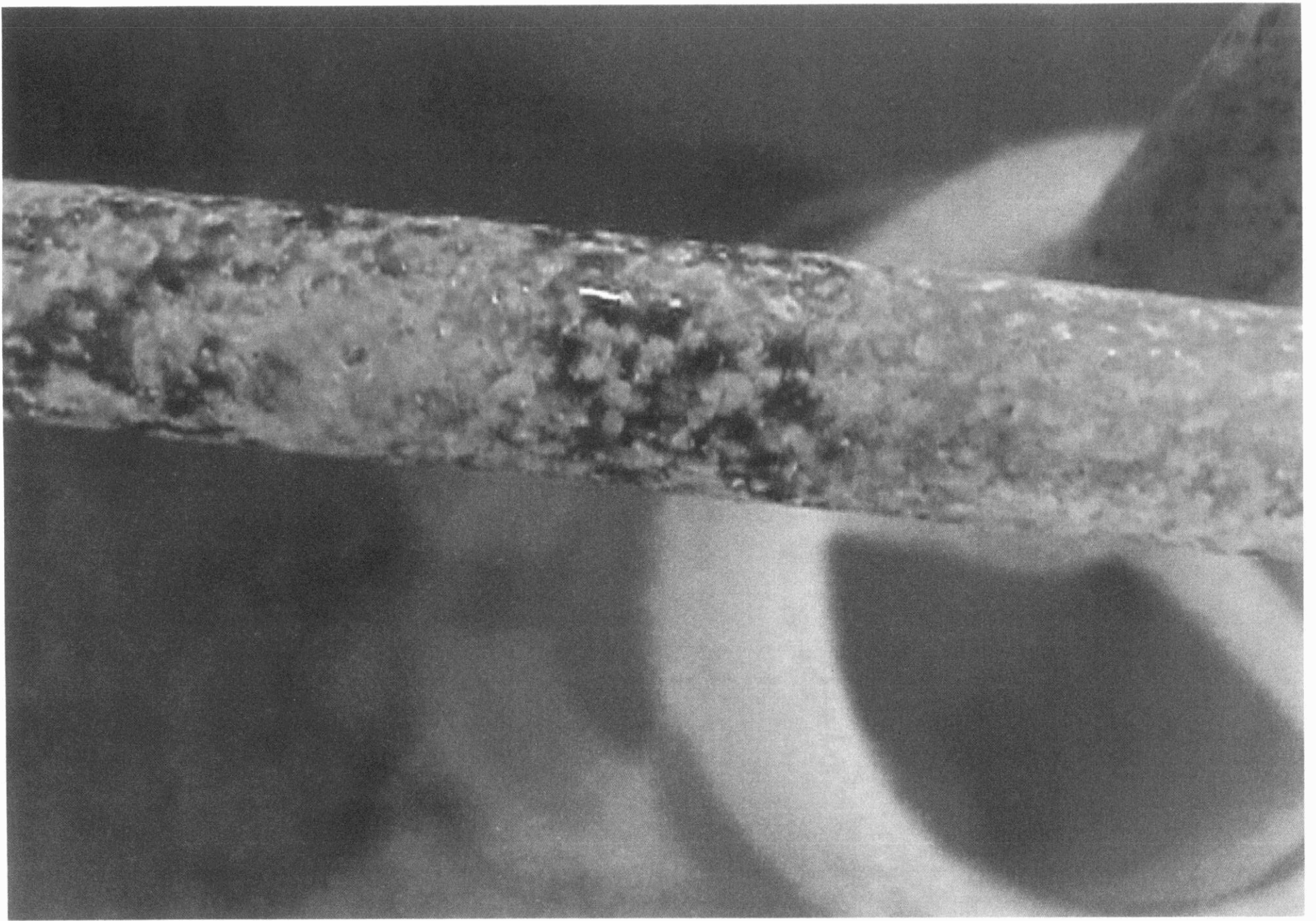


Master Bath

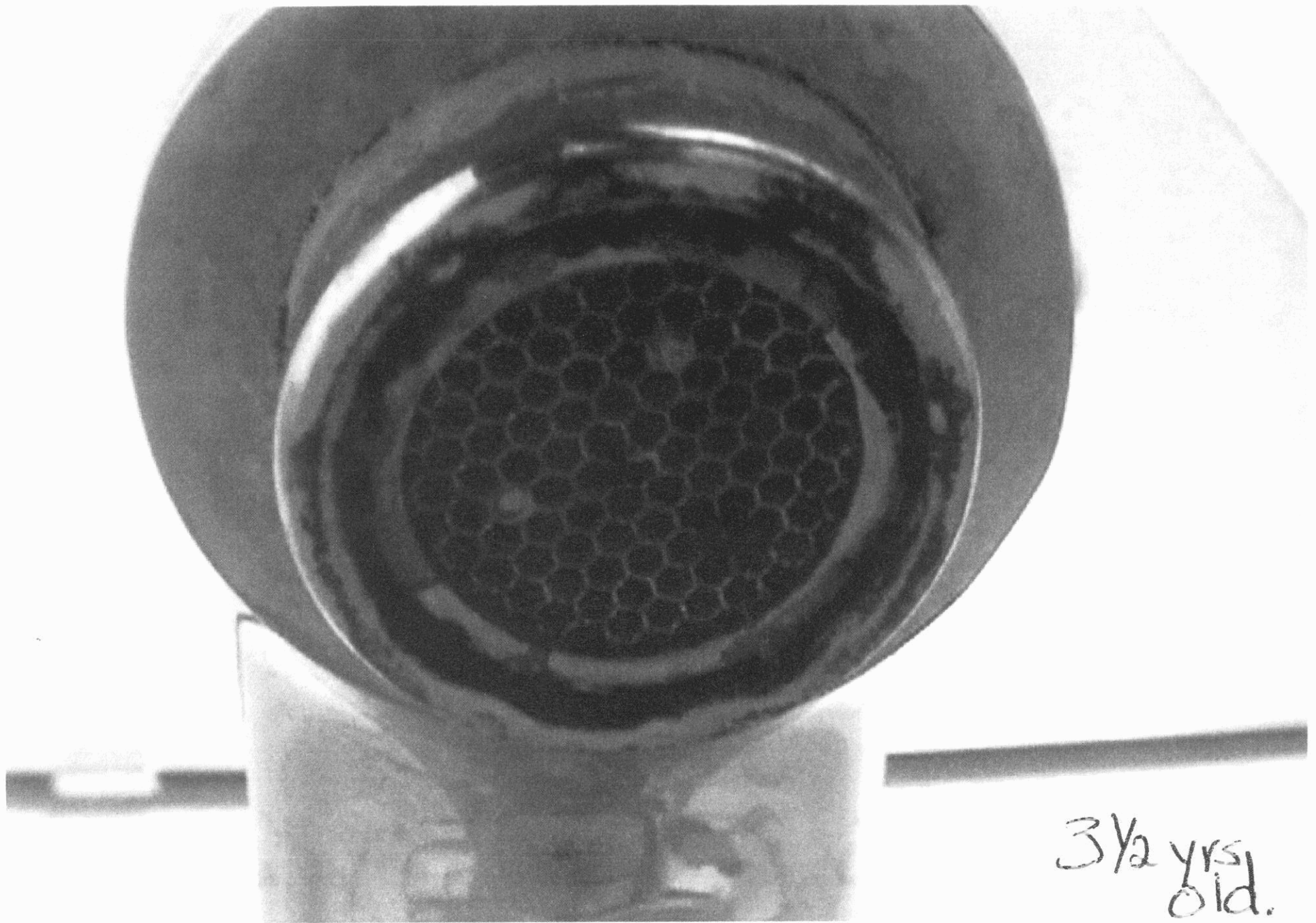


Toilet

Master Bath Toilet after 3 weeks not used.

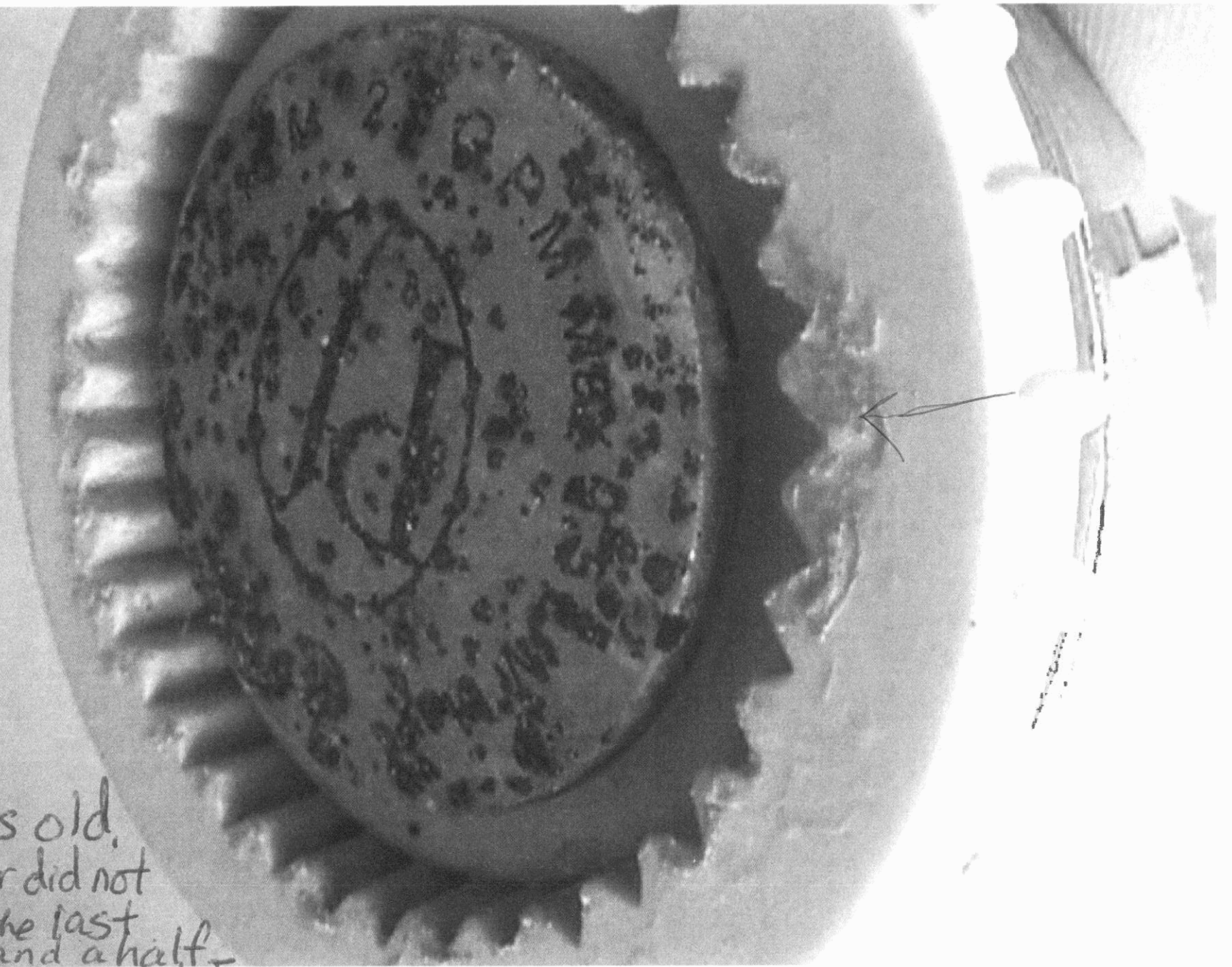


Toilet



3 1/2 yrs
old.

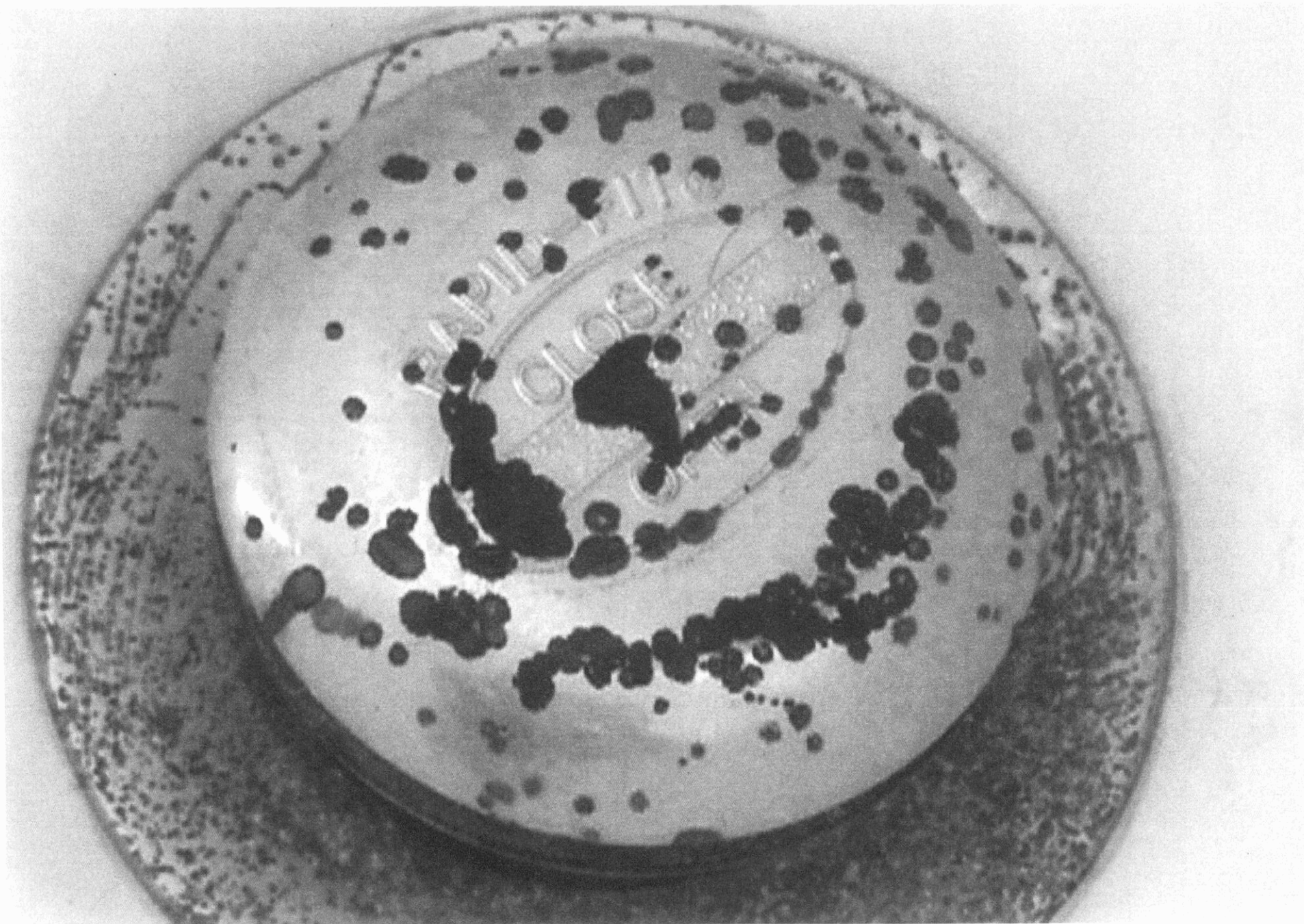
Master Bath - has not been replaced.
Faucet



* 2 yrs old,
Shower did not
work the last
year and a half -
it was clogged in the wall + pipes.

Shower - master bath before replaced by builde

Tub - Extra Bathroom





CHULUOTA
GROCERY
SUBS-DELI

MUSIC





3 1/2 yrs old.

Kitchen Faucet

before

replaced
by builder.

