

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 6:00 p.m.  
Concluded at 10:43 p.m.

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

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

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FPSC-COMMISSION CLERK

## 1 PARTICIPATING:

2 BRUCE MAY, ESQUIRE, ESQUIRE, Holland & Knight Law  
3 Firm, Post Office Drawer 810, Tallahassee, Florida 32302-0810,  
4 and CHRIS FRANKLIN, representing Aqua Utilities Florida, Inc.

5 J.R. KELLY, PUBLIC COUNSEL, CHARLIE BECK, ESQUIRE,  
6 STEVE REILLY, ESQUIRE, Office of the Public Counsel. c/o The  
7 Florida Legislature, 111 W Madison St, Room 812, Tallahassee,  
8 Florida 32399-1400 representing the Citizens of the State of  
9 Florida.

10 CECILIA BRADLEY, Office of the Attorney General.

11 JEFF PRATHER, Department of Environmental Protection.

12 CARL HENRY, Seminole County Health Department.

13 RALPH JAEGER, ESQUIRE, FPSC General Counsel's Office,  
14 and MARSHALL WILLIS, 2540 Shumard Oak Boulevard, Tallahassee,  
15 Florida 32399-0850, representing the Florida Public Service  
16 Commission Staff.



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**CHAIRMAN CARTER:** Thank you all for coming.

We've got a few housekeeping matters to get into.

And as we do that, let me kind of give you the lay of the landscape. We will have a presentation by our staff to talk about the overview of the proposed rate increase, then we will hear from the parties, some brief opening comments, because we really came to hear from you, to get information and feedback from you in the context of this matter before us.

And those wishing to speak, let me just kind of, as a reminder, there is a white form that is outside, our staff has at the door. Those of you wishing to speak, just please complete the form. And the reason we are asking you to do that, is that it is being transcribed by a court reporter because it will all be part of the official record of this case.

The other thing, is that those of you who may have forgotten, maybe have one of those -- sometimes I have an over 50 moment, so I forget stuff. If you have one of those, these blue forms here, on the last page here, you can make some comments on that and send those back in to us. Also, you may have some neighbors and friends that were unable to be here tonight. Please take some of these with you so they can send these in and we can get them in as part of the record.

So let me just take a brief moment to introduce

1 myself. My name is Matthew Carter, Chairman of the Florida  
2 Public Service Commission. To my immediate left is  
3 Commissioner Edgar. To her immediate left --

4 **COMMISSIONER ARGENZIANO:** No, right.

5 **CHAIRMAN CARTER:** Right. Okay. Let's try that  
6 again. That is right. Thank you. To my immediate right is  
7 Commissioner Edgar.

8 **COMMISSIONER EDGAR:** Good evening.

9 **CHAIRMAN CARTER:** And to her immediate right,  
10 Commissioner Argenziano.

11 **COMMISSIONER ARGENZIANO:** Good evening.

12 **CHAIRMAN CARTER:** And now finally I've got it  
13 together. To my immediate left, Commissioner McMurrian.

14 **COMMISSIONER McMURRIAN:** Good evening.

15 **CHAIRMAN CARTER:** And to her immediate left,  
16 Commissioner Skop.

17 **COMMISSIONER SKOP:** Good evening.

18 **CHAIRMAN CARTER:** And with that, staff, would you  
19 please read the notice.

20 **MR. JAEGER:** Yes, Chairman Carter. By notice, this  
21 time and place has been set for a customer service hearing in  
22 Docket Number 080121-WS, application for an increase in water  
23 and wastewater rates in Alachua, Brevard, DeSoto, Highlands,  
24 Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam,  
25 Seminole, Sumter, Volusia, and Washington Counties by Aqua

1 Utilities Florida, Inc.

2 **CHAIRMAN CARTER:** Okay. Now let's take the  
3 appearances of the parties. Take appearances now.

4 **MR. MAY:** Good evening, Mr. Chairman, Commissioners.  
5 My name is Bruce May. I'm with the law firm of Holland and  
6 Knight, appearing this evening on behalf of Aqua Utilities  
7 Florida. With me this evening is Aqua's Southern Regional  
8 President, Mr. Chris Franklin. At the appropriate time  
9 Mr. Franklin is prepared to make a very brief opening  
10 statement.

11 **CHAIRMAN CARTER:** Thank you.

12 Mr. Kelly.

13 **MR. KELLY:** Thank you, Mr. Chairman. On behalf of  
14 Public Counsel, J. R. Kelly, and with me is Mr. Charlie Beck  
15 and Mr. Steve Reilly.

16 **CHAIRMAN CARTER:** Thank you.

17 Ms. Bradley.

18 **MS. BRADLEY:** Thank you. My name is Cecilia Bradley,  
19 and I am with the Office of the Attorney General.

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

21 **MR. JAEGER:** Ralph Jaeger on behalf of the Commission  
22 staff, and I just thought I would let you know that Jeff  
23 Prather from DEP and some people from county health are also  
24 here tonight.

25 **CHAIRMAN CARTER:** For our staff, Mr. Jaeger, Mr.

1 Willis, Mr. Deason, and also for the names of the friends from  
2 the Department of Health, would you enter those into the  
3 record, please? Would you come down, and just for the record  
4 give your name and your position for the -- I guess it would be  
5 the Seminole County Health Department, is that correct?

6 **MR. JAEGER:** Yes.

7 **MR. HENRY:** Yes. I am Carl Henry, Environmental  
8 Health Manager for Seminole County Health Department.

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

10 With that, Commissioners, and those of you for the  
11 public, we'll ask the court reporter if we could go off the  
12 record briefly and have staff do a presentation of why we are  
13 here.

14 Mr. Willis, you're recognized.

15 (Off the record.)

16 **CHAIRMAN CARTER:** Thank you. And before we go  
17 further, would you pass the mike down. We have a local  
18 representative from the Department of Environmental Protection,  
19 and I would like for him to kind of introduce himself and his  
20 position to have it for the record.

21 **MR. PRATHER:** Thank you, Mr. Chairman. My name is  
22 Jeff Prather, P-R-A-T-H-E-R. I am with the Florida Department  
23 of Environmental Protection here in the Central District Office  
24 in Orlando.

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

1           With that, at this point in time we will have a brief  
2 opening statement by the parties. The company, you're  
3 recognized. Thank you.

4           **MR. FRANKLIN:** Thank you. Good evening, everyone,  
5 and I appreciate your attention for just a couple of moments.  
6 I have had a lot of conversation over the past year or so since  
7 I have had the job of Regional President of our Southern  
8 Region, and I thought I would share some thoughts with you.

9           First, I did want to point out if you have or are  
10 experiencing billing issues or any operational issues, we have  
11 our customer service folks in the back of the room. They are  
12 wearing the Aqua shirts and they are live on our billing  
13 system. So we can resolve, hopefully, any problems that you  
14 might have right here in the room this afternoon or this  
15 evening.

16           I also want to point out that just outside that door  
17 the project, the looping, we call the looping project is  
18 outlined on a map there for you to go take a look at if you are  
19 on a dead-end street. We are trying to loop a lot of our  
20 dead-end mains in the older section, and so we are going to  
21 try -- that's there for your review, as well.

22           And, finally, there's some examples of our new meters  
23 out there. We put new meters all through Chuluota, and those  
24 meters are out there, the same meters. If you want somebody to  
25 take a little walk through of how they work, we can do that for



1 you.

2 Just by quick way of introduction, Aqua has been  
3 around for more than 100 years, and we have been a water  
4 utility ever since then. We entered Florida in 2003 and 2004  
5 by purchasing water utilities from two electric companies.  
6 Those electric companies sold us those companies for  
7 essentially what is called rate base, meaning we didn't pay a  
8 premium for those companies because they were exiting the  
9 business.

10 We focused immediately on environmental quality and  
11 water quality. And since the first day our struggles began  
12 here with some of the water quality issues that I know folks  
13 have been dealing with here as long as 30 years, somebody told  
14 us earlier today. You know all of your issues. You see the  
15 notices, THMs, and the dead-end mains and many other  
16 discoloration issues.

17 Believe me, I know you're frustrated. We're  
18 frustrated as well, as a company, and that is not easy to say.  
19 These are particularly difficult water quality issues that we  
20 are struggling with here. We are in thirteen states, and we  
21 don't have this level of struggle with the water quality  
22 anyplace else. We brought to bear all of the expertise  
23 throughout our company to try to resolve the issues that have  
24 plagued Chuluota for years. And I want to tell you that  
25 Seminole County has difficult water to treat and difficult

1 water to deal with.

2 I will tell you this, though, I was encouraged, very  
3 encouraged, and I know the deputy mayor is with us tonight, but  
4 the mayor of Oviedo was with us this morning, Mayor Andrews,  
5 and she gave us some hope that maybe there is the ability to  
6 interconnect and have some -- bring Oviedo water into Chuluota.  
7 I know there's a lot to talk about, but maybe the hurdles we  
8 have had on selling the system we could get by by talking about  
9 some kind of a cooperative agreement with Oviedo. And I'm very  
10 encouraged about that, and I look forward to maybe starting  
11 discussions as early as tomorrow on making something come  
12 together there.

13 Now, the issue of water quality, the big issue, or  
14 one of the big issues when we were together here last year was  
15 around estimated bills, and we have undertaken a fairly large  
16 program to change the meters out. We have changed all the  
17 meters out in Chuluota, and the plan is to change all the  
18 meters out statewide this year.

19 Now, we added a radio frequency device on so that we  
20 drive down the street and read the meters that way. And there  
21 is no more question of are we reading the meter or we not  
22 reading the meter. It's all done electronically.

23 Now, I will say in a project of this magnitude where  
24 we are changing out all the meters in a very short period of  
25 time, there is a ballet that needs to take place between the

1 billing system and the local operations and the contractors  
2 that are actually doing the installations. And occasionally  
3 there is a mistake made. And if you had one of those accounts  
4 where a mistake was made, I want to personally apologize to you  
5 for any effort you have had to undertake to correct it. And,  
6 hopefully, if it still exists, I hope it doesn't, but if it  
7 does, again, we have some folks here tonight that can help you.

8           One of the issues that we have heard in a number of  
9 the hearings and I want to point out, is this additional zero.  
10 And what that is, if you look at the meters out there, there is  
11 a black stationery zero at the end. When the meter readers  
12 used to manually read the meters, they used to have to add that  
13 zero in order to make the reading fit. What happened in some  
14 cases, that came over into our system and it was an added zero.  
15 And, therefore, the gallons, the usage, looked larger than it  
16 should be. I think we've caught most of those, and we continue  
17 to audit our system to make sure we do catch all of them. But  
18 I want you to be aware that there were some level of mistakes  
19 as we transferred from our contractor.

20           I will say this, that the estimate rate in Chuluota  
21 is down from five percent last year at this time to about a  
22 percent and a half. So that is very good news.

23           Since we were together last year, too, we have a very  
24 new management team. Some same faces, but many new faces. A  
25 new chief engineer and environmental compliance manager, both

1 came to us from DEP. A customer service manager, a brand-new  
2 customer service manager. A new chief operating manager, and  
3 also a new regulatory manager, who came to us from the PSC.  
4 And these management changes were done really with the intent  
5 to operate efficiently and comply with all statutes and  
6 regulations here in Florida.

7 I also have to say I know there has been some chatter  
8 about ethics of our former regulators, and I want to tell you,  
9 I was personally involved in some of those hires. And I will  
10 tell you that the reason we did that was really to comply  
11 with -- to better comply with regulations and statutes. And we  
12 chose people that had impeccable, impeccable reputations and  
13 high degrees of integrity, and that hasn't changed since they  
14 have come to Aqua.

15 I know it is painful for those folks to hear  
16 questions about their ethics, but I just wanted to hit that one  
17 right up front. I hold myself and my team to very high ethical  
18 standards. And like most of you who are moms and dads who go  
19 home to your children and want to be proud of the work you do,  
20 and know that you teach them honest values, and I can tell you  
21 that's the way we are, too. And I hope that over time you will  
22 be able to see that.

23 Over the last year we have also heard from you that  
24 you don't know us. And so we held a meeting here in the area,  
25 a town hall meeting, more informal. I know we didn't have a

1 big turnout. Some have said it was not in the best location.  
2 We held it down at the Holiday Inn. We wanted to do better  
3 than that in the future. We put a lot of effort into it. And  
4 if there is a better location, we'll certainly listen to a  
5 better location in the future.

6 Now, despite all of our improvements we made, we made  
7 a significant investment in Florida in the range of  
8 \$30 million. Rates haven't been raised, other than some small  
9 index allowances, in Chuluota for about 12 years. And so,  
10 although we have only had the system since '03 and '04, we  
11 haven't had a rate increase since. Now, I think we don't have  
12 to be financial experts to know that a lot of expenses have  
13 gone up in that period of time in addition to our significant  
14 investment of \$30 million of capital upgrades to the system.

15 I also want to point out something I think is very  
16 important as we look at rates. Our average customer across the  
17 state of Florida in all the counties we serve uses about 5,000  
18 gallons a month. The average in this area is about double  
19 that, so the usage is significantly more. And as we look at  
20 this conservation rate, that will impact us here, too.  
21 Mr. Willis just talked about it. We found a lot of customers  
22 last year that were unaware of what their sprinkler systems  
23 were using. I think that is something really, really to keep  
24 an eye on.

25 So, in summary, I'm going to say that we believe our

1 expenses are not out of line. I know that will ultimately be  
2 decided by the folks who are on the Commission. So why are we  
3 actually losing money in Florida? Why is Aqua losing money?  
4 Frankly, it's because we haven't a revenue increase since we've  
5 owned the company, other than the small index filings. And so  
6 I'll just say this: Our proposal probably isn't perfect. I  
7 don't expect anybody is going to like it, but it was prepared  
8 with integrity and with the customers in mind trying to recover  
9 costs associated with running the business.

10 Having said that, I looked forward to hearing your  
11 comments and I look forward to continue to operate the company  
12 and improve the company in the future.

13 Thank you.

14 **CHAIRMAN CARTER:** Mr. Beck.

15 **MR. BECK:** Thank you, Mr. Chairman.

16 Good evening, everyone, and thank you for coming. My  
17 name is Charlie Beck, I'm with the Office of Public Counsel,  
18 and I want to just take a moment to explain who we are and what  
19 we are doing in the case.

20 The Office of Public Counsel, as Marshall Willis  
21 stated earlier, is independent of the Public Service  
22 Commission. We are separately funded. We don't report to the  
23 Commission. We appear before them as a party to represent your  
24 interests.

25 The Public Counsel was created by the Legislature for

1 that purpose. And I would like to acknowledge Sandy Adams who  
2 is here tonight and who has been very supportive of everything  
3 we have done. And I know she has worked very hard, both in the  
4 last case last year and this year on the very important issues  
5 there in front of you.

6 We were involved in the case last year. As you  
7 recall, at that time Aqua was requesting a \$7.3 million per  
8 year increase. We served a considerable discovery on them,  
9 that's interrogatories, requests for documents. As the case  
10 progressed, we felt that it presented a constantly changing  
11 picture. That the data we got in the beginning changed as we  
12 got into the case.

13 We filed a motion to dismiss the case on that basis,  
14 because it was a constantly changing picture. The Commission  
15 at that point had heard from customers in Chuluota and other  
16 service areas. The staff recommended approving that motion to  
17 dismiss, and just before the Commission was going to take it  
18 up, the company withdrew their request. They had to refund  
19 \$1 million in the interim rates that they had collected.

20 They are now back, and this time the rate increase is  
21 up to \$8.4 million per year. We think their costs are very  
22 high, contrary to what Mr. Franklin said. In fact, the rates  
23 that they have proposed reflect that, because in the process at  
24 the Commission rates are based on costs. The company is  
25 allowed to recover their reasonable, prudent, and necessary

1 costs and a reasonable profit level. If you look at the rates,  
2 their proposal for a base facility charge, which is charged to  
3 you before you take an ounce of water, if you take both water  
4 and wastewater, they are at \$67 per month. If you used 5,000  
5 gallons, the rates go up to \$130 a month just for that. Those  
6 are among the highest rates we have seen by any company  
7 proposed and reflects the high costs that the company is  
8 incurring and claiming they have in front of you.

9           We are now in the process, again, of discovery. We  
10 have sent hundreds of interrogatories and document requests.  
11 We are in the process now of reviewing that and following up on  
12 it. We have hired three experts to testify in front of the  
13 Commission, and we also have people within our office as well  
14 who are working on the case.

15           One of those experts is an engineer. He works for  
16 the firm Tetra Tech out of the Orlando office. He will be  
17 looking at the company's facilities, looking at their  
18 condition, also looking at what portions of the plant that they  
19 have are used and useful in providing you service. Sometimes  
20 plants are built oversized, and they are built to serve future  
21 customers, so we are going to be looking at the allocations the  
22 company has made and make sure that the plant that they are  
23 trying to recover the costs on and charge you are actually in  
24 service to you and not for customers in the future.

25           The second outside expert we have hired is an expert



1 in regulatory accounting and finance, and in particular has a  
2 lot of experience on affiliated transactions. In this case, a  
3 good portion of the costs you see that Aqua is claiming are  
4 actually allocated expenses from their Philadelphia  
5 headquarters, everything from -- they have a services company  
6 that provides services, computer programming. There is just a  
7 whole slew of costs, and we are spending a lot of time looking  
8 at that, as well as looking at the actual expenses, the  
9 prudence and reasonableness of what they are claiming for  
10 Florida. So she will be testifying on that issue.

11 The third witness we have hired is a financial expert  
12 who will be testifying on what is a reasonable profit level for  
13 the company. It's their return on equity. And needless to  
14 say, the company is going to have a very different view than  
15 our witness will. We are going to put on an expert to try to  
16 convince the Commission that they can do just fine with a lower  
17 profit level than what they are asking for.

18 In connection with that, your testimony here is very  
19 important on that issue, because the Commission has to consider  
20 the quality of service that they provide, the company provides  
21 you when setting that profit level. So your testimony tonight  
22 will be very important on that and will affect the  
23 determination of the rates.

24 So, again, thank you for coming. I know it is a  
25 rainy night here, and we look forward to hearing from you.

1 Thank you.

2 **CHAIRMAN CARTER:** Ms. Bradley.

3 **MS. BRADLEY:** My name is Cecilia Bradley from the  
4 Attorney General's Office. I want to thank Representative  
5 Adams for letting us know what was going on with this case and  
6 getting us involved in it. We frequently work with the Public  
7 Counsel on cases like this, and we were involved in the initial  
8 part of this. And since that time I continue to get E-mails  
9 and calls from a lot of the people in this area. And they had  
10 some pretty, you know, heart-wrenching stories of different  
11 things that had happened to their families, not just the costs,  
12 but the water quality issues and illnesses in the community.  
13 So I wanted to come down and actually see and hear and meet  
14 people and hear more of the details of your concerns.

15 As I told them this morning, I'm a trial attorney.  
16 And trial attorneys don't just read things, they have to get  
17 out and they have to look at it, and see it, and feel it, and  
18 smell it, and all of that, so that they know what is really  
19 involved and understand the people involved and what's  
20 influencing them. And these public hearings doesn't just give  
21 the Public Service Commission and all these Commissioners an  
22 opportunity to hear from you and see what is involved, but it  
23 let's us know, as well.

24 And I told them again this morning that I kind of  
25 figured they had something that they could have been doing that

1 probably would have been more fun and more enjoyable than  
2 having to come out and sit for long hours to talk to us. But  
3 the fact that you all have come out, especially on an evening  
4 as bad as this was a little while ago, that tells me that you  
5 all are really serious about it.

6 I don't know that I have ever seen a community that  
7 was as organized as you all have been. And we appreciate your  
8 concerns, and we appreciate you coming to talk to us tonight.

9 Thank you.

10 **CHAIRMAN CARTER:** Thank you, Ms. Bradley.

11 In about one second I want to kind of get everyone  
12 sworn in that wants to speak tonight. We have a lot of people  
13 here tonight and we want to hear from all of you. So we want  
14 to, obviously, be considerate of your neighbors, because we do  
15 want to hear from everyone tonight. And we are here to hear  
16 from you because it is important to us that everyone gets an  
17 opportunity to speak to us about the issues in this case.

18 So with that, those of you that are wishing to speak,  
19 would you please stand, and I can get you sworn in so we can  
20 kick off from there.

21 (Witnesses sworn.)

22 **CHAIRMAN CARTER:** Thank you so kindly. You may be  
23 seated.

24 With that, Mr. Reilly -- actually, Mr. Kelly will be  
25 calling your name. And as he does, would you come up -- when

1 you come up to the -- thank you. One second. Thank you. I  
2 appreciate that.

3 We have here, and she has been with us all day long,  
4 Representative Sandy Adams, from the House of Representatives,  
5 District 33. She has been with us all day, and we wanted her  
6 to have an opportunity to come and speak before we open up our  
7 public testimony.

8 Madam Chairman, you're recognized.

9 **REPRESENTATIVE ADAMS:** Thank you, Mr. Chair and  
10 Commissioners. It has been a long day, I know, and I am very  
11 thankful that you are here and that you have given the  
12 opportunity for my constituents to have a second meeting  
13 tonight so that you can hear from as many of my constituents as  
14 possible. As you know, the last one kind of got shut down  
15 early, and it was really important that they all get to hear  
16 and see and say what they feel about what is going on.

17 I will be brief. I said most of it this morning. I  
18 will again ask that you have staff compare the drawdown levels  
19 of the water to the amount of water that my constituents are  
20 being charged to see if there is any correlation in actual  
21 levels or not.

22 And the other thing is, again, you will hear that  
23 there are medical issues, there are still issues with the  
24 meters, issues that some of my constituents are being charged  
25 over 400 percent for water that they did not use, that they did

1 not obtain. And you will hear from many of them that could not  
2 get any resolution through their customer service from Aqua.  
3 And it takes a state representative to get them an answer,  
4 which is just unreasonable. It should not take a state  
5 representative to have to call a company to ask them to call  
6 one of their customers back.

7           So with that, I would only ask that you please listen  
8 very intently to my constituents, hear what they have to say,  
9 understand and feel what is going on in our community. And,  
10 hopefully, you will agree that maybe Aqua doesn't need a rate  
11 increase.

12           Thank you.

13           **CHAIRMAN CARTER:** Thank you, Representative Adams.

14           I believe we have the deputy mayor for the City of  
15 Oviedo. Is that right?

16           **MR. WILLIS:** Could I just make a comment, Mr.  
17 Chairman?

18           I wish I had remembered to say that this morning.  
19 Representative Adams asked that if we could actually do an  
20 analysis of the water pumped from the wells versus what was  
21 sold. And I just wanted her to know that that is a normal  
22 analysis we do in every case. So that's going to be done  
23 anyway. I wish I had remember that this morning.

24           **CHAIRMAN CARTER:** Thank you.

25           **MR. PERSAMPIERE:** Good evening, everyone.

1 Mr. Chairman, Commission, thank you. I will just be very  
2 brief.

3 I mean, our interest here in the City of Oviedo is  
4 that we could possibly have a solution to some of the water  
5 issues facing the residents out in Chuluota. The city has  
6 hired an attorney. We have been speaking with Aqua. The talks  
7 have been stalled. Everything is over-priced, of course.

8 So as you consider what you are going to hear from  
9 the residents tonight, that the representative and I have heard  
10 already, please just keep all of that in mind, that there is an  
11 out for this company if they are willing to come to the table  
12 and talk with us.

13 Thank you.

14 **CHAIRMAN CARTER:** Thank you very kindly.

15 Mr. Kelly.

16 **MR. KELLY:** Thank you, Mr. Chair. The first person  
17 to speak is Ms. Maria Chiles.

18 **MR. JAEGER:** Chairman Carter, while she is coming up  
19 to speak, I didn't get the name for the deputy mayor.

20 **CHAIRMAN CARTER:** Oh, I'm sorry. Let's get that for  
21 the record, please.

22 Maria, could you give us one second here, a little  
23 housekeeping matter. Thank you.

24 **MR. PERSAMPIERE:** As an elected official, I should  
25 have realized that. Deputy Mayor Dominic Persampiere from the

1 City of Oviedo.

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

3 Maria Chiles.

4 **MARIA CHILES**

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

7 **DIRECT STATEMENT**

8 **MS. CHILES:** Hi there. My name is Maria Chiles, and  
9 I live in the Trails, and my concern is the health and the  
10 actual care of the water. I have an eight-week-old, and I'm  
11 concerned that he can't bathe in the water, he can't drink the  
12 water. We went to the pediatrician today, and he said keep him  
13 as far away from the water as possible. And that scares me as  
14 a parent.

15 I brought a bottle in earlier and left it, because I  
16 didn't know if we would be able to make it back, because he had  
17 shots today and I didn't know how cranky he was going to be.  
18 And you can see the residue that's left on the bottle. You  
19 almost have to boil it, and then you have to rewash it after  
20 that just to get all the powder and the residual chemicals left  
21 on the bottles after you wash them.

22 My concern is we're paying for water that we can't  
23 drink, and then we have to go out and purchase bottled water on  
24 top of that. And how is that fair that we are going to get a  
25 rate hike? We can't drink the water, and then we have to go

1 out and purchase additional water just so we can drink it, cook  
2 our meals, and be able to make his bottles.

3 And my other concern is we both work in health care  
4 in CAT scan at Florida Hospital. And we constantly see kids  
5 coming in with cancer or any kind of other health care  
6 problems. What's to say five years down the road that the kids  
7 that are growing up drinking this water that the parents don't  
8 realize that go to Walker Elementary don't start developing  
9 leukemia or some other type of cancer. That has not been  
10 proven, you know, that's caused from the water.

11 So my concern is, basically, the health of the water  
12 and all of these kids that are going to Walker Elementary that  
13 the parents don't even realize that they are being exposed to  
14 the water. You know, that's just my concern with that.

15 **CHAIRMAN CARTER:** Thank you.

16 Commissioner Argenziano.

17 **COMMISSIONER ARGENZIANO:** Just quickly so that you  
18 know what we asked for this morning. DEP was here, and I  
19 asked -- I'd like to find -- because to me that is the number  
20 one concern right now, is if there is anything wrong with the  
21 water, we want to know what. And DEP, I asked and I found out  
22 subsequently that DEP -- I don't know if you have alerted DOH,  
23 the Department of Health. And what I want to see is I want  
24 testing of the well, but I want DEP to do the testing and the  
25 Department of Health to test it, and also through the lines.



1 Because if there is an issue of health concern we need to be  
2 aware of that. And, of course, you need to be aware of that.  
3 So we have already asked for that, and I hope that is  
4 forthcoming and very quickly.

5 But I also hope that DEP is keeping in communication  
6 with the Department of Health. And Representative Adams, I  
7 think, could elaborate on that. And just to let you know, we  
8 have asked for that, and I hope that is done very soon, because  
9 that is the number one issue.

10 **MR. CHILES:** They have only been here four years.  
11 How come they're worried about a twelve-year rate hike? They  
12 said they haven't had a price increase in 12 years, and they  
13 have only been here four years.

14 **COMMISSIONER ARGENZIANO:** Right.

15 **MR. CHILES:** I don't get that.

16 **MS. CHILES:** Here is the bottle that we brought in  
17 for an example, if you guys want to take it.

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

19 **REPRESENTATIVE ADAMS:** Thank you, Mr. Chair. And I  
20 will say that I did call the Deputy Secretary of DOH, and I  
21 have spoken with DEP and the DOH representatives here tonight  
22 and expressed my concern that they do this. Because, as I said  
23 earlier, I had asked DEP to come out and do a check. And it  
24 was my understanding they were going to do water testing,  
25 instead they did a facility check. And my concern is that they

1 do an independent test on the water itself. And it's my  
2 understanding now through DEP and DOH that that will be done.

3 **MR. PRATHER:** We can certainly work with the DOH in  
4 accomplishing that. And, also, I think what is important to  
5 note is the public noticing that is going to Walker Elementary  
6 and what means there is to get that -- extend that to the  
7 parent of all the children that at Walker Elementary. I don't  
8 have an answer for that today, but we can certainly get that by  
9 tomorrow, and find out what happens to those public notices  
10 that go from the utility to the school.

11 **COMMISSIONER ARGENZIANO:** Mr. Chair.

12 **CHAIRMAN CARTER:** You're recognized.

13 **COMMISSIONER ARGENZIANO:** If I may, just to let you  
14 know that we also asked earlier for a test at the elementary  
15 school. I think the Department of Health needs to go in there  
16 and do that ASAP. And that is not -- I'm not casting any kind  
17 of negative to the company, because I don't know what the  
18 problem is. I know that it has been a longstanding problem,  
19 but I would like to know if it is coming from the wells. And  
20 if there are health concerns, I think that's just important so  
21 you know we have asked for that today.

22 **CHAIRMAN CARTER:** Commissioner Skop.

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

24 And to that same point that Representative Adams made  
25 and Commissioner Argenziano, I think the quicker we get that

1 testing done the better. For instance, you know, we have heard  
2 through various consumers of the chlorination methods, or the  
3 treatment methods, and the smell from the chlorides or  
4 whatever, but there's nothing say that that couldn't be treated  
5 or what have you. So, to me, the quicker we get the water  
6 samples indicative of the current state of the water the better  
7 off we will be.

8 **CHAIRMAN CARTER:** Thank you.

9 Mr. Kelly.

10 **MR. KELLY:** The next person to speak is Ms. Deborah  
11 Herod.

12 And I hope I'm pronouncing the folks' names  
13 correctly. If I mispronounce it, I apologize.

14 **CHAIRMAN CARTER:** And if I forgot up front, I meant  
15 to mention this, count it to one of my over-50 moments. When  
16 you come to the mike, give your name and address so we can have  
17 that for the record, because everything is being transcribed by  
18 the court reporter, and we can have that in the record.

19 Thank you.

20 **DEBORAH HEROD**

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

23 **DIRECT STATEMENT**

24 **MS. HEROD:** My name is Deborah Herod. My residence  
25 is at 501 East 3rd Street in Chuluota. I also have another

1 residence in Chuluota on 2nd Street, 10 East 2nd Street, that  
2 my children live at with my grandchildren.

3 We are concerned about the quality of water we are  
4 receiving from Aqua Utilities. Water that comes out of our  
5 faucets has got particles floating in it. The clean reserve  
6 tanks in my toilets have this black slimy sludge. When my  
7 grandchildren come over that live in the Castleberry area, it  
8 just happened few weeks ago, he came out hysterical. He  
9 thought these black particles came out of his body. It was the  
10 clean reserve water coming out of the toilet tank.

11 We have recently put two water heaters in both  
12 properties. The pipes are already corroding on them. The  
13 corrosion on -- unfortunately, I do not have any pictures, but  
14 I can present them to you or you are welcome to go to either  
15 properties and view it. We changed the inner parts of our  
16 toilets on a regular basis for the corrosion and repair. All  
17 my tubs, sinks, toilets, everything that come in contact are  
18 all stained from the water, the quality, this great quality  
19 water that we have.

20 We have recently been the fortunate customers of Aqua  
21 Utilities to get the new meter. My first reading read  
22 89,800 gallons of water for two people. I called, sent a  
23 message, spoke, got the comments we don't know how you are  
24 using your water. When we finally -- my husband did most of  
25 the conversations with Aqua Utilities. Until he reached one

1 girl, which was about the fifth or sixth phone call, she  
2 admitted that the zeros were put in the wrong place, and they  
3 would get the bill fixed promptly. We are going on three  
4 months now, the bill has not been fixed. I expect the third  
5 bill to come in any day, because I think they read the meters  
6 on the 16th, if I'm correct.

7 My second month of my reading with my new Neptune  
8 meter was 57,000 gallons for two people. Obviously, they are  
9 not reading the meters correctly. It's a concern to me. I  
10 have records from past bills. On a high month our daily usage  
11 is 126 gallons a day. So there is obviously a problem here.

12 We have had numerous calls to them, no correction on  
13 our bill. And I spoke with Sandy Adams, who has been -- has  
14 spoke to somebody from Aqua Utilities. We did receive a phone  
15 call from the field service person who said we could call any  
16 time. We got the message when we got home from work. We  
17 called. We didn't get a response. The following day, however,  
18 we did get a response. My husband did speak with somebody, and  
19 they assured us that this bill is going to be corrected. I  
20 can't wait to see my third month bill.

21 I really hope and pray that you folks can do  
22 something for the quality of the water that we are drinking and  
23 bathing with and get the situation corrected along with their  
24 customer service and the misreading of the customer bills.

25 I also want to add one other thing. I recently lost

1 a pet. I do not know if it is related to the water. I have a  
2 suspicion it's very possible. I got a new pet in the last  
3 month, and I have been doing a test on him. God forgive me for  
4 doing this, but I put him in a crate in the day. We're gone  
5 eight to ten hours a day, and I leave that water in there, and  
6 I have not freshened it. The dog will not drink the water.

7 I have a separate bowl that I put bottled water in.  
8 That's the water the dog drinks. Even the dog knows the water  
9 is not good to drink. So I sure hope you can help us. Thank  
10 you for taking the time to listen to me. I have a --

11 **CHAIRMAN CARTER:** Ms. Herod, one second.

12 Commissioner Argenziano.

13 **COMMISSIONER ARGENZIANO:** I am going to do the same I  
14 did earlier. Mr. Franklin, we have got another problem with  
15 the meter and an on-going problem. Would you please check  
16 personally to make sure and see if you can connect her up now  
17 to make sure that that third bill -- I would hope that you can  
18 do that.

19 **MR. FRANKLIN:** I will.

20 **COMMISSIONER ARGENZIANO:** Thank you.

21 **MS. HEROD:** Can I just add one thing? When I got the  
22 second bill, I was just appalled. And I went around and took a  
23 survey of the neighbors and their usage and how many people are  
24 in the house, and it was nothing near what I was receiving, but  
25 they don't have the new meters installed yet. So I don't know

1 if you would like this information that I have here, the phone  
2 calls --

3 CHAIRMAN CARTER: Yes, ma'am.

4 MS. HEROD: Okay.

5 CHAIRMAN CARTER: We will have that with our staff --  
6 staff, that will be Exhibit Number --

7 MR. JAEGER: 33.

8 CHAIRMAN CARTER: 33?

9 MR. JAEGER: Yes, Chairman Carter.

10 (Exhibit 33 marked for identification.)

11 CHAIRMAN CARTER: Ms. Herod, one second.  
12 Commissioner Edgar.

13 COMMISSIONER EDGAR: Thank you. Just a brief  
14 question. You mentioned that after the meter change, the first  
15 month being approximately 89,000 dollars -- 89,000 gallons,  
16 excuse me, 89,000 gallons. And then I think you said 57,000  
17 for the second month. My question is did you pay the amount  
18 that you were billed for those large numbers?

19 MS. HEROD: The first bill that I received, I sent  
20 them a letter and said I was disputing the bill, that I have  
21 been -- I have been living in Chuluota for 20 years, okay? And  
22 my past consumption, there is no way near I could be using that  
23 much usage. And that first month that I got the  
24 89,800 gallons, we were not in the house ten days of that  
25 month.

1           Two of the days I was in the hospital, and the other  
2 six we were out away on, you know, out of town. So that is ten  
3 days. So I only had 20-days usage. And we work. We are out  
4 of the house eight to ten hours a day, so there is very little  
5 flushing going on, you know, or bathing until we get home, you  
6 know.

7           **COMMISSIONER EDGAR:** Understood. So you sent a  
8 letter that you were disputing --

9           **MS. HEROD:** Disputing it, and I sent them a check for  
10 \$40, which I felt was more than sufficient from looking over my  
11 past records and what I have paid in the past to cover it.

12           **COMMISSIONER EDGAR:** And then the second month, did  
13 you do the same thing?

14           **MS. HEROD:** The second month, I haven't sent  
15 anything, because they assured me that we were going to be  
16 receiving a corrected bill within a couple of days, and I have  
17 yet to get that.

18           **COMMISSIONER EDGAR:** Thank you.

19           **CHAIRMAN CARTER:** Commissioner Skop.

20           Ms. Herod.

21           **COMMISSIONER SKOP:** Thank you, Ms. Herod, and thank  
22 you for coming out and sharing your concerns with us tonight.  
23 And I think that Commissioner Argenziano has asked the company  
24 to take a look at your specific account, but am I correct to  
25 understand that you have been overbilled for three -- or at



1 least two consecutive months now, and they have yet to correct  
2 that problem?

3 MS. HEROD: Yes, sir.

4 COMMISSIONER SKOP: Thank you.

5 COMMISSIONER ARGENZIANO: Mr. Chair.

6 CHAIRMAN CARTER: Commissioner Argenziano.

7 COMMISSIONER ARGENZIANO: In all fairness, I think  
8 the company said -- and we have been having this discussion,  
9 and I have asked them every time, and anybody else who has the  
10 meter, this is your opportunity to get it squared away tonight.  
11 And, of course, I hope the company is in touch with the  
12 customer service to let them know, because by now they have to  
13 know that they have been misreading those meters.

14 But, in all fairness, I think now, you know, the  
15 company recognizes that. I'm hoping that that problem goes  
16 away. And I'm sure we are going to hear, you know, because now  
17 they know, and they have got to funnel that down to the -- way  
18 down to the meter readers. And, hopefully, if anybody else as  
19 I say tonight just please bring that up, and probably while  
20 Mr. Franklin is here you can get that resolved tonight.

21 MS. HEROD: Can I add one thing?

22 CHAIRMAN CARTER: Yes, ma'am.

23 MS. HEROD: After the first month, they did send --  
24 we insisted for them to send a representative to come out and  
25 reread that meter, okay? And he reread the meter. I have the

1 yellow slip that is attached to what we received from him and  
2 the gentleman's name on the back of it. And, you know, it was  
3 supposed to be corrected back on the first month and it is  
4 still. And, of course, the quality is just -- it's not even  
5 good enough for the dog to drink.

6 **CHAIRMAN CARTER:** Commissioner Skop.

7 **COMMISSIONER SKOP:** Thank you, Mr. Chairman. And,  
8 again, to Commissioner Argenziano's point, I fully agree that  
9 the consumer should make use of the company representatives to  
10 address the billing issues that they have, but I guess my  
11 concern is that, you know, it shouldn't take two months to get  
12 a billing adjustment corrected. So I think that, like  
13 Ms. Herod mentioned, she has been trying in good faith to get  
14 that resolved, and it concerns me that it takes a meeting like  
15 this to have a bill corrected.

16 **CHAIRMAN CARTER:** Thank you.

17 Mr. Kelly.

18 **MR. KELLY:** Mr. Chair, for the court reporter, I'll  
19 give you Ms. Chiles' address, who was the first speaker. Her  
20 address is 203 Velveteen Place in Chuluota.

21 The next speaker is Ms. Kelly Sullivan.

22 **CHAIRMAN CARTER:** Sullivan?

23 **MR. KELLY:** Yes. She has a PowerPoint, also, that  
24 she would like to present.

25 **MS. SULLIVAN:** Thank you very much.

1           **CHAIRMAN CARTER:** Thank you, Ms. Sullivan. Good  
2 evening.

3           **MS. SULLIVAN:** Thank you.

4                           KELLY SULLIVAN

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

7                           DIRECT STATEMENT

8           **MS. SULLIVAN:** I am Kelly Sullivan, and I live at 570  
9 Osprey Lakes Circle in Chuluota. I'm a proud resident of  
10 Chuluota.

11                   I want to thank you all for coming. I know last year  
12 we had three Commissioners come, and we were grateful for that,  
13 so it certainly warms my heart to see all five of you here. We  
14 have met before, I'm sure you will remember. So thank you for  
15 coming to Seminole County.

16                   I've got all kinds of notes here in addition to that,  
17 comments that have been made, but let me try to walk through my  
18 PowerPoint, and I will try to make the comments as we go along.

19                   I know there is a lot of people here that have  
20 testimony, and I don't want to belabor. So let's see if it  
21 works.

22                   The problem. I mean, you heard the problem last  
23 year. This is not intended to rehash everything I presented  
24 last year, but it is, in my view, kind of a recap. The problem  
25 for us, the citizens, is we feel that Aqua Utilities is

1 unreliable. You know, at the open house I remember speaking  
2 with Mr. Franklin, and he was so proud that our THM level had  
3 gone down to 53. I was proud. I was very proud. But I  
4 remember -- I don't remember exactly what I said, but it was  
5 something about, well, we'll see. You know, we'll watch.  
6 We're optimistic folks. And, of course, unfortunately, with  
7 the new chloramine system, that didn't last very long. Because  
8 once they discovered there were other problems, then we had to  
9 go back to the old system. And I am fairly confident our THMs  
10 are back up again.

11 And, of course, we have been getting these quarterly  
12 notices. I think the last average run rate was something like  
13 153. And just to set the baseline for you, the EPA says it  
14 should be 80, and I think it is parts per billion. I try to  
15 deal in round numbers, so on that day that they did the  
16 testing, and they have 90 days in a quarter to pick which day  
17 they want to present their test results. It was 53, and we  
18 were all proud of them.

19 Well, of course, then we get the notice of the  
20 coliform bacteria. So you can see why we feel that Aqua  
21 Utilities is unreliable. Their best efforts, and giving them  
22 entirely the benefit of the doubt, all their best efforts just  
23 seem to fail. So we believe they're unreliable.

24 There is a long history of federal and state  
25 regulatory noncompliance, repeat citations and defiance to

1 mandates. Later in my presentation at the very end I'm going  
2 to -- because one representative you don't have here tonight,  
3 the one agency not represented that I would have liked to have  
4 seen is the St. Johns River Water Management District, because  
5 they, too, have a part in all of this. And I'm so glad to see  
6 all of the other representatives here. And I finally get to  
7 put a face to Jeff Prather's name. It's nice to meet you.

8 I spent an afternoon at the DEP reading through the  
9 file. I was always confused why if the chloramine system did  
10 not work for Florida Water Services, why on earth was Aqua  
11 doing it again. And I hope, just like in the technology world  
12 where you have all the, you know, technology outpaces things, I  
13 am hoping that this new chloramine system has some bells and  
14 whistles that Florida Water Services didn't have. But just as  
15 a layperson in these engineering matters, I was confused why  
16 they would do it again when it failed for Florida Water  
17 Services.

18 Poor water quality that may subject customers or  
19 consumers to health dangers. You have heard from everybody.  
20 Everybody has their anecdotal, and you are not possibly going  
21 to hear it all. I have heard a lot of it. I can't go to the  
22 local Publix without people now knowing who I am and telling me  
23 their story. And I encourage them don't just tell me, you have  
24 to tell Aqua, you have to tell the PSC, you have to tell DEP.  
25 Folks have busy lives, and they tell me their stories. I've

1 heard them.

2           We feel like we have poor customer service, because  
3 it just seems like every effort -- again, giving them the full  
4 benefit of the doubt, it just seems as hard as they try their  
5 best efforts seems to fail when it comes to customer service  
6 for our residents.

7           Our water sewer bills are \$100 each month. Well,  
8 I'll save that thought for later. But they are hundreds of  
9 dollars. I don't know if folks brought their signs about their  
10 water bills this year, but, you know, it's hundreds of dollars.  
11 You could rent a Lexus for what many of us pay each month.  
12 Much higher prices than the neighboring communities. And we  
13 don't understand why you have got a neighborhood that's about a  
14 quarter of a mile away that has good pure quality water, and  
15 they pay around 60 bucks a month for water and sewer. I'm not  
16 sure where garbage comes into that, but, basically, their  
17 utility bill is about 60 bucks a month.

18           But as to the poor quality of water, before I leave  
19 my notes, you know, we have unsuspecting residents that if you  
20 have had some sort of -- if you have an autoimmune problem, if  
21 you have had surgery, if you have a young child, you know, as  
22 Mr. Santomauro said this afternoon, we don't get these notices  
23 until after the fact, until after the fish have died in the  
24 aquarium, you know. So folks that are on renal dialysis are  
25 afraid because we don't know what's happening because of this

1 unreliability. And so we also have -- I know you have heard  
2 about the elementary school. You have heard about the day  
3 care. But we also have a Girl Scout Camp in Chuluota that is  
4 serviced by Aqua Utilities. And the Girl Scout Camp, which is,  
5 you know, a charitable organization trying to do good things  
6 for girls. All of those residents in the -- I don't know how  
7 many counties the local council serves, but it's the entire  
8 area who the parents send their daughters to this Girl Scout  
9 Camp.

10           On the exorbitant -- back on the exorbitant price  
11 that we pay each month. My husband and I moved to Chuluota in  
12 March of 2006. We were smart enough to ask the question about  
13 the utility bills. We asked to have copies of the utility  
14 bills, and when presented with a power bill for a four-bedroom  
15 house with a pool, we thought, well, that's a reasonable bill.  
16 You know, that's reasonable for this size house. Never did we  
17 imagine that we should have also insisted on seeing the water  
18 bill.

19           We believe that we were swindled. You know, we  
20 believe that these folks who sold the house knew exactly what  
21 they were doing. They knew that -- and this was sort of their  
22 way to distract us, if you will, by showing us the power bill.  
23 We did ask for utility bills. It was our fault for not  
24 insisting on water bills. But no one -- in our experience, and  
25 we are not spring chickens, in our experience we have never

1    seen water bills like this.

2                   So here is the summary. Chuluota is unfairly  
3    burdened with unreasonable rates for poor quality water that  
4    may be a health hazard. The cost of the water affects the  
5    financial stability of the families in our area. We are  
6    blessed that we have got a diversity of citizens. You know, we  
7    have citizens on every end of the spectrum. We have some  
8    fortunate people who have worked hard who make a good income,  
9    but we have also got people on fixed incomes who are having to  
10   make choices about whether to buy their drugs this month. So,  
11   with the gas prices, the food prices, it's an even more  
12   unreasonable burden this year than it was last year. This is  
13   all before the rate increase.

14                  So is Chuluota's water safe? You know, we know about  
15   the trihalomethanes, which to refresh your memory is a  
16   by-product of the disinfection system. We also have been  
17   informed that there was coliform bacteria that was found in our  
18   water. We feel like we are guinea pigs. I mean, we truly do.  
19   We feel like we are guinea pigs. I say that not only because I  
20   think Mr. Franklin said, you know, they are bringing their best  
21   efforts to bear, and I believe them, but there is something  
22   going on with the water in Chuluota.

23                  I spoke to one of the engineers earlier during the  
24   break between the two sessions. And she explained to me that  
25   one of their frustrations is is clearly the water quality goes



1 up and down, so their analyzers are having difficulty in, you  
2 know, dealing with that. And given what I have heard, I  
3 believe that is entirely true.

4           So I don't know if there's something going on with  
5 the aquifer. I don't know if the St. Johns River -- you know,  
6 Deborah Schafer was here earlier today. She is not a customer  
7 of Aqua Utilities, but she has a well, and she is concerned  
8 about some of the things that the folks who are Aqua Utilities'  
9 customers in sinking their wells -- and I will talk about wells  
10 some more later -- because we all know we draw from the same  
11 water system. We all know that the aquifer -- and so I don't  
12 if there is something going on that is totally external from  
13 Aqua Utilities. And I don't know that anybody has looked at  
14 that.

15           You know, do we have to go through what Woburn,  
16 Massachusetts went through, back -- I don't know if you saw the  
17 John Travolta movie on a civil trial. It was a great book.  
18 The book is a whole lot better than the movie. But, you know,  
19 those people, they were told over and over again the water is  
20 fine, the water is fine. Well, it wasn't fine.

21           I also had visit with me, I think it was last  
22 Saturday, it may have been two Saturdays ago, there was a  
23 gentleman who -- or, first of all, I had had one of my  
24 neighbors tell me, John Jackson -- I don't know if he's here  
25 tonight. He can wave if he is -- told me he had spent \$3,000

1 on a water filtration system for his house. And lo and behold,  
2 after some short period of time it wasn't working. And, of  
3 course, his contractor had guaranteed it would work. So he is  
4 now on his contractor's case. Well, word has spread. People  
5 have started contacting me. And last Saturday or the Saturday  
6 before, I had a gentleman from Central Water -- Central Florida  
7 Water Services. His first name is Paul. I don't recall his  
8 last name at the moment. And he sat with my husband and me for  
9 some period of time Saturday morning. And he explained all  
10 these different things he's trying to do to help some of his  
11 customers.

12 And maybe my husband, the engineer, I can persuade to  
13 come and explain some of the things he shared with us. But  
14 suffice it to say, he talked about all the different filters  
15 that he was trying, and the KD system, and the new this and the  
16 new that. And that he is literally using his customers as  
17 guinea pigs, because he wants to get it right. And then wants  
18 to say if something is wrong with the water source that  
19 whatever he gets it right today, whatever we got our 53 on our  
20 THMs for today, what about next week? What about tomorrow?

21 So when you are going to ask DEP to come out, I would  
22 ask that you don't just come today, you come on some random  
23 schedule. I don't know the ups and downs, and if there is  
24 somebody who does, fabulous. Let's get them here. But I can  
25 just tell you the stories and the results that we get.

1           So trihalomethane, what is it? You know the EPA set  
2 their minimum requirements because they recognize there are  
3 studies, and I got these off of Google. You, too, can Google  
4 and get information. But the sources were, you know, Wall  
5 Street Journal, New York Times, John Hopkins Medical Center, as  
6 I recall. But there are studies that have found an increased  
7 risk of cancer, especially bladder and colo-rectal cancer.  
8 There is heart, lung, kidney, liver, and central nervous system  
9 damage due to increased trihalomethane levels. Reproductive  
10 problems, including miscarriage and also still birth.

11           And think about the teachers at Walker Elementary who  
12 were pregnant and had miscarriages and had no idea -- and I'm  
13 not saying the water was the cause. I'm just saying I have  
14 been pregnant before. I have three children. I mean, I didn't  
15 drink any wine, I didn't drink any caffeine. You know, I was  
16 ultracareful to make sure those babies had every opportunity to  
17 develop into normal, you know, without complications.

18           So I know you said you have talked about Walker  
19 Elementary. And, actually, I have taken it upon myself that  
20 every time I get a notice I send it to the vice principal  
21 there. Because what we learned last year was that the notices  
22 apparently were going to the school board, but they never quite  
23 made it down to the in-box of the principal at that local  
24 level. So I have talked to the school board. You know, I have  
25 encouraged them to come and talk, too, but they are a little

1 reluctant.

2           So the other thing to remember is the trihalomethanes  
3 that we take in aren't just from people drinking the water.  
4 One of the sources I have found on Google -- and I don't think  
5 the next slide -- no, that's not it yet -- is that just taking  
6 a ten-minute shower is like drinking five glasses of water. So  
7 think about that. It's not just the water you drink. You  
8 know, it's not like you are sitting there at the sink gulping  
9 water.

10           Okay. So I know you can't see this very well. It so  
11 happens my engineer husband got a brand spanking new computer  
12 recently, and thanks to him and his 2007 version of PowerPoint,  
13 that's why what you are seeing this year is a whole lot  
14 different from the bland thing you saw last year. And I spent  
15 my day on Sunday creating these slides, and I was real proud of  
16 myself. My children who are college graduates now were real  
17 proud of their mom, too.

18           But this one didn't quite come out right on  
19 Marshall's system, so we -- I know it is hard to read, so I  
20 will read it to you. It is supposed to say what is coliform  
21 bacteria? It's commonly found in the environment and are  
22 generally not harmful. However, the presence of these bacteria  
23 in drinking water is usually the result of a problem with the  
24 treatment system or the pipes which distribute the water and  
25 indicates that the water may be contaminated with germs that

1 can cause disease.

2           And I didn't just pick a cow, or a bull, or whatever  
3 that is for nothing. When you read -- when you Google coliform  
4 bacteria, most of what you read is like agricultural, animal  
5 feces and stuff. Stuff that really scares you bad. And so,  
6 you know, I am trying to not put in any hyperbole. I'm trying  
7 to keep my feet on the ground and just face the facts, but that  
8 is why the cow is there.

9           Okay. Is Chuluota's water affordable? The residents  
10 of Chuluota are burdened with exorbitant prices for water such  
11 that it impacts their financial well-being. One of the things  
12 that over time, because I'm spending so much time with my  
13 neighbors, I'm getting well acquainted, which is a wonderful  
14 thing for me to meet all of my neighbors. I can't remember all  
15 of their names every time, but they know my name, which is  
16 good. And when they don't, they call me the water lady.  
17 That's fine, too. But I learned at the open house, because I  
18 had people approach me, that there was an entire street, I  
19 think it was like a cul-de-sac in the Trails, which is the next  
20 neighborhood up, that the whole street apparently for two years  
21 had never been charged sewer. And so Aqua apparently was -- I  
22 don't make these things up. I couldn't. I'm not that  
23 creative.

24           So for two years they didn't pay for their sewer, and  
25 then Aqua wanted to come back and collect a couple thousand

1 dollars, or whatever, for back sewer services. You know, they  
2 had been paying their expensive water bills, and I guess they  
3 just -- I don't know the particulars. What I do know -- my  
4 point is that the water is so expensive, the water/sewer  
5 services are so expensive that we are paying, and I can't help  
6 but wonder, well, if it is already this high price, and they  
7 are asking for an even higher price, well, everybody on this  
8 street didn't pay their freight, you know, when they didn't get  
9 charged at all.

10 Not that it was their fault, but my point is their  
11 accounting has to be unreliable. Because, you know, I have  
12 heard stories of people that moved into Chuluota into their  
13 house and didn't get their first bill for five months. So how  
14 can they possibly -- their accounting, there is something wrong  
15 with the accounting. There is something wrong with the  
16 tracking of, you know, the system. And, hopefully, the new  
17 meters will solve the problem. Although, I'm hoping Laura Wise  
18 (phonetic) is here tonight so she can tell you about her fun  
19 with the new meters.

20 Okay. So here we go. Here is a graph my friend  
21 Shannon Armstrong prepared for us, because I don't do numbers.  
22 I went to law school. I don't do numbers. I let somebody else  
23 do that. But this is the -- the blue is the current rates for  
24 Aqua. The red, I believe, is the interim rates, or the  
25 proposed interim rates, and the lime green is, the green is --

1 because that's what we think of the water -- the green is their  
2 final rates that they are looking for.

3 And I have to stop for a moment here and ask you, you  
4 know, I heard Mr. Willis say that, you know, within 60 days you  
5 are supposed to have the interim rates if you are going to get  
6 them. And I believe they filed their rate case in May. And  
7 this is -- I don't know what day in May. I want to say the  
8 26th, maybe 27th.

9 MR. WILLIS: They filed on -- they filed on May 22nd,  
10 but they've extended the time for the Commission to review  
11 their interim request to July 29th so that it could be on that  
12 29th agenda.

13 MS. SULLIVAN: Okay. Thank you for that  
14 clarification, but it really wasn't that -- thank you for that  
15 answer so I better understand it. But here is my question.  
16 Like last year when we went through this interim rates were --  
17 I guess they filed in December. Interim rates were given in  
18 March. Well, we didn't have our customer service hearings  
19 until June. I really don't know, because I was still learning  
20 a lot back then, so I don't know where we were in your schedule  
21 of events, but I think we are right now about halfway through  
22 the schedule.

23 I have done my best to educate my community. We had  
24 a community meeting on Monday night. We had about 150 people  
25 show up at the church. But I can guarantee you it speaks

1 volumes when suddenly your water bill goes from 120 bucks to  
2 240 bucks. And so I'm a little concerned, a little frustrated  
3 that these customer service hearings didn't happen until after  
4 the rate shock that we are -- assuming they come out in August,  
5 and I am told that these interim rates are practically  
6 automatic, and I don't -- you know, when I first met Mr. Reilly  
7 and talked to him on the phone, my eyes glazed over because of  
8 all these numbers and words that he was using that I'm, like,  
9 that is not what I do.

10 But I had it to talk to him several times, and I'm  
11 still not sure I get it, but I'm still learning. But my point  
12 being is that, you know, particularly with the cost of fuel,  
13 with the cost of food, I just believe that -- and for those of  
14 you that were there last year, you will remember that Oviedo  
15 City Hall, there wasn't a piece of carpet anywhere to stand or  
16 to sit. We were in the hallways, we were on the front porch,  
17 and I just can't -- and I am so delighted you had two hearings  
18 today, because I couldn't be here at 10:00 o'clock this  
19 morning, and others couldn't, and others stayed. But my point  
20 is that I can't help but believe if the rate shock had hit that  
21 we would have then had a greater turnout for you, you know. So  
22 that's enough said about that. But here we are, and this is  
23 what they are trying to do.

24 Here is the comparison. I think last year I gave you  
25 a comparison, but this is the comparison to the other Seminole



1 County utilities, and we also included Oviedo. And that is way  
2 too small for any of us to read, and certainly Marshall can  
3 make a copy of my PowerPoint so that you all can have and  
4 digest. But the orange is what Aqua Utilities' proposed rates  
5 will be. And you can see how much higher they are than other  
6 providers in Seminole County. It's significant.

7 Okay. I have a few more things that I need to say  
8 before we get to this one. Just a couple of things. You know,  
9 I'm concerned about the consolidated rate case or the -- I  
10 forget what language you all use. I call it consolidated.  
11 But, in other words, I understand that Aqua is wanting one  
12 uniform rate statewide. Last year, my good friend Ron McKay  
13 stayed up late many, many nights looking through spreadsheets,  
14 looking at audit reports, trying to discover and to question  
15 some of the items, trying to do -- you know, for us, we were  
16 calling the Office of Public Counsel, what about this, what  
17 about that.

18 Well, one of the things that we didn't discover until  
19 about November is that Aqua had their sewer system -- last year  
20 we had 1,353 customers. I really don't know how many they are  
21 projecting this year, but I have been in my mind using the  
22 number 1,400 just because it is an even number. But we didn't  
23 discover until about early November, I want to say, maybe late  
24 October, that they had invested a half million dollars. And if  
25 that number is wrong, I apologize. They had invested a

1 significant amount of money in the sewer system so that they  
2 could increase the capacity of the sewer from the current, then  
3 current customer base, such that it would serve 10,000 homes.

4 Well, we're not going to have that much growth in  
5 Chuluota to accommodate for the current customers. Now, I  
6 don't know what those spreadsheets said. I don't know whether  
7 they were trying to, you know, build in this somewhere, kind of  
8 hidden in all of those spreadsheets you all got overwhelmed  
9 with last year, but my concern is if they are trying to do a  
10 consolidated case for the whole state, and if Ron McKay didn't  
11 find those figures, because I know how much time, because he  
12 and I talked on the phone a lot, I am just concerned that, you  
13 know, some of those figures just kind of get glossed over.

14 And so I'm worried that knowing how much confidence I  
15 have in their accounting system, I'm worried that if you are  
16 doing a state rate consolidated case that there is just not  
17 enough hours between now and when your statutory time runs out  
18 to go through these things with a fine-toothed comb.

19 I mean, I don't -- you know, everybody else's budget  
20 has been cut. I can't imagine that the Office of Public  
21 Counsel has a whole cadre of accountants to go through all of  
22 that. So we citizens are going to try to do it, but we didn't  
23 discover that last year. We discovered it in November. And,  
24 of course, that even raised, well, why would they do that? Why  
25 would they do that? And, of course, we came to the conclusion

1 that, well, they're going to charge us for these high rates --  
2 and this may be an erroneous conclusion, but I think it is a  
3 reasonable one -- is that they are going to charge us the high  
4 rates, or they want to get these proposed rates, and then they  
5 want to double-dip by selling sewer services to the local City  
6 of Oviedo who needs them, which is why the City of Oviedo is  
7 interested in buying the system, or to Winter Springs who also  
8 needs sewer services.

9           And that is great so long as they would reduce our  
10 water rates, but I never saw anything in last year's package  
11 that would have somehow through the sale of the sewer services  
12 reduce our water rates. So I do hope you all will look into  
13 that a little better.

14           **CHAIRMAN CARTER:** Let me do this: Commissioners, for  
15 your exhibit, this would be -- we'll ask Mr. Willis to get a  
16 copy of the PowerPoint. That will be -- for your records, that  
17 will be Exhibit 34.

18           (Exhibit Number 34 marked for identification.)

19           **CHAIRMAN CARTER:** Ms. Sullivan, are you close to --

20           **MS. SULLIVAN:** Yes, I am.

21           **CHAIRMAN CARTER:** Because we do want to hear from  
22 everyone.

23           **MS. SULLIVAN:** Okay.

24           **CHAIRMAN CARTER:** Thank you.

25           **MS. SULLIVAN:** So as the price of water increases,

1 consumers invest in irrigation wells that over time we know  
2 will destroy our water source. My husband and I put in a lake  
3 pump irrigation system. Other people are sinking these shallow  
4 water wells. And the reason I wish the Water Management  
5 District was here, I met with them in person with Commissioner  
6 Dallari. They tell us that this is going to destroy the water  
7 source. They tell us our water source, because of the  
8 hydrogeology of Chuluota, is already poor. We have shallow  
9 water wells. But by sinking the irrigation wells and using the  
10 lake pumps over time, I don't know if it is next year, I don't  
11 know if it is in five years, but we are destroying our own  
12 water source.

13           So it's doomed. The water source is doomed, because  
14 folks are not going to pay the high prices that they would  
15 already have to pay, and they are not going to pay the new  
16 rates. And even when you do, your grass looks kind of yellow  
17 and whatnot. But now that we are using the lake water to  
18 irrigate our yard, we're the envy of the neighborhood. It's  
19 beautiful.

20           So, yes, let me try to wrap it up. Reclaimed water,  
21 we don't have -- as far as I know, the Water Management  
22 District has asked for this. They have asked for Aqua to come  
23 up with a plan so that we can irrigate with reclaimed water.  
24 And to my knowledge it has either been ignored because of  
25 greater problems, I'm not sure, but it's not available.

1           So who's responsible? The mission of the Florida  
2 Public Service Commission is to foster markets that facilitate  
3 efficient provision of safe and reliable utility services at  
4 fair prices. That's right off of your website. So we have got  
5 DEP, we've got the water management district, we've got  
6 Seminole County that deals with the odor issues, we've got the  
7 Public Service Commission. We, as citizens, who don't do this  
8 for a living, we don't spend our days -- I've spent a lot more  
9 time than I care to on this issue.

10           You know, everybody is pointing the finger at  
11 somebody else. So we, as citizens -- and, I mean, and I was  
12 delighted to hear that the City of Oviedo was interested in  
13 purchasing the system. I mean, I had heard -- you know, we've  
14 heard so many figures tossed out. Seminole County said the  
15 system was only worth \$2 million. We know they paid \$5 million  
16 in 2004. And these are rounded numbers, by the way. I'm not  
17 intending to be precise. But then we heard that they wanted to  
18 sell for \$10 million to the City of Oviedo.

19           I know I had a conversation with Jack Lihvarcik, the  
20 president of Aqua Utilities Florida, along with Commissioner  
21 Dallari, and he proposed some rates to us that were in the  
22 middle that we were very interested in. So then I began  
23 learning about special districts. So what we are trying to do,  
24 if the City of Oviedo doesn't accomplish buying the system,  
25 what we are trying to do is to create a special district. That

1 is why I met with my community on Monday, to explain to them  
2 what I've learned about special districts, and how we might  
3 possibly buy the system for ourselves. So that as FLOW says,  
4 Friends of Locally Owned Water, we want to bring control home  
5 to Chuluota, to Seminole County.

6 I see the PSC as the backstop, though. I see you as  
7 the backstop. We have got all of these state agencies and we  
8 are trying our best to talk to them. I'll ask one resident,  
9 would you please keep up with the DEP? Would you please keep  
10 up with the water management district. And we do the best we  
11 can in our busy lives.

12 But, basically, you are the power and the authority  
13 that granted the certificate of authority for the water in  
14 Chuluota. You granted a monopoly when you did that. It's a  
15 legal monopoly, but, nevertheless, we can't go elsewhere for  
16 our water. We can't -- in the urban area, like Ms. Schafer  
17 spoke about earlier today, we can't put in a well for our  
18 homes. We can do it for irrigation up until, I think it's  
19 2011, after that you can't do that. So I tell everybody that  
20 calls me about should I buy a house out there. I say, well,  
21 it's a great neighborhood. You've got to know you've got to  
22 pay a high price for your water. And, oh, by the way, don't  
23 buy unless you have got an irrigation well. Knowing full well,  
24 which is totally counter to my moral principles about knowing  
25 full well that it is going to destroy the water source. But I

1 tell them all, you can't afford the water without an irrigation  
2 well.

3           So last year I tried to understand the PSC statute.  
4 I tried to make some suggestions about how the statute might be  
5 changed, because I am here again today, this year, just like I  
6 did last year, to ask you to revoke their certificate of  
7 authority. When you read the statute there is provision in the  
8 statute for abandonment and what happens when there is an  
9 abandonment.

10           You have only revoked certificates of authority twice  
11 that I could determine. There is no guidance in the statute  
12 for how to deal with the situation that we are dealing with.  
13 We know Seminole County or somebody, the City of Oviedo has the  
14 capacity. But by revoking their certificate of authority, then  
15 that would release the consumptive use permit with the water  
16 management district. So that means, then, that the City of  
17 Oviedo would be allowed -- hopefully, the water management  
18 district would allow them to increase their consumptive use, so  
19 that they could tie into our system and provide us good, clean  
20 water.

21           **CHAIRMAN CARTER:** Commissioner Argenziano.

22           **COMMISSIONER ARGENZIANO:** Excuse me. To your point  
23 about revoking, it's not used frequently because it is a  
24 taking. And the Legislature, which I was a part of for many  
25 years, frowns upon that. And there has to be a reason to take

1 it. And that is what -- I want to make that point that that  
2 is, you know, it is not an easy thing to do. It is not  
3 something that you want to do unless there is health problems  
4 and so on. And that is the reason that I asked this afternoon  
5 to find out what is happening in the well.

6 It doesn't necessarily mean it is the company's  
7 fault. If you have had a well there that has been bad for 30  
8 or 40 years, because this is not a new problem to this area,  
9 that something needs to be done. And the only other comment  
10 that I want to make is that -- and you may well know this, is  
11 that any time, even for irrigation of land, I mean, in a time  
12 when you are in droughts or even when you are not, this part of  
13 Florida, and a large part of Florida, is solely dependent upon  
14 rainfall. And any time you take out more water than Mother  
15 Nature can put in, you are harming the aquifer.

16 So we are doing that just sheerly because we have so  
17 many numbers of people, whether they have their own wells, or  
18 whether it is coming from a St. Johns well, or whether it's  
19 coming from an Aqua well. So just being here and not replacing  
20 the water in a timely fashion, which means Mother Nature, you  
21 are destroying the aquifer.

22 **MS. SULLIVAN:** Well, I just -- I want you to know  
23 that in listening to the -- I think you called it like an  
24 informal internal hearing when Commissioner Skop brought up  
25 this concept of, well, what do we -- how do we -- what steps do



1 we follow for revocation, I was cheering, because I said this  
2 last year when I didn't fully understand. I know better. I'm  
3 learning still, and I'm asking you, again, to consider and to  
4 go to the Legislature and ask them for the tools, what steps,  
5 how bad does it need to be. Because the point being is that if  
6 we have suffered through this for 32 years, I think Deborah  
7 Schafer said, if there is a water quality problem that goes up  
8 and down with the droughts, but we know that the City of Oviedo  
9 has the capacity and they have good quality water, why should  
10 we, as citizens, have to continue suffering and worrying? Just  
11 the worry is enough to disturb you.

12 So I ask you again to consider, first of all, to deny  
13 their -- my last slide didn't come up -- but to reject their  
14 requested interim price increase, to reject the proposed rate  
15 increase, and to revoke their certificate of authority.

16 Thank you. (Applause.)

17 **COMMISSIONER ARGENZIANO:** I would like to ask staff  
18 -- I can't hear. Staff can't hear me.

19 **CHAIRMAN CARTER:** Thank you. Commissioner  
20 Argenziano, a question for staff.

21 **COMMISSIONER ARGENZIANO:** Can we, by statute, deny an  
22 interim rate?

23 **MR. JAEGER:** As Mr. Willis said, if they do the prima  
24 facie case, and you review that, then I believe that you can  
25 deny it, but only if you disagree with some part of it. I'll

1 have to research that, Commissioner. That would be at the  
2 agenda conference, we can consider that question, and I will  
3 have that more researched at the agenda conference on the 29th.

4 **COMMISSIONER ARGENZIANO:** And the second thing you  
5 asked was to deny the interim and the final --

6 **MS. SULLIVAN:** The proposed and the proposed final.

7 **COMMISSIONER ARGENZIANO:** And the proposed. Thank  
8 you.

9 **CHAIRMAN CARTER:** Thank you. Thank you,  
10 Ms. Sullivan. We appreciate that.

11 Mr. Kelly.

12 **MR. KELLY:** The next speaker is Ms. Starlene Burns.

13 **STARLENE BURNS**

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

16 **DIRECT STATEMENT**

17 **MS. BURNS:** Good evening. Thank you for all being  
18 here. I really appreciate it. My name is Starlene Burns. I  
19 reside at 605 Osprey Lakes Circle.

20 My first issue, which you asked us to cover, is I  
21 feel Aqua provides poor service. I disputed a bill which  
22 stated consumption of 28,000 gallons of water for three people.  
23 No irrigation usage. I called customer service. The person  
24 instructed me don't pay the bill. We'll send someone out. It  
25 never happened. Two days later I got a shutoff notice. I had

1 to call the bank over the phone through customer service, give  
2 them my account number so my water wasn't shut off. Asked for  
3 a new meter. It took about two months and I still do not  
4 believe that meter is accurate.

5 Health concerns. I had a golden retriever, seven  
6 years old, and suddenly he died of cancer. I have owned golden  
7 retrievers all of my life. I am 47 years old. My husband said  
8 he would rather come back my golden retriever next time because  
9 of how well I take care of my animals. Every golden retriever  
10 I have owned has lived at least 12 years. The vet in Chuluota  
11 is Dr. Zern at Chuluota Veterinary Clinic. I brought this  
12 issue up to him, and he -- I have talked to one of the officers  
13 of Public Counsel, and she is going to be phoning him. He has  
14 seen an extremely high rate of death in pets in the Chuluota  
15 area.

16 My husband is 45 years old. Healthy, never been in  
17 the hospital. Had to go undertake intestinal surgery,  
18 diverticulitis. He was cut from his sternum to his groin, and  
19 out of work for two months. There are three men in our  
20 neighborhood that had the exact same operation. I feel that we  
21 have to hire a scientist with a lab rat and have that rat  
22 consume Aqua's water -- frankly, I don't how you all sleep at  
23 night -- and let's see how long this rat survives. I feel like  
24 we are Aqua's rats.

25 Thank you.

1           **CHAIRMAN CARTER:** Thank you.

2           Mr. Kelly.

3           **MR. KELLY:** The next speaker is Mr. Rob -- I hope I  
4 get this right -- Nicola.

5           **MR. NICOLA:** That's correct.

6                               ROB NICOLA

7 appeared as a witness and, swearing to tell the truth,  
8 testified as follows:

9                               DIRECT STATEMENT

10           **MR. NICOLA:** Good evening, Commissioners. My name is  
11 Rob Nicola. I live at 168 Osprey Lakes Circle in Chuluota, and  
12 I am serviced -- my house is serviced by Aqua Utilities. I  
13 just would like to make just a couple of comments tonight.

14                       First and foremost, I consider myself a very  
15 pro-business kind of individual, and I believe business is the  
16 lifeblood of America. You know, it is what gives us jobs and  
17 gives us income, puts food on the table. But I think why I am  
18 here tonight is the company that is servicing our utilities is  
19 really -- has a monopoly over us, and it is unfair, and it is  
20 un-American, and I think it borders on unethical.

21                       I was here earlier today, and tonight we have heard a  
22 lot of discussion and presentation about the quality of the  
23 water, so I'm not going to go over that. There will be plenty  
24 of other speakers that can speak to that, obviously. But there  
25 are three things that when I listened this morning that I think

1 didn't get brought up, and I would like to bring those up.  
2 Kelly covered some of them, and I would like to just reiterate  
3 probably a couple of them.

4 First and foremost, it is very obvious to me that we  
5 are paying much more than our neighboring communities for water  
6 and wastewater. And I don't understand that, why that is,  
7 because the task is identical. It is the same -- basically,  
8 the same water source. The task is to pull water out of the  
9 ground, clean the water, deliver it to a home or a business,  
10 and then treat the waste that comes out. So why if it is an  
11 identical task, in an identical region, why is the cost so  
12 different?

13 That to me is obvious. I lived in Oviedo for 18  
14 years before moving to Chuluota for the last, almost, four  
15 years. In the 18 years I lived in Oviedo, I don't ever recall  
16 getting a health notice in the mail saying there was something  
17 wrong with the water. The same water source, as far as I am  
18 concerned, just right across the street.

19 The next item that I would like to speak to is it is  
20 a bit insidious the way they have proposed to increase the  
21 rates. The rate increase is almost primarily on the base rate  
22 for our residents. I can't speak to the residents of the rest  
23 of the state, but the rate increase is not on the consumption  
24 for the residents of Chuluota, it's on the base rate.  
25 Previously we were paying for water -- currently we are paying

1 for water and wastewater, \$32 is our base rate. They want to  
2 go to \$67 on the base rate. That is more than double. That is  
3 a \$35 a month increase.

4 For the citizens of Chuluota the consumption price in  
5 some cases has gone down slightly and in some cases it has gone  
6 up. So they have basically tied our hands. It's on the base  
7 rate. We have no control. Even if we don't use a drop of  
8 water, we have to pay this \$35 a month. That just isn't right.

9 The final thing I would like to speak about is  
10 something that I haven't heard from Aqua Utilities, and that is  
11 specifics. I understand that they are a big company, but we  
12 have concerns here in Chuluota with the quality of our water.  
13 They want an exorbitant rate increase. I think some of us,  
14 myself included, would be willing to listen to that and maybe  
15 might even agree to some portion of it if we were guaranteed  
16 that this TTHM problem that we have been having for years will  
17 be solved. I think most of us would be willing to pay a little  
18 more if we got the quality water that we should be getting.

19 **UNIDENTIFIED SPEAKER:** I think it's too much as it  
20 is.

21 **MR. NICOLA:** Okay. I agree that. But what I'm  
22 saying is we are not hearing -- what we are not hearing is we  
23 are going to spend -- we've got a problem with the wells, or we  
24 have got a problem with the pipes, we have got a problem with  
25 the treatment plant, the treatment technique. We are not

1 hearing we are going to spend \$10 million of this increase to  
2 pay for a new treatment plant, or we are paying X million  
3 dollars for new pipes, and this is the schedule it's going to  
4 be accomplished on. We are not hearing any of that. All we  
5 are hearing is we want more money. We want to increase the  
6 value of our utility. But there is no guarantee that it will  
7 help the quality of our water whatsoever.

8 I would like to make a very short analogy, too, that  
9 in my -- in my neighborhood I want to tell you how the company  
10 should be working. A very simple analogy. The company that  
11 built our homes decided they wanted to add 35 homes in a  
12 special area. They would cut a new road into our property.  
13 One of the first things they did is they had a community  
14 meeting where they invited all the residents of Osprey Lakes to  
15 come. And they had a very nice presentation of what they  
16 proposed.

17 It was all above board. And when everyone objected  
18 they said if you could get 100 homeowners to sign a petition  
19 saying that they didn't want these 35 additional homes, then  
20 they would cancel the project. And sure enough we got  
21 100 signatures, and they did stop the project. So that's the  
22 way a company, you know, an ethical company should behave, I  
23 believe. And I'm not hearing any of that out of Aqua  
24 Utilities.

25 Thank you very much.

1           **CHAIRMAN CARTER:** Thank you.

2           **COMMISSIONER ARGENZIANO:** Is there a way of somebody  
3 answering his question either now or at another time, because  
4 he did have a question in there. The first question was why is  
5 it so different, the neighborhoods? And I know there are  
6 different answers, but maybe, you know, that should be  
7 answered, if we can.

8           **MR. WILLIS:** I can answer it generically, because I  
9 don't have the costs and figures for all the surrounding  
10 communities. But a lot of the surrounding communities are  
11 governmental entities. And governmental entities are different  
12 in that, one, they don't pay income taxes, they don't pay real  
13 estate taxes, and private companies are required to. They have  
14 to pay taxes, both ad valorem taxes and income taxes. So there  
15 is one of the major differences between the two, and it does  
16 account for a chunk.

17           But a lot of the neighboring communities, the  
18 governments, Oviedo, they are a lot larger as far as the system  
19 itself. I mean, when you have a larger system they are a  
20 little more economical to operate. And I know Aqua is a large,  
21 large company, but they are dealing with small systems, which  
22 in themselves aren't as economical to operate.

23           There are two differences that we see all around the  
24 state that would account for some of it. So I hope that helps  
25 some.



1 COMMISSIONER ARGENZIANO: Thank you.

2 CHAIRMAN CARTER: Thank you.

3 Mr. Kelly.

4 MR. KELLY: The next speaker is Ms. Heidi Van Wagnen.

5 HEIDI VAN WAGNEN

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

8 DIRECT STATEMENT

9 MS. VAN WAGNEN: Hi. I'm Heidi Van Wagnen, and I  
10 live at 351 East 4th Street, and I have been living in Chuluota  
11 for 21 years.

12 Once again, I stand before you to state that I am a  
13 disabled widow and a senior citizen. My sole income is Social  
14 Security. I am not exclusive. There are many, many, many  
15 citizens of Chuluota in the same financial bracket that I am  
16 in. And now it seems like Aqua Water is attempting to break  
17 our financial backs and destroy any quality of life we have  
18 eked out of our low income.

19 This is what Aqua Utilities already costs citizens of  
20 Chuluota who have adequate incomes. They have a monthly bill  
21 for contaminated water, plumbing repairs, twice a year or more  
22 for toilets, sinks, showers, hot water heaters, bathtubs. They  
23 pay for replacement parts. They pay for bottled water or  
24 purification systems. They pay doctor bills that may be  
25 attributed to drinking water or absorbing it through the skin

1 of polluted water. Vet bills for the same. Lake pumps and  
2 other devices in order to water their lawns.

3           However, many residents like myself do not have  
4 so-called adequate incomes. It is us who already suffer the  
5 most abuse at the hands of Aqua Utilities. For example, I have  
6 an autoimmune disease, and I take many prescriptions that give  
7 me dry mouth, so I consume a lot of water. I consume this mug  
8 full of water or tea once or twice a day. And it is from the  
9 tap water, because I cannot afford bottled water.

10           Recently, I had a bladder infection caused by Aqua  
11 water consumption or absorption; that is, it could have been  
12 cause from that. And then I had doctor bills and prescription  
13 bills. I have no medgap insurance. I have no prescription  
14 plan. This really, really hurts.

15           My dog, protector and faithful companion, Bart, at  
16 seven years old I had to put him to sleep because he had  
17 massive cancer. My cat, Button, every year, at least once a  
18 year, I have to take him to the vet because he gets ulcers in  
19 his mouth that extend out of his mouth and are very painful for  
20 him. And I am the one that takes care of him. I am the one  
21 that has to take him to the vet and see that he is taken care  
22 of. This is another bill I cannot afford. But this animal is  
23 my companion and gives me lot of comfort and a lot of love.  
24 And I believe that whatever it takes, I have to take care of  
25 him.

1           The only option left to Chuluota residents with fixed  
2 incomes is to boil our drinking water, thereby impacting our  
3 budgets in higher electric and gas bills. Then what is the  
4 alternative do we have for taking a shower or a bath in  
5 polluted water? Do we have any alternative there? Maybe we  
6 should be get naked and go dance in the rain, because that  
7 seems to be the only alternative.

8           **CHAIRMAN CARTER:** Please don't do that.

9           (Audience laughter.)

10          **MS. VAN WAGNEN:** If Aqua Utilities is granted a price  
11 hike, people like myself will have to choose between having  
12 electricity or water, or maybe food or water, or maybe the  
13 drugs we need or water. We can't pay it all. We certainly  
14 can't pay it all on Social Security. Aqua is asking for  
15 another rate hike, and this is so absurd that it shatters any  
16 shred of credibility the company could cloak themselves in.

17           I thank you for time and consideration. I have a  
18 packet for each of you.

19          **CHAIRMAN CARTER:** Commissioners, this will be marked  
20 as Exhibit -- where are we, Staff?

21          **MR. JAEGER:** 35.

22          **CHAIRMAN CARTER:** -- Exhibit 35, and it would be Van  
23 Wagon -- did I stay it right, Heidi?

24          **MS. VAN WAGNEN:** No, it is Van Wagnen.

25          **CHAIRMAN CARTER:** Van Wagnen, did I get it right that

1 time? Van Wagnen. I got Heidi right, didn't I?

2 MS. VAN WAGNEN: Yes, you did.

3 CHAIRMAN CARTER: Heidi's memo. That will be Exhibit  
4 35. Van Wagnen. Close?

5 MS. VAN WAGNEN: Very good.

6 CHAIRMAN CARTER: Thank you.

7 (Exhibit Number 35 marked for identification.)

8 CHAIRMAN CARTER: Mr. Kelly.

9 MR. KELLY: Michael Tingle.

10 MICHAEL TINGLE

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

13 DIRECT STATEMENT

14 MR. TINGLE: Good evening, and thank you for allowing  
15 me the opportunity to speak to you tonight. My name is Michael  
16 Tingle, and I live at 390 Medallion Place in beautiful  
17 Chuluota.

18 I moved into my house in December of 2004, and I had  
19 heard about the issues of water quality and the higher rates  
20 prior to moving. But I figured back then that the higher rates  
21 would be affordable, considering I was getting a good deal on  
22 my house and moving to a new rural area outside of Oviedo, but  
23 now I am not so sure.

24 Within two months of moving in I had to purchase a  
25 water conditioning system at an investment to my cost of over

1 \$3,000 to try and combat the water quality issues I was  
2 experiencing. I have a new high-efficiency washing machine  
3 that can't clean my clothes with the water that is serviced to  
4 me by Aqua. My laundry smells. It's not me; it's my laundry.  
5 It always has an odor after it has been washed. My white  
6 towels are now gray and dingy. My toilets have rings even  
7 though I clean them regularly, or my wife does. My bathtubs  
8 have stains unless we clean them daily. And when I upgraded my  
9 kitchen from the standard faucets that came with the house  
10 after only two years of use, I was shocked to see the level of  
11 corrosion which had already occurred to these units.

12 I can only imagine what other Aqua customers are  
13 experiencing without water conditioning systems and what they  
14 have to deal with. I love my neighborhood, but I hate my  
15 water.

16 As you have already heard today, I, too, suffer from  
17 poor water quality at exaggerated prices. My last bill was  
18 \$216. In my opinion, this business practice borderlines on  
19 price gouging. I don't understand how Aqua can continually ask  
20 for rate increases when they are still dealing with water  
21 quality issues. I don't understand that. They say in their  
22 letters that we receive on a regular basis that the increase --  
23 in these letters that our increases are needed to improve their  
24 own system. They knew that the system was older and that it  
25 needed improvements when they purchased it. And in hindsight

1 it was a strategic and brilliant business decision. Buy an  
2 older system, dump a little bit of money into it, make some  
3 modern improvements, and then raise your rates extraordinarily  
4 to recoup costs and make profits.

5           They built a 10,000 capacity wastewater sewer  
6 facility for a community of 1,400 people. Why did they do  
7 that? Knowing that we don't need one that large and hoping to  
8 sell their sewer service to outsiders. Their interest isn't  
9 providing customer service to us. Their interest is seeing how  
10 much money they can make from us.

11           After all, Aqua is in the business of making money.  
12 That's what they do, not making water. My water quality has  
13 not improved in the last four years, yet my rates have  
14 increased. It is getting to the point that the water rates are  
15 just as expensive as the gasoline, and that's saying a lot  
16 considering gas is \$4 a gallon. Their rates are now 3.97 per  
17 gallon with their water consumption rates, and now they want  
18 more.