Exhibit 28
D. No 080121-05



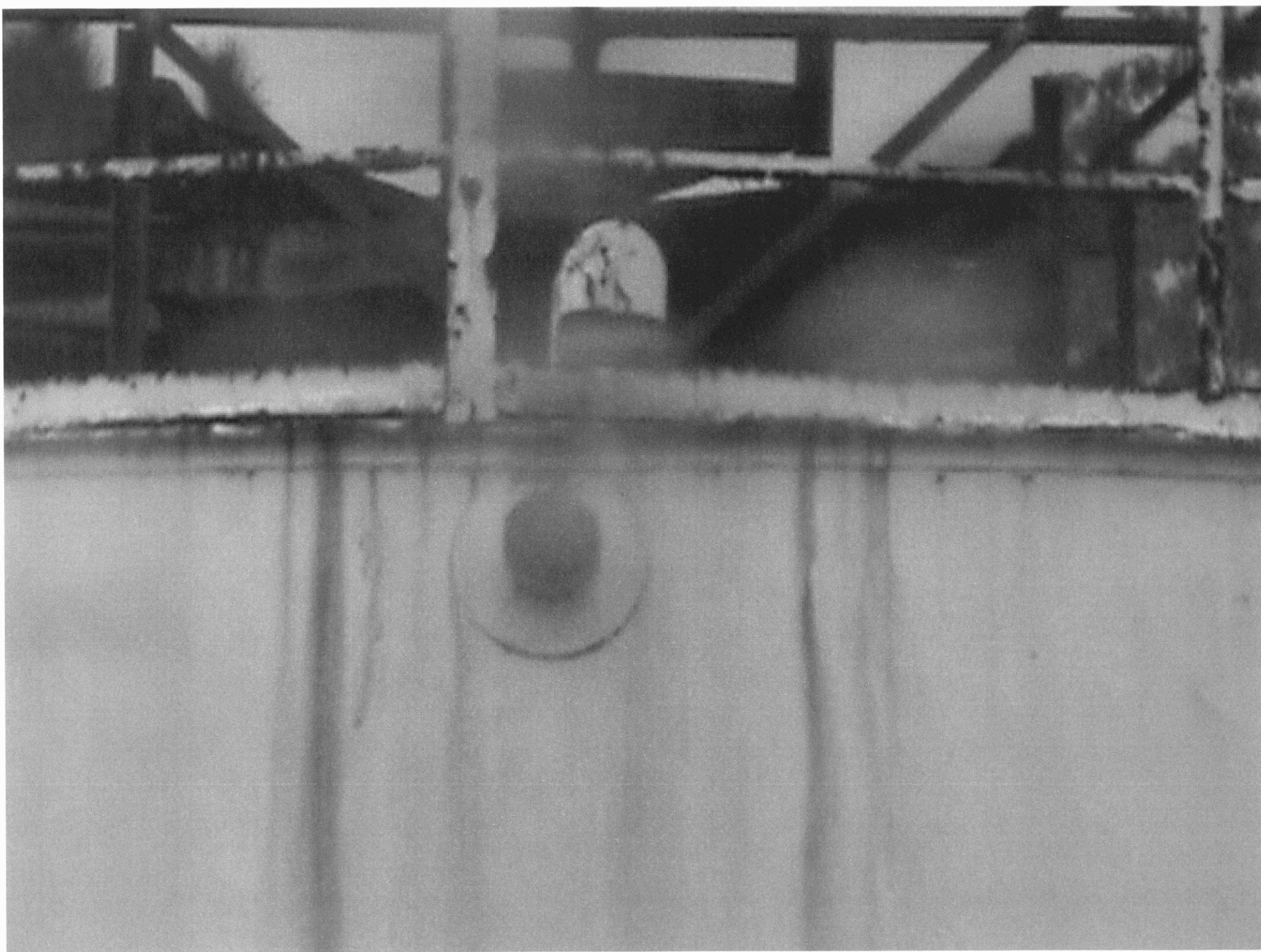
NEW Mr. Williams
& Sons
385-734-1071

APWA UTILITIES
FLORIDA
813-987-2183



USE No. 1000000
A. 1000000
386-734-1071

APWA UTILITIES
FLORIDA
813-987-7182





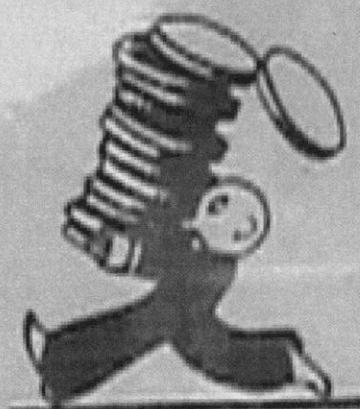
SEMINOLE COUNTY

RE STATION NO 43

* Next door to
grocery + Agua site.
All w/in 50ft. of ea. other.

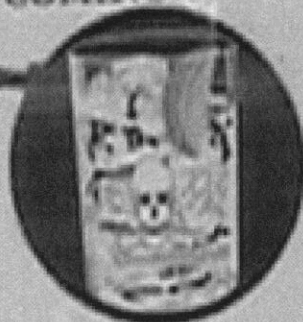
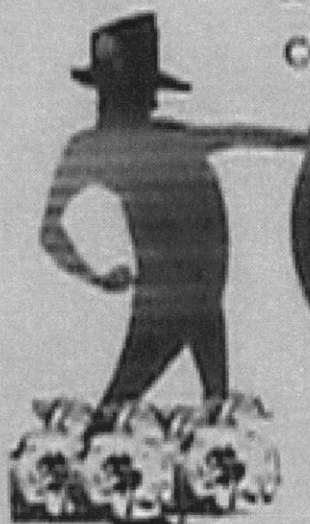


AQUA



CHULUOTA

ROUND TWO
COMING UP



CK. OUT



CHULUOTAWATER.COM



Chuluota, FL



Chuluota, FL




Chuluota, FL



Oviedo sub.entr located 1/8 mi from—Chuluota (not on Agua Utilities)



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http://oaspub.epa.gov/enviro/sdw_report_v2.first_table?
pws_id=FL3590186&state=FL&source=Groundwater&population=4935&violation=0
Last updated on Monday, June 9th, 2008.
Safe Drinking Water Information System (SDWIS)

You are here: [EPA Home](#) [Envirofacts](#) [SDWIS](#) Query



SDWIS Violation Report

Report
or
Error

CHULUOTA WATER SYSTEM (2 WPS)

LEESBURG, FL 34748

352-435-4028

Primary Water Source Type	Population Served
Groundwater	4935

This report was created on JUN-09-2008
Results are based on data extracted on APR-15-2008

NOTICE: EPA is aware of inaccuracies and underreporting of some data in the Safe Drinking Water Information System. We are working with the states to improve the quality of the data.

The tables below list all violations that the state reported to EPA for this water system. Health-based violations are listed first, followed by monitoring, reporting, and other violations.

Health Based Violations: amount of contaminant exceeded safety standard (MCL) or water was not treated properly.

Type of Violation	Occured Between: Begin Date	Occured Between: End Date	Contaminant	Analytical Result	Violation ID
MCL, Average	OCT-01-2007	DEC-31-2007	TTHM	150.75	20080000550

No follow-up action has been reported to EPA for this violation. Please contact the state drinking water program for more information.

Type of Violation	Occured Between: Begin Date	Occured Between: End Date	Contaminant	Analytical Result	Violation ID
MCL, Average	JUL-01-2007	SEP-30-2007	TTHM	152.9	20070007843

Follow-up Action	Date of Response
St Public Notif received	OCT-30-2007
St BCA signed	JAN-04-2007
St Compliance Meeting conducted	OCT-26-2006
St Violation/Reminder Notice	SEP-12-2006

Type of	Occured Between:	Occured Between:	Contaminant	Analytical	Violation ID
---------	------------------	------------------	-------------	------------	--------------

Violation	Begin Date	End Date		Result	
MCL, Average	APR-01-2007	JUN-30-2007	TTHM	150.85	20070007496

Follow-up Action	Date of Response
St Public Notif received	AUG-03-2007
St BCA signed	JAN-04-2007
St Compliance Meeting conducted	OCT-26-2006
St Violation/Reminder Notice	SEP-12-2006

Type of Violation	Occured Between: Begin Date	Occured Between: End Date	Contaminant	Analytical Result	Violation ID
MCL, Average	JAN-01-2007	MAR-31-2007	TTHM	153.3	20070005358

Follow-up Action	Date of Response
St Public Notif received	MAY-07-2007
St BCA signed	JAN-04-2007
St Compliance Meeting conducted	OCT-26-2006
St Violation/Reminder Notice	SEP-12-2006

Type of Violation	Occured Between: Begin Date	Occured Between: End Date	Contaminant	Analytical Result	Violation ID
MCL, Average	OCT-01-2006	DEC-31-2006	TTHM	141.625	20070001240

Follow-up Action	Date of Response
St Public Notif received	JAN-10-2007
St BCA signed	JAN-04-2007
St Compliance Meeting conducted	OCT-26-2006
St Violation/Reminder Notice	SEP-12-2006

Type of Violation	Occured Between: Begin Date	Occured Between: End Date	Contaminant	Analytical Result	Violation ID
MCL, Average	JUL-01-2006	SEP-30-2006	TTHM	135.4875	20060008504

Follow-up Action	Date of Response
St BCA signed	JAN-04-2007
St Public Notif received	NOV-14-2006
St Compliance Meeting conducted	OCT-26-2006
St Violation/Reminder Notice	SEP-12-2006

St Violation/Reminder Notice	JUN-13-2006
------------------------------	-------------

Type of Violation	Occured Between: Begin Date	Occured Between: End Date	Contaminant	Analytical Result	Violation ID
MCL, Average	APR-01-2006	JUN-30-2006	TTHM	148.875	20060006784

Follow-up Action	Date of Response
St BCA signed	JAN-04-2007
St Compliance Meeting conducted	OCT-26-2006
St Violation/Reminder Notice	SEP-12-2006
St Public Notif received	JUL-13-2006
St Violation/Reminder Notice	JUN-13-2006

Type of Violation	Occured Between: Begin Date	Occured Between: End Date	Contaminant	Analytical Result	Violation ID
MCL, Average	JAN-01-2006	MAR-31-2006	TTHM	104.675	20060006252

Follow-up Action	Date of Response
St BCA signed	JAN-04-2007
St Compliance Meeting conducted	OCT-26-2006
St Violation/Reminder Notice	SEP-12-2006
St Public Notif received	JUL-13-2006
St Violation/Reminder Notice	JUN-13-2006

Type of Violation	Occured Between: Begin Date	Occured Between: End Date	Contaminant	Analytical Result	Violation ID
MCL, Monthly (TCR)	OCT-01-2002	OCT-31-2002	Coliform (TCR)	---	20030000316

No follow-up action has been reported to EPA for this violation. Please contact the state drinking water program for more information.

Monitoring and Reporting and Other Violations: system failed to complete all samples or sample in a timely manner, or had another non-health-based violation. A significant monitoring violation means the system failed to take a large percentage of the required samples. Non-significant monitoring violations indicate that the water system failed to take some of the required samples, but did do some of the required sampling.

Type of Violation	Sampling Period: Begin Date	Sampling Period End Date	Contaminant	Violation ID
Monitoring, Routine Major (TCR)	DEC-01-2000	DEC-31-2000	Coliform (TCR)	0103914

No follow-up action has been reported to EPA for this violation. Please contact the state drinking water

program for more information.

Type of Violation	Sampling Period: Begin Date	Sampling Period End Date	Contaminant	Violation ID
Monitoring, Routine Major (TCR)	DEC-01-1999	DEC-31-1999	Coliform (TCR)	0001589

No follow-up action has been reported to EPA for this violation. Please contact the state drinking water program for more information.

Type of Violation	Sampling Period: Begin Date	Sampling Period End Date	Contaminant	Violation ID
Monitoring, Routine Major (TCR)	SEP-01-1998	SEP-30-1998	Coliform (TCR)	98V0003

No follow-up action has been reported to EPA for this violation. Please contact the state drinking water program for more information.

Type of Violation	Sampling Period: Begin Date	Sampling Period End Date	Contaminant	Violation ID
Monitoring, Routine Major (TCR)	AUG-01-1998	AUG-31-1998	Coliform (TCR)	98V0004

No follow-up action has been reported to EPA for this violation. Please contact the state drinking water program for more information.

Type of Violation	Sampling Period: Begin Date	Sampling Period End Date	Contaminant	Violation ID
Monitoring, Routine Major (TCR)	MAY-01-1998	MAY-31-1998	Coliform (TCR)	98V0002

No follow-up action has been reported to EPA for this violation. Please contact the state drinking water program for more information.

Type of Violation	Sampling Period: Begin Date	Sampling Period End Date	Contaminant	Violation ID
Monitoring, Routine Major (TCR)	FEB-01-1998	FEB-28-1998	Coliform (TCR)	98V0001

No follow-up action has been reported to EPA for this violation. Please contact the state drinking water program for more information.

For more information on:

Violations more than 10 years back: Ask the operators of your water system, contact your state or file a Freedom of Information Act (FOIA) request.

Watersheds (the land areas drinking water comes from): Learn more about the health of this watershed.

Drinking water in your state: <http://www.epa.gov/safewater/dwinfo/fl.htm>

Drinking water in general: Visit EPA's Office of Ground Water and Drinking Water web site or call the Safe Drinking Water Hotline (1-800-426-4791). EPA has also prepared fact sheets about various regulated drinking water contaminants.

Advanced tools for accessing EPA drinking water data:

Florida Department of Environmental Protection Pollution Prevention Program Highlights for October 2006 – March 2007

POLLUTION PREVENTION INTEGRATION

Pollution Prevention (P2) Integration is the project where permittees and inspectors are encouraged to promote P2 during regulatory activities. P2 integration was researched and a comparative analysis of other states with such efforts was conducted. Kansas and Ohio were among the few states to have integration listed on their websites. However, currently, it appears that few states are pursuing a methodical disciplined effort at this time. Several reasons may explain this. One, as conceived and implemented, integration efforts can be resource intensive. Two, due to the nature of regulatory activities, P2 does not have an easy "fit" into current regulatory goals and metrics.

The Florida P2 Integration effort is more directed towards promotion and marketing the program while permittees and inspectors are performing their regulatory activities. The theory here is that more projects will be generated leading to active P2 projects if the industry is aware of the opportunities. The number of contacts made by regulatory staff far exceeds what Florida's P2 program can possibly generate with its small staff.

The idea was shared with then Secretary Castille in a brief meeting with her in the fall of 2006. She subsequently asked then Deputy Secretary Mike Sole and Director of the Waste Management Division, Mary Jean Yon to provide support of the concept. An EPA P2 Grant proposal was submitted in March 2006 outlining several components of implementing P2 integration as defined above within the Department. The components are training workshops, web-enabled sequential learning module, and promotional literature for use by inspectors and permittees.

The proposal was accepted and a grant agreement finalized to implement the project. Planning efforts were started in December and completed in March of 2007. PowerPoint presentation with handouts is being developed and finalized.

A schedule of district workshops to be held for inspectors and permittees is being developed for late May, June and early July. PowerPoint presentation is essentially complete with handouts to be printed through out May, June and July. Development and availability of the web-enabled sequential learning module is scheduled for late summer or early fall.

PowerPoint presentation was shown to Waste Reduction staff, MultiMedia Pollution Prevention Work Group and participants at the Pollution Prevention Program meeting in West Palm Beach. Slight modifications and additions were made to strengthen the presentations scheduled for May, June and July. The presentation will serve as the core set of slides for the web-enabled learning module.

Continuous evaluation of the effort will be conducted through out the latter half of 2007 and most of 2008 to assess the effectiveness of the workshops through the number of contacts, assessments and effective P2 projects generated as a result of the effort. This evaluation approach will provide an opportunity to see developing trends and address them as appropriate.

TECHNICAL ASSISTANCE

Listed below are fifteen pollution prevention assessments within the period. You will note that out of the fifteen there are eight voluntary assessments, five Projects in Enforcement (PiE, similar to EPA Supplemental Environmental Projects), and two associated with multi-media inspections. Dates and the districts in which the assessments occurred are listed as well.

10/17/06 Horner Express (voluntary): South District
10/17/06 ITW Spraycore (voluntary): S.W. District
10/24/06 Fiber Unlimited (multimedia inspection+ P2): Central District
10/31/06 Fenton Davis Painting (voluntary): South District
11/03/06 Chuluota Water Facility (PiE): Central District
11/29/06 Parrish Medical (voluntary): Central District
12/06/06 SE Atlantic Beverages (PiE): N.E. District
12/12/06 Monitor Products (voluntary): S.W. District
1/11/07 Power Boats (PiE): Central District
1/18/07 OUC Stanton (PiE): Central District
2/8/07 Pall Membrane Pensacola (voluntary): N.W. District
2/21/07 Dura Stress (Multimedia inspection+P2): Central District
2/28/07 Dart Polystyrene Foam Recycling Program (voluntary): Central District
3/12/07 Disney Green Lodging Assessment (voluntary): Central District
3/20/07 Tyco Healthcare (PiE): Central District

GREEN ENGINEERING

Follow-up on the second Green Engineering workshop took place during October and November and consisted of phone calls to all of the attendees of both workshops during which they were asked to verbally complete an extensive survey. A draft report was submitted to US EPA in December, followed by the final version in January. Findings were positive: many professors had included at least some Green Engineering information in their classes and at least two new classes had been initiated as a direct result of the workshops

With DEP's assistance and encouragement, the Florida Engineering Society held its first Green Engineering Workshop in Altamonte Springs on January 17, titled *Green Engineering – "What Is It?" – "How Do You Make It Pay?"* Speakers presented detailed case studies, legislative updates, and calculating a full cost analysis. They included Bart Bibler, P.E., Chief of the Florida Department of Health's Bureau of Water Programs; Jennifer Languell, PHD - Founder and President of Trifecta and the director of the Green Building Program at Florida Gulf Coast University; Alan Reynolds, Chairman and CEO of WilsonMiller, Inc.; Angela Lindner, PHD, associate professor of Environmental Engineering at the

6/4/08

Attention: Chuluota Water System Customers
Tests Showed Coliform Bacteria in our system's drinking water

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. We collected twenty four (24) distribution samples for total coliform bacteria during the month of April, nine (9) of these samples tested positive for the presence of total coliform bacteria. No more than one sample per month may test positive for total coliform bacteria in order to not exceed the Maximum Contaminant Level (MCL).

What should I do?

You do not need to boil your water or use an alternative (e.g., bottled) water supply. However, if you have specific health concerns, consult your doctor.

People with severely compromised Immune systems, infants, and some elderly may be at increased risk.