19           Thee water cost is hurting my family income  
20 financially during these tough economic times, as you can  
21 imagine. My property value is also decreasing. Who wants to  
22 buy a house with overpriced water? I am now considering  
23 putting in a shallow well to offset my landscaping water needs.  
24 I will do that even though I know it will adversely impact  
25 Florida's natural water table.

1 I just want good water at fair prices. I don't mind  
2 paying for a quality product, yet Aqua has not delivered a  
3 quality product. They consolidated Chuluota's water district  
4 rate case with all the others in the state of Florida and have  
5 submitted a lump case to you for all 82 districts. I propose  
6 that a strong message be sent to them and deny their rate  
7 request. It isn't fair to take our customer base of only 1,400  
8 people and lump them into the same pot as the rest of the  
9 state. I will submit as an exhibit copies of my last  
10 three month's bills.

11 **CHAIRMAN CARTER:** Commissioners, for your records,  
12 that will be Exhibit 36.

13 (Exhibit Number 36 marked for identification.)

14 **MR. TINGLE:** If you will notice, I have used 19,500  
15 actual gallons in April. Aqua's new rates then went into  
16 effect during the month of May. You will then notice how I  
17 jumped to 32,600 gallons in the month of May. Also notice that  
18 their little graph that they give you is gone in the month of  
19 May that tells you how much water you have used in previous  
20 months so they can then explain the rate differences now that  
21 the rates have increased.

22 My habits didn't change from April to May, yet my  
23 water consumption, according to them, increased by 40 percent.  
24 And for the record, I already have one of the supposedly new  
25 meters. Then on my June invoice their graph is back, and I'm

1 now down to 25,700 actual gallons. I didn't change my water  
2 habits from May to June, yet they say my water consumption  
3 decreased by 21 percent.

4 I can hardly wait to see what my water bill will be  
5 in July. It's difficult for the average consumer to follow  
6 their fuzzy logic. Their water rates are all wet, and I am  
7 tired of being washed and sent through the wringer. Hopefully,  
8 you can feel my frustration, too.

9 As you have seen and heard, Chuluota has a strong  
10 organized voice, and we will continue to let our voices be  
11 heard. We will continue to fight this case and future cases as  
12 they are presented until Aqua delivers a quality water at fair  
13 prices. If they are smart, as they think they are, then they  
14 would leave Chuluota alone. They would accept the offer to  
15 sell their investment at market value to the City of Oviedo.  
16 Believe me, we don't want to be Aqua's customers, but we don't  
17 have a choice. But, yet, we will not go away without a fight.

18 I know the PSC board, your power is not limited. You  
19 do have the responsibility and the authority to make the right  
20 decision. Deny Aqua's case and send a message to them and  
21 every other large corporation wanting to make and take  
22 advantage of small communities like ours. It's not fair. It's  
23 not fair. You realize it is not fair. I know it. I know you  
24 know it. Deny their request so everyone else knows it, too.

25 Thank you.



1           **CHAIRMAN CARTER:** Thank you, Mr. Tingle.

2           Mr. Kelly.

3           **MR. KELLY:** The next speakers are Jennifer and Scott  
4 Herrick.

5                           JENNIFER AND SCOTT HERRICK

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

8                           DIRECT STATEMENT

9           **MS. HERRICK:** My name is Jennifer Herrick. I live at  
10 287 Knot Hole Circle in Chuluota, Florida. My husband went to  
11 Aqua's customer service meeting a few months ago. We were  
12 concerned, because a majority of our bills were coming in as  
13 estimated and the usage was fairly high. They said we should  
14 receive actual, and they said they would send out a  
15 representative to check our meter.

16                   After a month we hadn't heard anything. There was no  
17 door tag left, as we were told it would be. We called, and  
18 they said, oh, it takes a long time. Call back again. We  
19 called back again, and they said, okay, now you have a new  
20 meter. We still didn't receive any kind of confirmation, we  
21 don't have any door tag, there was nothing there for us to  
22 know.

23                   In May we received a bill of over \$400. We called to  
24 ask them please explain this. And they said, your current --  
25 your original meter was not correct. It was not reading

1 correctly. Now, we bought our house and built it in August of  
2 '07. We paid every single bill that they sent us, except for  
3 the one that came for \$700, over \$700. That one we disputed,  
4 and it was corrected. We paid on time every month. And now  
5 all of a sudden they said your meter was not correct. We have  
6 installed a new meter, and now this is what you owe us from the  
7 very beginning. They are backbilling us.

8 I said, well, how possibly -- if the meter was not  
9 correct, then how do you know what you can bill us for? At  
10 this point we filed with the PSC. Tamika at Aqua called us  
11 back following our complaint, and she said, I have looked into  
12 it, and, actually, now your billing is over \$600, because it is  
13 supposed to be higher than what you were first billed.

14 Okay. I asked her again, please tell me, we have  
15 paid our bill every month believing your company and that this  
16 was the accurate bill. Now, how are you trying to say that we  
17 are supposed to believe this. How do you know? And she  
18 said -- let me see, they have installed a new meter, and with  
19 that meter a new device to read how much water has ever passed  
20 through our pipes since August of '07.

21 I am not a plumber. I'm not. I don't know anything.  
22 It seems a little weird. I have asked around. No one has  
23 heard of that. That was her answer. I told her, okay, Tamika,  
24 I'm disputing this new amount, then. We are not paying this  
25 number. I do not believe you, I'm sorry. And we requested a

1 breakdown. I said, okay, you want us to pay. I don't want a  
2 lump sum. I want a breakdown of each month of what you are  
3 telling us we have used. No, I can't provide that.

4           Okay. So I asked her how do you get your readings?  
5 Is it done by someone reading it or by a digital meter? And  
6 she said it is done by a person reading it. Well, then isn't  
7 that open to human error? I said a lot of people use digital  
8 readers so it's more accurate. Oh, that's how we do it. Well,  
9 30 seconds ago it was by someone getting out of their truck and  
10 reading it.

11           She offered to put us on a payment plan. We  
12 declined, and we renewed our complaint with the PSC. Aqua has  
13 responded to this new complaint. We are waiting for the PSC to  
14 go over their response and get back to us.

15           As you can see, my -- I wrote that my last bill was  
16 \$1,226. Well, that's not really correct anymore, because since  
17 that we have received two more bills. Now it's less, for \$610.  
18 When we called, my husband called on Wednesday, and we are  
19 being billed for 300 past days for Aqua's mistake of whatever  
20 they decided to bill us, for almost 200,000 gallons of usage  
21 for my family of two.

22           Now, I have -- our previous home we lived in for two  
23 years. I have from that city a record of what our water usage  
24 was. In the 732 days that we lived in that home, our total  
25 water usage was 57,700 gallons. They are trying to bill us for

1 300 days for almost 200,000 gallons.

2 We have turned off our sprinklers. We are doing  
3 everything we can to reduce the water, and it just continues to  
4 go up. We have called a few times trying to follow up. We get  
5 a different answer every single time. One person told us our  
6 current reading was at 4,800 gallons. When my husband  
7 questioned her about their billing practices and how they  
8 received their readings, she put him on hold, and the call was  
9 disconnected.

10 We called back and spoke with Sidney, who claimed the  
11 previous rep did not give us accurate information. We are  
12 actually at 55,000 gallons for our current reading. This is in  
13 a span of ten minutes. They can't even keep it straight what  
14 they are telling people.

15 We went to the meeting on Monday for the community  
16 lead by Kelly, and we talked with Sandy Adams. And she called,  
17 I believe it was the president of the company, and along with  
18 our neighbors and one other family. We received a call the  
19 next day from a rep stating we are aware of your issues and we  
20 are looking into it. We will get back to you. A few hours  
21 later a different rep called my husband and said we have  
22 sent -- okay, even though you received two bills in July for  
23 the exact same amount, that is not correct anymore. They have  
24 been canceled. We now are going to send you a bill, and I  
25 don't recall the exact amount, but it is over \$1,000.

1           We are repeatedly mailed bills, and when we call to  
2 discuss the amount we are told, oh, that bill was canceled.  
3 You will be receiving another bill in a few days for X amount  
4 of dollars and this new bill is always more than the previous  
5 bill. After such calls, we receive that bill, and it still  
6 isn't for the amount that we were just told. The cycle just  
7 continues because then we will call and they will say, oh, that  
8 one is canceled, too. You will be receiving a new bill, and it  
9 goes on and on.

10           The Aqua reps are always rude. Our calls are always  
11 disconnected somehow. We cannot get a return phone call. We  
12 are always told something different about billing practices and  
13 water usage. The water is unsafe, and we are forced to buy  
14 bottled water for us to drink and to give to our cats, because  
15 I can't live if anything happened to them. We also have to  
16 cook with the bottled water.

17           We can never feel as though we are being told honest  
18 information and we never know if the money we are paying is the  
19 right amount. Aqua seems to change their mind quite frequently  
20 on the amount that is due. Had we been aware of such unethical  
21 practices, such shady company policies, and, of course, the  
22 below standard quality water, we never would have built our new  
23 home and endangered our family and pets with this water.

24           I have a summary of this, and also I've included a  
25 running list of all of our bills that we have ever received,

1 all the canceled, all the varying amounts and the water usage  
2 anywhere from 229,000 gallons of water to 4,300, and also a  
3 copy from our previous home water bill.

4 **CHAIRMAN CARTER:** Thank you.

5 Commissioners, that will be Exhibit 36.

6 **MR. JAEGER:** 37.

7 **CHAIRMAN CARTER:** Exhibit 37.

8 (Exhibit Number 37 marked for identification.)

9 **CHAIRMAN CARTER:** Commissioner Argenziano.

10 **COMMISSIONER ARGENZIANO:** Again, I have to ask  
11 Mr. Franklin. And, Mr. Franklin, if this is correct, and  
12 you've said before earlier and at other meetings that you tape  
13 record all the calls that come in. I would go back to that  
14 Tamika call, because your own reps are killing you guys. And I  
15 would go back to that call and find out if that's the case, and  
16 I would check into how many calls maybe get suddenly  
17 disconnected. But if you can help them straighten that out. I  
18 mean, you have had a call from a state rep. I think they  
19 really need some attention.

20 **MR. FRANKLIN:** Commissioner, rest assured we will  
21 pull those calls. As a matter of fact, Representative Adams  
22 had asked us for another customer to pull a call, which we did.  
23 And we actually e-mailed the WAVE file so she could listen to  
24 the call. So we will be happy to pull those calls and listen  
25 to them and if any improvements need to be made, we will make

1    them.

2                   **COMMISSIONER ARGENZIANO:**   Could I ask you one other  
3   question?  Do you have any kind of training for the people who  
4   answer the phone?

5                   **MR. FRANKLIN:**   We actually do.

6                   (Simultaneous audience conversation.)

7                   **COMMISSIONER ARGENZIANO:**   Wait, wait.  I'm asking  
8   that seriously, because I really would like to know if they are  
9   at least trained and maybe you have to step up the management  
10   on the training process.

11                  **MR. FRANKLIN:**   We do.  Commissioner, during the  
12   winter we had six meetings hosted by PSC staff in which we  
13   talked about the progress that we are making in our call center  
14   in terms of changes.  And one of those was a significant  
15   change.  We hired a new training manager and a new training  
16   staff, and they have been in place for several months now.

17                  **COMMISSIONER ARGENZIANO:**   And, Jennifer, I'm sorry, I  
18   don't remember your last name.  I didn't get it down.

19                  **MS. HERRICK:**   Herrick.

20                  **COMMISSIONER ARGENZIANO:**   Kerry?

21                  **MS. HERRICK:**   Herrick.

22                  **COMMISSIONER ARGENZIANO:**   Herrick.  Okay.  If you  
23   would take him up on that right now, and I think you might get  
24   this straightened out.  Thank you.

25                  **CHAIRMAN CARTER:**   Thank you.

1           Commissioners, it is two hours, and we want to switch  
2 out with the court reporters. And what we will do is we'll  
3 come back in ten minutes. That way we'll give the court  
4 reporters a chance to switch out. And we are going to  
5 continue, so those of you that haven't been heard yet, don't go  
6 away. We'll give the court reporters a chance to take a break.

7           (Recess.)

8           **CHAIRMAN CARTER:** We'll ask everyone if you would  
9 kindly take your seats. And as we get ready to reconvene, let  
10 me just take a moment here, I said it to the people that were  
11 here with us this morning and I'd like to say it to the people  
12 that are here this evening, we've been working very closely and  
13 diligently with Representative Sandy Adams' office, and that's  
14 why you'll notice that we had two hearings here today. You  
15 know that we only had one last year. But she's been working  
16 with us and saying that she wanted to make sure that all of her  
17 constituents got an opportunity to be heard, and that's why you  
18 see that today we have two meetings here because we do want to  
19 hear from you. And I want to take a moment to express our  
20 appreciation to her as a legislator for this region to make  
21 sure that her people are heard. And, Representative Adams,  
22 thank you.

23           Mr. Kelly.

24           **MR. KELLY:** The next speaker is Kristan Priske.

25           **CHAIRMAN CARTER:** Kristan.



1                   **MR. KELLY:** Priske, P-R-I-S-K-E.

2   Whereupon,

3                                   KRISTAN PRISKE

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

6                                   DIRECT STATEMENT

7                   MS. PRISKE: Hello. I'm Kristan Priske. I live at  
8   278 Knot Hole Circle in Chuluota. We've been Aqua customers  
9   since September of 2007. My biggest concern is the poor  
10   quality in the water. We keep getting notices about how high  
11   the THM is. I recently learned that that's a high risk in  
12   causing miscarriages. I'm expecting for the first time myself.  
13   This was a huge factor to my husband and I. I researched it a  
14   lot online and saw that it is a very, very high risk in  
15   miscarriages and stillbirths. We went ahead and paid about  
16   \$1,500 to install a water filtration system on the house.  
17   They've had to come back and refilter some things because of  
18   how poor the quality in the water is.

19                   We have also experienced very poor customer service.  
20   I call Aqua two to three times a month because they send us the  
21   most ridiculous bills. We get about two to three bills a month  
22   from them. The worst one we received -- every bill that we  
23   received has been estimated until recently. Our worst was in  
24   31 days they estimated that we used 1,000 or, sorry,  
25   161,500 gallons, just the two of us, my husband and I. That

1 breaks down to us using 5,209 gallons a day. It's crazy. We  
2 don't use that much water. We're barely home. We both work.

3           When I called customer service, I was told that when  
4 they estimate a bill, they get their numbers from your previous  
5 year's consumption. Funny to us that our house wasn't even  
6 there a year previous. So they decided to contact maybe Sea  
7 World for their water bill.

8           When we dealt with the same Tamika lady, we were  
9 always told that we had to call back. She wasn't quite sure  
10 when she could get back to us, so we needed to make sure we  
11 were making calls back and checking in for the new bills. We  
12 dealt -- we were always told, "Do not pay your bill. We'll  
13 send you a new bill." Same story you've heard: We've gotten  
14 new bills, they've been higher, they've been lower, they've  
15 been ridiculous amounts. Out of the ten bills that we, or the  
16 ten months that we've lived there we've received more than ten  
17 bills. I have not seen one actual bill for a 30-day read.  
18 They have never come out and read a bill and 30 days, or read  
19 our water meter and 30 days later read it again. They have  
20 never been able to prove to us our water consumption for 30  
21 days. We owned a previous house in a different city two years  
22 and never once had an estimated bill, never once were not told  
23 what we used in 30 days.

24           In the beginning they were estimating very low. They  
25 realized they were estimating low, so they backbilled us. They

1 decided that we were going to pay for all their mistakes in  
2 estimating, and they've gone back and they come up with some  
3 magical number, somehow they got an actual read, and so they  
4 have this magical number of all the water we've used now and so  
5 they've billed us for that. They still yet cannot show us how  
6 they came up with their magical number.

7 I filed a complaint with the PSC about all of the  
8 estimated bills and customer service problems. I was contacted  
9 by Ossie Pinknee (Phonetic) from Aqua, and she said that if I  
10 had any other concerns, that I could contact her directly if I  
11 needed anything. Well, I decided I wanted a copy of my bill,  
12 so I sent her an e-mail four days ago and I've yet to ever hear  
13 a reply from her.

14 Again, I called Aqua today and their customer service  
15 and they told me that they don't have any records of my past  
16 record bills the past three months, that they don't keep those  
17 records, which is silly to me.

18 Then I was contacted by Stacey Barnes (phonetic) on  
19 Tuesday, July 15th at 10:37 a.m., and I was told that he was  
20 just made aware that we have had several issues and problems  
21 with our account. He was going to look into it and contact me  
22 back immediately. Not sure what immediately means to Aqua, but  
23 here we are 55 hours later and I still have not heard a word  
24 from him.

25 My questions are: What is so hard about getting out

1 there and doing an actual correct read? Is that not their job?  
2 Why do we pay for their mistakes and why is this something that  
3 is consuming our lives? I've paid a total of \$985.73 to Aqua  
4 in less than a year, only to have poor quality water and poor  
5 customer service. I have had bills that equal over \$3,000. So  
6 on top of their poor customer service, they can't even do their  
7 jobs and read the water meters correctly. I never would have  
8 imagined that my life would be consumed with worrying about  
9 cooking with water, brushing my teeth, taking a shower, giving  
10 water to my dog, washing my hands, and on top of worrying about  
11 all the quality, I still have to call and be on the phone with  
12 their poor quality customer service reps.

13 I cannot believe that the rates are even being  
14 considered to be increased. We already pay too much for poor  
15 quality, no-good water. I have all the bills we could find  
16 where they estimate us using 161,000 gallons.

17 **CHAIRMAN CARTER:** Do you just have a -- you have a  
18 copy or are those your originals?

19 **MS. PRISKE:** I have my original. I can send a copy.

20 **COMMISSIONER EDGAR:** Staff, do we have --

21 **MR. WILLIS:** We can get copies right here.

22 **MS. PRISKE:** Okay. Okay.

23 **COMMISSIONER ARGENZIANO:** Mr. Chair, can I ask DEP a  
24 question?

25 **CHAIRMAN CARTER:** Yes, ma'am. Commissioner

1     Argenziano.

2                 **COMMISSIONER ARGENZIANO:**   Thank you.

3                 I wonder if DEP or maybe DOH, and I know they're not  
4     here but maybe we can get this out to them, could tell me what  
5     the elevated THMs can do to a pregnant woman. I'd like to know  
6     that. If there are concerns, as the young lady has described  
7     that she has found and I believe I've read that in the past  
8     also, I would like to know what their standards are.

9                 **MR. PRATHER:**   We can certainly have DOH answer that  
10    question. What I can provide to you, Commissioner Argenziano,  
11    is that the public notice that's required, I think we talked  
12    about this in the morning, does not, the levels of the  
13    individual constituents that make up that sum are not high  
14    enough to require that earth language, which would warn someone  
15    who was pregnant of the water.

16                **COMMISSIONER ARGENZIANO:**   And can I just ask, are  
17    those federal guidelines that we use?

18                **MR. PRATHER:**   Yes.   Yes.

19                **COMMISSIONER ARGENZIANO:**   Okay.

20                **CHAIRMAN CARTER:**   Thank you.

21                And, Commissioners, for the record, her, Ms. Priske's  
22    bills will be Exhibit 38. Staff, it's Exhibit 38; is that  
23    correct?

24                **MR. JAEGER:**   That's correct. That's bills and  
25    summaries of billing disputes.

1           **CHAIRMAN CARTER:** Bill --

2           **MR. JAEGER:** Summaries.

3           **CHAIRMAN CARTER:** -- and summary of disputes.

4           (Exhibit 38 marked for identification.)

5           Mr. Kelly.

6           **MR. KELLY:** The next speaker is Ms. Diane Nease.

7   Whereupon,

8                               **DIANE NEASE**

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. NEASE:** Hi there. Thank you for coming again to  
13 listen to our complaints. I'm not going to go over everything  
14 basically that everybody else has already said, but I want it  
15 on record that I am against the rate hikes. I also agree we  
16 have very poor quality water and I have huge concerns for our  
17 health. My family, my son, my daughter-in-law, my  
18 grandchildren, they all live in the neighborhood, and I'm  
19 worried about my family, including myself, my husband and my  
20 little boy that's still at home. So, you know, this is a big  
21 issue for all of us.

22               But I have questions. I'm going to do this a little  
23 different. We -- I was at the Oviedo meeting we had last year,  
24 and, quite frankly, I don't feel that anything was done. I  
25 know that everybody was concerned, showed concern, but I just

1 don't see anything done. Aqua had said that they were going to  
2 repair some things at the facility. Well, what I saw was at  
3 different periods of time during the week some guy show up with  
4 a little white truck, they put a little Porta-Potty outside,  
5 he'd open the gate with a key, go in. The only thing I saw him  
6 fixing was his belt buckle on his pants as he left the  
7 Porta-Potty. I never heard, I never heard or saw any  
8 equipment.

9           My husband and I are in business for construction.  
10 When we go to a job, we have materials, we have equipment, we  
11 have -- I mean, it makes noise. You're building, you're doing  
12 something. There was nothing, absolutely nothing. And I don't  
13 mean to sound rude, but I'm upset because what you're not  
14 getting is this is our life. Okay? Life. These are my  
15 children's life and it's upsetting us. Maybe nobody wants to  
16 get that, but it upsets me. You cannot put a price on our  
17 life. It doesn't work that way.

18           And it's ridiculous. Everybody comes up here and  
19 they, everybody comes here and they talk about this and they  
20 talk about that. It's been a frigging year, one year. When is  
21 anybody going to get off their butts and do something, really  
22 honestly do something? Okay?

23           That lady that was here with her pets that passed  
24 away, I feel for her because I'm a animal lover. I lost my  
25 Lucky dog who was not lucky after I moved in that frigging

1 house. He died within one year of being there. My cat, all  
2 her hair fell out. And not until Lucky came down with cancer  
3 in the, in the glands did I realize, oh, my God, it's the  
4 water. Soon as I put her on Zephyrhills water that I pay  
5 hundreds of dollars for when I'm paying you guys for water --  
6 okay, you're not reimbursing me for that. The other man that's  
7 got the high efficiency washer, I went out and bought that too.  
8 Save water, try to be a little conservative. My clothes stink  
9 when they come out. Like he said, it's not me. It's the  
10 clothes. You guys don't get it. You know, money is money, but  
11 that's not what it's about. It's about our life and I'm upset  
12 about that.

13           My granddaughter was born with a cyst, a small tumor  
14 in her mouth. And my daughter-in-law don't drink, don't do  
15 drugs, is a top model mother. Okay? And my baby comes out  
16 like that from the water? No. You guys can pretend it may be,  
17 it may not be because everybody wants to worry about being  
18 sued. I'm telling you it's your frigging water and you need to  
19 clean it up. You know this, you know that THMs cause cancer.  
20 Last meeting we had a chemist at the meeting and I directly  
21 asked him, he didn't know where the hell to crawl under a rock  
22 because he was faced in front of everybody else when I said,  
23 "Does it or does it not cause cancer?" Guess what the answer  
24 was. Come on, tell me, because you know. You're at your  
25 little board meetings every month. What does it cause? What



1 does it cause? Cancer. And you're putting that in that water.

2 COMMISSIONER ARGENZIANO: We need to --

3 CHAIRMAN CARTER: Ms. Nease. Ms. Nease. Ms. Nease.

4 MS. NEASE: And you don't get it. I'm sorry I'm  
5 upset. Okay? I've lost three pets and --

6 CHAIRMAN CARTER: Okay. Here's what -- let me, let  
7 me -- okay. Let's work, let's work together here though.

8 MS. NEASE: I've had health issues, my husband has  
9 had health issues. These are my children.

10 CHAIRMAN CARTER: Let's work together here, Ms.  
11 Nease. Let's work together here.

12 What we're doing is we're trying to get your comments  
13 on the record. We have a court reporter here that's doing  
14 this, so --

15 MS. NEASE: Well, okay, you want me to repeat it,  
16 I'll repeat it.

17 CHAIRMAN CARTER: No. She's got it. But I'm just  
18 saying to you just --

19 MS. NEASE: No. I'm sorry. Everybody comes up here  
20 all pleasant, everything is all sweet. You know what? Done  
21 with sweet. They haven't done nothing. Okay? They tell all  
22 you people they're going to do A, B and C. Oh, we spent -- you  
23 were standing up here, we spent blah, blah, blah billion  
24 dollars. On what? Tell me what you spend it on because that's  
25 just hearsay. What did you spend it on?

1           Now they bought this company at a cheap price because  
2 they know that it needed repairs. If you had no intentions on  
3 doing it, go be a slum landlord somewhere else because that's  
4 what the hell they're doing. They knew the condition. They  
5 had no intentions of fixing anything, but yet they won't take  
6 an offer for somebody to come in and repair it. Let us buy it  
7 from them. Let somebody repair it. They won't do that.  
8 They're greedy and they don't care about anyone's life, not  
9 yours, not mine, not anybody's. And gratefully I hope none of  
10 y'all live around our neighborhood because, guess what, you're  
11 drinking water that's going to give you cancer. They can say  
12 it doesn't. Look it up.

13           And filterization systems, it's a joke. That's a  
14 liquid that's dissolved in the water. You can't take TH --  
15 that THM out of there. You can't take it out. You cannot take  
16 it out. It's a liquid. It's not a substance, it's not a  
17 particle, it's not anything like that. It's just bogus.

18           And, you know, like the lady said before, how do you  
19 sleep at night? I know y'all have to have a job. Go work  
20 somewhere else or fix the problem. Care a little bit.  
21 Remember, the man upstairs is always watching. When love for  
22 money is more than man, remember that saying, because you got  
23 to answer to somebody one day.

24           Mr. Kelly.

25           **MR. KELLY:** The next speaker is, I hope to get this

1 right, Kristie Toruno.

2 Whereupon,

3 KRISTIE TORUNO

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

6 DIRECT STATEMENT

7 MS. TORUNO: Hi, everybody. Thank you for being  
8 here. I'm so happy to go next. Because, you know, I had a  
9 list of things I wanted to say. I've had a list of things --  
10 I'm sorry. I'm Kristie Toruno. My address is 412 Empress  
11 Lane. I am the victim of The Trails. Excuse me. I live in  
12 The Trails. And I had a long list of things I wanted to say.  
13 The reason why I had a long list of things I wanted to say was  
14 because this has been going on for too long. Okay? And, you  
15 know, I'm a very humble person. You know, I work in law  
16 enforcement. You know, I feel I do my duty, I do my job. I  
17 have responsibilities, but, you know, they have  
18 responsibilities also.

19 And the thing that makes me mad is, number one, the  
20 health issue. I moved into Chuluota thinking that I'm going to  
21 build this beautiful house, give my husband a new baby like  
22 he's asking me for. And, you know, I have three children, I  
23 have a little Chihuahua. When we moved in everything was  
24 great, utilities were fine, no issues, and then I met Aqua.  
25 Total different situation. Never in my life have I had

1 problems with my water. I have built several houses in the  
2 past in Orange County, Seminole County. Never had issues with  
3 my water, never had issues with my electric.

4 My biggest concern now is that I have children, I  
5 have children that attend Walker Elementary. So, as you can  
6 see, that's my issue with the health concerns that they're  
7 having now. I also have Zephyrhills and I think the majority  
8 of us have Zephyrhills or we have a backup water system. That  
9 right there should tell you that there's an issue with the  
10 water.

11 And it's so funny because I just happened to bring  
12 this, I wasn't even going to bring this up, but this is  
13 addressed from Aqua Utilities. They sent us a letter saying,  
14 "We are in violation." The violation is THM. What does it  
15 state? It states, "Some people who drink water containing THM  
16 in excess for many years may experience problems with liver,  
17 kidneys or central nervous system and may have an increased  
18 risk of getting cancer." This is addressed from Aqua saying  
19 that, yes, we did find the contaminants in the water at a, at  
20 a -- oh, actually it says that they're in violation. Okay? So  
21 what this lady said right here, you know, they're sending us  
22 letters saying, by the way, we're in violation, guys. You may  
23 get this, you may get cancer. And then we're hearing from  
24 people that their dogs and, you know, concerns of miscarriages  
25 and everything, that their dogs are dying because of cancer.

1 This is something we've got to look at.

2 Okay. I'm not one to complain. I don't -- I hate  
3 people that whine, I hate people that complain. Just take care  
4 of it. I feel like with Aqua, I feel like, God, I call them  
5 every day. I bet you, I don't know where Mr. Brown is, but I  
6 bet he's like, oh, damn, that's that Kristie girl, because I  
7 have called him every single day. Okay? We've developed a  
8 negative relationship, but that's the way it's going to be.

9 I work full-time, I go to school full-time, I'm a  
10 mother full-time. I would say 100 percent of these people are  
11 the same way. I don't have time to be on the phone with Aqua  
12 because they don't have adequate customer service, they don't  
13 have, they don't know what they're doing. And I'm not a  
14 businessperson, I would have went to college for business if I  
15 was, but I'm not stupid either. This is definitely not the way  
16 to conduct customer service to -- I mean, this fell out of your  
17 truck by the way, guys. I don't know who this belongs to.  
18 Maybe one of you guys. This fell out of a truck when they were  
19 doing the meter switching. And when I called and I spoke to  
20 Ms. McClure with customer service, local customer service, she  
21 says that, "Yeah, we have been having issues and we're fixing  
22 that as we speak because we're getting rid of some people."  
23 That's what she told me. So, you know, that makes me question  
24 business ethics.

25 Conflict of interest with PSC and Aqua's management

1 now, someone that has been there with PSC for 20 years now  
2 works for Aqua. Tell me that's not a conflict of interest.  
3 That is a big conflict of interest.

4 I did some research. Orange County, Seminole County,  
5 average cost for water is \$1.60 per 1,000 gallons. Aqua wants  
6 to charge us \$3.80. We're talking about per 1,000 gallons.  
7 Okay? So if Orange County sent me a bill, it would be \$59.  
8 Aqua's bill would be \$142 for the same water with less quality.

9 So why am I upset? I honestly thought I was the only  
10 person in The Trails with this situation. I never knew, I  
11 never talked to my neighbors about it. I thought, oops, they  
12 misbilled me. They are saying that my small family consumes  
13 1,053 gallons per day. Okay? I don't have Shamu living in my  
14 backyard, I promise. Y'all can come out and look.  
15 31,600 gallons. Okay? A bill from 2007 said I was using  
16 133 gallons a day, 133 gallons a day versus 1,053 gallons with  
17 no lifestyle changes whatsoever is ludicrous.

18 My husband and I have been talking about possibly  
19 conceiving. Not in Chuluota. Because of the water I refuse to  
20 conceive a child. I've already had a miscarriage before,  
21 years, years before I moved into Chuluota, and I don't want to  
22 risk it again.

23 My dog drinks Zephyrhills. People that see me do  
24 this when I have birthday parties for my kids, they laugh at me  
25 and they want to know why I'm feeding my dog Zephyrhills when

1 he licks his bottom. And I said, "Because I would not let my  
2 dog that I've had for seven years touch that water."

3 In our homes, many of our Maronda Homes have islands.  
4 The islands consist of a sink. If anyone wants to come visit  
5 my home and see this, you can. I have foam coming out of my  
6 sink. I will not allow my children to wash their hands in the  
7 island of the kitchen because there's foam coming out of the  
8 faucet. The rings, I have -- I just moved there 2006 in  
9 December. There should be no rings on metal in my bathtub. I  
10 have rings of rust. And, you know, I've only had my house for  
11 a couple of years, and if there is a ring of rust on my metal,  
12 what the hell is in my body? What are in my children's body?  
13 They're not made of metal. They're a little less dense, but  
14 what is going -- you know, what is going to happen to my  
15 two-year-old or my 13-year-old or my nine-year-old in two  
16 years?

17 I wrote this down because I thought this was  
18 interesting that he said, you know, hey, we make mistakes and  
19 we're trying to fix our mistakes. In law enforcement I hope I  
20 never make a mistake that I have to fix because I can't sit  
21 there and clean up mistakes like you guys are saying you can  
22 clean up. If my children get a disease, get a disease or  
23 cancer, you guys are not going to do anything for me. You guys  
24 are not going to help me. You guys are going to say, "It must  
25 not -- it can't be our water. There's not enough traces of it

1 or there's not enough evidence of it." But I'm not going to  
2 wait and sit there and wait for it to happen. My  
3 responsibility, my children. Their responsibility, their  
4 families. They're not going to, they're not going to sit on  
5 this, guys. They're not going to sit on this.

6 I want to -- I didn't make copies, but I do have the  
7 bills showing that one month I used 133 gallons. The next  
8 month I used 1,053 gallons with no lifestyle changes  
9 whatsoever. And it's so funny because, like I said, I thought  
10 this was a unique problem. But when I called the, or when I  
11 called and told them I was with The Trails, it was so funny  
12 because I spoke to Tamika too and her comment was, you know,  
13 like as if, "Oh, yeah. The Trails. I know The Trails." Well,  
14 that's funny because you're not local but she knows The Trails.  
15 So obviously more people have been calling.

16 And, you know, after talking with PSC, they finally  
17 fixed my problem. It took four months to fix my problem. PSC  
18 did a wonderful job with, dealing with Aqua. And I, and I had  
19 someone from PSC told me, "Listen, Aqua does not want our  
20 paperwork on their desk." And that's why I feel the conflict  
21 of interest is there when you have people going from PSC to  
22 Aqua. That's another reason.

23 In closing, just like I said, I'm tired of this. I'm  
24 tired of working overtime with Aqua. I'm tired of dealing with  
25 Aqua's problems. I'm tired of worrying about my children's



1 health issues. So I really want Aqua to consider for us to  
2 sell to Oviedo Utilities because they're a fine -- I used to  
3 live in Oviedo. They are a fine water company or utility  
4 company. And that would make all of us happy. Thank you.

5 **CHAIRMAN CARTER:** Ms. Toruno, Ms. Toruno, before you  
6 go -- staff, can we get a copy made of her bills so we can --  
7 and that will be Exhibit --

8 **MR. JAEGER:** 39.

9 **CHAIRMAN CARTER:** Exhibit 39.

10 (Exhibit 39 marked for identification.)

11 Commissioner Skop.

12 **MS. TORUNO:** Does this belong to anybody, by the way?

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

14 Ms. Toruno, just a quick question. That's the same  
15 concern I had, whether we could look at the bills. And then  
16 also, too, may I possibly look at the meter that you have?

17 **MS. TORUNO:** Yes. For sure.

18 **COMMISSIONER SKOP:** Thank you.

19 **MS. NEASE:** Mr. Carter, Mr. Carter, have you ever  
20 wondered why there's no builders ever here? If we're getting  
21 these outrageous bills, why isn't a builder ever sitting here?  
22 Are we getting -- is their, is their water bills getting spread  
23 out amongst us? I mean, why wouldn't a builder come here and  
24 complain about the water bill?

25 **CHAIRMAN CARTER:** We are, we're going to hear from

1 everyone.

2 MS. NEASE: No. I'm just talking.

3 CHAIRMAN CARTER: We're going to hear from everyone.

4 Thank you for talking, but we're going to hear from everyone.

5 We're trying to get everyone. We've got, we've got a court  
6 reporter here, we're taking the record because we have to do it  
7 based upon -- we want to hear from you, but in order to hear  
8 from you and have that be part of the record to determine  
9 issues like water quality and determine issues about whether or  
10 not the rate increase is warranted, in order to determine  
11 whether or not there's been inadequate interaction between the  
12 company and the customers, we have to do it in an orderly  
13 manner.

14 So with that, Mr. Reilly -- Mr. Kelly, you're  
15 recognized.

16 MR. KELLY: The next speaker is Shannon Armstrong.  
17 Whereupon,

18 SHANNON ARMSTRONG

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

21 DIRECT STATEMENT

22 MS. ARMSTRONG: Hello. My name is Shannon Armstrong.  
23 I live at 614 White Crane Court in Chuluota. I too had a list  
24 of a number of things to talk about that many others have  
25 talked about tonight.

1 I moved here in 2004 from California, and never in my  
2 wildest dreams did I think that I was going to have to inquire  
3 about the quality or the cost of water. I was a little bit  
4 more naive than Kelly and her husband when they asked to look  
5 at utility bills. I never even fathomed that it would be an  
6 issue.

7 I started hearing about the rumblings of the water  
8 issues in Chuluota when I purchased my home from the developer,  
9 and I was lied to. I was told, "Oh, no, it was just one person  
10 who had a really high bill because they filled their pool that  
11 month." So at the time I moved here I had five people living  
12 in my home and my water bill started coming in about \$150,  
13 \$170 a month. Ever since, I guess, the new meters, I don't  
14 know what it is, I now have three people living in my home and  
15 my water bills have doubled. Last month they said I used  
16 47,700 gallons with three people living in my home. I find  
17 that very hard to believe. I've never used that much water  
18 before.

19 Many of these other people have spent a lot of time  
20 and effort contacting customer service, and I'll admit I'm not  
21 one of them, because I felt like what good does it do? I  
22 continually hear all of these complaints. I don't have the  
23 time. I'm a very busy professional and I don't have the time  
24 to chase down Aqua Utilities.

25 The other issue obviously is the quality of the

1 water. My icemaker no longer works. My refrigerator is only  
2 four years old. My dishwasher no longer works. It's only four  
3 years old. I have the black gunk and the white gunk all around  
4 all of my faucets.

5 My pets too will not -- I didn't understand about the  
6 quality of the water until like the last year I really started  
7 hearing about it. And I noticed that when I gave my pets tap  
8 water, they wouldn't touch it. I have to give my pets bottled  
9 water. Nobody in my house will drink the tap water.

10 I don't have health problems and neither does anybody  
11 in my family and I have not lost any pets, but I live in fear  
12 because I have to live in this house right now. Who is going  
13 to want to buy a house in Chuluota with this water issue? It's  
14 damaged the value of all of our homes. We're not only dealing  
15 with the downturn in the market, we're dealing with what the  
16 water has done to the value of our homes.

17 My water bills run on average between \$150 as high as  
18 \$400 a month, and they want to double that? That's more than  
19 any of my car payments. It's ridiculous. And especially if  
20 there's, the quality isn't there.

21 So I'd just like to go on record by saying that I  
22 didn't know about this revoking the certificate of authority,  
23 but that sounds like a really good idea to me. And I have to  
24 wonder, I have to wonder why it is that Aqua would not want to  
25 sell. They're losing money out here; right? We're nothing but

1 a pain in the butt to them, and yet they purchased a system  
2 that needed upkeep, they knew that, or -- I'm at a loss for  
3 words -- so, but they want to almost triple the price of what  
4 they purchased it for to sell it. There's something not quite  
5 right in that equation. They've got to be making money off of  
6 this system or they'd want to get rid of it.

7           And the other thing I have to think about is Aqua is  
8 a publicly held company. I've worked for a publicly held  
9 company and I know what it's all about to give a return to the  
10 shareholders and to give stock options to all of your  
11 employees, especially your presidents and your upper  
12 management. You've got to be making enough profit because  
13 you're having to be held accountable by the market. This isn't  
14 just a privately held company that's trying to make money.  
15 This is a publicly held company that is trying to make money  
16 for their shareholders, return on investment and a lot of stock  
17 for the people that work there.

18           So please refuse the rate hike, the interim rate  
19 hike, and revoke their certificate of authority. And thank you  
20 very much for coming tonight.

21           **CHAIRMAN CARTER:** Thank you.

22           Mr. Kelly.

23           **MR. KELLY:** The next speaker is Ms. Laura Perry.

24           Whereupon,

25                           LAURA PERRY

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

3 DIRECT STATEMENT

4 MS. PERRY: Good evening. My name is Laura Perry,  
5 and I live at 657 Red Pepper Loop in Chuluota. I actually had  
6 absolutely no intention of speaking today, but I felt it was my  
7 duty as Diane's neighbor. She is my neighbor. We commiserate  
8 about the water frequently. And actually I have not resided in  
9 Chuluota for the last 13 months, so I can't actually speak to  
10 it on a permanent basis. I can actually speak to the fact of  
11 what it's done to the value of our home.

12 I've dropped my price to my home \$100,000. My house  
13 has been looked at five times in five weeks. The number one  
14 issue no one will buy the home is because of the water. It's  
15 public knowledge. You get a notice in the mail every, every  
16 month. The last five months I've gotten a notice in the mail.  
17 The water is unsafe.

18 My children do not drink water in that home. I come  
19 home, I'm careful about taking a shower. I will stay in a  
20 hotel. It's a beautiful home. I bought it four years ago like  
21 most of the people, and like everybody else, it's just, it's  
22 out of control. You can't put a price on this.

23 So here are the things that I think that you guys  
24 should know. First of all, as a panel you have the power. And  
25 it concerns me greatly knowing that you all know what the issue

1 is, that you actually have not come prepared to answer some of  
2 the very core questions that you knew would be asked.

3           The first one is why is Oviedo water so much cheaper  
4 than ours? That's been a question for the last three years.  
5 So you bring a panel of people together of pretty high  
6 authority, you would think that you would have the answer to  
7 that. So the fact that we have to research that and come back  
8 to that, that's a concern of mine, as the governing body.

9           The second one is how do we not know that you can  
10 either refuse a certificate of authority or some of the  
11 questions that a very active community continue to bring up?  
12 I'm a little concerned that the people in this room know what  
13 the issue is, they know the questions that are going to be  
14 asked, and don't come prepared to a meeting.

15           We're all very busy. I flew in for this meeting; I  
16 flew in from Atlanta yesterday to come to this meeting because  
17 I think it's that serious. I moved to this area to provide my  
18 children a wonderful place to live. I expect the governing  
19 bodies -- I expect police to be on point and they are. I  
20 expect the fire department to be on point and they are. I  
21 expect the utility commission to be on point and they're not.  
22 Why should we be in this situation? That's what we pay for.  
23 We pay to live in this community for the school and for the  
24 area and for the people. We expect you to take care of us, and  
25 I don't think you have.

1           So I ask that you guys really look at this. You're  
2 hurting a lot of people. And what you're doing is you don't  
3 even know the long-term effects of these decisions that are  
4 being made today. This is a business and I understand. So  
5 unlike most of the people, I am a businessperson. I am totally  
6 not in appropriate attire to probably, you even to take me  
7 seriously. But at the end of the day, right, talk about  
8 integrity. Let me tell you about integrity. Integrity is a  
9 great word, but we all work for somebody, and at the end of the  
10 day the P&L needs to show a profit. So even though people may  
11 want to do the right thing, there are other people that will  
12 make those decisions whether they're going to do or not do the  
13 right thing.

14           This is a healthcare issue, this is a public services  
15 issue, this is not buying a car, and so that should be held at  
16 a higher standard. And that's why we elect people like you to  
17 take care of this, and we expect you to do that. I mean,  
18 that's why we pay high taxes. That's why we built Walker  
19 Elementary, which my children went to. But you know what, I'm  
20 so happy that my son goes to Lawton Chiles. You know why?  
21 Because I don't worry about that.

22           And I wish I had bought in Live Oak instead of The  
23 Trails because I would be much happier there. And people would  
24 not come to my home and say, "I'm afraid to buy your house even  
25 though it's \$100,000 cheaper than everybody else's because I'm



1 afraid to put my small children in your home." And even if,  
2 even if we decided to rent our home, do you know the liability  
3 that I would feel and the social responsibility I feel as a  
4 renter to rent my home to somebody who has small children? I  
5 won't even do that, as Diane will tell you. My house has been  
6 open for 15 months. I can't do it. I can't sleep at night,  
7 and it's not even my, it's not my, it's not my issue. Right?  
8 But I'm responsible, as are all of you.

9           The other thing is just a comment. I have the same  
10 issue with my bill. I also don't have time. No one answers  
11 your e-mail, no one answers your phones, so pretty much it's  
12 ridiculous. So finally I put an irrigation system in when I  
13 spiked at 35,000 gallons. And I basically told the water  
14 company, "I don't live in that home. I better not get a water  
15 bill." And it was amazing, but over time I have seen a great  
16 decline in my water bill. No usage, no one in the home, I'm  
17 still racking up a \$70, a \$60 to \$70 bill. It's amazing. It's  
18 amazing. I don't -- there's no one in the home. So the  
19 overhead cost to run my house is ridiculous. I am home for a  
20 couple of weeks this week, check my irrigation system, look at  
21 my house, and say it's a beautiful home. It's too bad no one  
22 can live here. And honestly it's actually a tragic thing  
23 because people are going to lose a lot of money and they're  
24 stuck here. And I just think that, that it's my duty to try to  
25 do the right thing. So I -- let's see if I left anything out.

1 I think that's pretty much all I have to say. I would ask that  
2 all of you take your civil duty -- what?

3 **CHAIRMAN CARTER:** Commissioner Argenziano.

4 **COMMISSIONER ARGENZIANO:** Yes. And while I  
5 understand your concern and your feelings, I'm sure I would  
6 feel the same way, and I'm hearing you and I think we've been  
7 listening. I think I've tried to get answers to every question  
8 that came up here. I stopped the meeting many times.

9 There are some things though that are not as  
10 clear-cut because of the way either the statutes are or the  
11 way -- like I've asked DEP, what are the levels? And if they  
12 tell you that the feds and the state have levels -- because my  
13 first concern is the health issue, is there something wrong in  
14 the water in Chuluota, and that's what I would want to know.  
15 But when I get answers to -- also now we're going to check that  
16 because I know that Representative Adams feels the same way, is  
17 that that's the first thing that needs to be looked at.

18 **MS. PERRY:** But let me --

19 **COMMISSIONER ARGENZIANO:** But wait, wait. Let me  
20 just finish for one second. But when you have answers that  
21 are -- you know, if that doesn't meet a federal level or  
22 something else, I don't know what I could do as a utility  
23 regulator. So what I'm trying to ask you is I'm trying to do  
24 the best I can to understand what the statute allows me to do  
25 and what I can stretch even beyond that. And that's why each

1 time a question came up, I stopped the meeting and asked for an  
2 answer because I feel you deserve that answer.

3 MS. PERRY: Let me, let me --

4 COMMISSIONER ARGENZIANO: Well, we gave -- but we  
5 gave the answers several times. It may not be that it's clear  
6 enough yet, and we're trying to get more information on that  
7 because maybe some of it belongs with DEP and not the PSC.

8 MS. PERRY: So, Ms. Argenziano, let me just help, let  
9 me help you. All right? I'm an executive director for a  
10 company and I understand the deferral as well. Okay? But I  
11 also know that I know my audience when I go and I meet with a  
12 group of customers. In this case we're your customers. You  
13 know from the last three years of meetings the questions that  
14 are going to come up. We get notices every day. There's no  
15 question the water is not healthy or adequate; right? So when  
16 you walk into a room of highly educated people, don't insult us  
17 by thinking that that's going to work, because it doesn't work  
18 for me. And, you know what, and --

19 COMMISSIONER ARGENZIANO: Excuse me. Excuse me,  
20 Ms. Perry. That's not fair. That is not fair. I'm sorry.  
21 That's not fair and I have to disagree with you there.

22 MS. PERRY: I'm sorry.

23 COMMISSIONER ARGENZIANO: Please tell me the  
24 questions that weren't answered and I'll make sure you get  
25 them. And if I tell you that it's not --

1 MS. PERRY: Okay. Why is Oviedo water cheaper?  
2 That's what I want to know.

3 COMMISSIONER ARGENZIANO: We asked, asked that  
4 question before.

5 MS. PERRY: That's right. And the answer was, "We're  
6 not really sure. We don't have the answer."

7 My question, my, my assessment of the situation is in  
8 three years of these meetings it's the same questions. In  
9 three years I would think, guys, we could come up with the  
10 right answer.

11 COMMISSIONER ARGENZIANO: Well, let's, let's hear the  
12 answer again, because we don't regulate Oviedo. Okay? But  
13 we're going to do the best we can again. And anything that's  
14 not in that answer that you still need, I definitely want you  
15 to get the answer to it for sure.

16 MS. PERRY: Okay. So everybody here in the last  
17 three years, same question. Now we're asking again. And I  
18 guess my, my perception is this is all red tape. All right?  
19 No resolution is coming out of this because these are the same  
20 questions. Trust me, our neighborhood commiserates over this  
21 water situation --

22 COMMISSIONER ARGENZIANO: I know.

23 MS. PERRY -- for years.

24 COMMISSIONER ARGENZIANO: Uh-huh.

25 MS. PERRY: And now we're in a meeting again. And

1 now that's -- and I'm not saying -- I understand the process.  
2 But we all don't believe, and I'm going to speak proudly for  
3 the group, we all don't believe you're going to do a damn thing  
4 about it. We also don't believe that you're going to do  
5 anything about the rate increase. We don't because in three  
6 years you haven't proven to do that.

7 **COMMISSIONER ARGENZIANO:** And you have the right to  
8 feel that way.

9 **UNIDENTIFIED SPEAKER:** They're in violation.

10 **MS. PERRY:** And so you're going to wait until we have  
11 something like a Love Canal situation or some horrible  
12 situation to come back and do that.

13 **COMMISSIONER ARGENZIANO:** But you see, what we're  
14 talking about again is quality and where the DEP and the  
15 Department of Health come in.

16 **MS. PERRY:** You know, and for me I pay taxes. I  
17 don't care if it's the DEP, the DOA, the HTA, I don't care.

18 **COMMISSIONER ARGENZIANO:** Yeah. But I'm telling you  
19 that, what I'm trying to tell you is that -- and I'm sorry,  
20 Mr. Chair.

21 **CHAIRMAN CARTER:** You're recognized.

22 **COMMISSIONER ARGENZIANO:** What I'm trying to tell you  
23 is that the questions I have been asking of them are beyond --  
24 we have a certain amount of water quality that we can look at,  
25 and I said that when we first opened up the meeting. And I'm

1 looking and stretching it even farther than probably what I  
2 have jurisdiction to do in asking DEP and the Department of  
3 Health. Something has got to come together. I think you're  
4 hearing that through the whole meeting here.

5 MS. PERRY: I have.

6 COMMISSIONER ARGENZIANO: Because, because obviously  
7 there's a continued problem. Now whether it's the fault of  
8 Aqua, I don't know. But I know that I'm hearing enough from  
9 the people to ask the questions of what the heck is going on  
10 with the water in Chuluota, and that is what we're trying to  
11 get to.

12 MS. PERRY: So who is the right governing body that  
13 makes the call on when we stop getting sick? That's what I  
14 want to know.

15 COMMISSIONER ARGENZIANO: But you see -- and, Mr.  
16 Chairman, if I can one more time. And I've been in the  
17 legislative process for 12 years before this, and what I would  
18 do there and what I'm doing here is trying to figure out  
19 logically, okay, since this is fairly new to me in this area --  
20 I mean, I know about water issues here for decades, but my  
21 first concern, as I said before, is the health issue. Now  
22 tying in the health issue with the water is a whole different  
23 story.

24 MS. PERRY: But even by Aqua's own admission -- and  
25 honestly I really don't care whose fault it is. I don't care.

1 I just want it fixed.

2 COMMISSIONER ARGENZIANO: That's the point.

3 MS. PERRY: I mean, I don't care if you bought it.  
4 And here's the other thing, and here was the other thing I  
5 wanted to say. When you buy a company, because I acquire  
6 companies all the time, you know ahead of time that you are  
7 buying the risk associated with that company. That's not our  
8 problem. You made a bad call. You bought the wrong company.  
9 But at the end of the day don't make me pay for it. My builder  
10 is not paying me to have a crappy house now that I can't sell.  
11 They're not paying me. I don't need to pay for that. That's  
12 your bad. You go figure it out and that's what you do. Right?  
13 Not -- don't take it out on us. Right? Everybody makes a bad  
14 call. You buy a car at a wrong price, you live with it. They  
15 need to live with it too. So that's all -- I mean, to me  
16 that's, that's what we need to do.

17 CHAIRMAN CARTER: Mr. Kelly.

18 MR. KELLY: Mr. Dan Diehl.

19 Whereupon,

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

23 DIRECT STATEMENT

24 MR. DIEHL: Hello, everybody. Welcome to sunny  
25 Central Florida again. I wasn't really prepared to speak, but

1 at the, kind of on the drive over here something in my soul  
2 just kind of said, "You know, I better get it out." So my wife  
3 typically deals with this. I'm very busy. I'm a local movie  
4 producer. I also do a lot of 3D animation, web design and so  
5 forth, so I'm flying all over the place. But I hear this  
6 constantly. And, you know, there's three issues that you want  
7 to, want to answer here: Quality, service and the proposal.

8 Well, the quality is pretty obvious. My water is  
9 green, and I have a filtration system. It's the Terminator  
10 6,000, it's like the best thing known to man, and it can't  
11 clean the water. And even besides that, it can't get out the  
12 harmful cancer-causing thing that is now causing my wife, my  
13 daughter, my son loss of sleep, extra expense buying water from  
14 the grocery store, everything else. My wife had a panic attack  
15 two nights ago and was up all night because she was worried  
16 about the water because she gave my daughter a bath that night  
17 in green water. Is that right? I don't think so.

18 Our house is 13 months old, brand new. And guess  
19 what? I live in The Trails.

20 UNIDENTIFIED SPEAKER: Whoo-hoo, lucky you.

21 MR. DIEHL: So I bought that house, I put a  
22 significant amount of money down on it. And even with the  
23 significant amount of money I put down on it I've lost over  
24 \$40,000 in equity on that house even after that. There's  
25 absolutely no way on earth I could move back to Oviedo. That's



1 where I came from. I lived there for almost 14 years. My  
2 water bill was consistently \$35 a month. I never had one  
3 problem. I did not have a water filtration system, and I never  
4 even replaced my water heater there.

5 I've got a 13-month-old house. I've got black gook  
6 coming out of my marble faucet drain already. I've got green  
7 stains all over my white marble, I'm sorry, white Silestone  
8 kitchen vanity areas. All of my clothes stink to high heaven.  
9 And we've got all the utility saving, everything else, you  
10 know, all the Appliance City direct stuff you can get to try to  
11 save money on this crazy water thing.

12 And, again, when we moved into Chuluota, we kind of  
13 knew, you know. But we'd been looking out here specifically at  
14 Maronda Homes for since about, I don't know, 2003 before the  
15 crazy increase in mortgage prices. At that time I wasn't ready  
16 to sell my house because, you know, we were, just financially  
17 weren't ready. But I knew that Chuluota was where I wanted to  
18 live. It was the American dream for me and my kids. We wanted  
19 to live there. It's a beautiful place to live and I love it,  
20 don't want to move. We've got a conservation lot, a lake right  
21 in front of me that deer walk by every night, turtles, there  
22 was an alligator in my lake, that was pretty cool, all kinds of  
23 neat things, right, hawks flying over, but I can't drink the  
24 water now and it really is scary.

25 Fortunately none of my family or I have any health

1 problems that I know of related to this. But I just, like  
2 everybody here, we're worried about the long-term exposure to  
3 this. Again, I'm from Missouri, so you got to kind of show me  
4 these things, and I was the last person to believe what was  
5 going on here. My wife, she's been doing the bottled water  
6 thing since we moved in. I figured, you know what, we'll buy  
7 the Terminator 6000, put it on the house, clean water, no  
8 problem. I've been drinking out of that tap every day since  
9 then until yesterday. So, you know, that's -- it took a while  
10 to sink in but it finally did. And now I'm really petrified to  
11 live here and that's not good.

12 Now as far as service, that's interesting. I think  
13 this Tamika lady or whatever her name is, they must have 40 of  
14 them there. I think they're all named the same thing because  
15 we got the same person probably over 60 times. What they told  
16 us is we had a water leak, to dig up our irrigation and find  
17 the leak in our yard because we're using 24,700 gallons a  
18 month. I came from Oviedo, as I said. Our monthly usage was  
19 right around 6,000 gallons a month.

20 So we called the builder out, he dug up, he look  
21 around. He actually dug up one of the sprinklers thinking he  
22 may have found something, but, no, everything was great. No  
23 leak whatsoever. Called them back, got disconnected. Called  
24 them back again, left a message. Called them back again, got  
25 somebody finally, transferred us, got disconnected, gave up.

1 What do you do? So that's service for you.

2 And now if -- I run a web hosting business as well.

3 If I did that with my clients, I would not be in business  
4 anymore. They would go to another company. Unfortunately we  
5 don't have that option. Like we said, this is a legal  
6 monopoly. There is no other source whatsoever for us to do.  
7 Even if, even if I was to do a well, I would still have to buy  
8 all of the equipment to process it and do all that other kind  
9 of stuff out of my expense, and then I would have to worry  
10 about this mess that shouldn't, I shouldn't have to worry about  
11 it. As an American citizen, taxpaying citizen I should not  
12 have to spend one minute thinking about the quality of my  
13 water.

14 So to the proposal, that's pretty obvious. It's  
15 silly, it's ridiculous. It's, you know, it's really hard to  
16 put a sane word around. How do you wrap something like that  
17 when you know it's just complete garbage?

18 Now if we were paying Zephyrhills for this service  
19 and we had Zephyrhills out of our tap, I'd pay them \$200 a  
20 month because that's what we're paying right now for the same  
21 Zephyrhills. But now we're paying \$200 for Zephyrhills and  
22 another \$300 for water we can't even drink, plus sewer that  
23 just starts up this month, by the way, and I'm sure we'll be  
24 backbilled for that. So that's, that's what I think and those  
25 are the three answers. So, you know, everybody else has

1 covered everything else. That's my two cents so for the  
2 record.

3 **CHAIRMAN CARTER:** Commissioner Skop.

4 **COMMISSIONER SKOP:** Thank you, Mr. Chairman. Could I  
5 just, if you'll permit me, can I just ask two general questions  
6 to the consumers in the audience?

7 **CHAIRMAN CARTER:** Commissioner, I would, I prefer to  
8 get the testimony on for the record.

9 **COMMISSIONER SKOP:** Okay. That's fine. We'll move  
10 forward. Thank you.

11 **CHAIRMAN CARTER:** Because that way we can perfect the  
12 case.

13 **COMMISSIONER SKOP:** That will be fine.

14 **CHAIRMAN CARTER:** And if you -- I'd like for you to  
15 kind of defer that. And if we have a chance at the end, maybe  
16 you can make some general comments to that effect. Thank you.

17 Mr. Kelly.

18 **MR. KELLY:** The next speaker is Michelle Arellano.  
19 Is that correct?

20 **MS. ARELLANO:** Close enough.

21 **MR. KELLY:** Sorry about that.

22 **MS. ARELLANO:** That's okay.

23 Whereupon,

24 **MICHELLE ARELLANO**

25 was called as a witness on behalf of the Citizens of the State

1 of Florida and, having been duly sworn, testified as follows:

2 DIRECT STATEMENT

3 MS. ARELLANO: Good evening. My name is Michelle  
4 Arellano. I live at 175 Osprey Lake Circle. That's in the  
5 Osprey Lake Subdivision. And I'm not really sure how to do  
6 this. My neighbor gave me a statement and a sample. Should I  
7 just start with her and give you her name and address? Yes?  
8 Okay.

9 Her name is Cindy Russell. She lives at 157 Osprey  
10 Lake Circle. And this is the goop that everybody is talking  
11 about. She really wasn't able to get a lot because her drain  
12 doesn't come out. It's one of those fixed drains, you can only  
13 lift it up a little bit, and she'd already dumped an entire  
14 bottle of Drano down trying to get it out.

15 I'll read her statement. She says, "The black  
16 substance on these two Q-Tips was found in the drain of one of  
17 my master bath sinks. An entire bottle of Drano did not  
18 succeed in eliminating the material. I'm concerned that the  
19 water problems we've been having are causing this. Our water  
20 is causing horrible rust-like residue on the faucets and  
21 drains, and our clothes come out of the wash smelling like mold  
22 and mildew. I'm hoping someone can help determine what the  
23 black substance is and how to get rid of it." And there's two  
24 little Q-Tips in there with black gunk on it.

25 She also has a complaint about customer service.

1 This is also from Cindy Russell. "Aqua Utilities dropped off  
2 the attached letter and application at my home in June of 2008  
3 claiming my water needed to be tested for lead and copper. The  
4 letter claims that an Aqua Utilities rep would be back in the  
5 morning after the sample was taken to pick it up. However, the  
6 letter itself was not dated and there was no deadlines or date  
7 specifications as to when the samples were needed. I put my  
8 sample out on June 30th, 2008. It remained on my front porch  
9 for a week. I called the customer service number that was  
10 provided on the form, but was forwarded to someone in Illinois  
11 who claimed that they called the district office and could not  
12 get anyone to answer there. And it was never handled, never  
13 picked up. That was the end of that."

14 I'm not going to go into all my bill issues and  
15 everything. It's basically what you've heard.

16 **CHAIRMAN CARTER:** Ms. Arellano, the information from  
17 your neighbor, Ms. Russell --

18 **MS. ARELLANO:** Uh-huh.

19 **CHAIRMAN CARTER:** -- did you bring that to give to us  
20 so we can put it into the file?

21 **MS. ARELLANO:** Yes. Do you want me to bring it up  
22 now?

23 **CHAIRMAN CARTER:** Staff. Commissioners, that will be  
24 Exhibit 40. Exhibit 40. Thank you.

25 (Exhibit 40 marked for identification.)

1 MS. ARELLANO: I'll just read the letter I wrote. I  
2 wasn't going to speak. I get really nervous talking in public,  
3 but I figured I'd go ahead and do it. Well, I got talked into  
4 it.

5 On May 12th, 2008, I phoned Aqua Utilities to file a  
6 complaint regarding the quality of my water. Of particular  
7 concern at that time was the foul sewage smell that I was  
8 getting from all of my faucets, showers and my washing machine.  
9 My clothes and my towels all smelled like sewage no matter how  
10 many times I laundered them. There was one point when, this is  
11 embarrassing, there was one point when I actually walked around  
12 my house trying to find out if my dog had had an accident  
13 somewhere because the smell of feces was so strong. After  
14 several minutes of searching, I realized that the smell was  
15 coming from the clothes I was wearing. I immediately washed  
16 them, only to discover that the smell was from the water and  
17 there was no way I could get it out. I called Aqua to file a  
18 complaint.

19 I'd love to say I spoke with Tamika, but I cannot  
20 remember who I talked to. I was told to put a water sample on  
21 my front porch and to label it "For Aqua" so that they would  
22 know it was for them. I asked specific information about the  
23 best type of container, i.e. glass or plastic, to maintain the  
24 integrity of the sample and was told that it didn't matter.  
25 They told me the sample would be picked up that day or the next

1 day at the latest. Immediately I put a sample out with "For  
2 Aqua" labeled on it as well as my contact information and the  
3 date. The sample was not picked up that day or the next. I  
4 called Aqua to ask about the situation and was given a contact  
5 person of Stacey Barnes. I followed up with Mr. Barnes and  
6 explained the situation. He said he did not know why they had  
7 told me to put the sample out and that he would call me back.  
8 He did not call me back, so I called him again the following  
9 day and had to leave a message. The sample remained on my  
10 front porch. Mr. Barnes returned my call and told me that the  
11 sample was not necessary and that he would talk to someone to  
12 find out why the smell might be occurring. I did not hear from  
13 him again until I called him and left another message. When he  
14 returned that called, he told me that I was not the only person  
15 in my area who was complaining of the smell and that there was  
16 nothing they could do about it. And he then said the  
17 following: "A lot of people in your neighborhood are putting  
18 in water filtration systems. Maybe you should just look into  
19 doing that."

20 I think it is disgraceful that Aqua continues to  
21 provide horrendous quality water and then puts the  
22 responsibility on the homeowner to try to fix it. First of  
23 all, it should not be my responsibility. Secondly, we simply  
24 do not have the finances available to put in a \$3,000 water  
25 filtration system. Thirdly, there's no guarantee that a



1     filtration system would even improve my water quality.

2             We currently drink only bottled water. My dog is  
3     given water that we collect in jugs from my in-laws' house in  
4     Orange County. My children are given the shortest baths  
5     possible in order to try to minimize their exposure to the THMs  
6     and coliform bacteria. My daughter is seven, my son is three.  
7     They still bathe together, which is disturbing, but I try to  
8     get them in there in and out as fast as they can in the  
9     littlest amount of water possible.

10            My son has eczema that requires a prescription  
11     steroid cream to minimize his discomfort. So it's either put  
12     him in the water so he gets itchy and the eczema flares up, and  
13     then I have to put steroid cream on him, which I'm not supposed  
14     to put on too often or else that will hurt him. All members of  
15     my family have experienced skin and hair problems, itchy skin,  
16     broken out skin and hair that is so strawlike that it's nearly  
17     impossible to get a comb through it without extensive use of  
18     conditioners and de-tanglers. All of us have oily hair. We  
19     should not have strawlike hair. It's disgraceful. In our old  
20     house we had normal hair. Here we have straw hair.

21            The water quality problem has been going on for  
22     years. We've continued to put our faith and money in Aqua in  
23     the hopes that the problem would be solved. Instead, we've  
24     been given increasingly worse water quality and higher bills.  
25     This is an injustice and completely unacceptable. It is time

1 for Aqua to provide affordable, safe water to our community.  
2 If they are unable to do that, it's time for them to sell the  
3 company to someone who can. In the meantime, if they're so  
4 convinced that a water filtration system would solve my  
5 problem, perhaps they should buy me one.

6 **CHAIRMAN CARTER:** Thank you, Ms. Arellano.

7 **MS. ARELLANO:** Thank you.

8 **CHAIRMAN CARTER:** And thank you for bringing in that  
9 information for your neighbor. We appreciate that.

10 **COMMISSIONER ARGENZIANO:** Mr. Chair, just one other  
11 thing on that, on that sample.

12 **CHAIRMAN CARTER:** Commissioner Argenziano.

13 **COMMISSIONER ARGENZIANO:** On that sample, I don't  
14 know if we can share it, but that's the kind of thing I was  
15 asking you earlier today on the pipe that was brought in.  
16 Somebody needs to start testing to find out what, what it is,  
17 what the residue is, whether it's just hydrogen sulfide, what  
18 it is, because these questions need to be answered. So if it  
19 can be shared and you've got a sample right there, I would, I  
20 would suggest that we start pushing DEP to push DOH to start  
21 doing some testing.

22 **CHAIRMAN CARTER:** Ms. Arellano, do you mind coming up  
23 for one second, please, just for one brief question?

24 Commissioner Edgar, you're recognized.

25 **COMMISSIONER EDGAR:** Thank you. And this is an easy

1 question.

2 MS. ARELLANO: You picked the most nervous person  
3 here to call up again.

4 COMMISSIONER EDGAR: I didn't mean to, but you dashed  
5 away so quick.

6 You may have said this and I missed it, and, if so, I  
7 apologize, but how long have you been in your home?

8 MS. ARELLANO: We've been in a little over two years,  
9 two years and a couple of months.

10 COMMISSIONER EDGAR: Two years. And which  
11 subdivision?

12 MS. ARELLANO: Osprey Lakes.

13 COMMISSIONER EDGAR: Thank you.

14 MS. ARELLANO: Uh-huh. And also I'd like to just  
15 point out that we used to live in Oviedo, and my bill for five  
16 years that I was there, my water usage ran right around 6,000.  
17 And I've got my bills back there, but, I mean, I'm in the 20  
18 thousands here. And from 6,000 to 20,000 with really no usage  
19 difference is questionable. Thank you.

20 MR. JAEGER: Chairman Carter. We have two Q-Tips in  
21 this sample. I was wondering if -- I'm sorry. I forgot her  
22 name.

23 CHAIRMAN CARTER: That's from Ms. Russell, Cindy  
24 Russell was under -- Ms. Arellano provided it from her neighbor  
25 Cindy Russell.

1           **MR. JAEGER:** I think we could split that with  
2 Ms. Arellano's and give one to DEP for them to -- or can you --

3           **CHAIRMAN CARTER:** Oh, you mean take one of the --

4           **MR. JAEGER:** Take one to the health or someplace and  
5 get it tested.

6           **CHAIRMAN CARTER:** Well, let's go ahead and do that.  
7 We don't need to take up the time that the -- we want to get  
8 testimony on folks, to do that. Just make it happen.

9           **MR. JAEGER:** Okay.

10          **CHAIRMAN CARTER:** Mr. Kelly, you're recognized.

11          **MR. KELLY:** The next speaker is Ms. Virginia Adkins.

12          **CHAIRMAN CARTER:** Ms. Adkins.

13 Whereupon,

14                               VIRGINIA ADKINS

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           **MS. ADKINS:** I'm Virginia Adkins. I live at 559  
19 Nutmeg Court in The Trails, Chuluota. Mother of three  
20 children. I too didn't come prepared to speak. I didn't  
21 really like leaving my husband alone with three children,  
22 having to get up at 5:00 in the morning to go to work, but felt  
23 it was important.

24           I decided to speak because there was a young lady  
25 here who's pregnant who wanted to know what could possibly

1 happen to pregnant women living in the neighborhood.

2 I had two children before I moved to Chuluota; no  
3 problem with fertility, no problem with miscarriage, no  
4 fertility problems whatsoever. Not that anybody wants to know  
5 my fertility issues, but since I'm forced to. I come from a  
6 family who has the opposite of fertility issues. I have a dad  
7 who has seven children, my mother has four children, I have a  
8 brother who has seven children, a brother who has four  
9 children. It doesn't run in my family.

10 We moved to The Trails in 2004 because we wanted to  
11 buy a bigger home. Because we had two boys, we wanted to try  
12 for a girl. They can't all sleep in the same room. We had a  
13 starter home and we wanted a bigger house. Decided to sell our  
14 home, move to a bigger house to have another child, try for a  
15 girl. Never been an issue before, didn't think it would be an  
16 issue again. Started trying for a baby. Nothing was  
17 happening, that's weird, because I started trying with my other  
18 two and instant. Okay. It took a while. It could have been  
19 stress; we were moving, the whole nine yards. Finally get  
20 pregnant.

21 Christmas Eve 2005, while I'm sure you guys were with  
22 your families Christmas Eve celebrating under the tree, I was  
23 at my in-laws' house with probably 30 other people of my family  
24 laughing and giggling and eating and sharing stories and I was  
25 in pain. And I go home Christmas Eve to my two boys, who are

1 so excited that they're having a baby, to have a miscarriage.  
2 I spent Christmas morning wanting to be happy with my family,  
3 wanting to be happy for my boys who were so excited to tell all  
4 the relatives we haven't seen in years, "We're going to have a  
5 baby. We're so excited." "Oh, how are you feeling? Oh, you  
6 guys are having a baby. Congratulations." All the while  
7 knowing that I was in the bathroom every five minutes with  
8 blood coming out like water Christmas Eve. I didn't want to  
9 tell anyone. I didn't want to ruin the holidays.

10 I get through it. I said, "I'm not going to tell  
11 anybody. I'm just going to keep trying again. We'll become  
12 pregnant. Nobody will notice the due date is different."  
13 Month after month still not pregnant. Nobody can tell me why.  
14 My pediatrician couldn't come up with a good answer. My  
15 OB-GYN, "There's nothing wrong with you. We don't understand.  
16 It's weird."

17 I get pregnant. I'm all happy, I'm excited. It's a  
18 girl. I had begged God for a girl, "Please, that's why I want  
19 a third child, I want to have a girl." So excited.

20 She's born. Everything with the ultrasound, she's  
21 perfect, she's fine. Good, the water didn't ruin her. She's  
22 okay. She's born. She opens her mouth to cry and this huge  
23 growth inside her mouth. Beautiful baby, can't eat. The  
24 hospital can't explain to me why she's got a big growth in her  
25 mouth. They can't figure out what it is.

1 I get out of labor and delivery. I go in my room. I  
2 get the birthing suite. I waited three pregnancies to get the  
3 birthing suite at Altamonte Hospital. I finally got there.  
4 I'm there 15 minutes, "Your daughter has got to be transferred  
5 to NICU over at another hospital by helicopter. She can't eat.  
6 We have to do emergency surgery. We're taking her now."  
7 "You're taking her now? All right. Let me get my stuff.  
8 We're going." "No, ma'am. You can't be released because you  
9 just had a baby an hour ago. You have to stay here. We're  
10 taking your daughter." You have no idea what it was like for  
11 me to hand over my daughter and have her taken to another  
12 hospital away from me an hour after birth, no idea. My  
13 mother-in-law had to come get me. I checked myself out of the  
14 hospital with no pain medicine, no care. They said, "Ma'am, if  
15 you leave, you are not a patient of a hospital anymore. If  
16 something happens, we can't do anything to help you." I said,  
17 "I'm going with my baby."

18 I get there, after three children the cramps are  
19 pretty bad, I'm bent over on the floor in the NICU, can't stand  
20 up, I can't get a Darvocet, I can't get an Advil because I'm  
21 not a patient anymore. I get there, my daughter has got a tube  
22 down her throat because she can't suck or eat because of this  
23 growth in her mouth. They can't do surgery until a few hours  
24 when the doctor gets there.

25 I breastfed my boys for three years each. Do you

1 know how hard it was for me to see my daughter eating through a  
2 tube? She was there a week eating through a tube. By the time  
3 I got her home, my milk was gone, dry. I had to give my baby a  
4 bottle.

5 Two days after I get home from the hospital my water  
6 gets shut off. I call my husband at work, who's a school  
7 teacher, hysterical, crying because not only can I not nurse my  
8 child, now I have to give her a bottle because my milk is dried  
9 up and I can't make a bottle because I don't have any water.

10 I call Aqua Utilities or Florida Water or whatever it  
11 was at the time, I don't even remember. "We'll make payment  
12 arrangements with you. We'll turn it back on." "Okay. When  
13 are you coming because my baby is really hungry?" "Well, we  
14 can't get to it until 48 hours. We promise within 48 hours."  
15 I said, "I am stuck here with no car, my husband is at work, I  
16 can't go get water and my child needs a bottle. I need  
17 somebody to come out and turn my water on." "Ma'am, we can't  
18 do that. We'll be there within 48 hours." Two days I went  
19 with no water. They heard my baby crying in the background. I  
20 said, "I just got out of the hospital with a child in the NICU.  
21 I need my water." "Sorry, ma'am, there's nothing we can do."

22 I call my husband at work. He's a P.E. teacher.  
23 He's out on the field, he can't even get to a phone. I was so  
24 hysterical I made the office staff run out to the field, have  
25 him leave his class with somebody to come in to call Florida



1 Water because I thought that I was going to have a panic  
2 attack. I was shaking because I was so upset.

3 Because my daughter was so traumatized from having to  
4 be separated from me at birth, having a tube down her throat, I  
5 couldn't nurse her, she was having colic, she was having all  
6 kinds of issues from the formula, which formula does, it was  
7 time for me to go off my maternity leave, go back to work. I  
8 went back to work four weeks. The lady who watched her called  
9 me. She was crying, screaming all day long every day because  
10 of the trauma that she had incurred from the separation from  
11 the first time when she was born. It took me a lot of therapy  
12 and a lot of time to be able to get her to even suck a bottle  
13 because she was so used to being tube fed. Now she won't even  
14 take a bottle.

15 I had to quit my job. I had to go into my boss the  
16 next morning and say, "My daughter has been screaming and not  
17 eating for four weeks straight. I won't be back at work."

18 Okay. Now I'm here. Our income had been reliable  
19 upon me working. You can't pay a \$400 water bill when your  
20 wife is home with a baby that can't be left with anybody. So  
21 here I am. I can't get a job, can't leave my daughter and  
22 can't afford the water.

23 So now I can't go back to work, so I decided that I'm  
24 going to take six babies into my house and take care of them  
25 because that's the only way I can take care of my daughter and

1 still make enough money to pay the water bill. Do you think I  
2 sleep at night knowing I have six other babies in my home eight  
3 hours a day exposed to this water knowing what it did to my  
4 daughter? I haven't told these parents. I haven't told the  
5 parents because I can't afford for those parents to tell me  
6 that they're not bringing their children back to my home  
7 because of the water. And they don't even live in Chuluota.  
8 And I watch all teachers' kids.

9 Please, please, please don't let somebody else have a  
10 child born with a cyst in their mouth and go through the trauma  
11 that my family has gone through or have a miscarriage and spend  
12 Christmas Eve or any other holiday mourning the loss of a  
13 child. Thank you.

14 **CHAIRMAN CARTER:** Commissioner McMurrian.

15 **COMMISSIONER McMURRIAN:** Ms. Adkins.

16 **CHAIRMAN CARTER:** Ms. Adkins? Ms. Adkins?

17 **COMMISSIONER McMURRIAN:** I'm sorry. I did have one  
18 question. And first let me say I'm sorry about all that you've  
19 gone through. But I did want to ask you about when your water  
20 was shut off, did they ever tell you why it was shut off or do  
21 you know what the circumstances were?

22 **MS. ADKINS:** Because the payment was late. And my  
23 husband had asked them if he could pay so much this month  
24 because I had to stop working because I had a baby. So at that  
25 time I hadn't quit my job, I was just on maternity leave. So

1 he said, "My wife is on six-week maternity leave." He goes,  
2 "I'll pay you half now and half the next month." They wouldn't  
3 accept any partial payment whatsoever. He said, "I don't have  
4 any other money to give you." He said, "I'll pay half now and  
5 I'll pay half the next month. My wife will be going back to  
6 work in six weeks. I just need a break." They would not  
7 accept partial payment. And they told him on the phone, "If  
8 you don't send the whole thing, we're going to shut the water  
9 off." He didn't believe that they would do it. And that's why  
10 I was so angry with him because I was like, "You knew our water  
11 was going to get shut off and you let it get shut off." He was  
12 like, "Ginger, I didn't think that that would happen. I didn't  
13 think that they would really shut it off." And they did. They  
14 would not accept a partial payment.

15 **COMMISSIONER McMURRIAN:** Thank you. And I'm sorry to  
16 get clarification on that, but I just wanted to make sure  
17 because I wasn't clear that you knew why. It just seemed like  
18 they just cut it off. Okay.

19 **MS. ADKINS:** No. Because he had tried to make  
20 payment arrangements with them and they would not make payment  
21 arrangements.

22 **CHAIRMAN CARTER:** How long ago? Excuse me.

23 **MS. ADKINS:** That was in, that was in 2005.

24 **CHAIRMAN CARTER:** Thank you.

25 **COMMISSIONER McMURRIAN:** Thank you.

1           **CHAIRMAN CARTER:** Mr. Kelly.

2           **MR. KELLY:** The next speaker is Ms. Carolyn Bennett.

3           Whereupon,

4                               CAROLYN BENNETT

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

7                               DIRECT STATEMENT

8                       MS. BENNETT: Hi. My name is Carolyn Bennett. I  
9           live at 141 3rd Court in Chuluota. It's the older section.  
10          But the thing of it is is our water is the same as everybody  
11          else's out there. You get it out of the tap, it looks like  
12          you've got a glass of chlorine bleach. You set it on the  
13          counter and you let it all go down to the end, it's still  
14          there, but it's all in the bottom instead of milk looking,  
15          before you drink it. Myself, I boil everything that I drink.  
16          I make tea. We don't drink ice water. We haven't probably for  
17          years.

18                       I've lived in Chuluota for 40 years. The water has  
19          been like this forever. So it's -- Aqua took it over and they  
20          said, "Oh, we're making all these good changes." They haven't  
21          changed anything, nothing.

22                       Also I have all these bills from December of last  
23          year, regular bills. I've lived in the house that I'm at now  
24          for eight years straight. A normal bill was between \$18 and  
25          \$36. As of December of last year I had credits coming for some

1 reason. I paid too much money. Okay. We're giving you  
2 credit. Fine. I can use a break.

3 December I have a credit, January I have a credit,  
4 February I have a credit, March I have a credit, April, all of  
5 the sudden I get a thing in here it says, "Okay. We're raising  
6 your water bill. These rates should be reflected on your bill  
7 for services rendered on and after April 15th 2008."  
8 April 17th the meter was read and billed: \$210.52,  
9 48,100 gallons, three people. Nothing has changed in eight  
10 years, nothing.

11 May, \$326. We call them. I get ahold of Gloria.  
12 She tells me I cannot talk to a supervisor, I have to deal with  
13 her. And I said, "Well, explain this to me because apparently  
14 I don't know what's going on." "We'll send somebody out. He's  
15 right there in your community right now." I said, "Fine. I'm  
16 here. Have him come out." They sent somebody out. The guy  
17 tells me they're reading it wrong. It should have only read  
18 6,514. The zero is permanent, it doesn't move. I said,  
19 "Okay." And he says, "When you call up, you ask for a  
20 supervisor." I called up, I asked for a supervisor. I got  
21 Gloria. "You're not allowed to talk to a supervisor. You got  
22 to talk to me." Aqua Utilities said this.

23 And I'm going, "Well, okay, Gloria. This is the  
24 actual read from the guy. He gave it to me." "Well, that's  
25 more than what you've got on your bill." I said, "You know

1 what, Gloria, I'm not a rocket scientist, but 6,514 sounds like  
2 a lot less than 48,100." "Oh, no. That's a lot more. Your  
3 bill is going to be more." Sure enough, it was. It was \$326.

4 Then this month's bill, June, \$47.61. Nothing has  
5 changed. I called them, "Tell me what's going on. Please  
6 explain this to me. You've got graphs here. I can read a  
7 graph. Two months it's almost off the chart, now it's back to  
8 normal. What's going on?" "I don't know." Who am I talking  
9 to?

10 UNIDENTIFIED SPEAKER: Gloria.

11 MS. BENNETT: You got it.

12 UNIDENTIFIED SPEAKER: Tamika's replacement.

13 MS. BENNETT: Yeah, it has to be. And it's like for  
14 the two months we refused to pay it. Well, we got told, "You  
15 got to pay this or we're going to cut your water off." I said,  
16 "Okay. I had two strokes in February. My stroke medicine,  
17 because I'm no longer allowed to work, is almost \$200. I can't  
18 buy it because I've got to pay \$326 and \$210. Am I going to  
19 get that money back?" "We might give it to you in credit if we  
20 find out that we were in the wrong." I don't want the credit.  
21 I want the money. I got to have my medicine.

22 We've been waiting for two and a half months to get a  
23 call back from a supervisor. Have we? No. We were told every  
24 time we called in, "You can't talk to a supervisor. We'll have  
25 one call you." Nobody has called us. And when we call in, are

1 you really taking our names and saying, well, we got to call  
2 these people back or we got to do something, we got to check  
3 this out because, yeah, she definitely does have a problem if  
4 this is what's going, or do you really care? Are we just, you  
5 know, okay, the computer this month has Carol's name in it,  
6 Bennett, she's going to be the one that's charged all this  
7 money for two months straight? Next month it's going to be Joe  
8 down the street, he's going to pay all that money for two  
9 months. And then the street over, this guy is going to pay a  
10 lot of money for two months. Maybe that will get us back our  
11 money because we got screwed when we bought a deal. Well, you  
12 got the deal. We didn't buy it, you did.

13           We still don't have any quality water. We still  
14 can't drink it. But does it matter to any of Aqua? No.  
15 They're not out there working on it. They're not out there  
16 trying to get something done. They're sending us papers in the  
17 mail saying, "You can't drink your water because it will cause  
18 cancer. If you drink it for 70 years, you will definitely get  
19 cancer." Well, I've been drinking it for 40. If I get cancer,  
20 do I go to Aqua Utilities and say, "Now, you're going to  
21 support me"? What do you do? They can't give me any kind of  
22 answers.

23           **CHAIRMAN CARTER:** One second, Ms. Bennett. I'll go  
24 with Commissioner McMurrian, Commissioner Skop and then  
25 Commissioner Argenziano.