These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

10-4 Mon-Fri

Contact Water Supply System to obtain water quality report
EPA.gov/safewater/chwinfo.htm

What does this mean?

Call 911 for emerg.

This is not an emergency. If it had been, you would have been notified immediately.

Coliform bacteria are generally not harmful themselves. Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other potentially harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.

Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern are present, such as fecal coliform or E. coli. **We did not find any of these bacteria in our subsequent testing.**

What happened? What is being done?

We raised the chloramine residual to increase disinfection. Additional testing was conducted during the month of May to confirm that the problem was resolved.

For more information, please contact our customer service by phone at (877) 987-2782 or by mail 1100 Thomas Ave., Leesburg, FL 34748. The Safe Drinking Water Hotline can also be contacted at (800) 426-4791 for additional information.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

040952
ORIGINAL

2004 SEP 22 AM 9:01

DISTRIBUTION CENTER

Donald A. Thomas, Jr.
408 Osprey Lakes Circle
Chuluota, FL 32766-6655
(407) 971-8648 • datj@icwhen.com

September 19, 2004

Director
Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0862

RECEIVED FPSC
SEP 22 AM 9:50
COMMISSION
CLERK

RE: Section 367.071, Florida Statutes, letter postmarked August 31, 2004.

Dear Unnamed Director,

This letter is pursuant to a notice postmarked August 31, 2004. It was apparently mailed by Aqua Utilities from a Sarasota post office. The notice relates to the purchase of Chuluota water and wastewater assets by Aqua Utilities and it invites objections to the transaction to be directed to you within thirty (30) days of the date of the notice.

I hereby submit objections based on the following facts:

- 1) The notice states "hereby given on August 24, 2004", yet it is postmarked August 31, 2004. I believe that this was a deliberate delay on the part of the water company to steal 25% of the time the public was supposed to have been given to respond. If you check the numerous complaints on file in your office against Florida Water Services, you will see that they consistently ignored, were rude to or delayed addressing complaints made by Chuluota residents on an ongoing basis beginning with a pledge in 1999 to lower water rates as the community grew. That pledge was never again addressed by them.
- 2) Chuluota has anticipated the notice dated August 24, 2004 since late May and early July. Yet the water company has clearly procrastinated sending the notice hoping that the ongoing complaints against them may have died down. As it happens the notices arrive in Chuluota mailboxes while the entire town has been repeatedly bombarded by multiple, severe and direct hurricane hits. Power and telephone services in the Chuluota area were completely out during this time frame. Households were worried about saving food, finding gasoline much less when their computers would be up and running again to type objections. In fact, our telephone service was just restored a few days ago. As I speak, many homes in our area are still boarded up and trees and fences are in need of replanting and repair.

I know that the water companies hope that the hurricanes have given Chuluota residents new priorities to divert their time and efforts to submit complaints against the new acquisition. There is no question because responsible companies would have sought reasonable postponement until residents have a chance to pull 30 year old trees out of what used to be their living rooms.
- 3) I have already sent multiple formal complaints against this acquisition to Ms. Beverly S. DeMelle of the Public Service Commission. I trust that she has responsively forwarded those complaints to your attention. I wish to have all complaints I have submitted to the Public Service Commission against Florida Water Services as grounds of objection as they have not yet been

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FPSC-COMMISSION CLERK

remedied and there is no concrete evidence that they will be remedied in the best interest of Chuluota residents by the new company.

- 4) The acquisition of Chuluota water and wastewater services by Aqua Utilities should not be allowed until it has been proven that the acquisition is in the best interest of the residents that live there. There were multiple parties that showed genuine interest in the Chuluota water assets and the Public Service Commission as defined by their own mission statement owes Chuluota a review to assure the public that they will be receiving the most competitive rates for quality water and services.
- 5) Florida Water Services was granted an unfair and non-competitive rate structure in 1999 based on their presentation that the facilities in Chuluota needed severe repairs and that the infrastructure needed costly upgrades to facilitate planned growth in the area. If Florida Water Services applied those excessive funds where they should have been spent, then the need to continue charging the high rates should have ended and rates should be competitive and comparable to those charged by water companies serving the residents in adjacent communities. If Florida Water Services failed to apply the excessive rates to those agendas that granted them the right to charge them, then the company owes Chuluota residents massive rebates before being allowed to dump that problem on a new company.

All Chuluota residents deserve reasonable protections against unfair and non-competitive rates. Additionally, the Public Service Commission also owes it to Chuluota residents to not force this kind of announcement in their faces when they are still coping with the aftermath of serious hurricane problems.

Respectfully submitted,



Donald A. Thomas, Jr.
408 Osprey Lakes Circle
Chuluota, FL 32766-8655
(407) 971-8648 -- dati@icwhen.com

cc: Florida Water Services Corporation
Attn: Melissa Taylor, Esquire
PO Box 609520
Orlando, FL 32860-9520

Aqua Utilities Florida, Inc.
Attn: Kathy L. Pape, Esquire
762 W Lancaster Ave
Bryn Mawr, PA 19010-3402

Mr. Steve Reilly
Office of Public Counsel
111 W Madison St Rm 812
Tallahassee, FL 32399-1400

Temporary Consumptive Use Permit

Applicant: Aqua Utilities Florida
August 19, 2004,
Application No.8362
Seminole County

Objectors to TCUP: No

Objectors to CUP: No

Timeframes:

Temporary Permit: This is the first issuance of a Temporary Consumptive Use Permit (TCUP) for this project.

CUP Application:

Date Modification Application Received:	July 25, 2002
Date of 1 st Request for Additional Information (RAI):	August 22, 2002
Meeting with Applicant and Consultant:	October 22, 2002
Date of 6-month First Extension Request for 1 st RAI:	October 31, 2002
Date First Extension Letter for 1 st RAI Sent:	November 8, 2002
Date of 120-day Second Extension Request for 1 st RAI:	May 28, 2003
Date of Second Extension Letter for 1 st RAI Sent:	June 4, 2003
Date of Response to 1 st Request for Additional Information:	October 13, 2003
Date of 2 nd Request for Additional Information:	November 5, 2003
Date of Response to 2 nd Request for Additional Information:	February 6, 2004
Date of 3 rd Request for Additional Information:	March 4, 2004
Date of First 45-day Extension Request for 3 rd RAI:	June 30, 2004
Date of First Extension Letter for 3 rd RAI Sent:	June 30, 2004
Date of Request for Permit Transfer Received:	July 2, 2004
Date of Meeting with Applicant and Consultant:	July 14, 2004
Date of Response to 3 rd Request for Additional Information:	July 14, 2004

Statement of Necessity

For the month of September, the water use being requested is 16.5 million gallons (0.55 million gallons per day average) for public supply use. Public supply use includes demands of water for household, commercial, landscape irrigation of common areas, utility and unaccounted uses. The source of water supplied to the water treatment facility and the potable water distribution system is ground water from the Upper Floridan aquifer.

Due to unpredicted rapid urbanization within the Chuluota service area, annual withdrawals of ground water from the Upper Florida aquifer will exceed the maximum allocation authorized under the existing CUP for the year 2004. The applicant is requesting a TCUP that will authorize withdrawals of ground water from the Upper Floridan aquifer that will meet the increased

demands for public supply use while outstanding issues for the CUP modification application are evaluated.

Discussion:

Background:

The town of Chuluota is located in a rural area of south-central Seminole County, and about 16 miles northeast of downtown Orlando. Florida Water Services, Inc. formerly provided potable water and sewerage services to customers within its 2.72 -square mile service area. Aqua Utilities Florida, Inc. acquired ownership of this utility effective June 30, 2004, and requested that the CUP be transferred in a letter received by the District on July 2, 2004. The new owner agreed to be bound by all terms and conditions of CUP 8362 for the Chuluota potable water supply system. Staff is currently reviewing the request for CUP transference.

Due to unpredicted rapid urbanization within the Chuluota service area, the former owner submitted an application for modification of the CUP issued on September 20, 2001. According to the information provided with the modification application, population was anticipated to grow at rates of about 680 residents per year for the 4-year period from 2002 through 2005, and about 184 residents per year for the 15-year period from 2006 through 2020. The growth in population will cause water use to increase at projected rates of about 66 million gallons per year (mgy) for the 4-year period and about 14 mgy for the 15-year period. Build out was predicted to occur in the year 2020, with a projected annual demand of about 544.81 mgy (1.493 million gallons per day average). Although actual growth rates and water use have not attained projections for the years 2002 and 2003, water use for the year 2004 will exceed the maximum annual allocations authorized under the existing CUP for that year and the year 2018.

Staff is concerned that the proposed withdrawals of ground water from the Upper Floridan aquifer could cause or contribute adverse impacts to resources. Staff requested that an aquifer performance test (APT) be performed to measure the hydrologic characteristics of the aquifer systems in the service area, and that the results be used to develop a site-specific hydrologic ground water flow model. The results for the APT and hydrologic ground water flow model were submitted in response to staff's 3rd request for additional information letter. Although the results are currently under review, staff has determined that additional information will be required to address outstanding technical issues.

Status of Pending CUP Application:

This is a modification application for a CUP issued on September 20, 2001, with an expiration date of August 17, 2018. Staff will be requesting that the applicant evaluate several outstanding technical issues that were not resolved in the information provided in support of the modification application.

Review of Request:

Section 373.244, Florida Statutes (F.S.) provides that the Governing Board shall consider whether a request for a TCUP appears to meet the District's permitting criteria as set forth in section 373.223, F.S. Staff concluded that reasonable assurances have been provided that the request does meet the criteria provided in section 373.223, F.S., as discussed below:

Based upon the results of the APT, simulated changes in the ground water level for the surficial aquifer system and the potentiometric surface level for the Upper Floridan aquifer predicted in the hydrologic ground water flow model and historic water use, staff concluded that the Upper Floridan aquifer has the capacity for supplying the proposed withdrawal of 16.5 million gallons of ground water from the Upper Floridan aquifer for the month of September to meet increased demands without causing adverse impacts to resources or interference to an existing legal use, provided the permittee complies with the conditions recommended for this TCUP.

Recommendation:

Staff concluded that the proposed use, as limited by the attached permit conditions, is reasonable-beneficial, will not cause or contribute to interference with existing legal uses, and is consistent with the public interest. Therefore, staff recommends approval for this TCUP with the following conditions:

General Conditions: 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14

Other Conditions:

12. All submittals to the District for demonstrating compliance with the conditions issued under this permit must include the Temporary Consumptive Use Permit Number T8362 plainly labeled on the submittal.
13. This Temporary Consumptive Use Permit will expire on October 13, 2004.
14. The maximum daily withdrawal of ground water from the Upper Floridan aquifer for public supply use must not exceed 0.55 million gallons per day (16.5 million gallons for September).
15. Total withdrawals of ground water from the Upper Floridan aquifer using Well 1, Well 2, Well 3 and Well 5 must be recorded continuously, totaled daily, and reported to the District by October 1, 2004.
16. A water sample must be collected from Well 1 and Well 3 annually around July 1st of each year for the duration of the permit. These samples must be collected after each well has been allowed to discharge at design capacity for at least 20 minutes before the sample is collected. These samples must be analyzed for chlorides (Cl) by a District-approved analytical laboratory. Results of these analyses must be submitted to the District by August 17, and must include the date of sampling, well number, length of time the well was discharged prior to sample collection and the name of the company and person who did the analyses.

If the District determines that the use of water authorized for use by this Temporary Consumptive Use Permit is causing or contributing to significant saline water intrusion, the District shall revoke the permit in whole or in part to curtail or abate the impact caused by the saline water intrusion unless the permittee mitigates the impact.
17. Well 1, Well 2, Well 3 and Well 5, as listed on the application, must continue to be monitored with totalizing flow meters. These flow meters must maintain 95% accuracy, be verifiable and be installed according to the manufacturer's specifications.

18. The permittee must maintain all flow meters for monitoring water use. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of its discovery. A defective meter must be repaired or replaced within 30 days of its discovery.
19. The permittee must have all flow meters checked for accuracy at least once every 3 years within 30 days of the anniversary date of permit issuance, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. District Form No. EN-51 must be submitted to the District within 10 days of the inspection/calibration.
20. The permittee shall submit, to the District, a compliance report pursuant to subsection 373.236(3), F.S., every 5 years during the term of the permit. The permittee shall submit the report by July 31st of the required year. The report shall contain sufficient information to demonstrate that the permittee's use of water will continue, for the remaining duration of the permit, to meet the conditions for permit issuance set forth in the District rules that existed at the time the permit was issued by the District. At a minimum, the compliance report must:
 - i. Meet the submittal requirements of section 4.2 of the Applicant's Handbook: Consumptive Uses of Water, February 8, 1999; and
 - ii. Supply all of the information specifically required by the compliance report condition(s) on the permit.
21. The lowest quality water source, such as reclaimed water or surface/storm water, must be used as irrigation water when deemed feasible pursuant to District rules and applicable state law.
22. Withdrawal of ground water from the Upper Floridan aquifer to meet demands for public supply use during the month of September authorized under this Temporary Consumptive Use Permit, does not in any way guarantee that the proposed withdrawals of ground water from the Upper Floridan aquifer that were projected in the modification application will be authorized in the final Consumptive Use Permit, the issuance of which is still pending District review.

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Water for Profit

Undaunted by tight regulations and huge infrastructure costs, companies dive into the water business.

Alix Stuart, CFO Magazine

February 1, 2007

When most CFOs think about liquidity, they're calculating how fast they can turn assets into cash. But Aqua America finance chief David Smeltzer is just as likely to be concerned about how smoothly water is flowing through the 10,000 miles of pipes his company owns. As the largest among a handful of publicly traded companies in America that are in the business of purifying and delivering tap water, Aqua America has operations in 13 states from Maine to Texas. Having kept up a steady pace of acquisitions — 25 to 30 per year for the past five years — Smeltzer says his company will continue its aggressive expansion. "There are unlimited targets out there," he says.

Water, a utility that most people take for granted, is suddenly hot. "It's not usually looked at as a sexy industry, but its long-term prospects are probably more favorable now than they've ever been," says Stewart Scharf, an equity analyst for Standard & Poor's. Cash-strapped municipalities need help in updating and operating their aging waterworks, and deep-pocketed companies like Aqua America are offering their services. Most of the pipes and other infrastructure in this country are in dire need of replacement, requiring an investment of around \$500 billion from 2000 through 2019, according to Environmental Protection Agency (EPA) estimates.

Despite its rapid growth, Aqua America, with a market cap of \$3 billion, will likely soon be displaced as number one in the market by American Water, whose parent company is planning to spin it off in an initial public offering in the range of \$4 billion to \$6 billion this year. Investors are so eager to get into the space that price/earnings ratios have doubled from 10 to 20 over the past two decades, as the industry's 20-year returns outperform Exxon, Wal-Mart, and Home Depot. Private-equity firms are making their first forays into the industry, with AIG Highstar buying Utilities Inc. in 2005 and Australian giant Macquarie Bank currently awaiting regulatory approval for the purchase of Connecticut-based Aquarion Water Co.

Those companies that successfully make the plunge into the water business are likely to produce "above-market growth for a number of years to come," says Debra Coy, an analyst with Janney Montgomery Scott. Once they dip a toe in the water, they can look forward to a virtual monopoly for as far as their pipes will stretch.

But it isn't easy getting started. Most waterworks are owned by municipal governments, which tend to be fiercely protective of their franchises since water is viewed more as a birthright than a salable commodity. "Municipalities need the outside help, but from a customer standpoint, some don't feel as comfortable turning to the private sector," says Scharf. When they do seek help, most prefer to have private companies operate their systems without owning them, a business model that typically carries lower profit margins than owning the assets. Still, many analysts think cities and counties may loosen their grips as investment needs become more pressing.

Wringing Out Returns

How water companies produce profits and shareholder returns is much more complex than the product they deliver. First, they must pour millions of dollars into capital expenditures. American Water, currently a division of German utilities conglomerate RWE, spent about \$600 million to upgrade systems last year and expects to maintain or increase that amount going forward, according to senior vice president and CFO Ellen Wolf. Aqua America plans to spend at least \$250 million per year over the next five years, says Smeltzer, and more depending on what future acquisitions require.

"It's such a capital-intensive industry that it's always negative free cash flow," notes Coy. Indeed, "we have to invest \$3.45 for every \$1 [in revenue] we get back," says Peter Cook, director of the National Association of Water Companies (NAWC), an industry group for private water companies. That compares with \$1.61 of revenue per dollar of investment for electric utilities, \$1.11 for telephone, and 94 cents for natural gas, according to a 2006 report by AUS Consultants.

This model of spending money before you have it is hard for outsiders to grasp, says Coy, but ironically, it's what keeps shareholders interested. "Positive cash isn't a point we look forward to, because then it's harder to get growth in net income," explains Smeltzer.

That's because water companies recoup their investments and earn profits through various types of rate increases that come only after the money is spent. And rate increases must be approved by state utilities commissioners, a process that varies from state to state and can take up to a year. However, unlike most municipalities, private companies rely on appointed, rather than elected, officials for rate increases, which

generally makes it easier to get the requested boosts. "If you couldn't rely on regulators to let them keep raising rates, the business model wouldn't work," says Coy. (Not surprisingly, this is also why most towns balk at privatizing their pipes.)