1 Commissioner McMurrian.

2 COMMISSIONER McMURRIAN: Thank you. Ms. Bennett, I  
3 was wondering, do you know if you got one of the new meters?

4 MS. BENNETT: Yes, I do.

5 COMMISSIONER McMURRIAN: You did. Do you, do you  
6 know what month you got it in? Because I just wondered if it  
7 might have been --

8 MS. BENNETT: April.

9 COMMISSIONER McMURRIAN: April. And you said the  
10 48,700 gallon bill was April?

11 MS. BENNETT: Uh-huh.

12 COMMISSIONER McMURRIAN: Okay. Thank you.

13 CHAIRMAN CARTER: Commissioner Skop.

14 COMMISSIONER SKOP: Thank you, Mr. Chairman.

15 And thank you, Ms. Bennett. I'm sorry that it had to  
16 come to this. But you mentioned that you weren't able to talk  
17 to a supervisor, but you have the president right here, so  
18 hopefully he'll be able to resolve this problem. Because, as  
19 Commissioner Argenziano stated, they seem to have that little  
20 zero problem with the new meters, and I'm hopeful that they'll  
21 resolve your problem here. But I'm sorry that it had to come  
22 to this. Thank you.

23 CHAIRMAN CARTER: Commissioner Argenziano.

24 COMMISSIONER ARGENZIANO: Absolutely. But the other  
25 question, you paid for that overcharge that --



1 MS. BENNETT: We had to. They were going to shut it  
2 off.

3 COMMISSIONER ARGENZIANO: Well, I wonder if  
4 Mr. Franklin will address that. And instead of just crediting  
5 her -- because it was a mistake, I would think, in my opinion,  
6 that the company needs to get her her money back.

7 MR. FRANKLIN: Absolutely. If that's, if that's in  
8 fact what it is, and it appears to be, we will certainly get  
9 you a check immediately.

10 COMMISSIONER ARGENZIANO: Thank you.

11 CHAIRMAN CARTER: Okay. Thank you.

12 MR. JAEGER: Chairman, I think one thing the company  
13 needs to be reminded is Commission rule says if a bill is in  
14 dispute, they cannot cut off the water. And so they need to  
15 train their representatives if there is a dispute, then pending  
16 the resolution of that dispute, that they, they should not cut  
17 off the water.

18 COMMISSIONER ARGENZIANO: Is it -- can I ask a  
19 question to that, Mr. Chairman?

20 CHAIRMAN CARTER: Commissioner Argenziano. Wait one  
21 second. Commissioner Argenziano.

22 COMMISSIONER ARGENZIANO: And another question, it  
23 may have to go to the Legislature, I'm not sure. What if a  
24 person, and I know this is a company in for business, but what  
25 if a person cannot afford -- if they're mandated to be on a

1 system, can't put in their own well and then can't afford  
2 water, what happens to that person? Is there anything either  
3 in our rules or anything in the Legislature that says what does  
4 that person do if they can't pay for water?

5 **CHAIRMAN CARTER:** Marshall?

6 **MR. JAEGER:** I'm not aware of any rule like the  
7 Lifeline or the, you know, things with the telephones and the  
8 electrics, especially if they're on, like, something they need  
9 electricity. I'm not aware of any Lifeline provision for water  
10 or wastewater. Marshall?

11 **COMMISSIONER ARGENZIANO:** That may be something we  
12 may need to look into legislatively too. Because if people are  
13 forced to have to pay for water and they can't afford water,  
14 how do you live without water? Thank you. Let's be checking  
15 on that one.

16 **CHAIRMAN CARTER:** Ma'am, I'm sorry. We can't do  
17 that.

18 **MS. ADKINS:** I need to make a correction of something  
19 I said because it's on the record, so I just need to -- the  
20 question that she had asked me.

21 **CHAIRMAN CARTER:** I beg your --

22 **MS. ADKINS:** She had asked me a question about a  
23 date. And since it's on the record, I want to make a  
24 correction.

25 **CHAIRMAN CARTER:** Yes. Okay. Yes, ma'am. Would you

1 come up so we can get it on the --

2 MS. ADKINS: My miscarriage was in 2005, but our  
3 water was shut off after I had my child in October of 2006. So  
4 I just wanted to make that correction. The miscarriage was --

5 CHAIRMAN CARTER: That's Ms. Adkins?

6 MS. ADKINS: Uh-huh.

7 CHAIRMAN CARTER: Virginia.

8 MS. ADKINS: Miscarriage was in 2005, daughter born  
9 with a cyst 2006, water shut off 2006. And after we got home  
10 from the hospital with the cyst, we did buy the \$2,000 water  
11 filtration system, which isn't working. And my son was told at  
12 school, he was made fun of because when they had water day, his  
13 towel smelled like pee and they thought that he had peed his  
14 towel and he was made fun of all day at school.

15 CHAIRMAN CARTER: Thank you. And for the record, for  
16 the record, that was Ms. Virginia Adkins. Thank you.

17 Mr. Kelly.

18 MR. KELLY: Ms. Carolyn Hoffman.

19 Whereupon,

20 CAROLYN HOFFMANN

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

23 DIRECT STATEMENT

24 MS. HOFFMANN: Hi. It's been a long night. I didn't  
25 come with any intentions of speaking because I've been living

1 in denial. I haven't been wanting to admit there's a  
2 possibility that my water is destroying my health. And, quite  
3 frankly, this is rather embarrassing to have to relate to you.

4 Before we moved, we moved in -- my name is Carolyn  
5 Hoffmann. That's two Fs, two Ns. We live at 474 Osprey Lakes  
6 Circle. We're in Osprey Lakes Subdivision.

7 We moved in December 13th, 2002. I have had  
8 gastrointestinal problems for quite a while before we moved in  
9 there but everything was manageable. I'm a teacher. You can't  
10 really run out of the classroom and leave a group of high  
11 schoolers sitting there while you traipse off to the lady's  
12 room. So it had been manageable.

13 In 2003, Dr. Shaffron (phonetic) had done upper  
14 endoscopies and colonoscopies and different things and  
15 determined what my problems were, and I have acid reflux  
16 disease and irritable bowel syndrome. So obviously I was  
17 thinking, well, I don't have autoimmune, so I'm not going to  
18 worry that much about the water. Well, I'm worrying now.

19 I have had to be removed from my classroom twice for  
20 being so sick that I've laid down on the floor and scared my  
21 students and they've had to send in a sub on an emergency  
22 basis. And each time it's been because I've been diagnosed  
23 with having these flagellates in my bowels and I was almost  
24 hospitalized twice. And this is all documented by the Red Bug  
25 Family Health Clinic. I couldn't believe it had anything to do

1 with the water. I just thought I'm a sicko.

2 Well, yesterday I had to go and have an upper  
3 endoscopy again, and Dr. Shaffron said that I have new problems  
4 that I didn't use to have in 2003. I have inflammation of the  
5 stomach lining and irritation of the esophageal lining in the  
6 vicinity of an enlarged hiatal hernia. And I didn't come here  
7 tonight thinking, well, that's got anything to do with the  
8 water. But I've been suspicious of that for a long time, but  
9 I've been drinking the filtered water out of the refrigerator.  
10 I thought surely, you know, I'm safe. I'm, you know, I'm  
11 finding out that that doesn't really help and I've been  
12 poisoning myself with this water and now I'm worried.

13 I'm a national board certified teacher. I have a  
14 master's degree. I teach at University High School. I've  
15 taught for 21 years. And now I'm worried whether I can teach  
16 any longer because the problems just keep coming. They don't  
17 seem to go away. And I'm supposed to teach a class at Valencia  
18 Community College this fall. And with the rising costs and  
19 everything that's going on in this country, I thought, you  
20 know, that'll be good, maybe try to stay on top of things. And  
21 now I'm scared to death that I'm not going to be able to do  
22 that. And I don't want to be forced into early retirement.  
23 I'm not 60 yet. Now I'm really scared.

24 They biopsied what is in my stomach, and I'm just --  
25 if you don't have faith in God, I don't know how you get

1 through all this, everybody, I really don't. And I kind of  
2 wonder maybe we should make sure that Aqua Utilities is  
3 drinking the Aqua Utilities water from Chuluota. Maybe that  
4 would give them an idea of what's going on.

5 And when you're affecting people's lives and you're  
6 down to the wire and -- you know, I can't afford to quit my  
7 job. I'm afraid they'll remove me if this doesn't straighten  
8 out, and I don't see how it can straighten out. Now I realize  
9 I need to start buying bottled water. And, quite frankly, yes,  
10 I am afraid of my water. I'm very afraid of my water.

11 And I have an aunt who's an anesthesiologist. And we  
12 were holding hands and praying recently and she said, "Why does  
13 your hand shake?" And I said, "I don't know. That's, that's  
14 been within the last year," and my hand has been shaking. And  
15 I said, "And my, my leg shakes too." And I had no idea it  
16 caused any kind of neurological damage. And now my right hand  
17 shakes. And, you know, to hold a paper and try to grasp  
18 something in front of the class and have them see that, I don't  
19 want the school to start thinking I'm so sick I shouldn't be  
20 there. And they will take action if that's what they think.

21 I wanted to mention too that I had called Aqua  
22 Utilities to pick up that water sample they required us to  
23 take. And four different times I had to take it first thing in  
24 the morning because they let it -- it sat out there for a week  
25 and a half before they finally came and got it. And I thought,

1 "What good is a water sample that's a week and a half old?" So  
2 I kept taking a new sample. And when I called them to come get  
3 it, two days later they did come get it.

4 And I mentioned to them that the water in the kitchen  
5 smells like a sewer. It's disgusting. And I said, "Is that  
6 safe to drink that even through the filtration system of the  
7 refrigerator?" And the guy says, "Oh, gee, I think I'd boil  
8 it." And I said, "So let me get this straight. I'm going to  
9 get up in the morning trying to get myself off to school on  
10 time and I'm going to go boil my water and then let it sit for  
11 a while so it's not hot anymore," because I certainly can't put  
12 an ice cube in it. It's the same ice, you know, the same  
13 water. I said, "And then I'm going to, like how am I supposed  
14 to -- I can't have a drink in the morning before I go to  
15 school?" Quite frankly, I feel like we're living with third  
16 world country water and I don't understand. We're in America.  
17 Why do we have to be worried about what we're going to drink?  
18 Why do we have to live in fear? I don't understand that.

19 And, you know, there's all kinds of terrorism in the  
20 world right now, there's all kinds of stress. Well, thank you  
21 very much for the added stress. That's, that's great. It  
22 really helps everybody's health even more, I'm sure. And the  
23 money that we spend for all these health problems on top of it  
24 is a lot of fun.

25 I wanted to mention too that we cannot keep a tub

1 faucet repaired due to corrosion, and that the shower and tub,  
2 the metal portions that go over the drain are pitted and  
3 corroded, and that started after we'd only been there a year.  
4 I couldn't believe what I was seeing. In one bathroom we  
5 actually have some of the enamel eaten off of the tub. So  
6 while I'm worried about my life, I don't know how in the world  
7 I'm supposed to sell my house and get out of there because I  
8 have a conscience. I'm not going to tell people, "Oh, I'm  
9 leaving because" -- I can't come up with a lie, you know. I'm  
10 leaving because I'm afraid I'm going to die if I stay here.  
11 And I'm scared to have relatives come, guests come. My mother  
12 has congestive heart failure. I won't let her drink the water.  
13 And I don't think that in America we should have to live that  
14 way. That's all I want to say. Thank you.

15 **CHAIRMAN CARTER:** Mr. Kelly.

16 **MR. KELLY:** The next speaker is Mr. John McGrath.  
17 Mr. McGrath left? Okay.

18 Ms. Angelica Harris.

19 Whereupon,

20 ANGELICA HARRIS

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

23 DIRECT STATEMENT

24 MS. HARRIS: Hi. My name is Angelica Harris, and I  
25 live at 507 Granite Circle in The Trails. And the only thing



1 I'm going to say about the quality, I'm not even going to touch  
2 that again, it's obviously not up to par in any stretch of the  
3 imagination. I talked about it last meeting, last year. The  
4 only thing I brought was a sample of my water.

5 Now a month after we moved in we already started  
6 finding out about the water quickly, so we started researching  
7 the water filtration systems. Which I don't even know if it  
8 makes any difference as far as the -- I know I don't have green  
9 water, so I know it helps something. I know that I can tell  
10 the difference, but I don't know if it does anything to the  
11 cancer-causing agents in the water, the trihalomethanes and all  
12 of that. And I have three small children, so it does concern  
13 me. But I don't know if you all have tested any to see the  
14 difference, if it made a difference or not. I don't know if  
15 you've tested anyone else's water. But I brought some so that  
16 if you wanted to, you could. I'm going to find out how I can  
17 get it tested because I'd like to know. I'm over here thinking  
18 that it's fine, so I'm not worried about it. But after hearing  
19 everyone else's -- anyway, I have proof of all of that that we  
20 got it and when and everything else.

21 As far as the bills and the usage go, I feel like  
22 after the last meeting, and they gave us a credit a couple of  
23 months later for the interim increase that they ended up not  
24 getting or whatever, they kind of felt like maybe they're under  
25 the radar now because everybody's bills are a little bit more

1 reasonable. I know mine were. I don't know how a family of  
2 five goes from using -- you know, they were quoting us at  
3 90,000 gallons plus before the meeting, and then all of the  
4 sudden now we're using less than 20,000 gallons a month and we  
5 don't do anything different. I chuck all my bills, to be  
6 honest. I don't have time to be calling them. I'm not going  
7 to keep a paper a mile long in my house, call them 24/7. We --  
8 seriously, if all of us bugged you guys, who's doing such a  
9 great job, the people that have bugged you, you'd have nothing  
10 else to do but deal with all of us. We can't all have that  
11 kind of time. I'm the idiot who paid the bill. Apparently I  
12 should have disputed it better. Maybe I would have gotten  
13 somewhere. The only furthest I got was I have a printout of  
14 how much I've paid them. I haven't paid them any more than  
15 they've asked of me. So you can see when I've paid, and the  
16 date obviously was for the month before.

17           My bills were in January \$264.64. In February it was  
18 \$116.73. In March I paid them \$138.15. Now, remember, April  
19 they gave us the credit, so I only paid \$96.65. In May I paid  
20 \$128.06. And then I get a bill in June for 89,500 gallons,  
21 \$433.61. And the big fool that I am, I paid it. I called them  
22 first, wasted my time. And I said, "You guys have got to do  
23 something. There's no leak that I know of. Where, how am I  
24 using 89,500 gallons?" I remember the number because it was  
25 outrageous, not because I have the bill. But it was, I know it

1 was over \$400. And I added up what I paid them, it was  
2 \$433.61.

3 So they say, "Okay. Well, we're going to send  
4 someone out to recheck the meter." And I said, "Do me a favor.  
5 Write in there that I want that person to knock on my door. My  
6 husband and I both work from home. We're home all day. It's  
7 summer. My kids are not in school. I will be here and I want  
8 somebody to knock on my door because I want to see the man read  
9 the meter." Well, days go by, we never find anything. All of  
10 the sudden my husband is cutting the lawn a week later, he  
11 brings up this mangled yellow piece of paper, the door tag that  
12 you can't even read hardly that was in the tree somewhere. So  
13 I'm like, "That jerk never knocked on my door. Did you hear  
14 him knock?" Because we were here and nobody ever called us or  
15 anything.

16 So then I take the number. I had already paid them  
17 \$150 of the \$433 bill, by the way. I figured, well, my bill  
18 has been running \$120, \$130. I'm going to send \$150 until they  
19 fix my bill. That was on June 20th I paid that. All this  
20 stuff happened. They came, I got the paper. I called them, I  
21 gave them the numbers. And I looked in my old bill, I still  
22 had it at that point, and, and the numbers were pretty  
23 accurate. I mean, the readings from the month before to give  
24 me the \$433 bills were off, but then the one after that the man  
25 read was about right because it was about a week or two after

1 the first reading and it was around, you know, a couple hundred  
2 gallons more or whatever it is. It wasn't that bad. So I  
3 called back, I tell them the numbers. They're like, "Yeah.  
4 You don't have a leak. You don't have a problem." I'm like,  
5 "Okay. So then where did 89,500 gallons -- I'd be swimming  
6 right now. I don't even own a pool. Where would you put  
7 90,000 gallons in my house?" And I had to pay the other  
8 \$283.61.

9               So June 30th I sent that payment so that I wouldn't  
10 be cut off. So I'm never going to see that money back. This  
11 is the same point I said last time I was up here. All this  
12 time -- I know there's so many hoops to jump through. I'm  
13 young, but I'm not stupid. I know that there's them and them  
14 and you guys and them and it's not an easy thing to be done.  
15 But this is time and money that we're using and we're wasting  
16 and it's not fair.

17               I said it the last time, the same thing she said.  
18 They knew what was wrong with it, what they had to do to bring  
19 it up to par, all the improvements it was going to need when  
20 they bought it, but we're the ones being punished. And our  
21 hands are tied. I don't have any choice. I have to cough up  
22 \$433 whenever they feel like it. I feel like all these bills  
23 were like to appease us. And just like she said, oh, well,  
24 you're going to get the high bill this month because then maybe  
25 you won't realize it and you're not going to fuss over it

1 because it's only one month. Right? At least I'm not getting  
2 \$300 every month like I was. I guess I should be happy that I  
3 only got a \$433 bill once in the last six months, when I was  
4 getting that on a regular basis for the last year and a half?  
5 How does that make me happy? But I don't have a choice. It's  
6 water. We need it. I have to buy it. So I don't have  
7 anywhere else to go. I can't choose another company.

8 And it takes so much time for you guys to research  
9 and pull out all the right statutes to be able to pull it from  
10 them, and it is so unfair. Because the rest of us, besides the  
11 quality issues, the health issues that nobody even knows the  
12 answers to because, you know, yeah, they're elevated but  
13 they're not elevated above the federal limit or they're not  
14 elevated above the statute, whatever. They're not right and  
15 it's disgusting and it's unfair and unjust. And it is, it's  
16 like living in a third world country, and we're in the United  
17 States of America.

18 We're not free to do anything because we're stuck at  
19 the mercy of all of you guys to find the right flaws in what  
20 they're doing while they slide under the radar in order to pull  
21 the water from them. We don't want them servicing us at all,  
22 period. They can't fix it. They've proven over years and  
23 years and years that frankly they suck at it, and we have to  
24 deal with it and it's not fair. It is totally not fair. And I  
25 feel like whatever needs to be done, whoever needs to answer

1 the questions from the DEP, the DHP, the DOP, whoever, the PSC,  
2 Aqua, it needs to be done fast because in the meantime people  
3 are just getting more and more upset.

4           There's no evidence that we're all getting cancer or  
5 whatever it is that the animals are getting. We're not stupid.  
6 I know when I hear people up here and how awful the stories are  
7 that it almost goes in one ear and out the other because  
8 there's no proof that it was that. People get cancer all the  
9 time. But it is an elevated problem in a concentrated area.  
10 Unless you can prove that it's not, then everybody is going to  
11 keep on saying that it's you guys. So I suggest to prevent  
12 further issues that you actually prove that it's not that and  
13 then change it. Look, change it to a different, whatever it  
14 takes, however long it takes, do as much you can, change it to  
15 a different venue. Then if the people are getting cancer, then  
16 at least you have the proof, hey, it's not us. We changed your  
17 water. Something else is wrong with you guys. Well, then they  
18 can't be barking up your tree anymore. But until that's done,  
19 people are going to still keep on placing the blame where it  
20 looks like it's coming from. And all they're doing is flying  
21 right under the radar doing all the right things according to  
22 the law so that we're still getting screwed in the end and it's  
23 just not fair. And that's it.

24           **COMMISSIONER ARGENZIANO:** Mr. Chair, I've got --

25           **CHAIRMAN CARTER:** Commissioner Argenziano.

1           **COMMISSIONER ARGENZIANO:** The bill -- you never had  
2 been paid back the money that you --

3           **MS. HARRIS:** No. Forget the two years of \$300 bills.  
4 The one \$433 spike in June, I just paid it.

5           **COMMISSIONER ARGENZIANO:** The 89,500?

6           **MS. HARRIS:** The 89,500 gallons.

7           **COMMISSIONER ARGENZIANO:** Mr. Franklin, you've got  
8 another one here that I think you really need to take care of.  
9 There's no way that \$89,000, I mean 89,000 gallons was used.  
10 And I hope you can resolve that problem. And that is why, and  
11 that is why I asked the questions and said let's find out  
12 what's going on. Because it's exactly what you said, we need  
13 to find out what's going on.

14           **MS. HARRIS:** It is. And I feel like we're beating a  
15 dead horse. I didn't even want to speak because I'm like I  
16 just said all this. This is ridiculous. But I feel like if we  
17 don't beat the dead horse --

18           **COMMISSIONER ARGENZIANO:** You have to. You have to.

19           **MS. HARRIS:** -- nobody is going to know that there's  
20 a problem. So I'm sitting here at 10:00 at night like all of  
21 you guys are and we sat there in that room for eight hours that  
22 day with no lunches and no breaks trying to get this resolved  
23 because it takes a long time. And in the meantime, we're all  
24 suffering. It's just a shame. It's really a shame.

25           **COMMISSIONER ARGENZIANO:** Well -- and, Mr. Chair.

1 And I'm going to say it again, just last year I remember being  
2 here and getting a lot of the same things. Some of the things  
3 that the company has done with the new meters -- I think the  
4 new meters are going to help in the long run. And what  
5 happened that exacerbated the problem was them adding -- they  
6 didn't know what they were doing with adding the extra zeros  
7 and that's created a huge problem.

8 MS. HARRIS: That's their problem.

9 COMMISSIONER ARGENZIANO: I know. I know. But --

10 MS. HARRIS: That's their problem. If they don't  
11 know how to do their job, that is their problem.

12 COMMISSIONER ARGENZIANO: I know. But without you  
13 coming and telling us that, we wouldn't know what a huge  
14 problem it was.

15 MS. HARRIS: Well, I'm glad, but still.

16 COMMISSIONER ARGENZIANO: And the same thing for the  
17 company.

18 But, again, going back to asking DEP and DOH, that's  
19 all we can do is at this point, from the PSC, is say we need  
20 some answers to what's going on in the water and it's been a  
21 problem here for years and years. And I think those results of  
22 those tests and more sampling, that the more sampling you can  
23 do, I think it's going to have a lot of answers to the  
24 questions that need to be, that need to be answered. Thank  
25 you. Thank you.



1           **CHAIRMAN CARTER:** Angelica? Excuse me.

2           **MS. HARRIS:** Yes.

3           **CHAIRMAN CARTER:** Angelica, the water that you  
4 brought, would you give that to our staff, please?

5           **MS. HARRIS:** Sure.

6           **CHAIRMAN CARTER:** And, staff, I believe -- if you can  
7 hang on for one second, Angelica, Ms. Harris. Somehow or  
8 another between DEP and whomever we probably need to get that,  
9 get that sample -- okay. Thank you. Thank you.

10           Commissioner Skop.

11           **UNIDENTIFIED SPEAKER:** You want samples? We can all  
12 bring you samples.

13           **CHAIRMAN CARTER:** Commissioner Skop.

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

15           Just to Ms. Harris, and I was going to try and do  
16 this by a show of hands, but I'll just ask you individually.  
17 You, you contacted Aqua, I believe you stated, about your high  
18 water bill; correct?

19           **MS. HARRIS:** Yes.

20           **COMMISSIONER SKOP:** And they told you that you had a  
21 leak; correct?

22           **MS. HARRIS:** Yes. They told me I had a leak  
23 somewhere. So I said, "Well, come out and check the meter and  
24 see if -- if there was a leak, I didn't fix it. It's obviously  
25 still leaking. You know, I'm going to get it again." And they

1 said "Well, there was nothing."

2 COMMISSIONER SKOP: And then the high bill was, I  
3 believe, for -- you received the bill in June; right?

4 MS. HARRIS: It would have been usage in May, I  
5 guess.

6 COMMISSIONER SKOP: Okay. And that's --

7 MS. HARRIS: I mean, you know, I even go as far as to  
8 say I may not, I may have thought it was me if it had been July  
9 because I had a lot of family here in June on vacation from up  
10 north and stuff, so I had a houseful. So I may have been like,  
11 you know, I might have taken it with a grain of salt. But I  
12 didn't have any difference in May, so I called and I had to pay  
13 it anyway.

14 COMMISSIONER SKOP: Okay. Well, again, I apologize  
15 that you haven't been able to get that, that bill resolved.  
16 And as Commissioner Argenziano said, I think it's that zero  
17 issue. And Mr. Franklin hopefully can resolve that for you and  
18 I'm sorry that it came to that. Thank you.

19 MS. HARRIS: Thank you.

20 MR. JAEGER: Commissioner Carter. Chairman Carter.  
21 Long day. She gave me four sheets, two pictures and a bill  
22 history, so I think we need to make that Exhibit 41.

23 CHAIRMAN CARTER: Okay. That will be Exhibit 42,  
24 isn't it? We're on Exhibit -- let me look and make sure. I  
25 think Exhibit 41 was from Ms. Carol Bennett.

1           **MR. JAEGER:** What did we get from Ms. Bennett? I  
2 didn't see --

3           **COMMISSIONER ARGENZIANO:** No. This is 41 now, I  
4 think.

5           **CHAIRMAN CARTER:** It's 41 now? Okay.

6           **MR. JAEGER:** Let me look and see in my notes if --

7           **COMMISSIONER ARGENZIANO:** Yeah.

8           **CHAIRMAN CARTER:** Commissioners, let's check it.

9           **MR. JAEGER:** I didn't have an exhibit listed.

10          **COMMISSIONER McMURRIAN:** I don't have it.

11          **COMMISSIONER ARGENZIANO:** Yeah. I think it's 41.

12          **CHAIRMAN CARTER:** Okay. Okay. So I stand corrected.  
13 It's Exhibit 41.

14               (Exhibit 41 marked for identification.)

15           Mr. Kelly.

16          **MR. KELLY:** The next speaker is Mr. Ron McKay.

17 Whereupon,

18                               RON MCKAY

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

21                               DIRECT STATEMENT

22           **MR. MCKAY:** Commissioners, we are glad to have  
23 everyone here. Last time we had three, and it's great to, it's  
24 great to have the whole, the whole crew here.

25           My name is Ron McKay. I live at 624 Red Pepper Loop

1 in Chuluota. And I think, as you can hear from the testimony  
2 from our community, there is a very consistent message that  
3 existed even from the last hearing that we've had. There's  
4 billing issues, there's water quality issues. It's the same  
5 issues that we have talked about before and have raised. And,  
6 you know, I guess there's only one word that really kind of  
7 comes to mind and that's incompetence. That how much longer do  
8 we have to deal with Aqua Utilities exercising incompetence in  
9 taking care of the customer issues? People call and complain  
10 about their bills and talk about the, you know, the high gallon  
11 usage, and every single time, "Well, you must have a leak." I  
12 mean, I think they're working off of some script that you have  
13 to say these things to kind of put the blame back on to the  
14 people in this community to indicate that we're not the  
15 problem, meaning Aqua. Aqua is saying, "We're not the problem.  
16 You're the problem. You're using too much water. You're  
17 overirrigating your lawn. You're doing all these things." But  
18 the problem is, is that -- I think it's been proven in the last  
19 case they've got billing issues. They can't read the meters.  
20 They can't follow through through their customer service. And  
21 what does it take to finally say that enough is enough, Aqua?  
22 Until you get your act together, don't even waste our time with  
23 another rate case.

24 I think Aqua is really good about playing a cat and  
25 mouse game. Okay? And both myself and Kelly and a number of

1 people in the community set in on the conference calls to hear  
2 the progress that was taking place, and they would share the  
3 metrics of, you know, the fact that the call volumes are down  
4 and we must be taking care of customer issues. Well, I'm  
5 telling you, don't -- you can't take the fact that because  
6 people are not calling that we still don't have issues. And I  
7 think from the volume of people that have spoken in this  
8 community, you can still see we still have issues. We've got  
9 water quality. I too have stinking clothes. The chrome on my  
10 fixtures are pitted, they're corroded. They've got to be -- in  
11 fact, I've gone through and I have replaced -- I've got two  
12 sinks in my kitchen and I have just recently three months ago  
13 replaced those because they were leaking, because they had  
14 corroded through they were leaking. And underneath my cabinets  
15 and everything else, you know, I've got water damage because of  
16 the fact that the water had finally just eaten through to it.

17 I think Aqua -- you know, since '97 the  
18 trihalomethanes have been reported through the DEP, okay, and  
19 I've got a document that states that. Since 1997  
20 trihalomethanes have been reported as being an issue. It is  
21 now 2008. How long does it take to address the trihalomethane  
22 issue? I mean, at what point do we say, guys, you've had  
23 plenty of time? And I think, you know, Kelly is right; revoke  
24 their certificate of authority because they are incompetent,  
25 they cannot handle fixing the issue.

1 All throughout last year they were dealing with  
2 switching over to the, to the chloramination system. "We're  
3 making progress. We're taking care of this. It's getting  
4 resolved. It's getting fixed." They switch over and they have  
5 to switch back because now we have coliform, coliform in our  
6 water. In fact, I was standing at my sink when they, when they  
7 made the switch because I've been, you know, in the loop on  
8 when this transfer was taking place and everything else, not  
9 knowing that there was a coliform issue. But I'm standing at  
10 the sink and I'm running the water and I'm like "What is that  
11 odor?" And I literally looked around, and excuse the  
12 expression, but I really looked around to see who farted  
13 because it really smelled that bad. I mean, and so I'm  
14 thinking okay, well, maybe there's something in the disposal or  
15 whatever, and there was nothing there. And it was like the  
16 water is just -- I mean, it stunk.

17 And so now they have switched back to the old system.  
18 So my question is this, they've put all this money supposedly  
19 in fixing the system. It failed. That's part of their  
20 expenses that are being rolled into this whole thing. Who's  
21 going to pay for that? Are we going to have to cover that  
22 expense because it failed? And the other question is how many  
23 other failures around the state have they had that we're being  
24 forced to pay for because their expenses have gone up, you  
25 know? And I'm sure this is going to come out in the wash. I

1 mean, the numbers are very deep. You know, I dug really deep  
2 into them last year. And, honestly, I don't see how there's  
3 enough time to really cover, you know, going through everything  
4 with a fine-tooth comb. And these guys, with a consolidated  
5 rate case, you know that they're going to, you know, try to  
6 hide as much as they possibly can, you know.

7           It's not about the people. They really don't care  
8 about the people in this community because all they want is the  
9 bottom line, and that's to answer to the shareholders to  
10 elevate their profit and everything else. But I'll move on.

11           The other thing, and I had sent an e-mail to all of  
12 the Commissioners regarding raising the issue about the Troy  
13 Rendell hiring from Aqua. Okay? We feel that that is a  
14 serious violation of trust where a line has been crossed where  
15 someone that has been involved in the previous rate case and  
16 Aqua still wants to use the data from the, from the rate case  
17 last year that Troy was involved in and use that information  
18 for this rate case, and we feel that a serious line of ethics  
19 has been crossed with this. And either we're -- you know, and  
20 I know that, that the PSC is not necessarily the governing body  
21 that oversees, there's another state agency that, that we would  
22 bring this to. And, of course, you know, we have read the  
23 e-mail from the prior attorney Ken Hoffman regarding the issue  
24 about being grandfathered in. But still when you have someone  
25 from the PSC that you trust to watch out for your best

1 interests, and I'm speaking on behalf of the community, that  
2 now Aqua takes this individual and parades him around like he's  
3 a trophy or a prize, it really brings a serious question as to  
4 who has our best interests in mind. So I ask the Commission to  
5 disregard, you know, what Troy has to say and his involvement  
6 in this case.

7           We feel that, you know, if Aqua gets this next rate  
8 case -- and let me, let me back up and say that, you know,  
9 they've been soliciting and they have hired employees from DEP  
10 and things like that, you know, and we no issue with the fact  
11 that people want to better themselves employment-wise and  
12 things like that. But when we feel that there's a conflict of  
13 interest being presented that we really feel in this case is  
14 present, then, you know, that raises a serious issue. They  
15 have the, you know, DEP employees to hopefully bring themselves  
16 into compliance and everything else. But I think as a  
17 community, because we've lost trust in Aqua Utilities, that we  
18 feel that they're really doing everything they can to try to  
19 stack the cards in their favor so they can worm their way  
20 through to get this next rate case.

21           I mean, the rates are outrageous. I mean, you've  
22 seen the charts, you've heard the testimonies and what they're  
23 proposing. People just cannot afford \$400 and \$500 water  
24 bills. It's ridiculous, you know. But yet we can't take back  
25 and say, well, your product is not good. Give us a refund.



1 It's not like going to a restaurant. You get a bad bowl of  
2 soup, you tell the waiter, they take it back, they take it off  
3 your bill, whatever. This is not the case.

4 And so anyway -- but we feel that if -- you know,  
5 Aqua has been really given several opportunities to get rid of  
6 Chuluota. And, I mean, if it was me, if I was running the  
7 company, I think I would be paying Oviedo to take Chuluota.  
8 But yet they want to stonewall and they want to stall and they  
9 want to, you know, ask for just outrageous rates. You know,  
10 Oviedo is not going to buy it for \$10 million and then turn  
11 around and have to charge us the same rates that Aqua is  
12 wanting to charge us. It doesn't make sense. But yet Aqua  
13 feels that they've got some major valuable asset out here that  
14 they can't seem to get rid of, you know, without getting a  
15 ridiculous price for it.

16 And I just really feel that, you know, Aqua is  
17 playing games. They're playing games with this community.  
18 They're playing games with the PSC. They're playing games with  
19 other departmental agencies. You know, the DEP has, you know,  
20 issued several fines. You know, they've tried to bring them  
21 into compliance. You know, I don't know, maybe Aqua is  
22 cooperating a little bit better now. I don't know. But the  
23 fact is, is that when can we say enough is enough? When can we  
24 say, Aqua, you're not cutting it? Okay. If it means that we  
25 have to exercise eminent domain, if we have to pull out a PSC

1 regulation, you know, whatever it's going to take, this  
2 community is not going to continue to stand for the garbage and  
3 the junk that Aqua continues to dish out to us. Thank you.

4 COMMISSIONER ARGENZIANO: Mr. Chairman.

5 CHAIRMAN CARTER: One second, Mr. McKay.

6 COMMISSIONER ARGENZIANO: No. No. No. No. It's  
7 not a question.

8 CHAIRMAN CARTER: Okay. Thank you.

9 COMMISSIONER ARGENZIANO: It's a question to staff.

10 CHAIRMAN CARTER: Thank you.

11 COMMISSIONER ARGENZIANO: Do we have the jurisdiction  
12 over who hires, how they hire? Do we have anything that we can  
13 --

14 MR. JAEGER: I know of no statute or anything that  
15 gives us jurisdiction. We can always say what's a reasonable  
16 and prudent expense and disallow salaries that we think are not  
17 prudent. And also I think, you know, as for the ethics, the  
18 rule, the statute is 350.0605 that's in our, that we go by, and  
19 I can read that.

20 The applicable portion is, "Any former employee of  
21 the Commission is prohibited from appearing before the  
22 Commission representing any client regulated by the Public  
23 Service Commission on any matter which was pending at the time  
24 of termination and in which such former employee had  
25 participated." And so that is a question of whether, you know,

1 if we use the same data, that is a valid point, I think.

2 COMMISSIONER ARGENZIANO: Well, isn't that exactly  
3 what he's describing? Can you, can you be specific? Is it, is  
4 it what is happening here?

5 MR. JAEGER: I think, okay, Mr. Rendell was involved  
6 in Docket Number 060368. This is a new docket.

7 UNIDENTIFIED SPEAKER: Huh-uh. Same issue.

8 COMMISSIONER ARGENZIANO: Wait. Hold on.

9 MR. JAEGER: Well, we have rate cases continuous and  
10 they would, you know, and we closed that whole docket out. Now  
11 if we're using information that he was involved in, then there  
12 may be, I think that's what Commissioner Skop said in the  
13 hearing last night, there may be some problem with using  
14 that -- you know, if it's the same information he's involved  
15 in, then that could be something we have to look at.

16 But I believe what the Division of Economic  
17 Regulation did, they posed this question to our General  
18 Counsel. And his reading of this statute was because this is a  
19 new proceeding, a new docket, a new rate case, that we would  
20 not be in violation of that section.

21 COMMISSIONER ARGENZIANO: Okay. But, and I don't  
22 mean to cut you off, but has our General Counsel then followed  
23 up on if there's any information that Mr. Rendell was involved  
24 with that's used in this case and get, and get an opinion on  
25 that?

1           **MR. JAEGER:** I'm not sure that he -- I don't believe  
2 he addressed that specifically.

3           **COMMISSIONER ARGENZIANO:** We, we need to do that.

4           **COMMISSIONER SKOP:** Mr. Chair.

5           **CHAIRMAN CARTER:** One second.

6           Commissioner Argenziano.

7           **MR. MCKAY:** Well, if I could, if I could add  
8 something to that. In the, in the conference calls that we  
9 have been involved in it had been brought up that, that they  
10 wanted to use information from the 060, whatever the number is.  
11 And so, you know, I would, I would encourage you to really dig  
12 into that to make sure that, you know, if he is involved. I  
13 mean, obviously he was involved in, you know, calculating the  
14 refunds and whatever else, you know, in the previous rate case.  
15 But some of the, and the proper term escapes me, but some of  
16 the research or some of the, you know, the history that was in  
17 that previous rate case, they want to roll that over and use it  
18 in this rate case. So I can dig up, you know, the facts on  
19 that and send it to you or whatever, but I know that that was  
20 certainly brought up.

21           **COMMISSIONER ARGENZIANO:** Well, Mr. Chair.

22           **CHAIRMAN CARTER:** Commissioner Argenziano, then  
23 Commissioner Skop.

24           **COMMISSIONER ARGENZIANO:** We have so many things that  
25 we need to get in this case that we don't need anything else

1 complicating this. So I would suggest that our counsel respond  
2 to the second part of that. If, if Mr. Rendell is using any  
3 information that comes from the past rate case, then does that  
4 then apply -- would it be applicable to that statute? And I  
5 think we need an answer as soon as possible.

6 **CHAIRMAN CARTER:** Commissioner Skop.

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

8 And, and to Commissioner Argenziano's point, and,  
9 again, I'm not being accusational at all, I think that  
10 procedurally we need to make sure as we move forward, because  
11 when a company and, staff, I'm looking to you, Ralph,  
12 Mr. Jaeger and Marshall, when a company files for a rate case  
13 petition, we're on a statutory timeline to bring that to  
14 resolution; is that correct?

15 **MR. WILLIS:** Absolutely correct.

16 **COMMISSIONER SKOP:** Okay. So my question is along  
17 the point that Commissioner Argenziano mentioned, because our  
18 General Counsel did issue an opinion as to what he thought.  
19 But, again, when you get into that, we may not have ultimate  
20 jurisdiction over, over that issue of, of, because that may be  
21 the Ethics Commission or another state agency. But what  
22 happens in terms of if we're moving forward with our statutory  
23 timeline but then an issue is brought and, you know, a  
24 determination was raised that there was, in fact, perhaps maybe  
25 a conflict, I'm not saying there is or isn't, what does that do

1 to any determination that we make in terms of if a conflict  
2 were hypothetically found by another agency? What, how does  
3 that impact our decision? I think our General Counsel needs to  
4 look at that also.

5           **CHAIRMAN CARTER:** I think what we need to do, and  
6 this is -- thank you, Mr. McKay. Staff, what we need to do,  
7 since this is an issue in the case, we need to have that issue  
8 briefed. It's an issue in the case. We need to have the  
9 issued briefed and pulled out so people can see it's  
10 transparent, it's open, it's aboveboard and all like that. So  
11 we need to do that.

12           And with that, Commissioners, I've kind of gone over.  
13 We do need to switch out on the court reporters again. It's  
14 our two hours.

15           **COMMISSIONER ARGENZIANO:** How many other people do we  
16 have?

17           **MR. KELLY:** How many more people?

18           **CHAIRMAN CARTER:** Yes, sir.

19           **COMMISSIONER ARGENZIANO:** What time is it, by the  
20 way?

21           **CHAIRMAN CARTER:** Oh, it's --

22           **MR. KELLY:** We have two more speakers and then we  
23 have, I believe, a lady from this morning wants to, I believe  
24 she spoke but she wants to introduce an exhibit.

25           **CHAIRMAN CARTER:** Linda, how --

1           **MR. KELLY:** So you have two more.

2           **THE COURT REPORTER:** Let's just try and go.

3           **COMMISSIONER ARGENZIANO:** Just try to do that?

4           **CHAIRMAN CARTER:** You want to try it?

5           **THE COURT REPORTER:** Yeah. We'll try it.

6           **CHAIRMAN CARTER:** Okay. Thank you. I do want to be,  
7 you know, I do want to be considerate of the court reporter.  
8 We do have --

9           **THE COURT REPORTER:** Twenty minutes, can we go twenty  
10 minutes and see?

11           **CHAIRMAN CARTER:** You think we can do it in twenty  
12 minutes? Okay.

13           Mr. Kelly.

14           **MR. KELLY:** The next speaker is Ms. Darly -- oh, I  
15 apologize. It may -- I'm not sure if it's a man or -- Darly  
16 Rodriguez. Sorry about that.  
17 Whereupon,

18                               DARLY RODRIGUEZ

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

21                               DIRECT STATEMENT

22           **MS. RODRIGUEZ:** That's okay.

23           Good evening, everyone. My name is Darly Rodriguez.  
24 I live at 4, excuse me, 475 Granite Circle in The Trails. And  
25 I came here today simply to see what was going on. Did not

1 plan on speaking to anyone. Did not plan to get up here. But  
2 after listening to what all my neighbors have been going  
3 through, I feel like I'm also in the same boat.

4 I kind of feel like this is a new type of terrorism  
5 that we're under. We are being held hostage. We are forced to  
6 pay high rates. Poor quality, can't sell our homes, can't even  
7 rent them. So we feel like we're being held against our will.  
8 Also, because of this bad reputation of the, of the water, I  
9 feel that all of Chuluota has gotten a bad rap and it's all due  
10 to Aqua Utilities.