Currently, experts say that regulators in many states are favorably disposed toward rate hikes in exchange for infrastructure improvements. "We've never had a regulatory commission disallow a [reimbursement for] capital expenditures we've made, meaning we've never had to argue over whether the money we put in the ground [for pipes and other equipment] was prudent," says Wolf of American Water, which operates in 29 states. While nothing is guaranteed, says Pennsylvania Utilities Commission chairman Wendell Holland, "we generally grant all prudently incurred costs." In about 12 states, including Pennsylvania, companies can even take a portion of their costs through surcharges, giving them some cash up front.

Expenses for interest on debt used to finance the projects are also covered, usually without much debate, since they are easily quantified. Still, regulators like to see that "we are getting the best possible borrowing rates," says Smeltzer, making it important to maintain strong credit ratings and to mine opportunities for tax-free or low-interest-rate borrowing through towns and counties. Aqua America's weighted average cost for the \$917 million it carries in long-term debt is below 6 percent, thanks to about \$300 million borrowed tax-free at 5.2 percent and another \$80 million at a 2.1 percent interest rate funded through the Pennsylvania Infrastructure Investment Authority. That's down from 7.4 percent in 1999.

At Connecticut Water, CFO David Benoit says that "virtually all our debt has been issued through the Connecticut Development Authority as tax-free debt," making for a weighted average cost of 4.9 percent on its \$77 million in long-term debt.

Floating New Shares

But rate hikes that just cover operational expenditures and interest costs are not enough, since that would bring a water utility only to the break-even point. A crucial element in making a profit is to have equity in the mix, since most state laws allow for a "fair" or "reasonable" rate of return on equity, or the cash that companies use for projects.

"The purpose of the equity return is to compensate investors for taking a risk," says Smeltzer. While the definition of "fair" is debated, it usually translates into about 10 to 11 percent on the cash portion of the investment. "Private water utilities are not going to be allowed to earn outrageous returns," says the NAWC's Cook. Indeed, Connecticut Department of Public Utility Control commissioner John Betkoski says all of a company's expenses, from executive salaries to T&E budgets, are rigorously scrutinized by auditors before any decisions about returns are made.

With the equity return the sole opportunity for profit, at least in terms of the regulated business, a CFO's ability to work the capital markets can be the lifeblood of a water company. Aqua America has done eight equity offerings in the past 10 years, with the last one for \$80 million using an innovative structure known as a forward sale. That structure means that Aqua America's banking group, led by UBS Warburg, converts a set number of shares to cash, which it turns over only as the company needs it, thus minimizing share dilution. It also helps Aqua America's debt ratings, says Smeltzer. "We've got the money sitting there, so if S&P asked how we're going to finance the \$51 million acquisition of New York Water, I could say I've done it already."

Clearly, American Water's giant impending IPO could saturate investors' demand for water stocks, making it harder for other companies in the industry to raise funds. Smeltzer says he's hoping the \$80 million from the forward sale lasts until 2008 so that he won't be in direct competition for capital. Connecticut Water's Benoit says he has managed to avoid a secondary offering for more than 11 years and doesn't foresee the need to issue stock, although with a 45/55 debt-to-equity ratio, he would likely have to tap the markets again in order to do a major acquisition.

So far, though, it seems investors can't get enough of water. California Water, another publicly traded utility, initially filed to float 1.8 million shares for its October 2006 equity offering, according to CFO Marty Kropelnicki, but since the deal was "well oversubscribed," the company ended up issuing a total of 2.3 million shares.

For water companies, growth options beyond capital investments and rate hikes are limited, since most customers aim to conserve water, not use more of it. Hence the race to acquire companies, ideally in areas that adjoin existing operations to provide economies of scale.

Both Aqua America and American Water say they aim for between 20 and 30 acquisitions per year. Smaller players are more targeted. California Water looks at 30 to 50 potential deals per year, Kropelnicki says, but pulls the trigger on only 1 or 2. The targets are usually other private companies, mostly nonpublicly traded, that are perhaps too small to make infrastructure investments (some mobile-home parks have their own water utility) or that have been poorly run. In a highly fragmented industry, such targets are easy to come by, say water CFOs, giving acquirers growth potential for years to come.

However, "we'd like to consolidate the municipals as well as small private companies," says Wolf. Indeed, if

the municipally owned waterworks that serve 85 percent of Americans were to open up to privatization, the horizon for private water companies would expand exponentially. Such privatization deals are rare but not unheard of. For American Water, taking over municipal systems represents less than 1 percent of annual growth, according to Wolf.

Enter Private Equity

Publicly traded water companies are not alone among the private entities vying for the public systems. A private-equity arm of Macquarie Bank has already added Thames Water in Britain to its utilities portfolio, even as it awaits approval to take over Aquarion, which operates in four New England states. Highstar, an AIG private-equity fund, acquired Utilities Inc. with a similar strategy in mind. "We have long considered water infrastructure as an attractive investment opportunity and an excellent complement to Highstar II's existing energy-infrastructure portfolio," said AIG Global Investment Group chairman and CEO Win J. Neuger in a public statement regarding the purchase.

Not surprisingly, industry veterans are wary of such buyers, which are often known for pumping and dumping companies. "There's a [business] model mismatch," says Smeltzer. Not only equity firms usually budget for, the debt-heavy capital structure favored by most firms would reduce their profit potential in any case. "You usually capitalize a water utility with 50 percent debt and 50 percent equity, but private-equity firms tend to use only 20 percent equity," Smeltzer says, and given that profits hinge on equity, they would likely be cut by 50 to 60 percent using that structure.

As with all potential buyers, when it comes to private-equity firms, regulators are "concerned about whether they're adequately financed, whether they have managerial and technical experience, and most important, whether they're in it for the long haul," says Holland of the Pennsylvania Utilities Commission, which ultimately approved AIG Highstar's bid for Utilities Inc.'s Pennsylvania properties. Connecticut Department of Public Utility Control commissioner Betkoski says that Macquarie's decision to keep current management at Aquarion, along with its investment in other U.S. utilities, was a factor in his decision to approve its purchase of the Connecticut-based water company.

Some in private equity agree that they're not a good match with the business model. Paul Schaye, a managing director of Chestnut Hill Partners in New York, says his firm has looked at large water companies but decided not to buy. Unlike manufacturing, where plants can be consolidated, "you can't relocate water. The only way to grow is through acquisition of other water utilities, so your added value is not as great" as it could be in other industries, Schaye says.

Private equity may yet have a role to play in revamping America's water system, though, if Michael Deane has anything to do with it. In a newly created position at the EPA, which sets the standards for water quality, Deane describes his mission as "developing innovative, sustainable, and market-based solutions for infrastructure financing and management."

"We're looking at what can be done to open up more capital," he says, "particularly as private equity comes into this space — not just buying companies but investing in projects, like a massive pipe-replacement plan." He cautions that the EPA is in the early stages of working with private equity but is hopeful that it can find some new sources of capital.

In fact, some believe that municipally owned waterworks will learn how to finance their systems without turning to new owners. "Public utilities have greater flexibility in the way they can finance infrastructure" than for-profit firms, says Tom Gould, national technical director of finance and rates for HDR, an architectural, engineering, and consulting firm. That's thanks to their easy access to low-interest state loans, known as state revolving funds, and to the possibility of raising rates or borrowing funds in advance of, rather than in reaction to, a big capital investment. Unfortunately, Gould says, the public utilities "look at [rates] from a political perspective, and that's why we're in the hole that we're in, because locally elected officials are afraid to raise local rates by \$1 a month."

That may change, says Deane. He thinks water rates need to go up across the board to cover the full costs of investments, regardless of a utility's ownership structure. "As a scarce resource, water should be priced to the markets, so people understand the value of what they're getting," says Deane. Highlighting the true value of tap water can only help publicly traded water utilities when it comes to rate boosts and possibly even acquisitions. "The fact that people can't live without it creates a pretty good economic incentive" to be in the business, says Cook of the NAWC.

As more investors pour money into the sector, look for companies to grow and consolidate even further, with privatized water becoming more common. With a seemingly endless stream of available "tuck-in" acquisitions and investor-friendly regulators, water companies like Aqua America and American Water are riding the crest of a wave that shows no sign of crashing.

Alix Nyberg Stuart is senior writer at CFO.

Off Main

Water companies have other ways to make money.

The business of tap water, from rates to water quality, is heavily regulated. To help boost revenues, then, most publicly traded companies in the sector rely on related nonregulated lines of business, such as managing waterworks for cities or selling service plans on the water lines that run from the main to peoples' houses. Water companies can also lease land for cellphone towers, with regulatory approval.

Connecticut Water was able to stave off a rate hike while increasing earnings for 16 years in part through such methods, says CFO David Benoit. Revenues from the relatively new "Linebacker" service and maintenance program (which yields about a 40 percent profit margin) produce \$750,000 a year in profit. That's nearly 10 percent of Connecticut Water's annual total. Land sales, while usually nonrecurring, have also yielded significant monies for the company. By selling off unused land or donating it to towns for tax breaks, Benoit has helped to net more than \$2 million in the past two years.

Aqua America, meanwhile, recently entered the septic-treatment and -hauling sector, an area that now accounts for about 10 percent of its revenue. CFO David Smeltzer says he is keeping his eyes open for related activities as well, in case the opportunities to make a profit by investing in existing infrastructure dry up. "Long term, there may be a point when capital expenditure starts to swing, and we may need to look at other areas of business outside regulated utility," he says.

But Standard & Poor's equity analyst Stewart Scharf thinks that water companies need to stick to their knitting, for the most part. "Whatever systems or related businesses they have that aren't regulated are an additional opportunity," he says, "but the core business is the regulated side." — *A.N.S.*

Water, Water, Everywhere

Top publicly traded water companies in the United States, by revenue

Name	Regulated Reach	Revenue (2005)*
American Water (owned by Germany-based RWE)	18 million residents in 29 states	\$2.2 billion
United Water (owned by France-based Suez)	2 million residents in 8 states	\$495 million
Aqua America	2.8 million residents in 13 states	\$497 million
California Water Service Group	2 million residents in 4 states	\$321 million
American States Water	267,000 residents in CA, AZ	\$240 million
SJW	1 million-plus	\$180 million

	residents in CA, million TX	
Middlesex Water	58,500	\$74
	residents in NJ	million
Connecticut Water Service	275,000	\$51
	residents in CT	million
Artesian Water	234,000	\$45
	residents in DE	million
York Water	165,000	\$26.8
	residents in PA	million

* Includes nonregulated revenue

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Draft Resolutions

Proposed For Consideration At The
2008 WINTER MEETINGS

of the

**NATIONAL ASSOCIATION OF
REGULATORY UTILITY COMMISSIONERS**
(as submitted February 7, 2008)

The summary statements describing each resolution are not comprehensive.
If you have an interest in the subject matter outlined, you should read the resolution to get
a sense of what policy is being proposed.

Also note – these resolutions are DRAFTS.
They can be substantially modified before or during the course of
the sponsoring committee's consideration of that draft.

Honorary resolutions have not been included in this document
Although NARUC policy does not require the pre-meeting circulation of Honorary Resolutions, you
still should forward copies of those to me at your earliest convenience.

(Questions to Brad Ramsay at 202.898.2207 or jramsay@naruc.org)

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CA-1 TOPIC: THIRD PARTY VERIFICATION [Received 08 0207 4:15pm]	5
TITLE: <i>Resolution Urging Reform of Third Party Verification Procedures</i>	

The resolution supports reform of the FCC's third party verification process – meant to prevent “slamming” - to protect consumers from fraudulent inducements that occur during the solicitation portion of telemarketing calls to change a consumer's telecommunications service provider.

CA-2 TOPIC: TECHNOLOGY FOR DISABLED [Received 08 0204 8:26 pm]	7
TITLE: <i>Resolution of NARUC to Support Equal Access to Communication Technology by People with Disabilities in the 21st Century</i>	

The resolution supports federal measures to ensure equal access by people with disabilities to emerging digital, broadband and other communication technologies and urges Congress to support the designation of broadband services as eligible to receive support under the Lifeline and Link-Up programs, so that individuals with disabilities who qualify under these programs are given the choice of directing their subsidies to either PSTN-based or broadband-based communication services. It also urges Congress to supports a \$10 million annual set-aside of universal service funds to support the distribution of specialized customer premises equipment to eligible individuals who are deaf-blind.

CA-3 TOPIC: DAY OF UTILITY SERVICE [Received 08 0205 10:20am]	9
TITLE: <i>Resolution Designating Dr. Martin Luther King, Day as a Day of Utility Service</i>	

The resolution designates Dr. Martin Luther King Day as a Day of Utility Service and encourages all Americans to engage in a utility act of service on Dr. King's holiday, e.g., turn down the thermostat, weatherize their homes, change their incandescent light bulbs to energy efficient bulbs and/or install water saving devices.

II. ELECTRICITY [2]	10
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EL-1 TOPIC: TAX CREDIT FOR SOLAR ENERGY [Received 08 0206 3:27pm]	10
TITLE: <i>Resolution Requesting an Extension of the Federal Investment Tax Credit for Solar Energy Systems</i>	

The resolution pledges NARUC to work aggressively with Congressional delegations to extend the federal investment tax credits for solar for a minimum of eight additional years; expand the credit for photovoltaics to \$1,500 per ½ kilowatt; remove the \$2,000 cap on residential systems and other provisions designed to expand the use of solar energy in the US.

EL-2 TOPIC: DISPOSAL OF NUCLEAR WASTE [Received 08 0122 4:41pm]	11
TITLE: <i>Resolution Regarding Guiding Principles for Disposal of High-Level Nuclear Waste</i>	

The resolution adopts a detailed list of principles (1½ pages) to guide NARUC representation. Interested commissioners should read this resolution closely.

III. ENERGY RESOURCES AND THE ENVIRONMENT [2] 15

ERE-1 TOPIC: ENERGY EFFICIENCY [Received 08 0206 2:37pm] 15

TITLE: *Resolution Supporting the National Action Plan for Energy Efficiency VISION FOR 2025: Developing a Framework for Change*

The National Action Plan for Energy Efficiency Leadership Group identifies ten implementation goals necessary to meet the objective of achieving all cost effective energy efficiency in its Vision for 2025: Developing a Framework for Change. The resolution endorses the plan's principal objectives and recommendations. Interested commissioners should read this resolution closely.

ERE-2 TOPIC: HEAT AND POWER [Received 08 0206 2:37pm] 17

TITLE: *Resolution to Encourage the Use of Combined Heat and Power, Including the Recycling of Waste Energy*

The resolution recognizes that the United States is far behind other industrialized nations in relying upon "Combined Heat and Power" and waste energy recovery technologies, and encourages commissions to consider policies to (i) facilitate the deployment of CHP and waste energy recovery technologies by advancing market-based options for the sale of net excess power from such projects, (ii) address barriers to increased use of CHP related to standby rate design; interconnection rules; and traditional utility revenue recovery mechanisms; and (iii) where feasible, allow owners and operators of CHP and waste energy recovery facilities to be appropriately compensated for any benefits provided to electrical generation and transmission systems.

IV. GAS [3] 19

GS-1 TOPIC: LNG FACILITY SAFETY [Received 08 0206 12:58pm] 19

TITLE: *Resolution Encouraging the Use of Risk Assessment Approach to Provide Comprehensive Information on LNG Facility Safety*

The resolution recommends the Pipeline and Hazardous Materials Safety Administration (i) initiate steps to evaluate and develop alternatives and risk based regulations as replacements for or supplement to its existing LNG facility siting regulations and (ii) perform, as a part its evaluation, such research and other activities as may be needed, including but not limited to, comparative analyses of alternative (including the Risk Based Alternative Standards approach approved by NFPA's LNG Standards (59A) Committee), public workshops, and other studies.

GS-2 TOPIC: PIPELINE SAFETY [Received 08 0207 10:08am] 21

TITLE: *Resolution on Congressional Appropriations for Pipeline Safety*

The resolution urges Congressional appropriations bodies to adjust the FY 2009 appropriations to DOT for State pipeline safety grants so that States are given the opportunity to recover at least 80% of the costs of the congressionally mandated expanded gas safety programs.

GS-3 TOPIC: PIPELINE SAFETY [Received 08 0207 10:08am] 22

TITLE: *Resolution on User Fees for Pipeline Safety*

Resolution urges the Pipeline and Hazardous Materials Safety Administration PHMSA to maintain the current user fee allocation methodology, i.e. based on transmission pipeline mileage to collect additional revenue to appropriately fund the States' pipeline safety programs.

V. TELECOMMUNICATIONS [3] **23**

TC-1 TOPIC: FORBEARANCE [Received 08 0123 2:14pm] **23**
TITLE: Resolution on Forbearance Procedures

The Resolution commends the FCC for initiating a rulemaking to examine possible deficiencies in the procedures carriers use to waive existing statutory obligations, recognizes that it is essential for State commissions to have timely access to confidential data as they examine the potential effects of forbearance on a State's telecommunication industry, expresses support for bills to eliminate the "deemed granted" provision in the statute, and urges the FCC to act on this NPRM before additional forbearance petitions are filed and to adopt formal procedures that ensure full participation by affected States.

TC-2 TOPIC: DIGITAL LITERACY [Received 08 0206 6:48pm] **25**
TITLE: Resolution Promoting Information and Communication Technology (ICT) Digital Literacy

The Resolution says NARUC will promote: (1) access to information and communications technology to all regardless of income or advantage; (2) the provision of ubiquitous broadband service in a competitive marketplace at affordable cost; and (3) opportunities for all to acquire ICT digital literacy skills to benefit academically, economically and socially, and (4) adoption of ICT digital literacy policies and public awareness of ICT Digital Literacy efforts.

TC-2 ADDENDUM **26**

TC-3 TOPIC: POLICY STATEMENT [Received 08 0206 6:48 pm] **30**
TITLE: Resolution Concerning the Communications Policy Statement

The resolution reiterates NARUC's existing policy on wireless consumer protection re: State ability to enforce national wireless consumer protection rules, but shifts from NARUC supporting federal rules as a floor, to the federal rules being a ceiling or limit on State action. It suggests NARUC recommend the formation of a Joint Board or other organizational body that includes State commissioners and a consumer representative to draft and update on a periodic basis the national wireless consumer standards.

TC-3 ADDENDUM **32**

VII. WATER [2] **33**

WA-1 TOPIC: SAFE HARBORS [Received 08 0206 1:35pm] **33**
TITLE: Resolution Regarding the Creation of State Legislative "Safe Harbors" from Lawsuits Alleging Injuries Received from Drinking Water that is in Compliance with State and Federal Standards

This resolution states that companies complying with federal and State safe drinking water standards should not be subject to lawsuits claiming injuries from drinking water. It encourages States to consider enacting legislation or adopting regulations which provide a "safe harbor" from liability for any water purveyor operating in the State that provides water in compliance with federal and State standards.

WA-2 [CA-3] TOPIC: DAY OF UTILITY SERVICE **9**



NEWSFLOW

February 19, 2008

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NARUC Holds Winter Committee Meetings

The National Association of Regulatory Utility Commissions (NARUC) Water Committee Subcommittees are holding meetings during NARUC's Winter Meetings, Feb. 17 through Feb. 20, 2008.



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Yesterday, at the Committee on Water, Bill Koska and Floyd Wicks, American States Water, presented information on the California Water Quality Litigation Decision. Jeffrey Hine represented York Water as the featured individual jurisdictional water company and provided an update on NAWC activities.

Today, at the Committee on Water, there will be a panel discussion on pricing considerations related to reclaimed water. Mark LeChevallier, American Water; Lisa Crossett, Utilities; Chris Franklin, Aqua America will participate. There will also be a panel on the impact of the Sarbanes Oxley. Ellen Wolf, American Water; Chairman Holland, Pennsylvania Public Utility Commission; Dian Taylor, Artesian Water Company; Nicholas DeBenedictis, Aqua America; Walton Hill, United Water; and Floyd Wicks, American States Water will participate.

The Water Committee will also consider two resolutions. The first resolution is entitled "Resolution Regarding the Creation of State Legislative 'Safe Harbors' from Lawsuits Injuries Received from Drinking Water that is in Compliance with State and Federal Standards." The other resolution is entitled "Resolution Designating Dr. Martin Luther King, Jr. Day as National Day of Utility Service." Both proposed resolutions can be found at: <http://winter.narucmeetings.org/ProposedWinterResolutions.pdf>.

Additionally, the Staff Subcommittee on Critical Infrastructure and the Committee on Critical Infrastructure met Sunday, Feb. 17. Cade Clark presented an overview of the Water & Power Coordinating Council's work on security metrics and Paul Foran, American Water, presented on the panel, "Water/Energy Interdependency Issues: Drought in the Southeast."

NJ Commissioner Nomination Voted out of Committee

On February 14, the New Jersey Senate Judiciary Committee unanimously approved Jon Corzine's nomination of former State Senator Nicholas Asselta to serve as a commissioner on the New Jersey Board of Public Utilities (NJBP). Governor Corzine made the nomination the first week of January to fill the vacant Republican seat on the five-member board. The nomination still awaits approval by the full Senate, which will likely be brought up at the next Senate Session on March 3.

Nicholas Asselta served in the New Jersey State Senate from 2004 to 2007 and in the New Jersey General Assembly from 1995 to 2003. Mr. Asselta is a native of Vineland, N.J. He currently resides with his wife, Nancy Small-Asselta. He graduated from Vineland High School, Cumberland County College and the Frederick Military Academy. He also attended Rutgers University.

Water Company's Rights

Posted on January 9, 2008 by

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An Aqua Indiana customer on Windsor Road, Steger bought a water softener and replaced a dishwasher and garbage disposal because of the harshness of his water, he said.

But the somewhat graphic description of his water's color is the most telling.

"I would take showers and the water would turn the gray hairs on my chest red," he said.

But people like Steger – who complain about the company's water service – are becoming rarer, at least according to the number of complaints received by the private utility. In fact, complaints about water color, poor pressure and other service problems dropped by a third on average from 2004 through 2006, when compared with the previous three years.

One of the city's main reasons to take over the private northern system was to provide better water.

The city started an eminent domain action in 2002 to acquire the northern system. Last summer, the Indiana Supreme Court ruled in a 3-2 vote that the city can take the utility through eminent domain. Aqua Indiana is challenging the city's \$16.9 million appraisal of its assets, but has not yet publicly offered what it believes is a fair price.

Steger, 68, bought his home on Windsor with the promise his home was on City Utilities. Upon discovering the water was from Aqua Indiana, he installed a water softener for \$500, which he said was necessary to make the water potable. Even with the softener, he said the water still comes out red or black at times. He said he pays about \$18 a month for salt for the softener.

Even if the cost of acquiring the private utility comes in more expensive for the city, Steger said he would be willing to pay a premium to relieve himself of the hassles.

March 08

\$9,000 in fines and a \$100 per day penalty until the problem is corrected. As of Nov. 28, the fines were still accruing. Prather says Aqua has indicated it expects to have the issue solved by the end of the year.

Some scientists have linked elevated levels of trihalomethane to an increased risk of cancer. Prather notes that the standard for trihalomethane -- less than 80 parts per billion -- is based on consuming two liters of water per day for 70 years.

Residents in need of relief?

In addition, staffers at the **Florida Public Service Commission** were critical of the company's jumbo-size rate increase that would have required Chuluota residents to pay almost \$95 per month, just to be connected to Aqua's system.

The company voluntarily withdrew its rate increase application in August, at which point the state commission required Aqua to refund the interim rate it charged customers in anticipation of being granted a rate increase.

Dallari believes Chuluota residents need some relief. "Aqua Utilities, in my opinion, is not doing our citizens a just service," Dallari says. "However, the commission has no jurisdiction in this situation. Our only option is to try to purchase the system."

Aqua Utilities Florida Inc.

Parent company: Aqua America Inc.

Headquarters: Bryn Mawr, Pa.

2006 revenue: \$533 million

2006 profit: \$92 million

Florida headquarters: Leesburg

Florida customers: 110,000

Florida utility systems: 83

Contact: (352) 435-4027, www.aquaamerica.com

Dan Ping can be reached at (407) 241-2895 or via e-mail at dping@bizjournals.com.

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Business Strategy

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REPORT OF ANALYSIS

Ms. Nancy Evans
319 Velveteen Place
Chulouta, Florida 32766

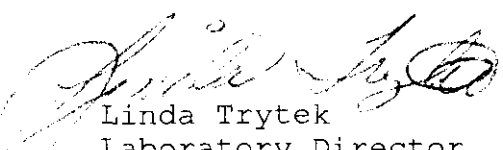
Work Order # : 08-01-487
Date Received: 01/15/08
Date Reported: 02/20/08
TTA Contact : L. Trytek

Project Name : Tap Water Sample
Work ID : Special Bacterial and Chemical Analysis
Total Samples : 1

Sampling information is based on data supplied by the Client.

<u>SAMPLE ID</u>	<u>DATE COLLECTED</u>	<u>TEST CODE</u>
1. Kitchen Sink Sample [Tap Water]	01/15/08 0800	Bacterial Analysis Chemical Analysis

Respectfully Submitted,
TRI-TECH LABORATORIES, INC.


Linda Trytek
Laboratory Director

"HELP SAFEGUARD YOUR FUTURE AND YOUR HEALTH" CALL TTA TODAY!
HRS# E83294

Tri-Tech Laboratories, Inc.

Work Order# : 08-01-487

Project Name
Kitchen Sink - Tap Water Sample
Special Bacterial and Chemical Analysis

I. SPECIAL BACTERIAL AND CHEMICAL ANALYSIS:

WORK ORDER#	SAMPLE ID	PARAMETERS	RESULTS	UNITS	TEST METHOD	ANALYSTS
08-01-487-1	Kitchen Sink [Tap Water]	Total Coliform	Absent [M]	Cfu's/100mls.	SM9222B	DB
		Total Plate Count	150	Cfu's/1ml.	SM9215B	DB
		Total Algae Count	440	Cells/1ml.	SM 1110	LT
		Nitrate	0.01U	mg/l.	SM 353.2	DB
		Nitrite	0.01U	mg/l.	SM353.2	DB
		Iron Bacteria	Positive	NA	SM 1110	LT
		Sulfur Bacteria	Positive	NA	SM 1110	LT
		Trihalomethanes	0.116	ug/L.	SM 524.2	JS

U Gc
MBL


OVERALL CONCLUSION

The term water quality is a widely used expression which has an extremely broad spectrum of meanings. Each individual has vested interest in water for his particular use, which may involve commercial and industrial uses or recreational pursuits.

Most water use must be subordinated to man's need for healthful fluid for his consumption. Water for drinking must be free from organisms capable of causing disease and from minerals and organic substances producing adverse physiological effects.

Of these desired qualities, freedom from harmful microorganisms is the most difficult to achieve.

This analysis was performed to check the bacterial/chemical quality of kitchen tap water sample site for Ms. Nancy Evans, 319 Velveteen Place, Chuluota Florida. The most important factors discovered from the results of all analysis are:

-  1. The total trihalomethanes recovered from this sample does exceed the EPA National Primary Drinking Water Standard, [result 0.116 mg/L - limit 0.080 mg/l]
2. Most bacteria isolated from this water sample is indicative of bacteria found in water, (Pseudomonas, Cactobacillus, Micrococcus and Bacillus).
3. Also recovered in this study are colonies of Aspergillus and Acinetobacter are normally found in the air, and will not exist for long due to the lack of nutrients. After denaturing (dying) of these bacteria, they will become a nutrient source for other water bacteria and can increase in the bacterial contamination at this site.

OVERALL CONCLUSION [CONTINUED]

- 4. Iron and Sulfur bacteria was recovered from this sample and proves the presence of iron and sulfur from this water source.**

The Algae count for natural waters is 640 cells/mL. The count for this water sample analyzed is under this count. The amount of Algae counted, along with the presence of iron and sulfur recovered, can cause an odor/color change in any sample where the sun is introduced. Iron and/or sulfur can utilize Algae as a nutrient, especially if the Algae has any form of decay. Most Algae viewed can become discolored or can become viscous, (thick with resistance to flow) when treated with chlorine and allowed to sit for long periods. Iron and sulfur bacteria are usually associated with decaying Algae.

Algae when it becomes discolored and/or viscous can cause many problems through out a distribution system. These problems can range from clogging the plumbing systems; to discolored and/or foul odor water supplies. This decayed Algae can also be a nutrient for many waterborne bacterial contaminates and can increase the bacterial concentration for many water supplies.

NOTE: There was no polluted algae viewed from this sample analyzed.

OVERALL CONCLUSION [CONTINUED]

NOTE:

The important factors discovered from this study are:

1. The total trihalomethanes **recovered** from this sample **does exceed** the EPA National Primary Drinking Water Standard, [result 0.116 mg/L - limit 0.080 mg/L].
2. The results proves a **medium Quality** bacterial water recovered from this water sample analyzed.
3. There was no harmful bacteria isolated from this water sample, however the amount of bacteria recovered could cause stomach distress when consumed.
4. The presence of **Aspergillus and Acinetobacter species** proves the influence of air in the water source analyzed.
5. The presence of iron and sulfur bacteria proves the influence of iron and sulfur from the water source for this sample.

Unless otherwise noted in the attached project, all samples were received in acceptable condition and processed in accordance with the referenced methods. Results for these methods apply only to the samples as submitted.

Reviewed By : *Samana Lee*
Title : Quality Control Director
Date Reviewed : 02/20/08

FINAL REPORT !

	Contaminant	MCL or TT ¹ (mg/L) ²	Potential health effects from exposure above the MCL	Common sources of contaminant in drinking water	Public Health Goal
OC	Oxamyl (Vydate)	0.2	Slight nervous system effects	Runoff/leaching from insecticide used on apples, potatoes, and tomatoes	0.2
OC	Pentachlorophenol	0.001	Liver or kidney problems; increased cancer risk	Discharge from wood preserving factories	zero
OC	Picloram	0.5	Liver problems	Herbicide runoff	0.5
OC	Polychlorinated biphenyls (PCBs)	0.0005	Skin changes; thymus gland problems; immune deficiencies; reproductive or nervous system difficulties; increased risk of cancer	Runoff from landfills; discharge of waste chemicals	zero
R	Radium 226 and Radium 228 (combined)	5 pCi/L	Increased risk of cancer	Erosion of natural deposits	zero
IOC	Selenium	0.05	Hair or fingernail loss; numbness in fingers or toes; circulatory problems	Discharge from petroleum refineries; erosion of natural deposits; discharge from mines	0.05
OC	Simazine	0.004	Problems with blood	Herbicide runoff	0.004
OC	Styrene	0.1	Liver, kidney, or circulatory system problems	Discharge from rubber and plastic factories; leaching from landfills	0.1
OC	Tetrachloroethylene	0.005	Liver problems; increased risk of cancer	Discharge from factories and dry cleaners	zero
IOC	Thallium	0.002	Hair loss; changes in blood; kidney, intestine, or liver problems	Leaching from ore-processing sites; discharge from electronics, glass, and drug factories	0.0005
OC	Toluene	1	Nervous system, kidney, or liver problems	Discharge from petroleum factories	1
M	Total Coliforms (including fecal coliform and <i>E. coli</i>)	5.0% ⁴	Not a health threat in itself; it is used to indicate whether other potentially harmful bacteria may be present ⁵	Coliforms are naturally present in the environment as well as feces; fecal coliforms and <i>E. coli</i> only come from human and animal fecal waste.	zero
DBP	Trihalomethanes	0.10 after 12/31/03	Liver, kidney or central nervous system problems; increased risk of cancer	Byproduct of drinking water disinfection	n/a ⁶
OC	Toxaphene	0.003	Kidney, liver, or thyroid problems; increased risk of cancer	Runoff/leaching from insecticide used on cotton and cattle	zero
OC	2,4,5-TP (Silvex)	0.05	Liver problems	Residue of banned herbicide	0.05
OC	1,2,4-Trichlorobenzene	0.07	Changes in adrenal glands	Discharge from textile finishing factories	0.07
OC	1,1,1-Trichloroethane	0.2	Liver, nervous system, or circulatory problems	Discharge from metal degreasing sites and other factories	0.20
OC	1,1,2-Trichloroethane	0.005	Liver, kidney, or immune system problems	Discharge from industrial chemical factories	0.003
OC	Trichloroethylene	0.005	Liver problems; increased risk of cancer	Discharge from metal degreasing sites and other factories	zero
M	Turbidity	TT ³	Turbidity is a measure of the cloudiness of water. It is used to indicate water quality and filtration effectiveness (e.g., whether disease-causing organisms are present). Higher turbidity levels are often associated with higher levels of disease-causing micro-organisms such as viruses, parasites and some bacteria. These organisms can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.	Soil runoff	n/a
R	Uranium	30 ug/L as of 12/08/03	Increased risk of cancer, kidney toxicity	Erosion of natural deposits	zero

LEGEND

D	Disinfectant	IOC	Inorganic Chemical	OC	Organic Chemical
DBP	Disinfection Byproduct	M	Microorganism	R	Radionuclides

WORK ORDER #: FX-01-457 01/17

Client Name:

Name: Nancy Evans

Mailing Address:

Mailing Address: 319 Velveten Place, Chuluota, FL 32716

Invoicing Address:

SAME

Attention:

6/6

Contact Person:

Nancy Evans

Project or address of sample site:

Project or address of sample site: 319 velvetreen Place, Chulbuta, F

Phone Number:

407-760-1697

Fax Number:

409-359-0290

Sampler's Signature:

(REQUEST ANALYSIS WRITE DOWN BELOW)

SAMPLE ID	DATE/TIME	COM P	GRA B	WAT ER	SOIL	OT HER	SAMPLE DESCRIPTION		BOT TLE	THM	Bact: 30	40	100/103	300/5					REMARKS
							CL	PH											
1. Tapwater- Kitchen Smt	(8:00 AM 11/18/08)								CL	THM	Bact: 30	40	100/103	300/5					Looking for any substance that would contribute to liver enzymes + renal problems.
2.									X		X	X	X						
3.																			
4.																			
5.																			
6.																			
7.																			
8.																			
9.																			
10.																			
11.																			
12.																			
13.																			