11 My -- I also had trouble with the, the new meters.  
12 Once my meter -- my bill doubled, more than doubled. My  
13 husband called to complain. And guess who we got? Tamika. We  
14 were told that it could have been due to a leak. They came to  
15 read the meter supposedly, and the guy told my husband that it  
16 was due to the, the new, the new meter was, that's the way that  
17 it's supposed to be read. The old meters were being read  
18 incorrectly. So we got the same story. Okay. My -- luckily  
19 mine has not reached the \$400 bill, but, you know, I'm afraid  
20 of opening my bill when I get it every month.

21 As far as -- I moved into The Trails in November of  
22 2006. All the appliances were new, bought a brand new washing  
23 machine, high end, high efficiency. I have to clean it every  
24 time I wash clothes constantly. I constantly have to clean the  
25 inside. There's black gunk all inside my washing machine. My



1 dishwasher, I have to constantly pour bleach inside it because  
2 there's black kind of mold inside my dishwasher. It doesn't  
3 clean my dishes well. My brand new refrigerator, can't use it.  
4 My icemaker, my water filter doesn't work. I've been  
5 constantly buying bottled water. And I even have to buy ice so  
6 that I can have something to put in my drinks. So I have all  
7 these extra expenses. I cook with my -- I told my children not  
8 to drink the water. I cook with bottled water, try do  
9 everything as much as we can with bottled water. But what I  
10 tell my children, I tell them, "Take a quick shower. Don't  
11 make it too hot." What do I tell them later on in the future  
12 when I find out they've got illnesses?

13 I feel that this water issue quality is affecting me.  
14 I suffer from psoriasis, and I have suffered from psoriasis  
15 since the age of 15. I'm now 44. Always had everything under  
16 control. Since I moved in there my condition has worsened. I  
17 work for a dermatologist. He's always treated me, been on top  
18 of the situation. Progressively he's had to change my  
19 medications. I now have to inject myself twice a week because  
20 of my condition worsening.

21 My 17-year-old, I just took him to the doctor to see  
22 the dermatologist I work for because he has some conditions on  
23 his back. Don't quite know what they were. Come to turn --  
24 it's morphea, which is also an autoimmune disease. All of  
25 these conditions, I don't know, I can't associate them to the

1 water, but they have now appeared since we moved in there.

2 Also I would like to ask a question, and I don't know  
3 who I need to address it to, but please educate me on who tests  
4 the water, how often the water is tested. From what I've  
5 heard, Aqua Utilities is the one responsible for doing the  
6 water testing. They can't even get their bills straight. How  
7 can we trust who's reading, who's doing the testing for this  
8 water? It's not fair. So who's doing the testing and how  
9 often is it done?

10 **MR. PRATHER:** If we're talking about disinfectant  
11 by-products, the trihalomethanes, Aqua Utilities is responsible  
12 for taking those samples on a quarterly basis and sending those  
13 to a certified laboratory for analysis. The results then get  
14 sent to the Department of Environmental Protection.

15 **MS. RODRIGUEZ:** And how often is this done?

16 **MR. PRATHER:** Every three months, once every three  
17 months.

18 **MS. RODRIGUEZ:** Once every three months?

19 **MR. PRATHER:** Yes, ma'am.

20 **MS. RODRIGUEZ:** You need to do it every single day.  
21 I really would appreciate it if somebody would bring a gallon  
22 of water from our community and you sit there and drink it and  
23 see how safe you feel. Thank you very much.

24 **COMMISSIONER ARGENZIANO:** Ms. Rodriguez.

25 **CHAIRMAN CARTER:** Ms. Rodriguez. Ms. Rodriguez.

1           **COMMISSIONER ARGENZIANO:** Just so you know, because I  
2 don't know what time you came in, we have asked the Department  
3 of Environmental Protection and the Department of Health to  
4 actually do the testing themselves.

5           **MS. RODRIGUEZ:** And that sounds fair because it  
6 should be an outsider who's doing the testing. Because they  
7 could be telling us whatever they feel like telling us.

8           **COMMISSIONER ARGENZIANO:** Well, and I want to know  
9 what's in the well. It may, it may be something in the well.

10          **MS. RODRIGUEZ:** It could be.

11          **COMMISSIONER ARGENZIANO:** It could be something in  
12 the pipes. I'd like different testing done and that, just to  
13 answer some questions.

14          **MS. RODRIGUEZ:** That's definitely, that definitely  
15 sounds fair.

16          **COMMISSIONER ARGENZIANO:** Thank you.

17          **MS. RODRIGUEZ:** Thank you.

18          **CHAIRMAN CARTER:** Thank you, Ms. Rodriguez.  
19 Mr. Kelly.

20          **MR. KELLY:** Ready?

21          **CHAIRMAN CARTER:** Yes, sir.

22          **MR. KELLY:** The next speaker is Mr. David Diab. Did  
23 I get that correct?

24          **CHAIRMAN CARTER:** Mr. Kelly.

25          **MR. KELLY:** The next one is Ms. Nancy Evans.

1 Whereupon,

2 NANCY EVANS

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

5 DIRECT STATEMENT

6 MS. EVANS: Hi again.

7 CHAIRMAN CARTER: Good to see you again.

8 MS. EVANS: Thanks for hearing me again at 10:00 at  
9 night. I too have been here 12 hours.

10 CHAIRMAN CARTER: You can lift it up.

11 MS. EVANS: I'm not used to speaking. You requested  
12 earlier article or whatever the evidence is, Number 28, the  
13 private testing that we had done on our house. I felt like I  
14 wanted to, if I had to submit that, I wanted to speak about it  
15 just briefly.

16 We did have a professional sample done. You don't  
17 just take water off a doorstep. It has to be in a glass vial,  
18 it has to have chemicals, it has to be topped off right, it has  
19 to be carried on ice. It has to be done fast. I did that.  
20 Aqua did the same test. They didn't test for trihalomethanes.  
21 My company did. Different labs.

22 My company does say that the total TTHMs recovered  
23 from the sample does exceed the EPA national primary drinking  
24 water standard. It tells me that there was no harmful bacteria  
25 that day. We were still on hard chlorine. Isolated, no

1 bacteria isolated from this water sample; however, the amount  
2 of bacteria recovered could cause stomach distress when  
3 consumed. There are other reports of other things. It goes on  
4 for six pages. The main thing they brought to my attention was  
5 coliform, which we all know they've been out of compliance for  
6 many times.

7           We can test the groundwater, I don't think you're  
8 going to find it there, but I would hope that you do so we can  
9 prove that it's not the groundwater. I can see Aqua's well  
10 from my son's school. I see his well and the Aqua well  
11 together. I can stand in the middle of the road and see both.  
12 Also private wells from a gated community sit on the adjoining  
13 lot to the Aqua well. All of their wells and my son's school's  
14 well water are fine. We are all standing on the same piece of  
15 ground where they're pulling it out of. So I do appreciate the  
16 extra interest.

17           Back to the coliform though, the only way you get  
18 coliform, and this is the only way, coliforms are naturally  
19 present in the environment as well as feces. Fecal coliforms  
20 and E. coli only come from human and animal fecal waste.

21           As far as the TTHMs, they do say they'll cause liver,  
22 kidney, central nervous system problems, increased risk of  
23 cancer. We know they're out of compliance. We know they're  
24 over double. The water company wouldn't let me pick this up.  
25 There's a special order on here that says they have to collect

1 money until I get this. They wouldn't even give me the verbal  
2 on the phone. That's how severe they thought it was. And in  
3 37 years of their testing they've never seen a result this  
4 high. And they were shocked because they continually test and  
5 shut down places on a federal level and test EPA data there in  
6 their lab here in Orlando in Central Florida and they were  
7 shocked.

8           If it's not in the groundwater, you know, I wonder  
9 what's in the tanks, what is leaking through. You know, I find  
10 out that they're bringing Culligan water to the daycare center  
11 on their own accord. I called them about my husband's kidney  
12 failures. I've pleaded before everybody. Nobody has offered  
13 to bring me Culligan water. Nobody is driving that out to me.  
14 I wish I knew that was an option that was being done, because  
15 obviously they are concerned about damaging a high number of  
16 children in one place at one time. I do believe that they have  
17 a concentrated effort to protect that school obviously now. I  
18 wish, again, that it was done for me.

19           The other thing is, you know, State Farm has called  
20 my house contaminated, that's the claim that they're making.  
21 After all that you've heard today, we've talked about revoking  
22 permits and condemning the sites, I really do think something  
23 has got to be shut down there really fast. You're just risking  
24 every minute, every minute ticking right now.

25           **COMMISSIONER ARGENZIANO:** Ms. Evans, can I ask you a

1 question on that?

2 Mr. Chairman, can I --

3 **CHAIRMAN CARTER:** You're recognized.

4 **COMMISSIONER ARGENZIANO:** State Farm has said that  
5 your house is contaminated?

6 **MS. EVANS:** They made a contamination claim.

7 **COMMISSIONER ARGENZIANO:** Because of the, the THMs?

8 **MS. EVANS:** Because of -- well, yeah. I mean, they  
9 have to compile everything together. But knowing that it's out  
10 of regulation and it's been out of compliance with the DEP and  
11 they have violated the regulations, they take that very  
12 seriously. But they also said there's not a lot they can do  
13 about it because contamination doesn't necessarily fall under  
14 your homeowner's policies.

15 **COMMISSIONER ARGENZIANO:** But what I'm concerned  
16 with, Mr. Chairman, is if DEP and the EPA feel that those  
17 levels, I mean, are out of compliance but not to the point of,  
18 I forgot how you said it before, but not to the point that it  
19 could harm a pregnant woman or, or -- then how, how does State  
20 Farm do that?

21 **MR. PRATHER:** What was stated earlier is that the  
22 public notices that are received are very specific legal  
23 language that's required by EPA. And if the, the four  
24 constituents that make up the total trihalomethanes  
25 individually exceed a certain level, then there is required

1 information that would go out. But they haven't exceeded any  
2 of those levels. The required -- the additional information  
3 would be that information that would be specific to pregnant  
4 women.

5 **COMMISSIONER ARGENZIANO:** I just can't figure out how  
6 State Farm would find it contaminated if it hasn't reached a  
7 point --

8 **MS. EVANS:** They're having a hard time.

9 **COMMISSIONER ARGENZIANO:** And one other question.  
10 Who -- or how is it mandated? Is it a rule or is it a statute  
11 that the water utilities collect and send in their, you know,  
12 their samples every three months, I think you said, on the  
13 THMs?

14 **MR. PRATHER:** Correct. And I'm not quite sure when  
15 you say by rule or statute -- it is a requirement by rule here  
16 in the State of Florida. Again, because they have the MCL  
17 violation, they're required to take quarterly samples until  
18 this has been not only resolved but then confidence that it is  
19 going to remain resolved. Then it would go -- only then would  
20 it go back to an annual sampling.

21 **COMMISSIONER ARGENZIANO:** And just one other  
22 question, and I'm sorry. Does DEP have any say or do you have  
23 any control over when the samples are taken, I mean, within  
24 that time period? Do you, do you --

25 **MR. PRATHER:** There's not -- there's no requirement



1 that we say. It just has to be taken within that, that  
2 three-month period.

3 COMMISSIONER ARGENZIANO: Okay. Thank you.

4 MR. PRATHER: That doesn't mean that we couldn't, you  
5 know, take a look at that and see if we couldn't work that into  
6 a consent order or something along that lines, it may be legal,  
7 that would give us more control over when they actually took  
8 the sample. Although, again, that would be something to bounce  
9 off our folks, see if it would make a difference.

10 COMMISSIONER ARGENZIANO: Okay. That would be --

11 UNIDENTIFIED SPEAKER: Can it be done by an  
12 independent?

13 UNIDENTIFIED SPEAKER: Yes. Yes.

14 MR. PRATHER: And, again, something that we can  
15 certainly run to ground (phonetic).

16 COMMISSIONER ARGENZIANO: Well, and -- sorry, Mr.  
17 Chairman.

18 And the request that I had earlier --

19 MR. PRATHER: Correct.

20 COMMISSIONER ARGENZIANO: -- about taking the test,  
21 that would include the THMs that DEP --

22 MR. PRATHER: Absolutely.

23 COMMISSIONER ARGENZIANO: -- or DOH would go and do  
24 independently of the company.

25 MR. PRATHER: Absolutely.

1 COMMISSIONER ARGENZIANO: Okay.

2 CHAIRMAN CARTER: Thank you. Ms. Evans, don't go  
3 away, please. Hang on a second.

4 Commissioner Skop.

5 COMMISSIONER SKOP: No, Mr. Chair. I just said -- my  
6 question wouldn't be to Ms. Evans. I just wanted to clarify.

7 CHAIRMAN CARTER: Okay. Let me ask you this before  
8 you -- the -- is that the only -- let me, first of all, tell  
9 you thank you for going home to get that for us. I know you  
10 paid for that at your own expense.

11 MS. EVANS: Yes. You're welcome.

12 CHAIRMAN CARTER: Is that your only copy? Can we  
13 have that and make it part of our --

14 MS. EVANS: I have many copies.

15 CHAIRMAN CARTER: Staff, would you get that? And  
16 that will be Exhibit 42.

17 MR. JAEGER: That's correct.

18 CHAIRMAN CARTER: Exhibit 42 for the record.

19 COMMISSIONER ARGENZIANO: Mr. Chair?

20 CHAIRMAN CARTER: Yes, ma'am.

21 MR. REILLY: It's Exhibit 28. This is a previous --

22 MS. EVANS: 28. I'm previous. You asked to bring it  
23 back.

24 CHAIRMAN CARTER: Oh, was it late-filed?

25 COMMISSIONER ARGENZIANO: We already named, we

1 already numbered it. But, Mr. Chair, just one other thing to  
2 that point. Would that -- could DEP compare that company's  
3 numbers?

4 **MR. PRATHER:** I would, I would certainly like a copy  
5 of it as well.

6 **COMMISSIONER ARGENZIANO:** Yeah. Okay. And I'd like  
7 to know what the comparison, comparison is, please.

8 **CHAIRMAN CARTER:** So staff will provide a copy to DEP  
9 of this report. And that's -- so for our records it's  
10 Exhibit 28.

11 **COMMISSIONER ARGENZIANO:** All right.

12 **MR. JAEGER:** That would be part of the composite  
13 exhibit.

14 **CHAIRMAN CARTER:** Okay. Good.

15 Ms. Evans?

16 **MS. EVANS:** And I promise I will be done. I know  
17 it's late, I know everybody needs to go home.

18 I have a concern. You run that water from Oviedo,  
19 that's great. You got a clean pipe that's going to come right  
20 to these new subdivisions, they're going to hook right on,  
21 that's beautiful. Those 600 homes sitting out there in rural  
22 Chuluota, they don't have that option. You can't run that pipe  
23 directly to them and hook up to their pipes. Those are  
24 galvanized, corroded, leaking pipes. People at Aqua who run  
25 the route out there have confirmed that with me. I don't want

1 them to lose their jobs. They know that. They've been out  
2 there for years. You can't just plug the water in to the old  
3 area. You've got to run infrastructure side by side, you've  
4 got to run a new line, it's got to circle, it's got to flush.  
5 I just don't want that to get overlooked should that be the  
6 option.

7           The one other thing I have has to do with ethics, and  
8 I forgot to say it when I was here and I have felt it needs to  
9 be said. I sat on a preliminary hearing phone call with you  
10 guys for Aqua's rate case. They knew some 30 something people  
11 had beeped in from Chuluota, almost too many to even log.  
12 Everybody wanted to be represented and speak. They knew about  
13 the health issues, they knew how tormented I was. I've broke  
14 down in tears many times. I've been pushed to my limits out of  
15 anger, fear and frustration.

16           Their attorney, Kimberly Joyce, made a joke that just  
17 echoed in my heart 'til that day and I'll never forget it. And  
18 I know she didn't mean it. She doesn't know what we're living  
19 in and they still don't even after all this testimony. She  
20 joked about needing five full days off in a row for vacation  
21 this summer, she's been working hard. And everybody laughed,  
22 everybody's voices, everybody -- you guys, we can't see you.  
23 You're up there at a table in Tallahassee, everybody is eating  
24 bagels and doing what you do and having your meetings, but that  
25 hurt. It hurt a lot to know that somebody could joke. Because

1 my vacations, as this other woman, I spent Thanksgiving all day  
2 in the ER, I spent the week after Thanksgiving in the ER. My  
3 Christmas Eve story was equally as horrifying. Day after  
4 Christmas my husband had to go get prodded again and go to  
5 surgery again. That's how we spent Christmas Eve waiting for  
6 the 26th, the morning of it. The PSC hearing you guys had was  
7 on the 27th of December. This next preliminary hearing where  
8 the jokes was made, were made was not 30 days later. I just  
9 think that in that regard that that's just not the right -- I  
10 mean, I work for Siemens. I've represented big companies. I  
11 worked for Fidelity Investments before I stayed home with my  
12 child. Talk about risk management. Man, you don't walk in a  
13 room with a smile on your face if you've got accusations like  
14 this. That's serious.

15           Also, the April meeting, the townhall meeting they  
16 had, they said they came, it's one of its kind to the community  
17 to offer. They failed to tell any single person that attended  
18 that night that that was a forced meeting that was demanded by  
19 the PSC to come to our town to talk and that they actually  
20 tried to avoid getting there. I don't want them to come off  
21 looking like that was a wonderful thing for them. That night  
22 on the board at that meeting they had how they were in  
23 compliance on a big white board and how wonderful it was. That  
24 was April 17th, that meeting. They had tested for coliform  
25 already and came out positive nine out of 24 tests almost by

1 the day of that meeting. How could they sit up there and tell  
2 us how wonderful it was when they knew the results were in the  
3 back room? And I don't think that was fair.

4 And the last thing I would like to offer is my house  
5 is vacant. It is vacant. And I know you're a rock star to  
6 your kids. I know that means a lot. My husband actually does  
7 play music. He's a musician, he's a guitarist. I'm thankful  
8 he's still here to play. My house is empty. It's liveable. I  
9 can't rent it without getting sued. I can't get a realtor to  
10 help me out. If he does, he's liable. So now he's actually,  
11 I've sucked one more person in, which I feel bad for him. But,  
12 you know, it's empty. It really is. You guys come reside in  
13 it, come sit in it, come walk it, come see the plumbing, come  
14 touch it, come smell it, just spend the night one night. You  
15 will walk away from here a different person. It's so hard to  
16 visualize until you stand inside one of these homes. And  
17 that's it. And thank you for bringing me back and thank you  
18 for asking for the water report. I appreciate it.

19 **CHAIRMAN CARTER:** Thank you so kindly, Ms. Evans.

20 Linda, can you hang on for a few seconds there?

21 Thank you.

22 Commissioner Skop.

23 **COMMISSIONER SKOP:** Thank you, Mr. Chairman. And I  
24 know it's been a long day for all of us as well as all the  
25 consumers and I appreciate everyone staying.

1           I just wanted to clarify briefly, now that I've had a  
2 second to compile my thoughts, my previous request to our legal  
3 staff. And I guess in order to definitively resolve the issues  
4 raised by Ms. Sullivan and Mr. May I would like to request our  
5 General Counsel, in addition to fully briefing the issue that  
6 Chairman Carter requested, to request an expedited advisory  
7 opinion from the Commission on Ethics addressing the questions  
8 of whether, one, a new docket number conforms with the  
9 requirements of Florida Statute 350.0605, and, secondly,  
10 whether shared information between the previous docket and the  
11 current docket would conform with the requirements of Florida  
12 Statute 350.0605. And I think that would definitively go a  
13 long way in resolving that lingering question out there and  
14 also provide the Commission with guidance. Because we're  
15 moving forward on a statutorily mandated deadline, and if  
16 somebody challenges something successfully, I'm wondering what  
17 that would do to a decision that we had previously made. So I  
18 think we need to resolve that definitively, and I think the way  
19 to do that is I think that anyone can request an advisory  
20 opinion from the Ethics Commission, and I would highly  
21 recommend that our General Counsel do that. Thank you.

22           **CHAIRMAN CARTER:** I think that's fitting and proper,  
23 Commissioner. Commissioners, I think we can, we can do that.  
24 We can ask our General Counsel to do that. The Commission on  
25 Ethics has this jurisdiction. They'll know that we have a

1 pending matter. They should be able to expedite this and we  
2 should have it resolved prior to us making our decision. So  
3 let's -- I don't think we need a motion. I just think we just  
4 need to get it done.

5 **MR. JAEGER:** When we're talking about briefing,  
6 nothing from the parties, just from our General Counsel.

7 **CHAIRMAN CARTER:** From our General Counsel. That is  
8 correct.

9 And thank you all for being here tonight. We  
10 sincerely appreciate those of you that came on behalf of your  
11 neighbors, those of you that came back from this morning with  
12 additional information. We sincerely appreciate that.

13 First of all, let me say before going further how  
14 much we sincerely appreciate Representative Adams. Not only  
15 has she been here all day, but she also has been with us in  
16 making sure that we provided an opportunity for everyone to be  
17 heard. We -- she worked with us to also get the Attorney  
18 General's Office involved and to bring DEP over with us, as  
19 well as we'll be getting the Department of Health involved.  
20 And I think she's saying, look, my people don't have to know  
21 about Department A or Department Y or Department Z, we just  
22 want to get it resolved. And that's what we're trying to do,  
23 that's really what we're trying to do.

24 **COMMISSIONER ARGENZIANO:** Mr. Chair.

25 **CHAIRMAN CARTER:** Commissioner Argenziano, you're



1 recognized.

2           **COMMISSIONER ARGENZIANO:** In reading the statutes,  
3 I'm finding all kinds of things in here that spark my interest.  
4 I really need to ask DEP to move quickly because under, under  
5 367.111 under service, we are charged with making sure that the  
6 service is, sorry, service is efficient and safe. And having  
7 those results -- I mean, we already know that the THMs are  
8 above that and there are remedies here that can be taken. So I  
9 would, I would request that that be done as quickly as  
10 possible.

11           **CHAIRMAN CARTER:** Thank you. We are -- and I -- we  
12 asked the court reporter to stay and she's overtime now because  
13 we wanted to make sure that we heard from everyone. But at  
14 this point in time, Commissioners, we do need to kind of bring  
15 it in for a landing so we can, and close out the hearing for  
16 tonight. So, Commissioners, at this point in time, I know  
17 you've deferred. Anything further from the bench?

18           And without objection, show it done. That would mean  
19 all exhibits are entered into evidence.

20           (Exhibits 33 through 41 admitted into the record.)

21           **MS. NEASE:** Excuse me. I just want to ask one thing.  
22 I'm not going to take 20 minutes. Like every other business in  
23 the world, if they do something that is dangerous to a client,  
24 they're closed down by the state, by the government, by some  
25 official. Why are they allowed to function? I don't

1 understand who, who manages them, who watches them, who -- they  
2 just seem to be able to keep sailing no matter what they're  
3 doing, even though they're breaking all these codes.

4           And like the other lady said, we can't trust their  
5 testings of the water. So Ms. Nancy suggested, okay, fine,  
6 have somebody else do it. That's wonderful. Thank you for  
7 doing that. But what I'm saying is, like we do construction.  
8 If I was doing something hazardous to somebody's house, they  
9 would come in and they would say, whoa, wait. We're pulling,  
10 we're pulling your license, your permit, your everything. You  
11 can't, you can't do this anymore until we investigate, until we  
12 see. Now I know we have to have water, I understand that. But  
13 there has to be someone that they're accountable to and they're  
14 not. They're just, okay, you know, we'll have another meeting.  
15 And that's the frustration. So can somebody answer that for  
16 me, because I'm not, I'm not getting something here?

17           **CHAIRMAN CARTER:** We hear you loud and clear. What  
18 we're doing is in order to -- they filed for a rate increase,  
19 which we have jurisdiction over. The other thing that we've  
20 done is to provide an opportunity for the Department of  
21 Environmental Protection, which has the water quality  
22 jurisdictional issues, to be here, and we've also asked to have  
23 the Department of Health, who is in charge of the type of  
24 standards that relate to health issues for individuals and all.  
25 And so what we've done is to provide all of the necessary

1 people to the table to make sure that in this process -- what  
2 Aqua has done is requested a rate increase. And as we go  
3 through our deliberations we wanted to make sure that we had  
4 everything possible on the line.

5 So that's -- the answer to your question is as we  
6 prosecute the case further, we'll have all of these issues to  
7 come out, the Public Counsel's Office will have, the Attorney  
8 General's Office will have, the company, as well as staff will  
9 review that.

10 MS. NEASE: So you are going to ball it into one  
11 thing now? Even though they're just asking for the rate  
12 increase, you're going to take, you're going to take the  
13 looking into the quality of the water and things like that?

14 **CHAIRMAN CARTER:** Yes, ma'am. Yes, ma'am.

15 MS. NEASE: But this gentleman mentioned about, oh,  
16 by February 2009. We don't want to wait again.

17 **CHAIRMAN CARTER:** That's the -- no. That has to do  
18 with the actual time when the Commission deals with the rates,  
19 as well as the fact that the company has asked for a uniform  
20 rate. That's not something that they have and that's not  
21 something that, you know, we've -- basically that's something  
22 that's a different issue altogether. So what we're trying to  
23 do now is gather public comment so that we can prosecute the  
24 case further.

25 MS. NEASE: So we have an emergency so-called hearing

1 what we're going to do, I mean, like decision? Because, like,  
2 we can't, like, wait months and weeks and years anymore.  
3 That's basically what we're all saying. That's what I'm trying  
4 to clarify.

5 **CHAIRMAN CARTER:** No, ma'am. I don't want to mislead  
6 you about an emergency. I don't want to mislead you.

7 **MS. NEASE:** No, sir. But what I'm trying to say is  
8 I'm just trying to get out of y'all how long is it going to  
9 take to rectify the health thing? You know, we need to know  
10 that first and foremost.

11 **CHAIRMAN CARTER:** We can't answer that. Only the  
12 Department of -- we can't answer that. Only the Department of  
13 Health can answer that.

14 **MS. NEASE:** Okay. So that's who we would, we would  
15 direct these questions from now on to, we can call them?

16 **CHAIRMAN CARTER:** No. Well --

17 **MR. PRATHER:** Ma'am -- may I?

18 **CHAIRMAN CARTER:** You're recognized.

19 **MR. PRATHER:** Certainly the Department of  
20 Environmental Protection has a role in this. And what we  
21 discussed earlier today in the morning session was in January  
22 of 2007 we entered into a consent order with Aqua Utilities and  
23 gave them roughly ballpark five months to fix the problem,  
24 January 2007. There were stipulated penalties assigned with  
25 that consent order that said for every single day that you go

1 beyond our deadline of fixing the problem there will be a \$100  
2 stipulated penalty associated with it. The clearance was given  
3 in April of 2008. They assumed roughly \$30,000 in penalties  
4 for their tardiness in putting in the new system. As of  
5 July 1st when they notified everyone that the system was no  
6 longer working, that the analyzers need to be replaced, the  
7 Department is now looking at further enforcement action to move  
8 this process along as fast as we possibly can to get whatever  
9 system is going to work, whether it's chloramines or whether  
10 it's going to have to be more. We feel your same frustration  
11 in getting this, getting this resolved.

12 MS. NEASE: But do you personally, your department  
13 personally, when they call you and say, oh, buddy, it's done,  
14 do you go there? Do you actually see that? Because I'm  
15 telling you --

16 MR. PRATHER: Yes, ma'am. There is a --

17 MS. NEASE: -- there is a Porta-Potty out there.  
18 Nobody was doing nothing.

19 MR. PRATHER: No. There is a, there is a clearance  
20 inspection that was performed, not only -- it's a permitting  
21 process. Their professional engineers have to submit plans to  
22 us which our professional engineers approve, and then and only  
23 then does the project get constructed. Then there's a  
24 clearance inspection which was done. It did not work. This  
25 was brought to the Department's attention July 1 that the

1 system was no longer functioning and they're going back over to  
2 chlorine for a free burn. The analyzers weren't working. So  
3 that's --

4 COMMISSIONER ARGENZIANO: And if I may.

5 CHAIRMAN CARTER: Commissioner.

6 COMMISSIONER ARGENZIANO: And that the, the new  
7 analyzers are supposed to be installed by September?

8 CHAIRMAN CARTER: September.

9 MR. PRATHER: Correct.

10 COMMISSIONER ARGENZIANO: So that gives you a time  
11 frame. And DEP --

12 MR. PRATHER: It's our intentions that we're moving  
13 forward with another enforcement case to move this process  
14 along as quickly as possible.

15 CHAIRMAN CARTER: Thank you. And I sincerely  
16 appreciate you, Linda, for taking the extraordinary effort. I  
17 know that we usually go two hours, but I appreciate our court  
18 reporter going above and beyond the call of duty.

19 Commissioners, with that, we are adjourned.

20 (Service Hearing adjourned at 10:43 p.m.)

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23

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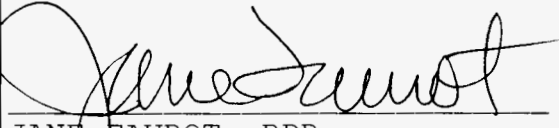
1 STATE OF FLORIDA       )  
                              :       CERTIFICATE OF REPORTERS  
2 COUNTY OF LEON    )

3  
4               WE, JANE FAUROT, RPR, and LINDA BOLES, RPR, CRR,  
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.

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

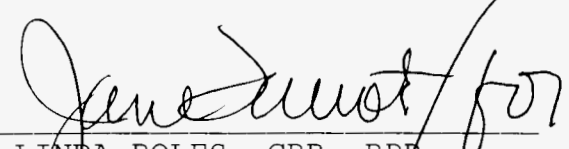
  
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LINDA BOLES, CRR, RPR  
FPSC Official Commission  
Reporter  
(850) 413-6734

Exhibit 33  
D. No. 080121-WS  
P. 105

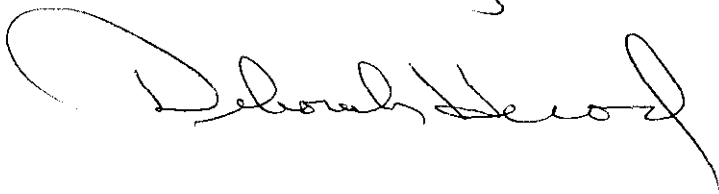
July 16, 2008  
Alan & Deborah Herod  
501 E. 3<sup>rd</sup> Street  
Chuluota, FL 32766

We are very concerned about the quality of the water we are receiving from Aqua Utilities. Water directly coming out of our faucet has particles floating in it. The clean reserve tanks in my toilet form a black slimy sludge. I cleaned the tank last week scrubbed all that slimy stuff out and took at least 10 flushes to get tank cleaned. This is water we are bathing with, drinking. Our pipes corrode. We recently installed 2 water heater one in our home on 3<sup>rd</sup> Street and in our other home at 10 E 2<sup>nd</sup> Street that my son lives in with my grandchildren. The pipes are corroding already. My tubs, sinks, toilets where water comes in contact are all stained. We recently have had their NEW METERS installed. Since installation we have had incorrect meter readings. Our 1<sup>st</sup> reading with the meter showed we used 89,800 for 2 people. We were not even home for 8 days of the 30 day readings and both work so for at least 8-10 hours a day our water isn't being used, flushed ect. The 2<sup>nd</sup> month their reading showed we used 57,000 gallons of water. This is also incorrect. On a high month from past bills we use approx. 126 gallons a day.

We have made numerous calls and still have no correction on our bill. The last girl Mr. Herod spoke with explained she thought the zeros were placed in the wrong spot and would have a corrected bill. To date today 07-16-08 we have yet to receive a corrected bill. I have spoke with Sandy Adams and she has placed a call for us and we received a call from a field supervisor who stated he would be checking into. He had left message on our answering machine to call anytime- we did he did not return call that day. The following day Mr. Herod made calls and finally did speak with him. He stated he would look into. We have been hearing this from this company for 2 months already. We should be receiving our new bill any day can't wait to see our usage this month!

We are appalled that Aqua Utilities have not corrected the problem with the quality of the water and can be allowed to increase rates for this quality and lack of customer service they offer and continue to misread meters and charge customers. I would also like to add that both my husband and I have had health problems and feel it is due to water. I recently lost my pet that has been drinking the water for quite a few years and am concerned it may have been the cause also. I have a new pet and have been doing a test with him. I place a bowl of water in his crate and have left the water sit and not treshen- the DOG WILL NOT DRINK THE WATER. I have a separate bowl and put bottled water in it. That's the bowls the DOG drinks from. ONE SMART DOG! But that should tell you something..

Thank you for taking the time to read my complaints, and pray you can get these situations corrected with quality of water, customer service and misreading of customer bills.



FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET NO. 080121-WS EXHIBIT 33  
COMPANY Information  
WITNESS Deborah Herod  
DATE 07/17/08



RE: 501 E 3<sup>rd</sup> Street, Chuluota, FL 32766

Mr. & Mrs. Alan Herod

Incorrect meter readings since new meter installed. Month of May their reading states we used 89,800 gallons for 2 people daily usage as 2,993. Received billed for \$381.12. Disputed bill sent letter along with a \$40.00 payment more than enough to cover from past usage. Spoke with Pam, Judy 2 times regarding this bill no corrections made. They claimed "they didn't know how we use your water!" June bill received- this bill states we used 56,000 gallons, spoke with Sonya, she stated zeros were in wrong places and would have a corrected bill within few days. That call was on June 24th, 2008. Still have not received corrected bill- Today is July 14th, 2008. This bill is now \$623.20. Quality of water is beyond poor. Black slime in reserve tanks of toilets. Black particles floating in water. Pipes rusting, corrosion from water.

Prior to new meters installed our daily usage on April bill was 215 gallons a day.

May-8 days were not at home. Our actual water usage was for 22 days for that month.



Service To:  
ALAN HEROD  
501 E 3RD ST  
CHULUOTA, FL 32766-8574  
Lot: 00001008 Block:

Account Number  
**000902208 0644826**  
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](mailto:custserv@aquaaamerica.com)

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

Bill Date  
**April 17, 2008**

Total Amount Due  
**\$ 38.57**

Due Date  
**May 09, 2008**

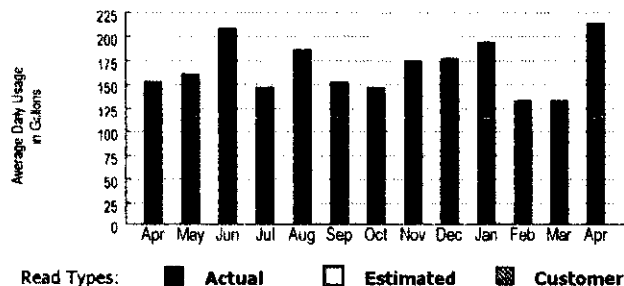
### Meter Data

	Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
New Meter	56598225	5/8	04/14/08	27	Actual	6300	6,200	Gallons
			03/18/08		Actual	100		
Old Meter	93941571	5/8	03/18/08	5	Actual	1085100	700	Gallons
*We have exchanged your meter during this billing period			03/13/08		Actual	1084400		
Average Daily Usage = 215 Gallons			Total Days:	32	Total Usage:		6,900	Gallons

### Billing Detail

Amount Owed from Last Bill ..... \$ 26.44  
Total Payments Received ..... 26.44  
**Balance** ..... **0.00**  
Water Base Facility Charge ..... 10.25  
6,900 gallons @ \$0.00389 per gallon ..... 26.84  
Total Water Charges ..... 37.09  
Utility Tax ..... 1.48  
**Amount Due 05/09/08** ..... **\$ 38.57**

### 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.



Service To:  
ALAN HEROD  
501 E 3RD ST  
CHULUOTA, FL 32766-8574  
Lot: 00001008 Block:

000902208 0644826  
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@aquaservice.com](mailto:custserv@aquaservice.com)

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

Bill Date

May 21, 2008

Total Amount Due

\$ 381.12

Due Date

June 12, 2008

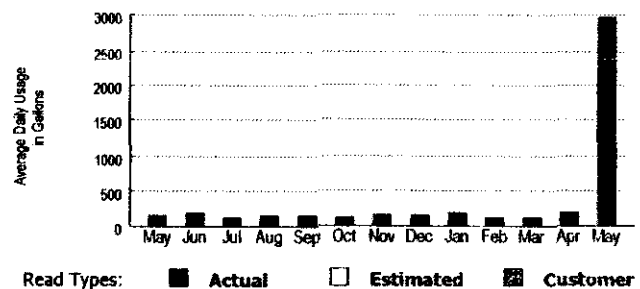
### Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56598225	5/8	05/14/08	30	Actual	96100	89,800	Gallons
		04/14/08		Actual	6300		
Average Daily Usage = 2,993 Gallons		Total Days: 30		Total Usage:		89,800	Gallons

### Billing Detail

Amount Owed from Last Bill .....	\$ 38.57
Total Payments Received .....	38.57
<b>Balance .....</b>	<b>0.00</b>
Water Base Facility Charge at Old Rate .....	0.68
5,987 gallons @ \$0.00389 per gallon .....	23.29
Water Charges At Old Rate .....	23.97
Water Base Facility Charge at Current Rate .....	9.75
Next 83,813 gallons @ \$0.00397 per gallon .....	332.74
Water Charges At Current Rate .....	342.49
Total Water Charges .....	366.46
Utility Tax .....	14.66
Amount Due 06/12/08 .....	\$ 381.12

### 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.
- 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](http://www.aquautilitiesflorida.com) to see your report.

1336456

**IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION**

FL3590186

Return this portion with your payment.

Service To:

*Judy*  
*Pam*  
*X- 53827*  
*X- 53825*

762 W. Lancaster Avenue  
Bryn Mawr, PA 19010-3489

Fax: 866.780.8292  
e Mail: [custserv@aquaaamerica.com](mailto:custserv@aquaaamerica.com)

Bill Date  
**June 18, 2008**

Total Amount Due  
**\$ 623.20**

Due Date  
**July 10, 2008**

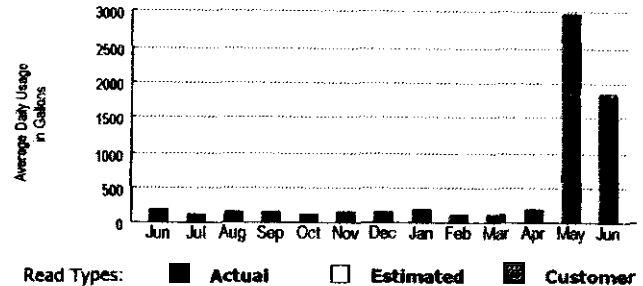
### Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56598225	5/8	06/13/08 05/14/08	30	Actual Actual	152100 96100	56,000	Gallons
Average Daily Usage = 1,866 Gallons		Total Days: 30		Total Usage:		56,000	Gallons

### Billing Detail

Amount Owed from Last Bill ..... \$ 381.12  
Total Payments Received ..... 0.00  
**Balance** ..... **381.12**  
Water Base Facility Charge ..... 10.45  
56,000 gallons @ \$0.00397 per gallon ..... 222.32  
Total Water Charges ..... 232.77  
Utility Tax ..... 9.31  
**Amount Due 07/10/08** ..... **\$ 623.20**

### 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.

6/24/08

SONYA

1336456

**IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION**

FL3590186

Return this portion with your payment.  
Keep top portion for your records.

Service To:  
**ALAN HEROD**  
**501 E 3RD ST**  
**CHULUOTA, FL 32766-8574**  
**Lot: 00001008 Block:**

## AQUA Water Bill

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

Account Number  
**000902208 0644826**

Total Amount Due Due Date  
**\$ 623.20 July 10, 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=26105 Cyc=33DI 1up=814867

\*\*\*\*\*AUTO\*\*5-DIGIT 32766 C 77 P 104  
ALAN HEROD  
501 E 3RD ST  
CHULUOTA FL 32766-8574

|||||

00090220806448260000000623208



D:1-2

ADDRESS SERVICE REQUESTED

18502192  
26120584  
7400  
1074

015206

100009100

80/8/9

**BILL ENCLOSED**

Please note our new customer service number  
**877.WTR.AQUA or 877.987.2782**

FIRST-CLASS MAIL  
PRESORTED  
US POSTAGE  
PAID  
AQUA

Cambell travel at CFL.RR.com

our  
Meter  
#

56598225

11679346

26120592  
Grey Sender

0013010 5/28

0112740

ours

6/2

0013770

0113330

Last month

Readings

March 18  
Changed  
meter

96100

June 13

15210 <

16560

Herod - 501 E 3rd Street  
Chas. ... 30 Feb

We took readings

5128 001301  
6/13 - 001600  
6/2 001377



Aqua Utilities Florida, Inc.