Relinquished Sample Kit Date/Time:

Delivered Sample Kit to Lab Date/Time: 12:30pm - 11/18/08

Bottle #: vials 001 Cals

Accepted in lab:

Date/Time:

Date/Time: 1-18-08 1245

Bottle #:

lc #: vals 001 ltrb

**DETAILED LOG OF
MY COMMUNICATION WITH
AQUA UTILITIES
CUSTOMER SERVICE DEPT
REGARDING BILLING DISPUTE**

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121-WS EXHIBIT 29

COMPANY Detailed log of Billing

WITNESS Barbara Barretta

DATE 07/17/08

The purpose of this log is to show the following:

- a) CUSTOMER SERVICE IS NON-EXISTANT UNTIL A MEMBER OF THE STATE HOUSE OF REPRESENTATIVES MAKES A PHONE CALL TO AQUA FOR YOU**

2 months of dealing with Aqua customer service had gotten me nowhere until a State Representative, Sandy Adams, made a phone call to Aqua and only at that time, 2 days ago, did I begin to see an acceptable level of customer service.

- b) MY METER READING SEEMS TO BE INACCURATE AND SOME MONTHS AS HIGH AS 400% OVER MY ACTUAL USAGE.**

My newly installed water meter, installed April 2nd, seems to sometimes be reading my water usage at 400% over actual amounts. I've taken my own readings at exactly a 1 week period to the minute and a 3 week period, done the math and calculated usage to be approx 12,000 gallons per month. I'm receiving bills for 30,000, 40,000 and even 50,000 gallons usage a month. Something doesn't add up.

- c) AQUA THEMSELVES HAVE ADMITTED TO MISREADING MY METER AND BILLING ME INCORRECTLY FOR AN AMOUNT WHICH ADDS UP TO BE APPROX 15,000 GALLONS IN ONE MONTH.**

Not only is my meter not relaying the proper usage but on a phone call on June 24th, an Aqua customer service representative told me they did read my meter incorrectly and she gave me the new numbers. The new reading turned out to be over 6,000 gallons lower at a date 3 weeks later which adds up to be a misread of 15,000 gallons on that date.

- d) AQUA CUSTOMER SERVICE DEPARTMENT AND AQUA BILLING DEPARTMENT DON'T SEEM TO BE ON THE SAME PAGE.**

I've received 2 shut-off notices from aqua billing department for bill non-payment even though Aqua's customer service department has told me to not pay the old bill until a new corrected one arrives. I've requested a new updated bill 5 times in 2 months and still haven't received one.

SUMMARY: # of phone calls- 13
time on phone- 147 minutes
duration of dispute- 2 months and still going
Aqua employees I spoke with-10
contradictions by Aqua employees- 2
times they promised to send me a corrected bill- 5
times they promised to call me back and didn't- 2
corrected bills received- 0
shut-off notices- 2

1. Paid March bill for \$141.41 Average bill.

2. Paid April bill for \$156.46 Average bill.

3. Paid May bill for \$82.34 on May 8

details: 19 days on old meter @ 10,900 gal "actual"

13 days on new meter @ 9,900 gal "est" New meter installed on April 2.

32 days- total usage 20,700 gal "est"

4. On May 27 received June bill for \$286.60 due June 12

29 days on new meter @ 49,500 gal "actual"

billed by meter reading on May 14 of 59400 (This will later prove to be inaccurate reading.

Actual reading 3 weeks later was 52808... 6,592 gallons less 21 days later.)

5. I immediately called Aqua 3:37pm, 1 minute call... disconnected

I called back 3:38pm, 31 minute call spoke with Kathryn. Asked for billing dept. Said they had no billing department available for customers, no online statement viewing, only customer service operators. She told me a meterman will come back tomorrow and read the meter again and a leave note on door with new reading. She explained old/new meters, procedure for leak in lines, procedure for misreading meter. Told me that I shouldn't pay bill until correct amount is calculated and I received a new updated and accurate bill. Said it would be about 10 days.

6. Next day no note on door. I went outside and read my own meter. Number was much LESS than reading on bill.

7. Next day, May 29 I called Aqua 10:28am, 14 minute call. They told me metermen don't leave paper notes on the door. Said they'd mail me a bill.

8. I waited "10 days later" from May 27 and did not receive a new updated bill. I called Aqua on June 5 at 4:48pm, 37 minute call. Spoke with Carolyn. She said their computers were currently down, couldn't look up reading for me. She took my name and number and said she'd call me back and tell me the meter reading. She didn't call back.

9. Next day, June 6 at 9:36am, 12 minute call. Spoke with JC. I explained how I didn't get a call back and he said customer service people don't have access to my meter readings and he doesn't know why she said she did. He said they'd send me the correct bill. I said my bill would be due June 12, 6 days away. I asked if they'd put a note in the computer that there is a billing dispute and if I don't pay the bill in 6 days on the due date, I'd be okay. She said yes, no problem. Standard procedure, no shutting off water until disputes are settled.

10. Two weeks later on June 24 I received a new bill for \$505.45 due July 10. It was NOT adjusted, incorrect bill again. 30 days on meter @ 32,800 gal "actual," billed by meter reading on May 14 of 59400 to June 13 of 92200

I immediately called Aqua at 3:39pm, 1 minute call. Couldn't get through. Called again at 3:40, 5 minute call. Spoke with Ravonda. She finally told me the meter reading on May 28 was 52808. Aqua mistakenly said it was 59400 on May 14. She agreed there had been a mistake. She said I shouldn't pay the bill and a new one will be mailed to me by the following Monday by July 1.

11. July 1 came and I got no updated bill. I thought I'd give them one more week then call again.
12. Six days later, July 7, I get an automated water **shut-off cell phone message** at 6:12pm telling me I have an amount due of \$505.45 and I must pay immediately or my water will be shut off. It said I already received a shut off notice and I didn't respond. NOT TURE. I did NOT receive any such warning message.

At 6:12 I called the 1-800 number shown on my phone and spoke to the emergency operator. Told her the story and told her NOT to shut off my water because it was Aqua's mistake. She took down my info and said the head tech service man, **Christian, will call me back to get details**. I received no call.
13. I filed online complaints with the PSC July 7 regarding customer service, billing and health issues. I copied and pasted this body of text.
14. July 8 8:35am I called Aqua. Spoke with **Judy**. She looked up my file and told me they made a mistake. She said I see why you're calling. She stopped the shut-off order. She said the meter man will come by tomorrow, Wed, and take a new reading and **will send new bill**. Told me to call within 14 days if I don't get a new bill. I found out they had sent me a paper shut-off notice mailed on July 3 which I hadn't received yet. She told me to disregard it. I told her I was concerned that this is taking too long and when I do receive a corrected bill, it might be \$1000 which I couldn't afford. She said that I could pay a partial amount now to keep the bill from getting too high. So that day I made a normal monthly payment of \$150 on the internet. Confirmation #484633. My meter reading that day, Tuesday at 1:40pm was 10151.0. According to the meter, I used 9310 since June 13, 3 weeks ago.
15. July 10, **received a shut-off notice in the mail** from Aqua.
16. July 14 I met and spoke with Sandy Adams, Florida State Representative and described my problem to her. She took down my name and told me she'd help. My meter reading at 8:30 pm was 10434.0
17. July 15, 10:10am received phone call from Aqua. **Stacy Myers** said he was Customer Service Field Representative. I asked if he was calling because of my talk the previous evening with Sandy Adams. He said yes. I told him my meter readings for a one week period exactly to the minute. July 8, Tues at 1:40pm was 10151.0. July 14, Tues at 1:40pm was 10443.0. That adds up to 2,920 gallons in one average week which includes the weekly laundry, dishwasher, lawn watering. $2920 \times 52 = 151,840$ divided by 12 = 12,653 average gallons per month. This was an average month. **NOWHERE NEAR THE 50,000 GALLONS BILLED IN MAY**. This means that I'm being billed for, or my meter is showing a 400% increased usage than actual amounts. He suggested I might have a leak. I told him that I did a test myself and found no evidence of a leak. I shut off the water at the pipe entering the house for one hour and recorded the meter numbers and it hadn't moved in that hour. So there was no leak between the street meter and the house. Regardless of a leak or not, my average water usage is approx 12,000 per month, NOT 400% of that. He told me that the mistake could be that my meter is not working correctly, that I'm not set up correctly in the system, that they're reading another house by mistake. He said they had to investigate.
18. I sent an e-mail to Sandy Adams thanking her for her help. She told me to keep her informed on the progress. Although I appreciated the sudden action, I was very disappointed that it took a State Representative to make a call to Aqua in order to make progress. Two and a half months and 10 or 15 phone calls by me, an average customer, did nothing but one call from her did.
19. July 15, 12:45pm **John**, a Aqua meterman came to my door and told me Stacy sent him to read my meter and check for leaks. He said the meter reading was 10442.0 and that he found no leaks. I explained everything to him and he said Stacy could request a benchmark test on my meter to remove it, take it to the office and test it for accuracy. I said, yes, I'd like it tested. He said he'd talk to Stacy. I asked him to relay a message for Stacy to call me back.
20. July 15, 1:10pm **Stacy** called me back and we discussed where to go from here. I asked him to try and solve this as quickly as possible and that I'd do anything to work with him for a resolution. I asked him to check into my past bills to find past inaccurate readings that seemed high also. He said he'd check with billing and have them send me an accurate bill.

21. July 16, 9:11am Stacy called. 5 minute call. Asked if someone would be homeso he could do a test on my meter today. I said yes. He said this test could rule out the meter problem. I told him that it may be intermittent and a positive or negative result today still can't explain the 50,000 gallon usage bill. I told him that back in May we had an Aqua customer service operator tell me that Aqua did read the meter incorrectly so that contributed to the problem. He asked for details and I gave him the date and time, the employee and the meter readings.
22. July 16, 2 hrs later at 10:56 received phone call from Bill the meterman saying that he was at my house to do the accuracy test but no one was home. I told him my husband was home but probably didn't get to the door in time. He said he'd go back to my house and try again.
23. July 16, 15 minutes later received call from my husband saying that the accuracy test involved running our lawn sprinklers for 1 hr. Becuase of the rain and our automatic shut off on rainy days, the test couldn't be done today. He told the Aqua man to come back on Friday. (note- we only run the sprinklers for 20 minutes once a week and can't afford to run them 1 hr for this test. I can't afford this test unless Aqua pays for the extra 40 minutes of water usage or the 300% increase in lawn watering this week.

Account Number
000896195
CHILLIOTA

March 14, 2008

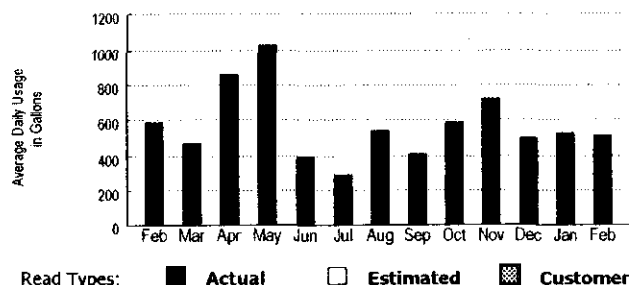
Meter Data

Meter Data	Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
	78362745	5/8	02/15/08 01/17/08	29	Actual Actual	1085200 1070200	15,000	Gallons
Average Daily Usage = 517 Gallons			Total Days:	29	Total Usage:		15,000	Gallons

Billing Detail

Amount Owed from Last Bill	\$ 139.40	
Total Payments Received.....	139.31	
Balance	0.09	
Water Base Facility Charge	10.25	
15,000 gallons @ \$0.00389 per gallon.....	58.35	
Current Water Charges.....	68.60	
Sewer Base Facility Charge	22.01	
6,000 gallons @ \$0.00801 per gallon	48.06	
Next 9,000 gallons @ \$0.00 per gallon.....	0.00	
Current Sewer Charges	70.07	
Interest On Deposit	0.09	Credit
Utility Tax.....	2.74	
Amount Due 03/14/08	\$ 141.41	

Water Usage History



Message Center

- Please note your account number is a 16-digit number. The full 16-digits must be provided to ensure correct posting of your Aqua payment.

1336456

IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION

FL3590186

Return this portion with your payment.
Keep top portion for your records.

Service To:

BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666
Lot: 00090008 Block:

AQUA Water/Sewer Bill

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

Account Number

000896195

Total Amount Due

Due Date

\$ 141.41

March 14, 2008

Amount Enclosed

Seq=21501 Cyc=33DI 1up=579129

*****AUTO**5-DIGIT 32766 C 61 P 81
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA FL 32766-6666

\$

Please make check payable to Aqua Util. FL.
Print your account number on your check,
then mail to address on back.

00089619506390970000000141415





Service To:
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666
Lot: 00090008 Block:

Account Number
000896195
CHULUOTA

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 17, 2008** Total Amount Due **\$ 82.34** Due Date **May 09, 2008**

Meter Data

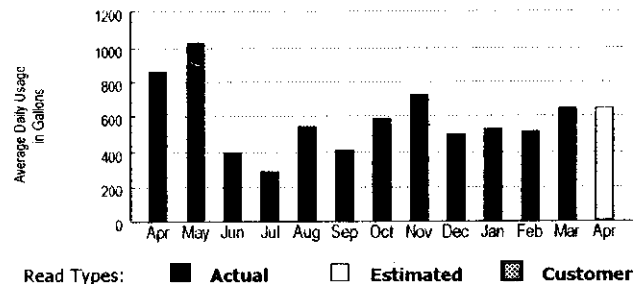
	Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
New Meter	56611084	5/8	04/15/08	13	Estimated	9900	9,800	Gallons
			04/02/08		Actual	100		
Old Meter	78362745	5/8	04/02/08	19	Actual	1114300	10,900	Gallons
			03/14/08		Actual	1103400		
*We have exchanged your meter during this billing period.								
Average Daily Usage = 646 Gallons			Total Days: 32		Total Usage:		20,700	Gallons

Billing Detail

Amount Due 05/09/08 **\$ 82.34**

Amount Owed from Last Bill \$ 156.46
 Total Payments Received..... 156.46
Balance..... 0.00
 Water Base Facility Charge 10.25
 20,700 gallons @ \$0.00389 per gallon..... 80.52
 Current Water Charges..... 90.77
 Sewer Base Facility Charge 22.01
 6,000 gallons @ \$0.00801 per gallon 48.06
 Next 14,700 gallons @ \$0.00 per gallon..... 0.00
 Current Sewer Charges..... 70.07
 Deposit 81.00 Credit
 Interest On Deposit 1.13 Credit
 Utility Tax..... 3.63

Water Usage History



Read Types: **Actual** **Estimated** **Customer**

Message Center

- Please note your account number is a 16-digit number. The full 16-digits must be provided to ensure correct posting of your Aqua payment.

1336456

IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION

FL3590186

Return this portion with your payment.
 Keep top portion for your records.

AQUA Water/Sewer Bill

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

Service To:
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666
Lot: 00090008 Block:

Account Number
000896195
 Total Amount Due **\$ 82.34** Due Date **May 09, 2008**
 Amount Enclosed

\$

Please make check payable to Aqua Util. FL.
 Print your account number on your check,
 then mail to address on back.

Seq=25325 Cyc=33011up=596840

*****AUT0**5-DIGIT 32766 C 76 P 104
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA FL 32766-6666

00089619506390970000000082345





Service To:
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666
Lot: 00090008 Block:

Account Number
000896195
CHULUOTA

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 us before the due date.

Bill Date

May 21, 2008

Total Amount Due

\$ 286.60

Due Date

June 12, 2008

Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56611084	5/8	05/14/08	29	Actual	59400	49,500	Gallons
		04/15/08		Estimated	9900		
Average Daily Usage = 1,706 Gallons		Total Days: 29		Total Usage:		49,500	Gallons

Billing Detail

Amount Owed from Last Bill \$ 82.34
Total Payments Received..... 82.34
Balance..... 0.00
Water Base Facility Charge Water at Old Rate..... 0.35
1,707 gallons @ \$0.00389 per gallon 6.64
Current Water Charges At Old Rate..... 6.99
Water Base Facility Charge Water at Current Rate 10.09
Next 47,793 gallons @ \$0.00397 per gallon 189.74
Current Water Charges at Current Rate 199.83
Current Water Charges..... 206.82
Sewer Base Facility Charge Sewer at Old Rate..... 0.76
207 gallons @ \$0.00801 per gallon 1.66
Next 1,500 gallons @ \$0.00 per gallon 0.00
Current Sewer Charges At Old Rate 2.42

Sewer Base Facility Charge Sewer at Current Rate 21.70
Next 5,793 gallons @ \$0.00818 per gallon 47.39
Next 42,000 gallons @ \$0.00 per gallon 0.00
Current Sewer Charges at Current Rate..... 69.09
Current Sewer Charges 71.51
Utility Tax 8.27
Amount Due 06/12/08 \$ 286.60

Message Center

- Please note your account number is a 16-digit number. The full 16-digits must be provided to ensure correct posting of your Aqua payment.
- Aqua Utilities Florida is pleased to provide you with your annual Water Quality Report. If you do not receive a copy of the report by early July and would like to receive a free copy, please call 1.877.WTR.AQUA during business hours. Or visit us at www.aquautilitiesflorida.com to see your report.