762 W. Lancaster Avenue

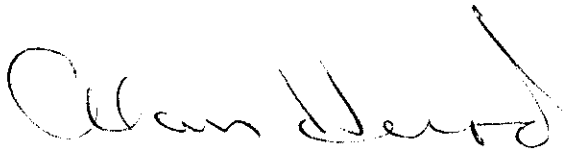
Bryn Mawr, PA 19010-3489

June 17, 2008

ATTN: BILLING DEPARTMENT

Please find check enclosed for \$40.00. Our bill is in dispute as our usage on current bill has shown our daily usage to be 2993 gallons= total of 89,800 gallons for month. On all previous bills our daily usage has been 215 gallons with average of 6900 gallons for month. I am sending \$40.00 which I'm sure will cover more than enough when resolved as we were out of town and not at home for 8 days of this month in question. Our monthly bills have averaged \$26.44. Last bill before bill in question was \$ 38.57 for 215 gallons daily usage. Please advise when this matter is corrected and I am hoping for it to be corrected quite soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Herod". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Alan Herod

501 E. 3<sup>rd</sup> Street

Chuluota, FL 32766

ACCT # 000902208 0644826

# Aqua Utilities

		May Read	June Read	Usage	daily usage	how many in household	bill amount
E. 3rd Street	Chuluota		6300	56,000	1,866 gallons	2 adults	\$623.20
E. 3rd Street	Chuluota	96100		89,900	2,993 gallons	2 adults	\$381.12
Reed	Chuluota					1 person	\$29.00
Reed	Chuluota					1 person	\$66.00
2nd Street	Chuluota		4500	1400 gallons	46 gallons	1 adult- 3 children	
2nd Street	Chuluota	11400	7600	3800 gallons	126 gallons	2 adults	
E 3rd Street	Chuluota	24600	45100	20,500 gallons	683 gallons	2 adults	
E 3rd Street	Chuluota	18500	28500	10,000 gallons		5 people	
Chadwick	Chuluota	8800	13200	4,400 gallons	146 gallons	1 person- 90yrs old	

E. 2nd St Chuluota	11800	17900	6100	203 gallons	4 people -	36.41
--------------------	-------	-------	------	-------------	------------	-------

Neighbors usage  
may/june

OVR5

DATE: 6-17-08  
NAME: \_\_\_\_\_  
ADDRESS: 501 E 3rd St  
ACCT# \_\_\_\_\_  
METER # 56598225

EDT 76120592

## Aqua Utilities Florida

### Water Service Notice

#### YOUR WATER SERVICE:

- ☐ will be discontinued if payment is not received by \_\_\_\_\_ Date
- ☐ has been discontinued for non-payment
- ☐ water deposit has not been received. Service will be discontinued \_\_\_\_\_ Date
- ☐ was not turned on because water was running in home.
- ☐ bill returned - no mail receptacle
- ☐ TOTAL DUE \$ \_\_\_\_\_

**Please contact  
Customer Service  
immediately!**

**877-987-2782**

#### A service call was made at this address:

- ☐ Turn water on
- ☐ Meter left off, water running in house
- ☒ Re-read meter / New read 0016560
- ☐ Check for leak
- ☐ Checked for Pressure
- ☐ Changed meter
- ☐ Locked meter
- ☐ Other: \_\_\_\_\_

#### Sewer:

- ☐ Checked sewer line.
- ☐ Utility lines are clear, blockage appear to be on homeowner's line.
- ☐ Other: \_\_\_\_\_

EDDIE  
321-377-0760

+Heirs

56598226  
EXT 26120589  
0163900

511 E 3 ST

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EXHIBIT NO. 34  
DOCKET NO. 080121-WS

POWER POINT PRESENTATION OF KELLY SULLIVAN

SUBMITTED BY KELLY SULLIVAN

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121-WS EXHIBIT 34

COMPANY Power Point Presentation

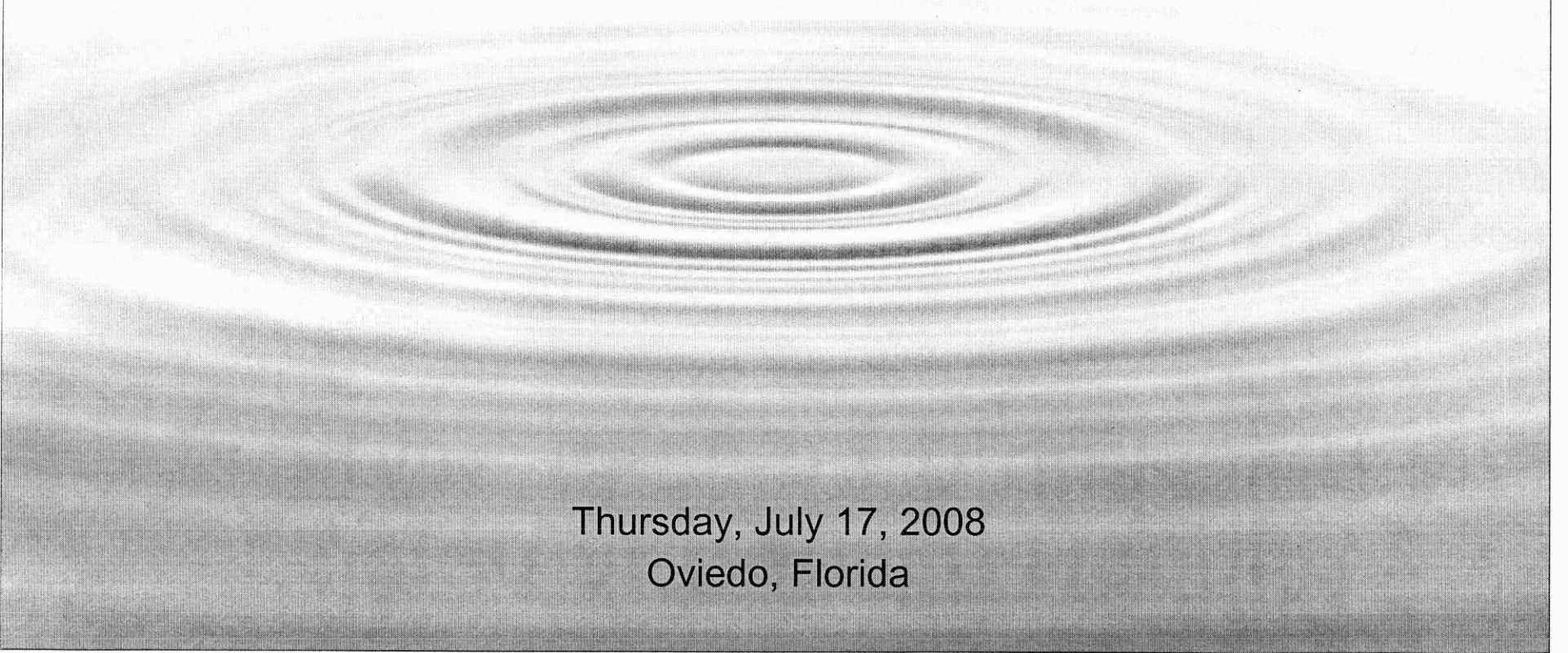
WITNESS Kelly Sullivan

DATE 07/17/08

*FLOW*

Friends of Locally Owned Water

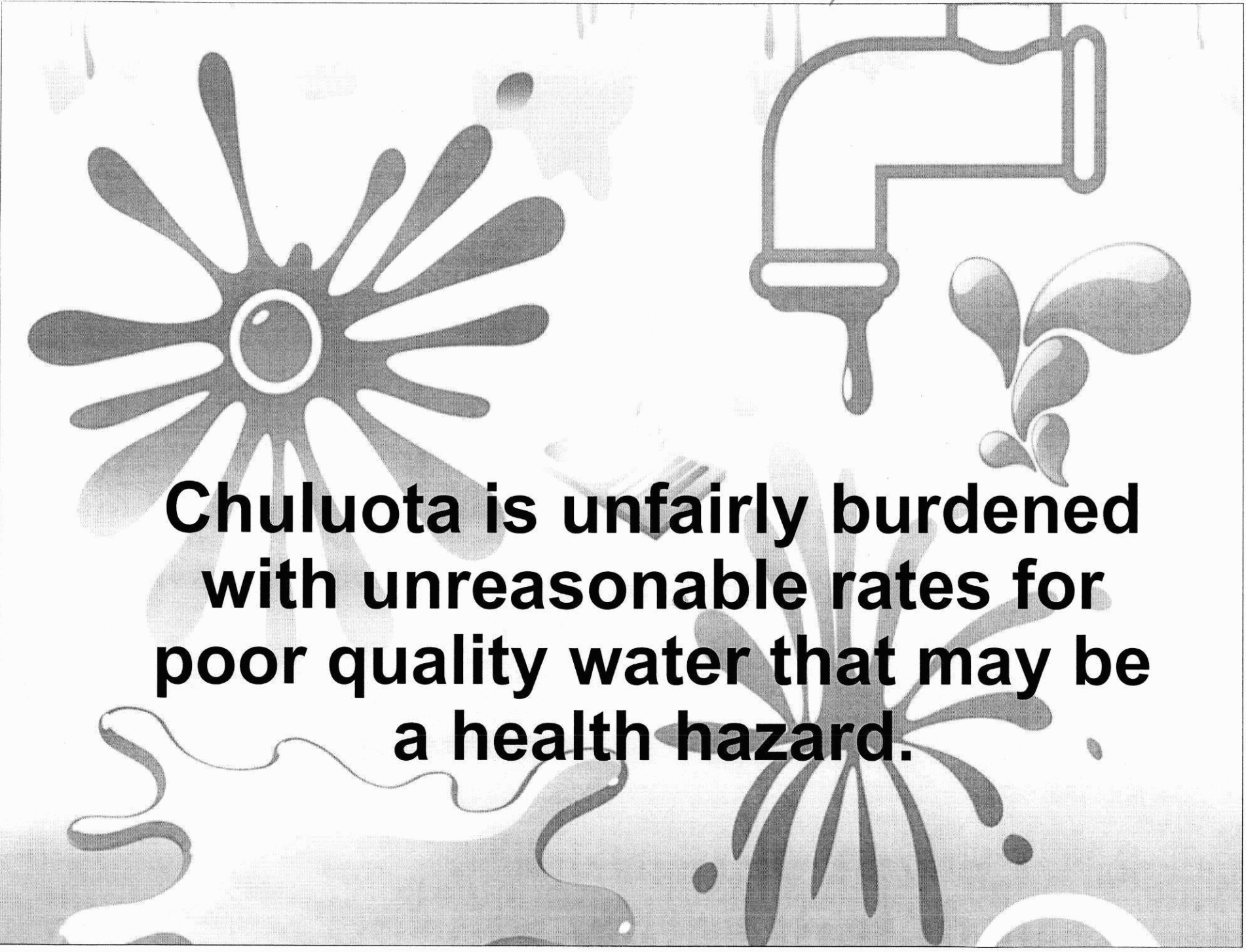
# Public Service Commission Customer Service Hearing



Thursday, July 17, 2008  
Oviedo, Florida

# The Problem

- Aqua Utilities is unreliable.
- Long history of federal and state regulatory non-compliance, repeat citations, defiance to mandates.
- Poor water quality that may subject consumers to health dangers.
- Poor customer service.
- Water/sewer bills are hundreds of dollars each month.
- Much higher prices than neighboring communities.



**Chuluota is unfairly burdened  
with unreasonable rates for  
poor quality water that may be  
a health hazard.**



# Is Chuluota's Water Safe?

Trihalomethane  
and Coliform Bacteria  
have been found in  
Chuluota's water



# Trihalomethane (THM)

- Increased risk of cancer -- especially bladder and colorectal.
- Heart, lung, kidney, liver, and central nervous system damage.
- Reproductive problems, including miscarriage.

**Not limited to water you drink**



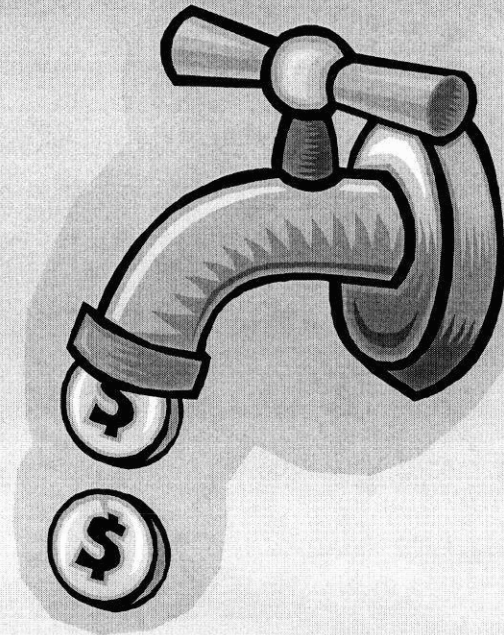
Commonly found in the environment and are generally not harmful.

However, the presence of these bacteria in drinking water is usually a result of a problem with the treatment system or the pipes which distribute water, and indicates that the water may be contaminated with germs that can cause disease.

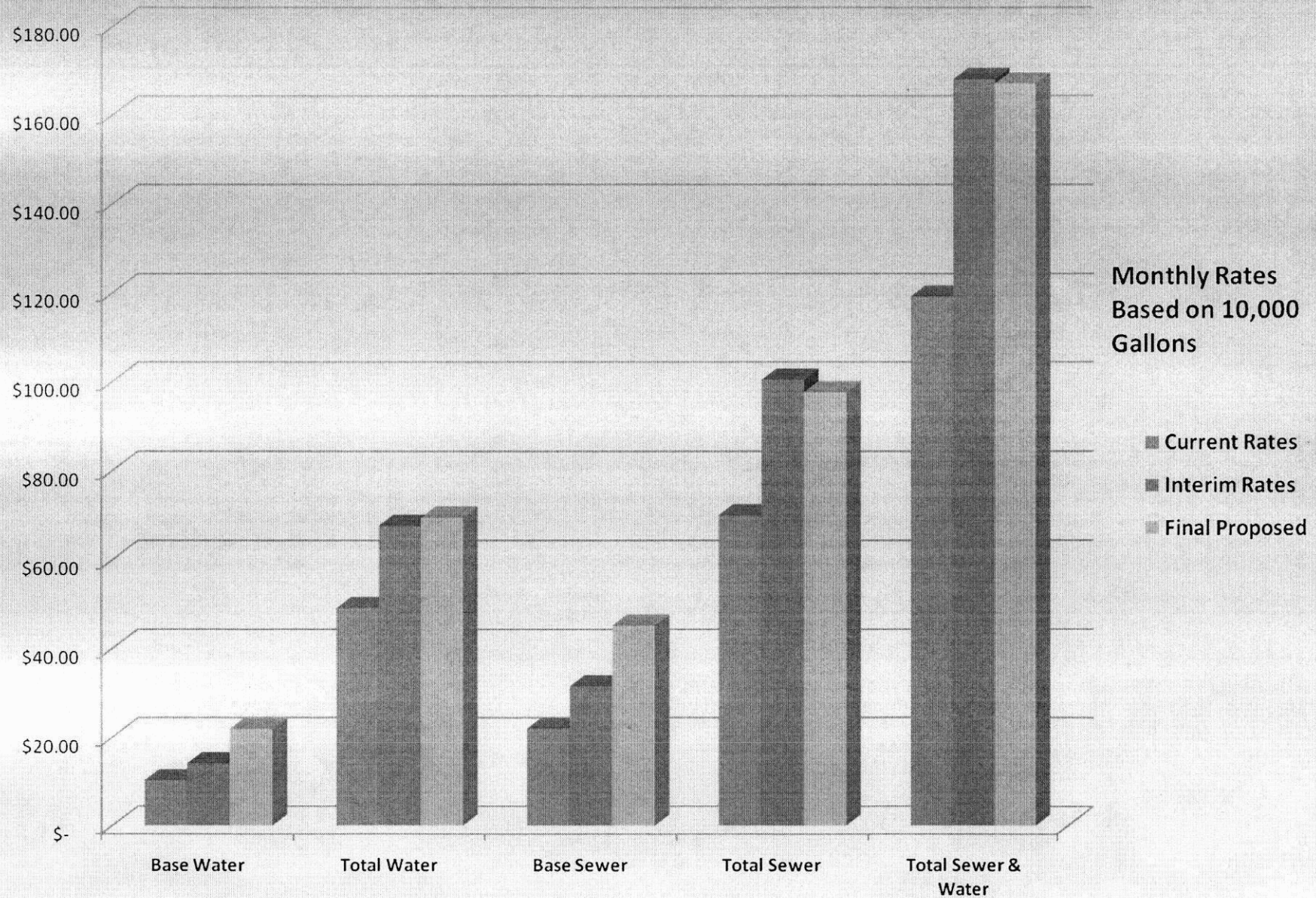


# Is Chuluota's Water Affordable?

Residents of Chuluota are burdened with exorbitant prices for water such that it impacts their financial well-being.

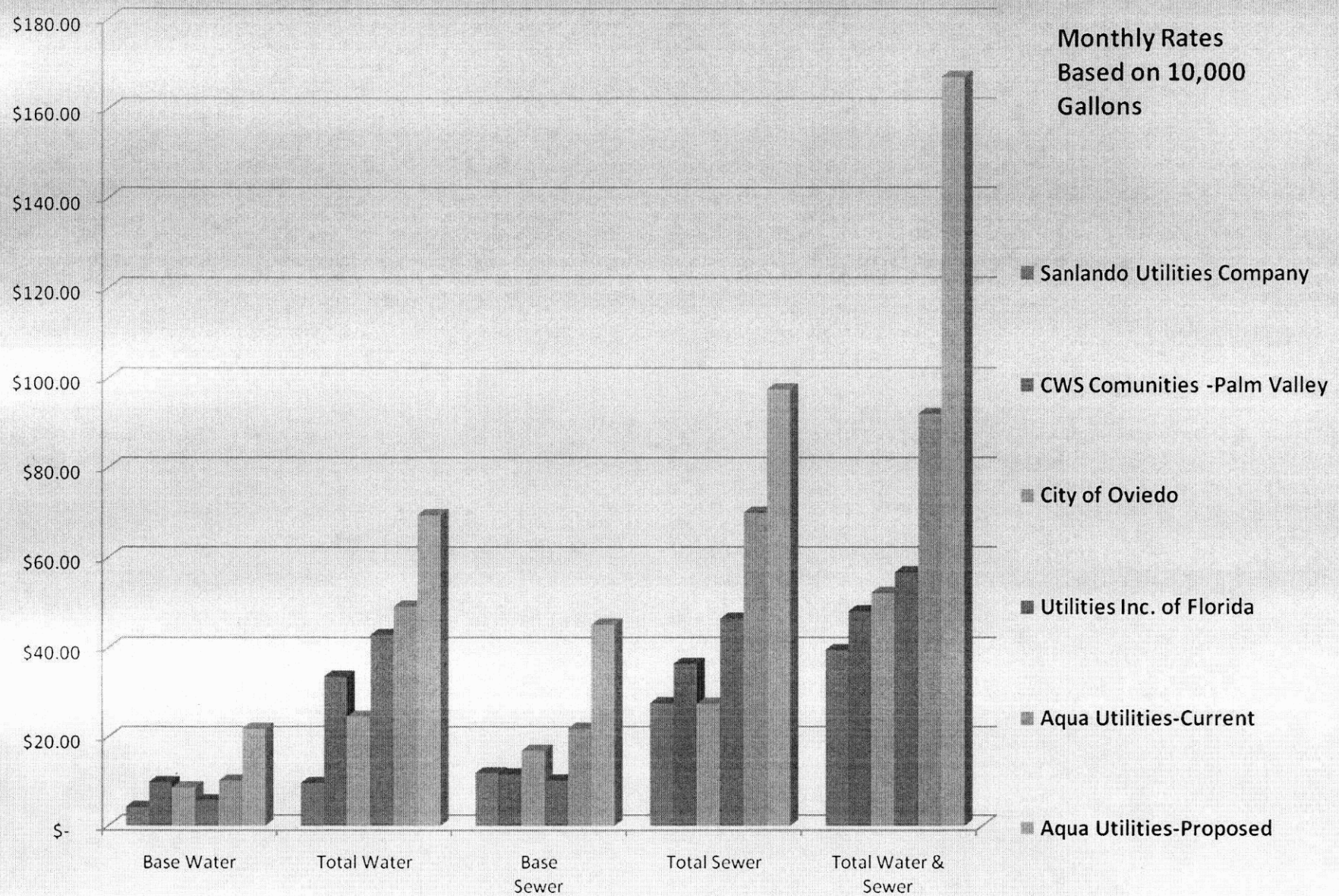


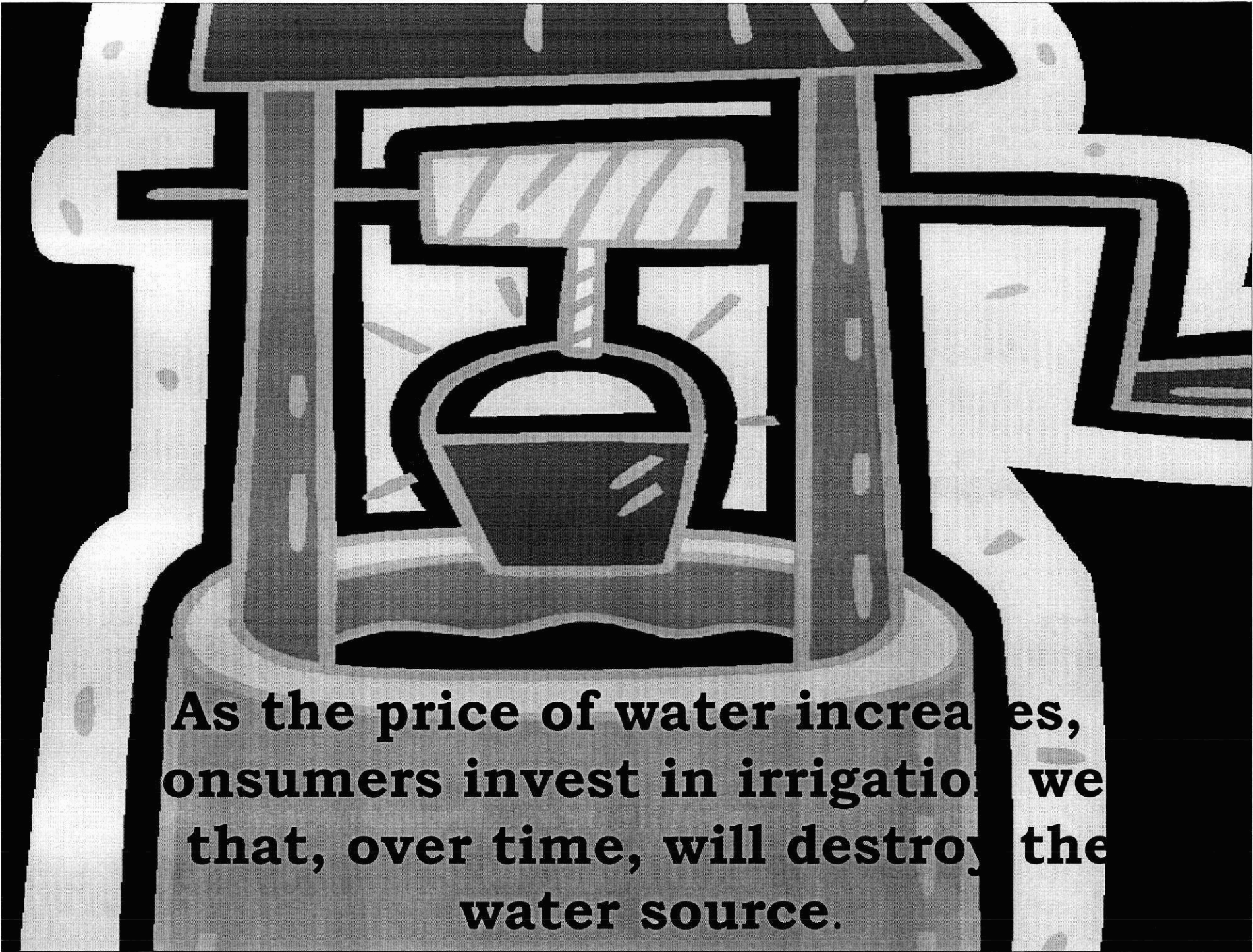
## Aqua Water & Sewer Rate Comparison





## Aqua Utilities vs. Other Seminole County Utilities



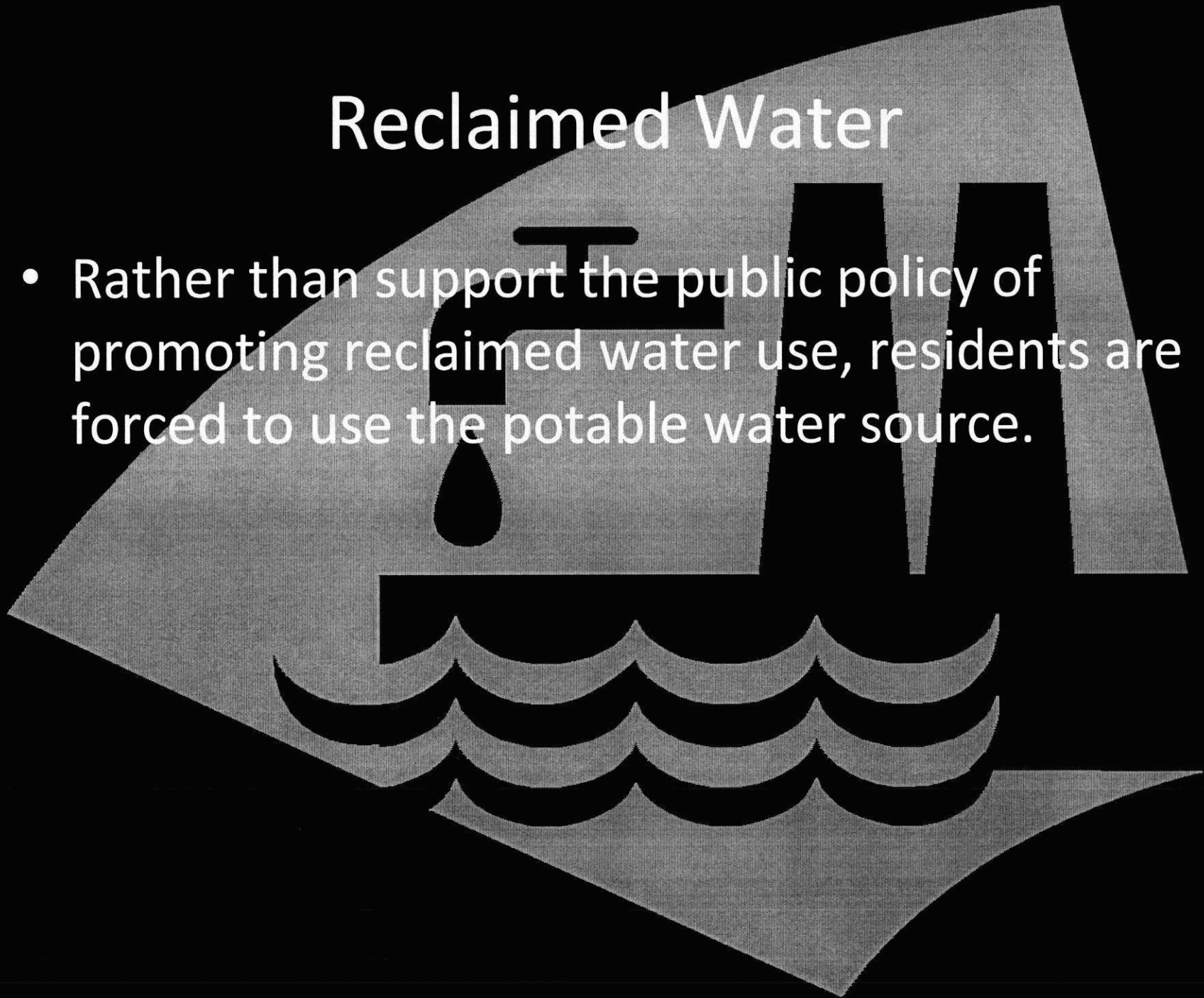


**As the price of water increases, consumers invest in irrigation systems that, over time, will destroy the water source.**



# Reclaimed Water

- Rather than support the public policy of promoting reclaimed water use, residents are forced to use the potable water source.





# Who is responsible?

- The Mission of the Florida Public Service Commission is to foster “markets that facilitate efficient provision of safe and reliable utility services at fair prices.

# ***FLOW***

Friends of Locally Owned Water

ChuluotaWater@hotmail.com

<http://www.ChuluotaWater.com>

FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET NO. 080121-WS EXHIBIT 35  
COMPANY Memo  
WITNESS Heidi Van Wagnen  
DATE 07/17/08

Exhibit 35  
D No 080121-WS  
35

## **AQUA PRICE HIKE 2008---ROUND TWO**

HEIDI S. VAN WAGNEN  
351 EAST FOURTH STREET  
CHULUOTA, FL 32766  
EMAIL HEIDIHOVAN@GMAIL.COM  
407-366-1394  
JULY 17, 2008

HI, I'M HEIDI VAN WAGNEN AND I HAVE LIVED IN CHULUOTA FOR 20 YEARS.

ONCE AGAIN I STAND BEFORE YOU TO STATE THAT---I AM A DISABLED WIDOW AND A SENIOR CITIZEN WHOSE SOLE INCOME IS SOCIAL SECURITY. MY SITUATION IS **NOT** EXCLUSIVE AS THERE ARE NUMEROUS PEOPLE IN CHULUOTA WITH THE SAME OR SIMILAR ECONOMIC CIRCUMSTANCES. AQUA WATER IS ATTEMPTING TO BREAK OUR FINANCIAL BACKS AND DESTROY ANY QUALITY OF LIFE WE MAY HAVE EKED OUT OF OUR LOW INCOMES.

THIS IS WHAT AQUA UTILITIES ALREADY COSTS CITIZENS OF CHULUOTA WHO HAVE **ADEQUATE** INCOMES:

1. A MONTHLY BILL FOR CONTAMINATED WATER
2. PLUMBING REPAIR BILLS TWICE A YEAR OR MORE FOR CORRODED TOILET, SINK, SHOWER AND BATHTUB PARTS
3. REPLACEMENT PARTS FOR SINKS, TOILETS, SHOWERS AND BATHTUBS.
4. BOTTLED WATER OR WATER PURIFICATION SYSTEMS
5. DOCTOR BILLS THAT MAY BE ATTRIBUTED TO DRINKING OR ABSORBING THROUGH THE SKIN POLLUTED WATER
6. VET BILLS FOR THE SAME
7. LAKE PUMPS OR OTHER DEVICES TO WATER THEIR LAWNS

HOWEVER, MANY RESIDENTS LIKE MYSELF DO NOT HAVE SO CALLED "ADEQUATE INCOMES". WE ARE THE ONES WHO **ALREADY SUFFER THE MOST ABUSE AT THE HANDS OF AQUA UTILITIES.**

FOR EXAMPLE;

- I HAVE DRY MOUTH DUE TO THE PERSCRIPTIONS I TAKE SO I DRINK APPROXIMATELY 48 TO 96 OUNCES OF WATER OR TEA DAILY. (I CONSUME THIS MUG FULL OF TAP LIQUID ONCE OR TWICE A DAY). I CAN'T AFFORD BOTTLED WATER.
- RECENTLY I HAD A BLADDER INFECTION THAT COULD HAVE BEEN CAUSED BY AQUA WATER CONSUMPTION OR ABSORPTION. THIS COST ME A DOCTOR BILL AND



PERScription BILL. I CAN'T AFFORD MED GAP INSURANCE OR A PERScription PLAN. (DR. & RX BILL ATTACHED)

- MY DOG, PROTECTOR AND FAITHFUL COMPANION, BART, HAD TO BE PUT TO SLEEP BECAUSE HE HAD A CANCEROUS TUMOR. THIS MAY HAVE BEEN CAUSED BY DRINKING AQUA WATER
- MY CAT, BUTTON, GETS PAINFUL ULCERS IN HIS MOUTH WHICH HAVE TO BE OPERATED ON AT LEAST ONCE A YEAR. (VET BILL ATTACHED). AGAIN, THE CAUSE OF THESE ULCERS COULD BE FROM DRINKING TAINTED WATER

THE ONLY OPTION LEFT TO CHULUOTA RESIDENTS WITH FIXED INCOMES IS TO BOIL OUR DRINKING WATER THEREBY IMPACTING BUDGETS IN HIGHER ELECTRIC OR GAS BILLS. THEN WHAT ALTERNATIVE DO WE HAVE FOR TAKING A SHOWER OR BATH IN FOUL WATER???

IF AQUA UTILITIES IS GRANTED A PRICE HIKE PEOPLE LIKE MYSELF WILL HAVE TO CHOOSE BETWEEN HAVING ELECTRICITY OR WATER OR MAYBE FOOD OR WATER.

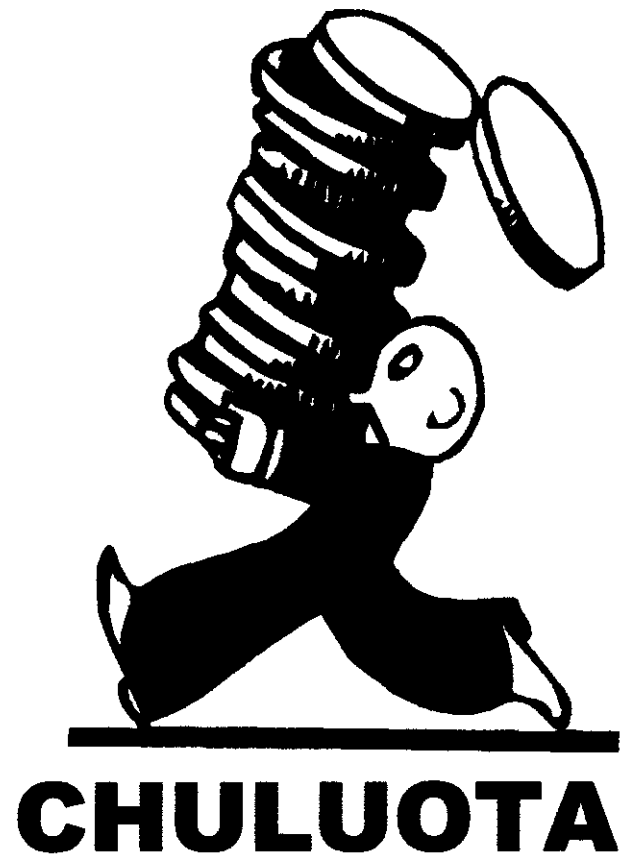
AQUA IS ASKING FOR ANOTHER RATE HIKE AND THIS IS SO ABSURD THAT IT SHATTERS ANY SHRED OF CREDIBILITY THE COMPANY COULD CLOAK THEMSELVES IN.

THANK YOU FOR YOUR TIME AND CONSIDERATION.

HEIDI VAN WAGNEN



P.S. I HAVE ALSO ATTACHED A CARTOON THAT I CREATED ON THE COMPUTER TO SHOW YOU HOW CHULUOTA FEELS ABOUT ANY RATE HIKE BY AQUA UTILITIES.



*ROUND TWO*



DIABETIC PROTOCOL FOLLOWED YES / NO / N/A

ANY NEW MEDS?

CURRENT C/O:

- swelling in legs  
- discoloring

NORMAL EXAM	NE	NL	ABNL	PERTINENT FINDINGS
GEN APPEARANCE: well developed, well nourished in NAD.			/	
SKIN: no jaundice, rashes, bruising or lesions			/	
HEENT: PERRLA, EOMI, sclera anicteric, nasal and pharyngeal mucosa normal. TMs NL.			/	
NECK: supple, no adenopathy, no bruits; thyroid NL; no meningismus.			/	
CARDIOVASCULAR: RRR, no murmur, click, gallop heave, rub, PMI not displaced.			/	
LUNGS & CHEST: CTA, no rales, rhonchi or wheezes, chest symmetrical w/normal respiratory excursions; tactile fremitus			/	
ABDOMEN: soft and non-tender, non-distended, no masses or organomegaly or hernias noted; no bruits; bowel sounds normoactive x 4.			/	
EXTREMITIES: no clubbing, cyanosis or edema; pulses intact and equal; full strength and ROM.			/	
NEURO: CN II-XII grossly intact, no focal deficits; DTRs normal and symmetric.			/	
STRUCTURAL: full ROM w/o Osteopathic lesions.			/	
BREASTS: no masses, erythema, retractions, peau d'orange, nipple discharge or regional adenopathy.			/	
RECTAL/GENITALIA: normal sphincter tone; neg masses, neg hemorrhoids; genitalia normal for age and sex.			/	

DISCUSSION: Immuns Flu/Pneumo Exercise Weight Diet Smoking Safety

URINE - DIP, U/A, CULTURE

LAB: BMP CMP CBC w/diff/plt LIPIDS LFT ESR TSH PSA PT/INR HgbA1C Throat Culture  
PLAN:

VAN WAGNEN, HEIDI

06/03/2008

Heidi has venous stasis dermatitis and early cellulitis in the lower extremities; R slightly more mottled than the L is; Homan's sign is neg; peripheral pulses are patent; however, sensation to BSS is diminished secondary to her diabetic neuropathy; she also gives us a urine sample, and this is positive for small amount of leukocytes and for positive nitrites and will be sent for full C&S; we will combine the therapy for both of these issues with AUGMENTIN 500 mg po bid w/food Rx for #20, and I have discussed non-pharmacologic ways of controlling the edema; we have discussed this w/Heidi before; she has picked up the TED hose and will be starting them tomorrow, now that her grandchildren have left from their visit. RAS, DO

PATIENT

Heidi Van Wagener 91343

M/F

FOLLOW UP:

RW

DATE:

6-3-08

ROBERT A. SCHAMBERGER, D.O., L.L.C.

RW

P U B L I X  
P H A R M A C Y

Feeling well. Living better.

#0675 • 1801 EAST BROADWAY • OVIEDO, FL 32765  
NCPDP# 1088005 • (407) 971-0395 • Dispensed by: KWZ

YOUR PRESCRIPTION

AMOUNT DUE: \$54.21



Ins. PCS  
REF.# 081554243331005999

Your plan has saved you \$5.74

Rx: 6191147 New

Filled: 06/03/2008

AMOX TR-K CL 500-125TAB

NDC: 66685-1002-00 Mfg: LEK PHARMA

Qty: 20.00 Days: 10

No Refills Left Call Doctor  
Dr. SCHAMBERGER, ROBERT

YOUR SAFETY CHECK

NDC # 66685-1002-00

Side 1 AMC

Side 2 500/125

Form TABLET

Shape OBLONG

Color WHITE

YOUR ALLERGIES

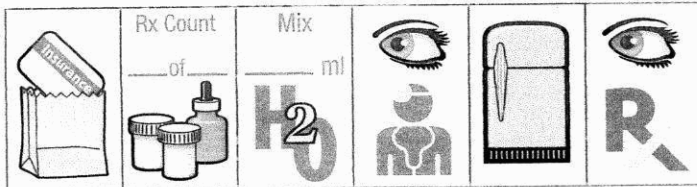
1. OPIUM ALK & DERIV (B
2. DIPHENOXYLATE HCL
3. CODEINE
4. HYDROCOD, MORPH, COD, E
5. SULFA DRUGS(SULFONAM

YOUR MEDICATION

- 1-May take with meals if stomach upset occurs.
- 2-Finish all medication. Take on schedule.
- 3-May reduce effectiveness of birth control pills.
- 4-May cause diarrhea
- 5-May alter urine-test results. Consult Dr
- 6-Report hives/itching/problems in breathing to Dr
- 7-Promptly report unusual symptoms/effects to Dr
- 8-Keep in original container to reduce potency loss

YOUR MESSAGES

- ASK YOUR PHARMACIST ABOUT AUTO-REFILLS.
- WE FILL WORKER'S COMPENSATION AND CONTACT LENS PRESCRIPTIONS.
- CALL YOUR DOCTOR FOR MEDICAL ADVICE ABOUT SIDE EFFECTS.
- YOU MAY REPORT SIDE EFFECTS TO THE FDA AT 1-800-FDA-1088.



P U B L I X  
P H A R M A C Y

Feeling well. Living better.

#0675 • 1801 EAST BROADWAY • OVIEDO, FL 32765  
NCPDP# 1088005 • (407) 971-0395 • Dispensed by: KWZ

YOUR PRESCRIPTION

AMOUNT DUE: \$19.25



Ins. PCS  
REF.# 081595181360006999

Your plan has saved you \$21.70

Rx: 6191482 New

Filled: 06/07/2008

NITROFURANTN 100MG CAP

NDC: 63304-0518-01 Mfg: RANBAXY PH

Qty: 20.00 Days: 10

No Refills Left Call Doctor  
Dr. SCHAMBERGER, ROBERT

YOUR SAFETY CHECK

NDC # 63304-0518-01

Side 1 RX 518

Side 2 RX 518

Form CAPSULE

Shape OBLONG

Color YELLOW BLACK

YOUR ALLERGIES

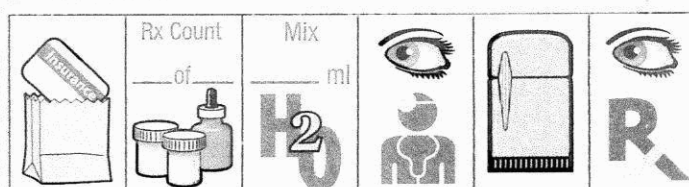
1. OPIUM ALK & DERIV (B
2. DIPHENOXYLATE HCL
3. CODEINE
4. HYDROCOD, MORPH, COD, E
5. SULFA DRUGS(SULFONAM

YOUR MEDICATION

- 1-Do not chew or crush. Swallow whole.
- 2-Take with food or milk (or immediately after)
- 3-Finish all medication. Take on schedule.
- 4-May cause drowsiness
- 5-May cause harmless discoloration of urine/feces
- 6-May alter urine-test results. Consult Dr
- 7-If condition persists or worsens notify Dr

YOUR MESSAGES

- ASK YOUR PHARMACIST ABOUT AUTO-REFILLS.
- WE FILL WORKER'S COMPENSATION AND CONTACT LENS PRESCRIPTIONS.
- CALL YOUR DOCTOR FOR MEDICAL ADVICE ABOUT SIDE EFFECTS.
- YOU MAY REPORT SIDE EFFECTS TO THE FDA AT 1-800-FDA-1088.