1336456

IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION

FL3590186

Return this portion with your payment.
Keep top portion for your records.

AQUA Water/Sewer Bill

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

Service To:
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666
Lot: 00090008 Block:

Account Number
000896195
Total Amount Due Due Date
\$ 286.60 June 12, 2008

Amount Enclosed

\$

Please make check payable to Aqua Util. FL.
Print your account number on your check,
then mail to address on back.

Seq=16763 Cyc=33DI 1up=606774

*****AUT0**5-DIGIT 32766 C 47 P 67
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA FL 32766-6666



00089619506390970000000286606



AQUA

Service To:
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666
Lot: 00090008 Block:

Account Number
000896195
CHULUOTA

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 us before the due date.
Bill Date **June 18, 2008**
Total Amount Due **\$ 504.45**
Due Date **July 10, 2008**

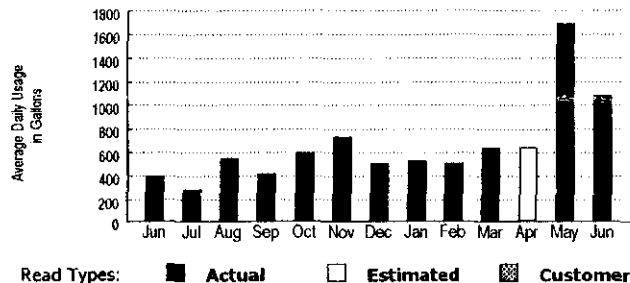
Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56611084	5/8	06/13/08	30	Actual	92200	32,800	Gallons
		05/14/08		Actual	59400		
Average Daily Usage = 1,093 Gallons		Total Days: 30		Total Usage:		32,800	Gallons

Billing Detail

Amount Owed from Last Bill \$ 286.60
Total Payments Received 0.00
Balance **286.60**
Water Base Facility Charge 10.45
32,800 gallons @ \$0.00397 per gallon 130.22
Current Water Charges 140.67
Sewer Base Facility Charge 22.47
6,000 gallons @ \$0.00818 per gallon 49.08
Next 26,800 gallons @ \$0.00 per gallon 0.00
Current Sewer Charges 71.55
Utility Tax 5.63
Amount Due 07/10/08 **\$ 504.45**

Water Usage History



Message Center

- Please note your account number is a 16-digit number. The full 16-digits must be provided to ensure correct posting of your Aqua payment.

may 28
652808
Ravonda
increased water bill

1336456

IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION

FL3590186

Return this portion with your payment.
Keep top portion for your records.

Service To:
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666
Lot: 00090008 Block:

AQUA Water/Sewer Bill

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

Account Number
000896195
Total Amount Due **\$ 504.45**
Due Date **July 10, 2008**

Seq=25994 Cyc=33DI 1up=614867

*****AUTO**5-DIGIT 32766 C 77 P 104
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA FL 32766-6666

|||||

Amount Enclosed

\$

Please make check payable to Aqua Util. FL.
Print your account number on your check,
then mail to address on back.

00089619506390970000000504452



D:1-2

Judy 7.8.08
8:35 am
Jun 217.85
Wed - new reading

call within 14 days will send new bill
disregard paper notice sent July 3



BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666

Account Number

000896195 [REDACTED]

CHULUOTA

Aqua Utilities Florida, Inc.
762 W. LANCASTER AVENUE
BRYN MAWR, PA 19010-3489

Tel: 877.987.2782
Fax: 866.780.8301
eMail: custserv@aquaaamerica.com

10 Day Shut Off Notice
COLLECTION DEPARTMENT OFFICE HOURS ARE
7:30 AM - 5:00 PM WEEKDAYS

Date of Notice	Shut Off Date	Total Amount Due
July 03, 2008	July 15, 2008	\$ 286.60

Your bill for \$ 286.60 is overdue. Because your bill is overdue, we will SHUT OFF service to:
336 OSPREY LAKES CIR on or after 8:00 AM on July 15, 2008.

To stop the shut off, you must do the following immediately:

1. Pay the total amount overdue. To pay by phone, call our toll free number at **866.269.2906** or go to the payment website at <https://paynow7.speedpay.com/aqua/index.asp>.
2. Contact Aqua Utilities Florida, Inc. at **877.987.2782** (Select Collections) to let us know that you made a payment, to make a payment arrangement or to dispute the overdue bill. You can also contact Aqua Utilities Florida, Inc. at our address above.
3. Call **877.987.2782** (Select Collections) if you or someone in your home has a serious illness or a medical condition.

Important Notice: Payments will not be accepted by Aqua Util. FL representatives visiting the property. To avoid service termination due to unpaid bill(s), you must make payments at an authorized payment location. For the nearest location, please call 877.987.2782 (Select Collections). If we shut off your service, you may have to pay the following charges to have service restored:

Overdue amount:	\$ 286.60
Reconnect Fee:	15.00
Service Deposit (If required):	23.00
Total if we shut off your service:	<u>\$ 324.60</u>

If we shut off your service for non-payment, you are required to contact Aqua at 877.987.2782 to make arrangements for service reconnection.

IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION

Return this portion with your payment.
Keep top portion for your records.

Service To:

BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA, FL 32766-6666



Aqua Utilities Florida, Inc.
PO Box 328 • BRYN MAWR, PA 19010-0328

Account Number

000896195 [REDACTED]

Total Amount Due

\$ 286.60

Due Date

July 15, 2008

Amount Enclosed

\$

Please make check payable to Aqua Util. FL.
Print your account number on your check, then
mail to address on back.

Seq=793 Cyc= 1up=619246 PC=T

*****AUTO**MIXED AADC 189 C B P 8
BARBARA BARRETTA
336 OSPREY LAKES CIR
CHULUOTA FL 32766-6666



00089619506390970000000286606



June

Page 1 of 1

(407) 252-4975

	Date	Time	Phone Number	Call Destination	Rate Type	Minutes Used	Total Charges
1	06/04	06:24 PM	407 359 4198	OVIEDO,FL	PU	2	
2	06/04	06:35 PM	407 359 5699	OVIEDO,FL	FL	2	
3	06/04	06:37 PM	407 977 9663	OVIEDO,FL	FL	2	
4	06/04	07:37 PM	407 699 8081	WINTERPARK,FL	FL	4	
5	06/05	07:46 AM	407 701 9732	Incoming	PU	1	
6	06/05	12:17 PM	321 356 7220	WINTERPARK,FL	NW/PU	1	
7	06/05	01:18 PM	407 701 9732	ORLANDO,FL	PU	1	
8	06/05	01:45 PM	407 977 3337	OVIEDO,FL	FL	2	
9	06/05	04:48 PM	877-987-2782	Toll Free Call	PU	37	
10	06/06	09:36 AM	877-987-2782	Toll Free Call	PU	12	
11	06/06	09:51 AM	800 732 9194	Toll Free Call	PU	5	
12	06/06	02:54 PM	727 812 5425	Incoming	FL	18	
13	06/07	11:12 AM	VoiceMail	WINTERPARK,FL	NW/PU	1	
14	06/07	12:03 PM	407 701 9732	ORLANDO,FL	NW/PU	2	
15	06/07	12:17 PM	407 701 9732	Incoming	NW/PU	1	
16	06/07	01:16 PM	407 699 8081	WINTERPARK,FL	NW/PU	1	
17	06/07	01:17 PM	407 699 8081	WINTERPARK,FL	NW/PU	6	
18	06/07	01:39 PM	407 359 4198	OVIEDO,FL	NW/PU	2	
19	06/07	06:57 PM	407 701 9732	Incoming	NW/PU	1	
20	06/07	07:05 PM	407 701 9732	ORLANDO,FL	NW/PU	1	
21	06/08	12:21 PM	407 699 8081	WINTERPARK,FL	NW/PU	5	
22	06/09	08:09 AM	727 812 5425	Incoming	FL	3	
23	06/11	06:37 PM	407 359 5699	OVIEDO,FL	FL	1	
24	06/12	10:22 AM	107 337 7397	ORLANDO,FL	FL	1	
25	06/12	03:26 PM	863 967 0124	Incoming	FL	4	
26	06/13	10:25 AM	800 815 7701	Toll Free Call	FL	19	

FL Plan/Promotional Usage

MM Sprint Mobile to Mobile

NW Night and Weekends

May - June

(407) 252-4975 (Continued)

	Date	Time	Phone Number	Call Destination	Rate Type	Minutes Used	Total Charges
107	05/26	02:48 PM	407 435 8347	WINTERPARK, FL	PJ	3	
108	05/27	03:04 AM	800 567 0124	Incoming	PJ	3	
109	05/27	09:43 AM	407 971 3337	OVIEDO, FL	PJ	2	
110	05/27	09:44 AM	407 971 3337	OVIEDO, FL	PJ	5	
111	05/27	09:49 AM	407 381 7387	ORLANDO, FL	PJ	7	
112	05/27	11:58 AM	407 381 7387	ORLANDO, FL	PJ	1	
113	05/27	03:19 PM	800 669 8488	Toll Free Call	PU	12	
114	05/27	03:37 PM	877-987-2782	Toll Free Call	PU	1	
115	05/27	03:38 PM	877-987-2782	Toll Free Call	PU	31	
116	05/27	04:24 PM	407 381 7387	ORLANDO, FL	PJ	2	
117	05/27	04:25 PM	407 381 7387	ORLANDO, FL	PU	4	
118	05/28	07:38 AM	407 359 4196	OVIEDO, FL	PJ	1	
119	05/28	09:18 AM	407 644 2447	Incoming	PJ	1	
120	05/28	09:19 AM	407 381 7387	ORLANDO, FL	PJ	5	
121	05/28	09:24 AM	407 381 7387	ORLANDO, FL	PJ	3	
122	05/28	11:17 AM	407 377 4100	Incoming	PJ	1	
123	05/28	05:54 PM	407 359 4196	OVIEDO, FL	PJ	1	
124	05/28	06:57 PM	407 371 9062	OVIEDO, FL	PJ	3	
125	05/29	10:28 AM	877-987-2782	Toll Free Call	PU	14	
126	05/29	12:10 PM	407 381 7387	ORLANDO, FL	PJ	3	
127	05/29	01:03 PM	407 377 4100	Incoming	PJ	2	
128	05/30	11:06 AM	407 366 1717	OVIEDO, FL	PJ	2	
129	05/30	11:32 AM	407 366 1717	OVIEDO, FL	PJ	1	
130	05/30	11:36 AM	407 366 1717	OVIEDO, FL	PJ	2	
131	05/30	11:38 AM	800 746 7287	Toll Free Call	PU	3	
132	05/30	11:41 AM	800 746 7287	Toll Free Call	PJ	1	
133	05/30	11:41 AM	407 699 8081	WINTERPARK, FL	PJ	7	
134	05/30	07:13 PM	407 389 6025	WINTERPARK, FL	PJ	3	
135	05/31	12:47 PM	407 389 6025	WINTERPARK, FL	NW/PU	3	
136	05/31	03:11 PM	407 371 2605	OVIEDO, FL	NW/PU	4	
137	06/01	12:56 PM	800 347 2683	Toll Free Call	NW/PU	6	
138	06/01	02:54 PM	407 699 8081	WINTERPARK, FL	NW/PU	9	
139	06/01	03:03 PM	407 699 8081	WINTERPARK, FL	NW/PU	3	
140	06/02	11:43 AM	407 359 4196	OVIEDO, FL	PJ	1	
141	06/02	11:43 AM	407 359 4196	OVIEDO, FL	PJ	1	
142	06/02	11:45 AM	407 931 1387	KISSIMEE, FL	PJ	4	
143	06/02	11:48 AM	407 359 4196	OVIEDO, FL	PJ	2	
144	06/02	06:49 PM	407 359 4196	OVIEDO, FL	PJ	2	
145	06/03	10:27 AM	800 763 1589	Toll Free Call	PJ	1	
146	06/03	01:21 PM	407 411 9722	Incoming	PJ	6	

PJ = Plan-Promotional Usage NW = Night and Weekends

June - July

(407) 252-4975 (Continued)

	Date	Time	Phone Number	Call Destination	Rate Type	Minutes Used	Total Charges
27	06/13	12:41 PM	321-277-2592	Incoming	MM/PU	1	
28	06/14	01:32 PM	407-699-8081	WINTERPARK, FL	NW/PL	2	
29	06/14	08:40 PM	407-971-2600	OVIEDO, FL	NW/PU	1	
30	06/14	09:18 PM	407-359-5699	OVIEDO, FL	NW/PL	2	
31	06/14	09:18 PM	407-971-9663	OVIEDO, FL	NW/PL	2	
32	06/15	01:35 PM	407-699-8081	WINTERPARK, FL	NW/PL	2	
33	06/15	03:20 PM	407-699-8081	WINTERPARK, FL	NW/PL	1	
34	06/16	01:11 PM	321-277-2592	WINTERPARK, FL	MM/PU	2	
35	06/16	01:46 PM	407-435-8341	Incoming	PU	2	
36	06/17	05:51 PM	407-381-7387	ORLANDO, FL	PU	3	
37	06/17	07:23 PM	407-699-8081	WINTERPARK, FL	PU	4	
38	06/18	04:51 PM	727-912-5425	Incoming	PU	3	
39	06/18	06:06 PM	407-359-4198	OVIEDO, FL	PU	2	
40	06/18	06:32 PM	407-971-9663	OVIEDO, FL	PU	2	
41	06/19	12:57 PM	407-699-8081	WINTERPARK, FL	PU	3	
42	06/19	04:02 PM	407-671-2100	WINTERPARK, FL	PU	9	
43	06/20	02:17 PM	866-507-1945	Toll Free Call	PU	37	
44	06/20	05:57 PM	407-435-8378	WINTERPARK, FL	PL	3	
45	06/20	10:38 PM	866-507-1945	Toll Free Call	NW/PL	37	
46	06/21	12:00 AM	866-507-1945	Toll Free Call	NW/PL	10	
47	06/21	02:05 AM	866-507-1945	Toll Free Call	NW/PL	49	
48	06/21	01:06 PM	407-971-0395	OVIEDO, FL	NW/PL	2	
49	06/21	01:10 PM	407-699-8081	WINTERPARK, FL	NW/PU	2	
50	06/22	01:48 PM	407-699-8081	WINTERPARK, FL	NW/PL	2	
51	06/22	01:50 PM	407-359-4198	OVIEDO, FL	NW/PL	1	
52	06/22	02:27 PM	407-971-9663	OVIEDO, FL	NW/PL	3	
53	06/24	03:39 PM	877-987-2782	Toll Free Call	PU	2	
54	06/24	03:40 PM	877-987-2782	Toll Free Call	PU	5	
55	06/24	04:11 PM	800-763-1589	Toll Free Call	PU	6	
56	06/25	06:21 PM	407-359-4198	OVIEDO, FL	PU	3	
57	06/25	06:40 PM	407-971-9663	OVIEDO, FL	PU	3	
58	06/26	10:10 AM	888-865-5352	Toll Free Call	PL	1	
59	06/26	12:36 PM	407-797-0041	Incoming	PU	7	
60	06/26	12:43 PM	866-507-1945	Toll Free Call	PU	37	
61	06/27	10:59 AM	407-277-5045	ORLANDO, FL	PU	3	
62	06/27	03:28 PM	954-455-2048	Incoming	PU	2	
63	06/30	08:41 PM	407-699-8081	WINTERPARK, FL	PU	8	
64	07/01	03:21 PM	800-347-2693	Toll Free Call	PU	2	
65	07/02	06:51 AM	407-359-4198	OVIEDO, FL	NW/PL	1	
66	07/02	05:37 PM	407-359-4198	OVIEDO, FL	PU	3	
67	07/02	06:35 PM	407-971-9663	OVIEDO, FL	PU	3	
68	07/03	09:22 AM	407-277-5045	ORLANDO, FL	PU	4	



Customer Account Number Bill Period Bill Date
Barbara Barretta [REDACTED] Jun 04- Jul 03 Jul 07, 2008

6 of 9

Call details

Want a shorter bill?
Switch to summary format by calling
Sprint Customer Service or by visiting
www.sprint.com.

(321) 277-2592

	Date	Time	Phone Number	Call Destination	Rate Type	Minutes Used	Total Charges
1	06/13	12:41 PM	407-252-4975	WINTERPARK, FL	MM/PU	1	
2	06/16	01:11 PM	407-252-4975	Incoming	MM/PU	2	
3	06/18	11:07 AM	407-699-8081	WINTERPARK, FL	PU	3	

MM - Sprint Mobile to Mobile PU - Plan/Promotional Usage

(407) 252-4975

	Date	Time	Phone Number	Call Destination	Rate Type	Minutes Used	Total Charges
1	06/04	06:24 PM	407-359-4198	OVIEDO, FL	PU	2	
2	06/04	06:35 PM	407-359-5699	OVIEDO, FL	PU	2	
3	06/04	06:37 PM	407-971-9663	OVIEDO, FL	PU	2	
4	06/04	07:37 PM	407-699-8081	WINTERPARK, FL	PU	4	
5	06/05	07:46 AM	407-701-9732	Incoming	PU	1	
6	06/05	12:17 PM	321-356-7220	WINTERPARK, FL	MM/PU	1	
7	06/05	01:18 PM	407-701-9732	ORLANDO, FL	PU	1	
8	06/05	01:45 PM	407-971-3337	OVIEDO, FL	PU	2	
9	06/05	04:48 PM	877-987-2782	Toll Free Call	PU	37	
10	06/06	09:36 AM	877-987-2782	Toll Free Call	PU	12	
11	06/06	09:51 AM	800-732-9194	Toll Free Call	PU	5	
12	06/06	02:54 PM	727-812-5425	Incoming	PU	18	
13	06/07	11:12 AM	VoiceMail	WINTERPARK, FL	NW/PU	1	
14	06/07	12:03 PM	407-701-9732	ORLANDO, FL	NW/PU	2	
15	06/07	12:17 PM	407-701-9732	Incoming	NW/PU	1	
16	06/07	01:16 PM	407-699-8081	WINTERPARK, FL	NW/PU	1	
17	06/07	01:17 PM	407-699-8081	WINTERPARK, FL	NW/PU	6	
18	06/07	01:39 PM	407-359-4198	OVIEDO, FL	NW/PU	2	
19	06/07	06:57 PM	407-701-9732	Incoming	NW/PU	1	
20	06/07	07:05 PM	407-701-9732	ORLANDO, FL	NW/PU	1	
21	06/08	12:21 PM	407-699-8081	WINTERPARK, FL	NW/PU	5	
22	06/09	08:09 AM	727-812-5425	Incoming	PU	8	
23	06/11	06:37 PM	407-359-5699	OVIEDO, FL	PU	1	
24	06/12	10:22 AM	407-381-7387	ORLANDO, FL	PU	1	
25	06/12	03:28 PM	863-967-0124	Incoming	PU	4	
26	06/13	10:25 AM	800-815-7701	Toll Free Call	PU	19	

PU - Plan/Promotional Usage MM - Sprint Mobile to Mobile NW - Night and Weekends



Customer Account Number Bill Period Bill Date
Barbara Barretta [REDACTED] Jun 04 - Jul 03 Jul 07, 2008

7 of 9

Call details

(407) 252-4975 (Continued)

	Date	Time	Phone Number	Call Destination	Rate Type	Minutes Used	Total Charges
27	06/13	12:41 PM	321-277-2592	Incoming	MM/PU	1	
28	06/14	01:32 PM	407-699-8081	WINTERPARK, FL	NW/PU	2	
29	06/14	08:40 PM	407-971-2600	OVIDO, FL	NW/PU	1	
30	06/14	09:16 PM	407-359-5699	OVIDO, FL	NW/PU	2	
31	06/14	09:18 PM	407-971-9663	OVIDO, FL	NW/PU	2	
32	06/15	01:35 PM	407-699-8081	WINTERPARK, FL	NW/PU	2	
33	06/15	03:20 PM	407-699-8081	WINTERPARK, FL	NW/PU	1	
34	06/16	01:11 PM	321-277-2592	WINTERPARK, FL	MM/PU	2	
35	06/16	01:46 PM	407-435-8341	Incoming	PU	2	
36	06/17	05:54 PM	407-381-7387	ORLANDO, FL	PU	1	
37	06/17	07:23 PM	407-699-8081	WINTERPARK, FL	PU	4	
38	06/18	04:51 PM	727-812-5425	Incoming	PU	3	
39	06/18	06:06 PM	407-359-4198	OVIDO, FL	PU	2	
40	06/18	06:32 PM	407-971-9663	OVIDO, FL	PU	2	
41	06/19	12:57 PM	407-699-8081	WINTERPARK, FL	PU	3	
42	06/19	04:02 PM	407-671-2100	WINTERPARK, FL	PU	9	
43	06/20	02:17 PM	866-507-1945	Toll Free Call	PU	37	
44	06/20	05:57 PM	407-435-8378	WINTERPARK, FL	PU	3	
45	06/20	10:38 PM	866-507-1945	Toll Free Call	NW/PU	37	
46	06/21	12:00 AM	866-507-1945	Toll Free Call	NW/PU	10	
47	06/21	02:05 AM	866-507-1945	Toll Free Call	NW/PU	49	
48	06/21	01:06 PM	407-971-0395	OVIDO, FL	NW/PU	2	
49	06/21	01:10 PM	407-699-8081	WINTERPARK, FL	NW/PU	2	
50	06/22	01:48 PM	407-699-8081	WINTERPARK, FL	NW/PU	2	
51	06/22	01:50 PM	407-359-4198	OVIDO, FL	NW/PU	1	
52	06/22	02:27 PM	407-971-9663	OVIDO, FL	NW/PU	3	
53	06/24	03:39 PM	877-987-2782	Toll Free Call	PU	2	
54	06/24	03:40 PM	877-987-2782	Toll Free Call	PU	5	
55	06/24	04:11 PM	800-763-1589	Toll Free Call	PU	6	
56	06/25	06:21 PM	407-359-4198	OVIDO, FL	PU	3	
57	06/25	06:40 PM	407-971-9663	OVIDO, FL	PU	3	
58	06/26	10:10 AM	888-865-5352	Toll Free Call	PU	1	
59	06/26	12:36 PM	407-797-0041	Incoming	PU	7	
60	06/26	12:49 PM	866-507-1945	Toll Free Call	PU	37	
61	06/27	10:59 AM	407-277-5045	ORLANDO, FL	PU	3	
62	06/27	03:28 PM	954-455-2048	Incoming	PU	2	
63	06/30	08:41 PM	407-699-8081	WINTERPARK, FL	PU	8	
64	07/01	03:24 PM	800-347-2683	Toll Free Call	PU	3	
65	07/02	06:51 AM	407-359-4198	OVIDO, FL	NW/PU	1	
66	07/02	05:37 PM	407-359-4198	OVIDO, FL	PU	3	
67	07/02	06:35 PM	407-971-9663	OVIDO, FL	PU	3	
68	07/03	09:22 AM	407-277-5045	ORLANDO, FL	PU	4	

MM - Sprint Mobile to Mobile PU - Plan/Promotional Usage NW - Night and Weekends



Thank you for your payment!

Your payment made on 7/8/2008 for the amount of \$150.00 from banking account number *****[REDACTED] has been successfully submitted.

The Western Union Speedpay™ confirmation number for this transaction is: 484633

Please print this page for your records.

If you would like to speak to a Customer Service representative, please call (877) 987-2782 Monday - Friday, 8:00 AM - 5:00 PM.

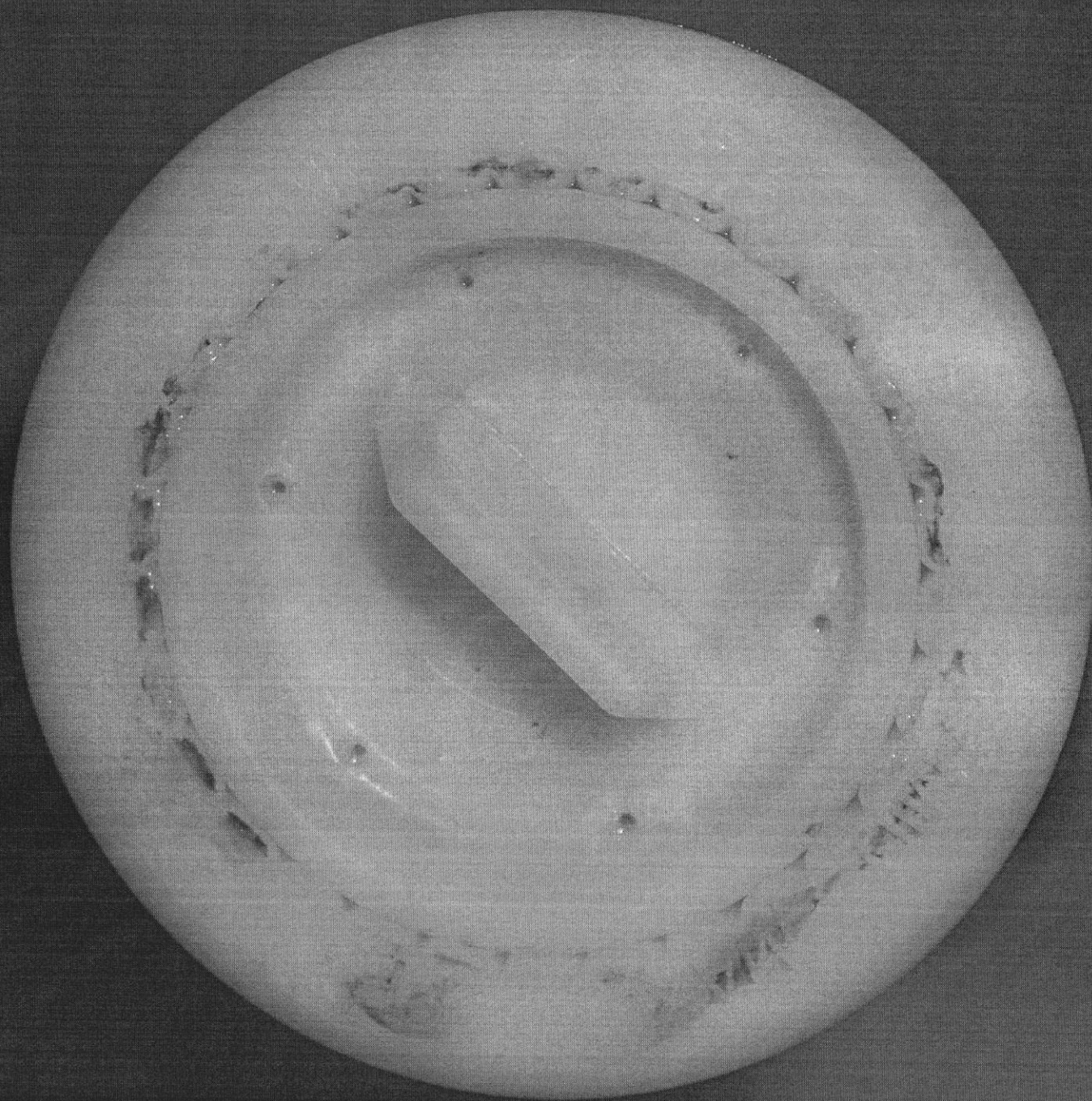
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DOCKET NO. 080121-WS

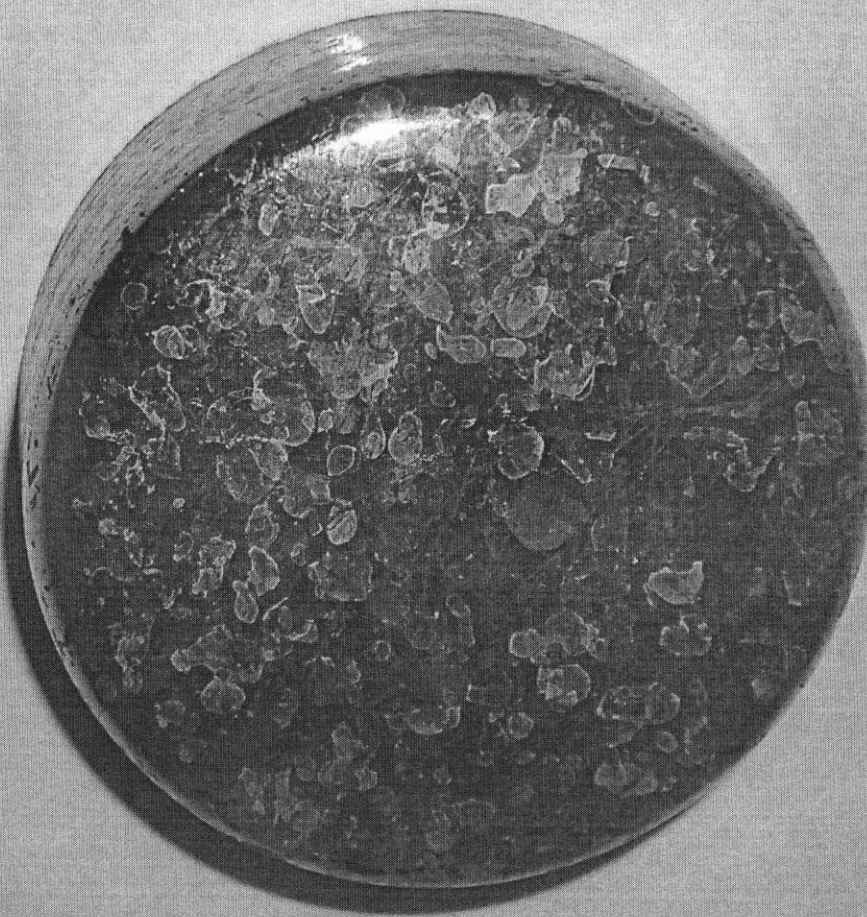
PICTURES (4) OF FIXTURES IN THE HOUSE OF SIMEON UNGARO

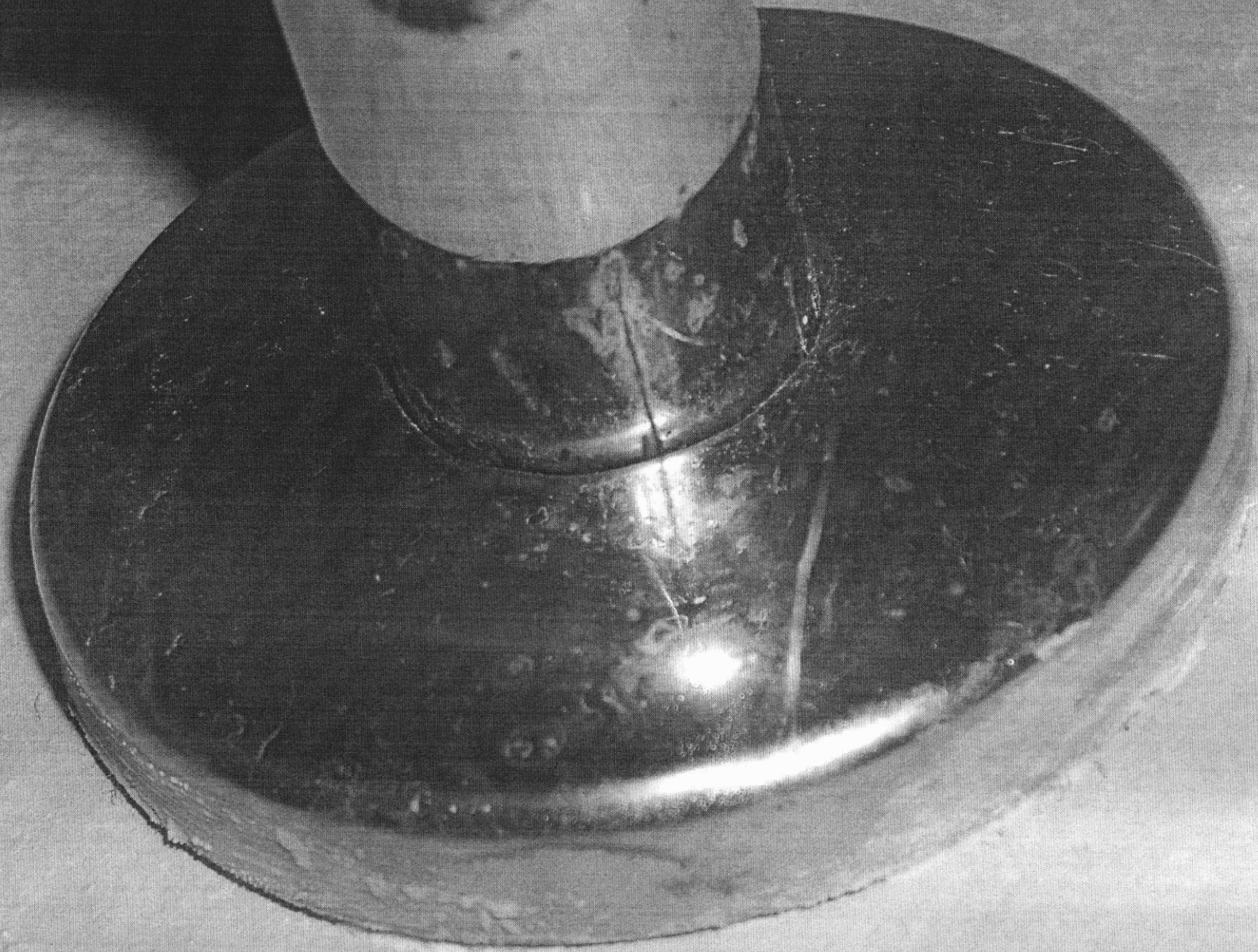
SUBMITTED BY SIMEON UNGARO

FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 080121-WS EXHIBIT 30
COMPANY Pictures of Pipes
WITNESS Simeon Ungaro
DATE 07/17/08









FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121-WS EXHIBIT 31

COMPANY Picture of Pipes Daycare Results

WITNESS Michelle Humphrey Late-File

DATE 07/17/08

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 08D12FW EXHIBIT 32

COMPANY Test Results - Late Filer

WITNESS Evan Evans

DATE 07/17/08