Heidi Van Wagnen  
351 E 4th  
Chuluota, FL 32766

Suite 195  
Oviedo, FL 32765-  
40735978317831

# 41027

Regular Fee

Your Fee

**Button - Optimum Care Plan**

November 24, 2006

Anesthetic Services	Torbugesic SA 10 mg/ml Injection	33.36	***
	Lidocaine Injection 2%	19.00	15.20
Dental Services	Fluoride Treatment	25.28	***
	Polish Teeth	20.31	***
	Dental Prophy	49.82	***
	Hand Scaling	15.25	***
	Gingivectomy, Two Quadrants	159.07	127.26
Elective Surgery	Pre-Anesthetic Labwork Package		
Antibiotic Injections	Ampicillin Trihydrate Inj. (IM/SQ Use)	22.87	***
	Antibiotic Injections		
Oral Antibiotics	Antibiotic Oral Medications		
	Doxycycline Suspension - 25mg/5ml	45.25	36.20
	Clindamycin Aquadrops 25mg/ml(Bottle)	19.61	15.69
Anti-Inflammatory Medications	Prednisone 5 mg Tablets	13.70	10.96
Special Medications	Acepromazine Inj. 10mg/ml	21.52	***
	ADJUST: PREMIUM PACKAGE	150.15	150.15
	ADJUST: PROFESSIONAL COURTESY	-50.00	-50.00
Anti-Parasitic Medications	Pyrantel Pamoate Dewormer 50mg/ml	14.26	***
Dental Care Products (otc) Packages	Dental Home Supplies Package		
	Comprehensive Exam - Feline		***
	Dental Prophylaxis Feline Package		***
<b>Subtotal</b>		<b>\$1,548.20</b>	<b>\$512.36</b>
Medical Waste Disposal Fee		4.85	***

All Wellness Plan discounts that you have received to date have  
resulted in a lifetime savings of **\$601.95**

Regular Fee

Your Fee

**Total**

**\$1,553.05**

**\$512.36**

\* Indicates Taxable Service/Product

\*\*\* Items are included in your Wellness plan

**Payments Received**

**Date**

**Method of Payment**

**Amount**

11/24/2006

MasterCard

\$512.36

Treating Your Pet Like Family™

## Examination Report



### LUNGS

- ☒ Normal sounds ☐ Trouble breathing  
☐ Coughing/congestion ☐ Other abnormalities noted

### HEART

- ☒ Normal rhythm ☐ Tires easily  
☐ Murmur ☐ Other abnormalities noted

### ABDOMEN

- ☒ Normal nonpainful ☐ Painful  
☐ Change in appetite ☐ Distended  
☐ Vomiting or diarrhea ☐ Abnormal mass  
☐ Other abnormalities noted

### UROGENITAL SYSTEM

- ☒ Normal/nonpainful ☐ Change in drinking/urination  
☐ Genital discharge ☐ Mammary lumps  
☐ Enlarged or small testicles ☐ Other abnormalities noted

### ANAL SACS

- ☒ Empty/normal ☐ Other abnormalities noted  
☐ Full or hard

### LEGS, JOINTS, & PAWS

- ☒ Normal/nonpainful ☐ Pain when sitting or rising  
☐ Lameness/painful ☐ Other abnormalities noted

### NEUROLOGICAL/BEHAVIORAL

- ☒ Behavioral: normal behavior and responses  
☐ Neurological: abnormalities noted

### COAT & SKIN

- ☒ Bright and shiny ☐ Nails/dewclaws  
☐ Parasites present ☒ Normal length  
☐ Fleas ☐ Need trimming  
☐ Ticks ☐ Other lesions noted  
☐ Lice  
☐ Tapeworms

### EYES

- ☒ Bright and clear ☐ Red  
☐ Discharge ☐ Trouble with vision  
☐ Eyelid problems ☐ Abnormalities noted

### EARS

- ☒ Clean and odor free ☐ Bad smell  
☐ Red/itchy ☐ Trouble hearing  
☐ Discharge ☐ Abnormalities noted

### NOSE, THROAT, & LYMPH GLANDS

- ☒ Cool, wet nose ☐ Red tonsils  
☐ Red throat ☐ Enlarged glands

### MOUTH, TEETH, GUMS

- ☐ Clean and odor free ☐ Bite: \_\_\_\_\_  
☐ Tartar or inflammation ☒ Abnormalities noted  
☐ Bad smell or breath

### BUTTON'S CURRENT CONDITION

- ☒ Excellent ☐ Good ☐ Needs Improvement

Weight ☐ Thin ☒ Average ☐ Overweight

At this time 16.70 Last time 16.80

### Preventative Care Expiration Dates

Distemper-Fel	12/05/2007	Fecal Exam	05/26/2007
Leukemia Virus	12/05/2007	Thyroid Screen	
FIP	01/09/2008	FeLV/FIV Test	11/24/2007
Giardia-Feline	01/09/2008	Routine Deworm	05/26/2007
Rabies Virus	01/09/2008		

### Scheduled Appointments

Button	01/31/2007	Drop-Off
Button	05/22/2007	Drop-Off

1115 Vidina Place, Suite 195

Oviedo, FL 32765-

40735978317831

Please call Banfield with your questions!

To the PSC Board – July 17, 2008

My name is Michael Tingle and I live at 390 Medallion Place in beautiful Chuluota. I moved into my new house in December 2004. I had heard about the issues of water quality and higher rates prior to moving. But I figured the higher water rates would be affordable considering I was getting a good deal for the house in a rural area moving from Oviedo. Now I'm not so sure.

Within two months of moving in, I purchased a water conditioning system at an investment of over \$3,000 to try and combat the water quality issues. My new High Efficiency washing machine can't clean my clothes with their water. My laundry smells. It always has an odor after it's been washed. My white towels are grayed and dingy. My toilets have rings even though I clean them regularly. My bath tubs have stains unless I clean them daily. When I upgraded my kitchen faucets after only two years of use, I was shocked to see the level of corrosion which had already occurred. I can only imagine what other Aqua customers without water conditioning systems have to deal with.

I love my neighborhood but I hate my water. As you've already heard today, I too suffer from poor water quality at exaggerated prices. In my opinion, this business practice borderlines on price gouging. I don't understand how Aqua can continually ask for rate increases when they are still dealing with water quality issues.

They say in their letters to their customers that our increases are needed to improve their system. They knew the system was older and needed improvements when they purchased it. In hindsight, it was a strategic and brilliant business decision. Buy an older system, make some moderate improvements and raise rates extraordinarily to recoup costs and make profits. They build a 10,000 household capacity sewer facility for a community of 1,400 knowing we don't need one that large and hoping to sell sewer service to outsiders. Their interest isn't in providing customer service to us. Their interest is seeing how much money they can make from us.

After all, Aqua is in the business of making money, not making water. My water quality has not improved in the last four years yet my rates have increased. It's getting to the point that the water rates are just as expensive as gasoline. And that's saying a lot considering gas is at \$4 a gallon and their rates are now \$0.00397 per gallon and they want more! The water cost is hurting my family income financially during these tough economic times. My property value is also decreasing. Who wants to buy a house with over-priced, bad water? I'm now considering installing a shallow well to offset my landscaping water needs; even though I know it will adversely impact Florida's natural water table.

I just want good water at fair prices. I don't mind paying for a quality product. Aqua has yet to deliver a quality product. They consolidated Chuluota's water district rate case into all the others for the state of Florida and have submitted a lump rate case for all 83 districts. I propose that a strong message be sent and deny their request. It isn't fair to take our customer base of near 1,400 people and lump them in the same pot as the rest of the state.

Attached are copies of my last three months' bills. Notice I used 19,500 actual gallons in April. Aqua's new rates then went into effect during the May invoice. Look how I've used 32,600 actual gallons in May. Also notice that their little graph chart is gone as they explain the rate differences. My habits didn't change from April to May, yet my water consumption according to them increased 40%. Then, on my June invoice, their graph is back and I'm down to 25,700 actual gallons. I didn't change my water habits from May to June, yet they say my water consumption decreased 21%. I can hardly wait to see what my water bill will be for July. It's difficult for the average consumer to follow their fuzzy logic. Their water rates are all wet and I'm tired of being washed and sent through the wringer. Hopefully, you can feel part of my frustration too!

As you can see and have heard, Chuluota has a strong, organized voice and we will continue to let our voices be heard. We will continue to fight this case and future cases until Aqua delivers good water at fair prices. If they are as smart as they think they are, they'd leave Chuluota alone. They'd accept the fair offer to sell their investment at market value to the city of Oviedo. Believe me, we don't want to be Aqua's customer, but we don't have a choice now. We will not go away quietly and without a fight.

I know the PSC board's power isn't limited. You do have the responsibility and the authority to make the right decision. Deny Aqua's case and send a message to them and every other large corporation wanting to take advantage of small communities like ours. It's not fair. You know it. They know it. Deny their request so everyone else knows it too!

Thank you.



FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET NO. 080121-WS EXHIBIT 36  
COMPANY Copies of Bills  
WITNESS Michael Tingle  
DATE 07/17/08





Service To:  
**MICHAEL & DIANA TINGLE**  
**390 MEDALLION PL**  
**CHULUOTA, FL 32766-6016**  
 Lot: 00090008 Block:

Account Number  
**000899155 0641909**  
 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@aquaservice.com**  
 Bill Date  
**May 21, 2008**

Questions about your water/sewer service?... Contact us before the due date  
 Total Amount Due  
**\$ 216.68**  
 Due Date  
**June 12, 2008**

## Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56585577	5/8	05/14/08 04/14/08	30	Actual Actual	194200 161600	32,600	Gallons
Average Daily Usage = 1,086 Gallons		Total Days: 30		Total Usage:		32,600	Gallons

## Billing Detail

Amount Owed from Last Bill ..... \$ 155.97  
 Total Payments Received ..... 156.00  
**Balance ..... 0.03 Credit**  
 Water Base Facility Charge Water at Old Rate ..... 0.68  
 2,173 gallons @ \$0.00389 per gallon ..... 8.45  
 Current Water Charges At Old Rate ..... 9.13  
 Water Base Facility Charge Water at Current Rate ..... 9.75  
 Next 30,427 gallons @ \$0.00397 per gallon ..... 120.79  
 Current Water Charges at Current Rate ..... 130.54  
 Current Water Charges ..... 139.67  
 Sewer Base Facility Charge Sewer at Old Rate ..... 1.47  
 400 gallons @ \$0.00801 per gallon ..... 3.20  
 Next 1,773 gallons @ \$0.00 per gallon ..... 0.00  
 Current Sewer Charges At Old Rate ..... 4.67

Sewer Base Facility Charge Sewer at Current Rate 20.97  
 Next 5,600 gallons @ \$0.00818 per gallon ..... 45.81  
 Next 24,827 gallons @ \$0.00 per gallon ..... 0.00  
 Current Sewer Charges at Current Rate ..... 66.78  
 Current Sewer Charges ..... 71.45  
 Utility Tax ..... 5.59  
**Amount Due 06/12/08 ..... \$ 216.68**

*epay  
217  
6-9-08*

## 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](http://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.

Service To:  
**MICHAEL & DIANA TINGLE**  
**390 MEDALLION PL**  
**CHULUOTA, FL 32766-6016**  
 Lot: 00090008 Block:

## AQUA Water/Sewer Bill

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

Account Number  
**000899155 0641909**  
 Total Amount Due Due Date  
**\$ 216.68 June 12, 2008**  
 Amount Enclosed

Seq=18597 Cyc=33DI 1up=606774

\*\*\*\*\*AUTO\*\*5-DIGIT 32766 C 46 P 66  
**MICHAEL & DIANA TINGLE**  
**390 MEDALLION PL**  
**CHULUOTA FL 32766-6016**



\$

Please make check payable to Aqua Util. FL.  
 Print your account number on your check,  
 then mail to address on back.

00089915506419090000000216688





Service To:  
**MICHAEL & DIANA TINGLE**  
**390 MEDALLION PL**  
**CHULUOTA, FL 32766-6016**  
 Lot: 00090008 Block:

Account Number  
**000899155 0641909**  
 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 **\$ 188.21** Due Date **July 10, 2008**

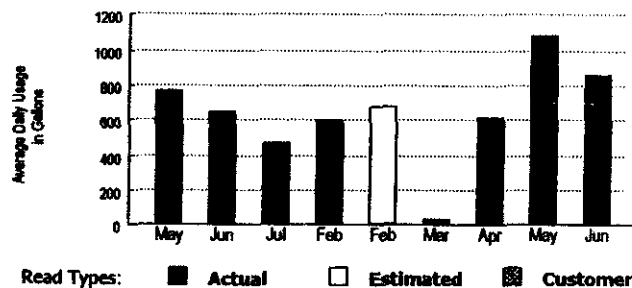
### Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56585577	5/8	06/13/08 05/14/08	30	Actual Actual	219900 194200	↓ 21% 25,700	Gallons
Average Daily Usage = 856 Gallons		Total Days: 30		Total Usage:		25,700	Gallons

### Billing Detail

Amount Owed from Last Bill	\$ 216.68
Total Payments Received	217.00
<b>Balance</b>	<b>0.32 Credit</b>
Water Base Facility Charge	10.45
25,700 gallons @ \$0.00397 per gallon	102.03
Current Water Charges	112.48
Sewer Base Facility Charge	22.47
6,000 gallons @ \$0.00818 per gallon	49.08
Next 19,700 gallons @ \$0.00 per gallon	0.00
Current Sewer Charges	71.55
Utility Tax	4.50
<b>Amount Due 07/10/08</b>	<b>\$ 188.21</b>

### 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.

*epay \$190  
7-11-08*

1338456

**IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION**

FL3590186

Return this portion with your payment.  
 Keep top portion for your records.

Service To:  
**MICHAEL & DIANA TINGLE**  
**390 MEDALLION PL**  
**CHULUOTA, FL 32766-6016**  
 Lot: 00090008 Block:

## AQUA Water/Sewer Bill

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

Account Number  
**000899155 0641909**  
 Total Amount Due **\$ 188.21** Due Date **July 10, 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=25826 Cyc=33DI 1up=614887

\*\*\*\*\*AUTO\*\*5-DIGIT 32766 C 76 P 103  
**MICHAEL & DIANA TINGLE**  
**390 MEDALLION PL**  
**CHULUOTA FL 32766-6016**



00089915506419090000000188218



Exhibit 37  
D. No. 080121-WS

Jennifer & Scott Herrick  
Aqua Acct: 001405354 0822273  
407-463-5796

Attn: PSC

We would like to express our deepest concern with the service and integrity of Aqua Utilities. Our issues began shortly after we moved into our new home, and as of late, they have spiraled out of control to near comical proportions.

We had our first billing issue in November and we successfully had it resolved in December by Aqua reissuing a bill without the claim of 145,600 gallons of usage in one month. From December until May we were routinely billed and we paid our bills. In May we received our first bill where Aqua was charging us for months past. They informed us our meter was not registering the correct water usage and they've replaced the meter, with a new device that has the ability to read all the water that has ever passed through our pipes since August 2007. We filed with the PSC and re-filed again after they increased our bill from the first complaint. We have attached copies of our latest bill, a running record of all bills and usage received, as well as a copy of our water usage from our previous home. Below is an outline of events that have occurred since May.

Beginning in May, we were billed over \$400 for water usage since Aug 07 during which time they claim we were not charged enough. We requested someone come out to look at our meter and replace it if it was not working properly, but we were told new meters "cost a lot" so we probably couldn't get a new one. There was never any evidence of anyone coming to look at the meter (no door tag as we were told). We filed with the PSC.

Tamika at Aqua called and stated that she looked into our acct following our complaint and actually we now owe over \$600 b/c the original billing amt was not enough! Our meter was not working according to Aqua; they billed us an estimated # and we paid monthly for the past 8 months TRUSTING their bills; however per Tamika now they have installed a new meter with a new device that **has the ability to read how much water has ever passed thru our pipes since Aug 07** and as a result, we need to pay over \$600 for back billing.

We told Tamika we dispute this amt and please explain how they arrived at that number. She then told me the original meter was not working and we have always been under billed, so with the new device they now know how much to charge us. We requested a breakdown monthly of our usage per month, Tamika responded that is unavailable. I asked Tamika how they do their readings? She stated they are done by a rep reading the meter, at which point I asked, "So it is open to human error? If it were done by a digital reading then it would be more reliable." Tamika then stated, "Oh that's how we read it. The driver points the reader at your meter and records the number." So which is it?! 30 seconds ago it was done manually! She offered to place on payment plan. We renewed our complaint with the PSC.

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. D80121-WS EXHIBIT 37

COMPANY Composite of Bills

WITNESS Jennifer & Scott Herrick

DATE 07/17/08

Aqua has responded to new complaint, we are waiting for PSC to go over their response and get back to us.

For 300 days, Aqua is back billing for almost 200,000 gallons of usage in our family of 2! Our sprinklers have been turned off for months now which should reduce our usage, but we have not seen that happen. On Wednesday July 16 we called Aqua. We were transferred to another department who said they cannot provide a monthly breakdown but they have replaced our meter and now know the correct amt to bill us, so we have to pay. We have been checking our meter daily and we asked the Aqua rep to tell us a reading on June 30<sup>th</sup>. It matched ours at 4800 gallons. We continued to question her about billing practice and rep placed us on hold. The call was "disconnected". We called back and spoke with Sydney who claimed the previous rep did not provide an accurate reading of the meter; we are actually at 55,000 gallons! We have contacted our previous city and acquired a history of our usage for 2 years. For 732, we did not use as much water as Aqua claims in less than 365 days. (For the majority of the recent months our sprinklers have been off, so that cannot account for such a drastic difference).

We received another call later that day from a rep stating they are aware of our issues and are looking into our account again. A few hours later a different rep called and informed us even though we received 2 bills in July from Aqua for the same amount (the most recent arrived Monday 7/14/08) they are cancelled and now we owe over ~~\$1000.00~~!

We are REPEATEDLY mailed bills and then when we call to discuss the amount we're told "Oh, that bill was cancelled. You'll be receiving another bill in a few days for X amt of dollars". (The new bill is always higher than the previous). After such calls, we will receive that bill and it STILL isn't for the amt we were told. The cycle continues, as we're told AGAIN, "Oh, *that one* is cancelled, you'll be receiving a new bill..."

The Aqua reps are almost always rude, our calls have been "disconnected" numerous times, we cannot get a return phone call, and we are always told something different about billing practices and water usages. The water is unsafe and we are forced to buy bottled water for us to drink and give to our cats, as well as cooking. We can never feel as though we're being told honest information and we never know if the money we paying is the right amount. Aqua seems to change their mind quite frequently on the amount **due**. Had we been aware of such unethical practices, such shady company policies, and of course the below standard quality of water, we NEVER would have built our new home and endangered our family and pets with disgusting water and such a horrible company!

Please help us with this company, as we feel there is nothing to stop them.

Thank you Sincerely,



Jennifer & Scott Herrick





Service To:  
JENNIFER&SCOTT A. HERRICK  
287 KNOT HOLE CIR LOT 75  
CHULUOTA, FL 32766  
Lot: 75 Block:

Account Number  
**001405354 0822273**  
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](mailto:custserv@aquaaamerica.com)

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

Bill Date

**June 18, 2008**

Total Amount Due

**\$ 1,226.66**

Due Date

**July 10, 2008**

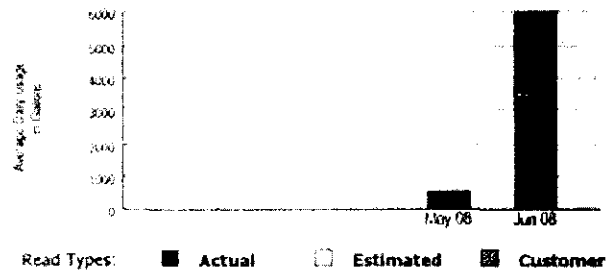
## Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
83966634	5/8	06/13/08	30	Actual	478500	180,000	Gallons
		05/14/08		Actual	298500		
Average Daily Usage = 6,000 Gallons		Total Days		30	Total Usage		180,000 Gallons

## Billing Detail

Amount Owed from Last Bill \$ 472.61  
Total Payments Received 0.00  
**Balance 472.61**  
Water Base Facility Charge 10.45  
180,000 gallons @ \$0.00397 per gallon 714.60  
Total Water Charges 725.05  
Utility Tax 29.00  
**Amount Due 07/10/08 \$ 1,226.66**

## 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.

1338456

**IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION**

FI 3590186 08/15/07  
REV 10/07

Return this portion with your payment.  
Keep top portion for your records.

Service To:

JENNIFER&SCOTT A. HERRICK  
287 KNOT HOLE CIR LOT 75  
CHULUOTA, FL 32766  
Lot: 75 Block:

## AQUA Water Bill

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

Account Number

**001405354 0822273**

Total Amount Due

**\$ 1,226.66**

Due Date

**July 10, 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: 25060 Cyl: 13104 Top: 614667

\*\*\*\*\*AUTO\*\*5-DIGIT 32766 C 76 P 103  
JENNIFER&SCOTT A. HERRICK  
287 KNOT HOLE CIR LOT 75  
CHULUOTA FL 32766-6040

|||||

00140535408222730000001226664



823

823

Paid -

cancelled &

Re-billed →

cancelled &

Re-billed →

Paid

Charge

9,000

14,800

4,100

4,800

14,000

10,800

10,800

10,800

4,800

Bill Date

Sept 07

Nov<sup>01</sup> 07

Nov<sup>20</sup> 07

Dec<sup>12</sup> 07

Dec<sup>20</sup> 07

Jan 08

Feb ~~2~~ 08

Mar 08

April 08

Type

Est

Act.

Act.

Act.

Est.

Est.

Est.

Est.

Act

Cost

\$91.25

\$599.70

\$712.89

\$56.72

\$67.30

\$149.53

\$54.35

\$98.37

\$30.08

3

is  
allons  
allons

cancelled

157,100

~~500~~

May 08

Act.

\$472.61

Cancelled

120,000

May \* 08

Act.

\$1,001.32

cancelled

120,000

June 08

Act.

\$1,226.66

cancelled

133,700

July 08

Act.

\$610.43

cancelled

183,700

July 08

Act.

\$610.43

180,000

June -

due date

7/10/08

Received date

7/16/08

Act.

~~\$1,000~~

> \$1000

We are waiting  
for this bill.

AR77773

PREPARED 6/16/08  
PROGRAM UT475L  
CITY OF CASSELBERRY

## ACCOUNT CONSUMPTION HISTORY

PAGE: 1

CUSTOMER: 71519 HERRICK, JENNIFER

LOCATION: 888 527 EAGLE CIR  
CYCLE/ROUTE: 01-03  
STATUS: F

WATER METER NUMBER: 54559857 METER SIZE: 075

READING DATE	TYPE	DAYS	BILLING PERIOD/DATE	ACTUAL CONSUMPTION	ACTUAL DEMAND	ORIGINAL CONSUMPTION	ORIGINAL DEMAND
6/11/07	PIN	49	6/07 6/12/07	3900.00	.00		
4/23/07	REG	31	5/07 5/11/07	2700.00	.00		
3/23/07	REG	29	4/07 4/13/07	2000.00	.00		
2/22/07	REG	29	3/07 3/12/07	3100.00	.00		
1/24/07	REG	29	2/07 2/12/07	2100.00	.00		
12/26/06	REG	29	1/07 1/12/07	2800.00	.00		
11/27/06	REG	32	12/06 12/12/06	2200.00	.00		
10/26/06	REG	31	11/06 11/13/06	2000.00	.00		
9/25/06	REG	34	10/06 10/12/06	2500.00	.00		
8/22/06	REG	29	9/06 9/12/06	1900.00	.00		
7/24/06	REG	31	8/06 8/11/06	2200.00	.00		
6/23/06	REG	30	7/06 7/12/06	2100.00	.00		
5/24/06	REG	28	6/06 6/12/06	4100.00	.00		
4/26/06	REG	30	5/06 5/12/06	1900.00	.00		
3/27/06	REG	31	4/06 4/12/06	2200.00	.00		
2/24/06	REG	29	3/06 3/13/06	1700.00	.00		
1/26/06	REG	30	2/06 2/13/06	1700.00	.00		
12/27/05	REG	28	1/06 1/12/06	2600.00	.00		
11/29/05	REG	33	12/05 12/12/05	2700.00	.00		
10/27/05	REG	29	11/05 11/10/05	1800.00	.00		
9/25/05	REG	30	10/05 10/12/05	2100.00	.00		
8/22/05	REG	32	9/05 9/12/05	2300.00	.00		
7/28/05	REG	35	8/05 8/12/05	2100.00	.00		
6/23/05	REG	31	7/05 7/12/05	1600.00	.00		
6/09/05	INT		7/05 7/12/05	.00	.00		
TOTALS: 732				57700.00	.00		
AVERAGE DAILY USAGE:				78.82	00		

*Alth Scott*

CONSUMPTION PARAMETERS FOR WATER  
 EXCEPTION REPORT FLAG . . . . .  
 CONSUMPTION ESTIMATE . . . . .  
 DEMAND CONSUMPTION ESTIMATE . . . . .  
 AVERAGE CONSUMPTION . . . . . 78.83  
 AVERAGE DEMAND CONSUMPTION . . . . .  
 TOTAL CONSUMPTION . . . . . 57700.00  
 TOTAL DEMAND CONSUMPTION . . . . .  
 TOTAL READING DAYS . . . . . 732

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121-w EXHIBIT 38

COMPANY Bill + summaries of Billing Disputes

WITNESS Kristan Priske

DATE 07/17/08

Kristan and Stephen Priske  
278 Knot Hole Circle  
Chuluota, FL 32766  
(407) 977-2730

Exhibit 38  
D. No. 080121-WS

Aqua Customer since September 2007.

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---

the phone with the poor quality customer service reps.



Service To:  
**KAISTAN L. PRISKE**  
 278 KNOT HOLE CIR LOT 115  
 CHULUOTA, FL 32766  
 Lot: 115 Block:

Account Number  
**001412904 1036915**  
 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@aquamerica.com](mailto:custserv@aquamerica.com)

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

Bill Date **June 12, 2008** Total Amount Due **\$ 506.00** Due Date **July 07, 2008**

Meter Data	Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
	58585620	5/6	05/30/08	77	Actual	398000	44,100	Gallons
			03/14/08		Actual	353900		
Average Daily Usage = 672 Gallons			Total Days: 77		Total Usage:		44,100	Gallons

#### Billing Detail

Amount Owed from Last Bill .....	\$ 1,484.71	Current Sewer Charges .....	52.94
Total Payments Received .....	0.00	Utility Tax .....	8.00
<b>Balance</b> .....	<b>1,484.71</b>	<b>Amount Due 07/07/08</b> .....	<b>\$ 506.00</b>
Adjustments .....	1,239.83 Credit		
Water Base Facility Charge Water at Old Rate .....	11.28		
18,900 gallons @ \$0.00389 per gallon .....	73.53		
Current Water Charges At Old Rate .....	84.81		
Water Base Facility Charge Water at Current Rate .....	15.33		
Next 25,200 gallons @ \$0.00397 per gallon .....	100.04		
Current Water Charges at Current Rate .....	115.37		
Current Water Charges .....	200.18		
Minimum Charge Sewer at Old Rate .....	11.00		
Current Sewer Charges At Old Rate .....	11.00		
Minimum Charge Sewer at Current Rate .....	41.94		
Current Sewer Charges at Current Rate .....	41.94		

#### 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:  
**KAISTAN L. PRISKE**  
 278 KNOT HOLE CIR LOT 115  
 CHULUOTA, FL 32766  
 Lot: 115 Block:

## AQUA Water/Sewer Bill

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

Account Number  
**001412904 1036915**  
 Total Amount Due **\$ 506.00** Due Date **July 07, 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=28105 Cyo= Top=513073

**KAISTAN L. PRISKE**  
 278 KNOT HOLE CIR LOT 115  
 CHULUOTA FL 32766-6038

\*327666038784\*

00141290410369150000000506009

**AQUA**

Service To:  
**KAISTAN L. PRISKE**  
**278 KNOT HOLE CIR LOT 115**  
**CHULUOTA, FL 32766**  
**Lot: 115 Block:**

Account Number

**001412904 1036915**

CHULUOTA

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

Tel: **877.967.2782**Fax: **866.780.8292**e Mail: **custserv@aquasamerica.com**

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

Bill Date

**June 18, 2008**

Total Amount Due

**\$ 573.62**

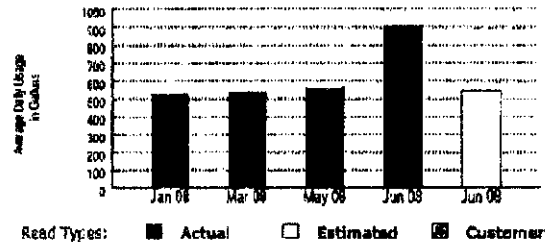
Due Date

**July 10, 2008****Meter Data**

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56585620	5/8	06/16/08	17	Estimated	411800	13,800	Gallons
		05/30/08		Actual	398000		
Average Daily Usage = 811 Gallons		Total Days: 17		Total Usage:		13,800	Gallons

**Billing Detail**

Amount Owed from Last Bill ..... \$ 506.00  
 Total Payments Received..... 0.00  
**Balance ..... 506.00**  
 Water Base Facility Charge Water at Old Rate ..... 4.18  
 11,000 gallons @ \$0.00397 per gallon..... 43.67  
 Current Water Charges At Old Rate..... 47.85  
 Water Base Facility Charge Water at Current Rate ..... 1.74  
 Next 2,800 gallons @ \$0.00397 per gallon ..... 11.12  
 Current Water Charges at Current Rate ..... 12.86  
 Current Water Charges..... 60.71  
 Minimum Charge Sewer ..... 4.49  
 Current Sewer Charges ..... 4.49  
 Utility Tax ..... 2.42  
**Amount Due 07/10/08 ..... \$ 573.62**

**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**

FL3580186

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**AQUA Water/Sewer Bill**

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

Service To:

**KAISTAN L. PRISKE**  
**278 KNOT HOLE CIR LOT 115**  
**CHULUOTA, FL 32766**  
**Lot: 115 Block:**

Account Number

**001412904 1036915**

Total Amount Due

**\$ 573.62**

Due Date

**July 10, 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=28670 Cyn=3301 Type=611867

**KAISTAN L. PRISKE**  
**278 KNOT HOLE CIR LOT 115**  
**CHULUOTA FL 32766-6035**

**327666038784****00141290410369150000000573622**

**AQUA**

Service To:  
**KAISTAN L. PRISKE**  
**278 KNOT HOLE CIR LOT 115**  
**CHULUOTA, FL 32766**  
**Lot: 115 Block:**

Account Number  
**001412904 1036915**  
**CHULUOTA**

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Tel: 877.987.2782

Fax: 866.780.8292

e Mail: [custserv@aquaaamerica.com](mailto:custserv@aquaaamerica.com)

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

Bill Date

**July 01, 2008**

Total Amount Due

**\$ 19.07**

Due Date

**July 23, 2008****Meter Data**

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56585820	5/8	06/24/08	102	Actual	413700	59,800	Gallons
		03/14/08		Actual	363900		
Average Daily Usage = 586 Gallons		Total Days: 102		Total Usage:		59,800	Gallons

**Billing Detail**

Amount Owed from Last Bill .....	\$ 573.62	Current Sewer Charges .....	67.17
Total Payments Received .....	575.00	Utility Tax .....	10.85
Balance .....	1.38 Credit	Amount Due 07/23/08 .....	\$ 19.07
Adjustments .....	328.74 Credit		
Water Base Facility Charge Water at Old Rate .....	11.27		
19,347 gallons @ \$0.00389 per gallon .....	75.26		
Current Water Charges At Old Rate .....	86.53		
Water Base Facility Charge Water at Current Rate .....	24.03		
Next 40,453 gallons @ \$0.00397 per gallon .....	160.61		
Current Water Charges at Current Rate .....	184.64		
Current Water Charges .....	271.17		
Minimum Charge Sewer at Old Rate .....	11.00		
Current Sewer Charges At Old Rate .....	11.00		
Minimum Charge Sewer at Current Rate .....	56.17		
Current Sewer Charges at Current Rate .....	58.17		

**Message Center**

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1336453

**IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION**

FL3590186

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Service To:

**KAISTAN L. PRISKE**  
**278 KNOT HOLE CIR LOT 115**  
**CHULUOTA, FL 32766**  
**Lot: 115 Block:**

**AQUA Water/Sewer Bill**

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

Account Number

**001412904 1036915**

Total Amount Due

**\$ 19.07**

Due Date

**July 23, 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#3430 Cye# 1upe616456

1036915

**KAISTAN L. PRISKE**  
**278 KNOT HOLE CIR LOT 115**  
**CHULUOTA FL 32766-6038**

**327666038784****00141290410369150000000019072**

AQUA SERVICES, INC.  
SOUTHERN CUSTOMER CONTACT CENTER  
118 MACKENANDRIVE  
CARY, NORTH CAROLINA 27511

## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
STEVEN	AQUA
COMPANY:	DATE:
Aqua America, INC.	7/17/08
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
407-581-3266	4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:

☒ URGENT   ☒ FOR REVIEW   ☐ PLEASE COMMENT   ☐ PLEASE REPLY   ☐ PLEASE RECYCLE

[CLICK HERE AND TYPE RETURN ADDRESS]

Keep top portion for your records.

# AQUA Water/Sewer Bill

Aqua Utilities Florida, Inc.

762 W. Lancaster Avenue • Bryn Mawr, PA 19010-3489

278 KNOT HOLE CIR  
CHULUOTA, FL 32766  
Lot: 115 Block: Exhibit 38 (cont)  
D. No. 080121-105

Account Number

**001412904 1036915**

Total Amount Due

**\$ 940.52**

Due Date

**April 10, 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=20524 Cyc=33Di 1up=588089

\*\*\*\*\*AUTO\*\*5-DIGIT 32766 C 64 P 87

KAISTAN L. PRISKE

278 KNOT HOLE CIR

CHULUOTA FL 32766-6038



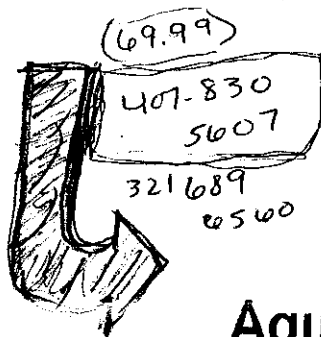
001412904103691500000000940520



D1-2

Please tear along the fold and return this portion with your payment.

PLACE THIS STUB SO THAT THE  
NAME "Aqua Utilities Florida"  
SHOWS THROUGH THE WINDOW  
OF THE PAYMENT ENVELOPE.



7100

4

Massolio  
4090 4000  
4137  
126  
126 days  
573.62

## Aqua Utilities Florida

P.O. Box 1229

Newark, NJ 07101-1229



ACB 4000 1400



14.

Account Number  
**001412904 1036915**  
CHULUOTA

Tel: **877.987.2782**  
Fax: **866.780.8301**  
eMail: **[custserv@aguaamerica.com](mailto:custserv@aguaamerica.com)**

**10 Day Shut Off Notice**  
COLLECTION DEPARTMENT OFFICE HOURS ARE  
7:30 AM - 5:00 PM WEEKDAYS

81.81      244.88

Date of Notice	Shut Off Date	Total Amount Due
June 03, 2008	June 16, 2008	\$ 919.92

**Your bill for \$ 919.92 is overdue. Because your bill is overdue, we will SHUT OFF service to:  
278 KNOT HOLE CIR LOT 115 on or after 8:00 AM on June 16, 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:	\$ 919.92
Reconnect Fee:	15.00
Service Deposit (If required):	23.00
Total if we shut off your service:	\$ 957.92

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:  
**KAISTAN L. PRISKE**  
**278 KNOT HOLE CIR LOT 115**  
**CHULUOTA, FL 32766**

**Aqua Utilities Florida, Inc.**  
PO Box 328 • BRYN MAWR, PA 19010-0328

Account Number  
**001412904 1036915**

Total Amount Due      Due Date  
**\$ 919.92      June 16, 2008**

Seq=868 Cyc= 1up=610609 PC=T

\*\*\*\*\*AUTO\*\*MIXED AADC 189 C 6 P 9  
KAISTAN L. PRISKE  
278 KNOT HOLE CIR LOT 115  
CHULUOTA FL 32766-6038



Amount Enclosed

\$

Please make check payable to Aqua Util. FL.  
Print your account number on your check, then  
mail to address on back.

261.12

00141290410369150000000919929





KAISTAN L. PRISKE  
278 KNOT HOLE CIR  
CHULUOTA, FL 32766

Account Number  
**001412904 1036915**  
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](mailto: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
April 01, 2008	April 14, 2008	\$ 244.88

Your bill for \$ 244.88 is overdue. Because your bill is overdue, we will SHUT OFF service to:  
**278 KNOT HOLE CIR on or after 8:00 AM on April 14, 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:	\$ 244.88
Reconnect Fee:	15.00
Service Deposit (If required):	23.00
Total if we shut off your service:	<u>\$ 282.88</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:  
**KAISTAN L. PRISKE**  
**278 KNOT HOLE CIR**  
**CHULUOTA, FL 32766**



Aqua Utilities Florida, Inc.  
PO Box 328 • BRYN MAWR, PA 19010-0328

Seq=789 Cyc= 1up=591981 PC=T

\*\*\*\*\*AUTO\*\*MIXED AADC 189 C 6 P 8  
KAISTAN L. PRISKE  
278 KNOT HOLE CIR  
CHULUOTA FL 32766-6038



Account Number  
**001412904 1036915**  
Total Amount Due Due Date  
**\$ 244.88 April 14, 2008**

Amount Enclosed

\$

Please make check payable to Aqua Util. FL.  
Print your account number on your check, then  
mail to address on back.

00141290410369150000000244881





Service To:  
**KAISTAN L. PRISKE**  
 278 KNOT HOLE CIR  
 CHULUOTA, FL 32766  
 Lot: 115 Block:

Account Number  
**001412904 1036915**  
 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@aquazamerica.com**

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

Bill Date **April 17, 2008** Total Amount Due **\$ 919.92** Due Date **May 09, 2008**

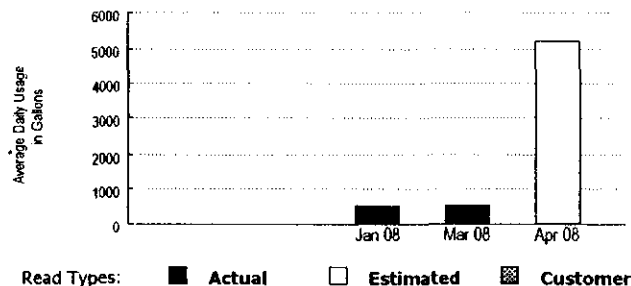
## Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56585620	5/8	04/14/08	31	Estimated	515400	161,500	Gallons
		03/14/08		Actual	353900		
Average Daily Usage = 5,209 Gallons		Total Days: 31		Total Usage:		161,500	Gallons

## Billing Detail

Amount Owed from Last Bill ..... \$ 420.63  
 Total Payments Received..... 175.75  
**Balance..... 244.88**  
 Water Base Facility Charge ..... 10.25  
 161,500 gallons @ \$0.00389 per gallon..... 628.24  
 Current Water Charges..... 638.49  
 Minimum Charge Sewer..... 11.01  
 Current Sewer Charges..... 11.01  
 Utility Tax..... 25.54  
**Amount Due 05/09/08 ..... \$ 919.92**

## 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.

## AQUA Water/Sewer Bill

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

Service To:  
**KAISTAN L. PRISKE**  
 278 KNOT HOLE CIR  
 CHULUOTA, FL 32766  
 Lot: 115 Block:

Account Number  
**001412904 1036915**  
 Total Amount Due **\$ 919.92** 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=24965 Cyc=33Dt 1up=596840

\*\*\*\*\*AUTO\*\*5-DIGIT 32766 C 75 P 103  
**KAISTAN L. PRISKE**  
 278 KNOT HOLE CIR  
 CHULUOTA FL 32766-6038



00141290410369150000000919929



FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET NO. 080121-WS EXHIBIT 39  
COMPANY Bills  
WITNESS Kristie Tarano  
DATE 07/17/08



Service To:  
**KRISTIE TORUNO**  
412 EMPRESS LN  
CHULUOTA, FL 32766

Account Number  
**000980571 0642829**  
CHULUOTA

*Exhibit 39*  
*D. No. 080121-WS*

**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 service?... Contact us before the due date.

Bill Date **June 18, 2008**  
Total Amount Due **\$ 141.34**  
Due Date **July 10, 2008**

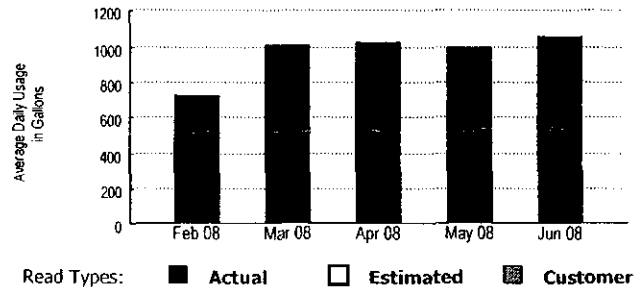
### Meter Data

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
56601999	5/8	06/13/08	30	Actual	68200	31,600	Gallons
		05/14/08		Actual	36600		
Average Daily Usage = 1,053 Gallons		Total Days: 30		Total Usage:		31,600	Gallons

### Billing Detail

Amount Owed from Last Bill ..... \$ 1,252.96  
Total Payments Received ..... 0.00  
**Balance** ..... **1,252.96**  
Adjustments ..... 1,252.96 Credit  
Water Base Facility Charge ..... 10.45  
31,600 gallons @ \$0.00397 per gallon ..... 125.45  
Total Water Charges ..... 135.90  
Utility Tax ..... 5.44  
Amount Due 07/10/08 ..... **\$ 141.34**

### Water Usage History



*6/25 = 78700 / 10,500*  
*6/13 = 875 p/day*

### 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.

*Letter to Anna 6/26*

1336456

**IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION**

FL3590186

Return this portion with your payment.  
Keep top portion for your records.

Service To:  
**KRISTIE TORUNO**  
412 EMPRESS LN  
CHULUOTA, FL 32766

## AQUA Water Bill

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

Account Number  
**000980571 0642829**  
Total Amount Due **\$ 141.34**  
Due Date **July 10, 2008**  
Amount Enclosed

Seq=393 Cyc=33DI 1up=614867 PC=CSAG

CSAG

KRISTIE TORUNO  
412 EMPRESS LN  
CHULUOTA FL 32766-6026



\$

Please make check payable to Aqua Util. FL.  
Print your account number on your check,  
then mail to address on back.

00098057106428290000000141342



MAY/05/2008 MON 02:04 PM

**AQUA**

Service To:  
**KRISTIE TORUNO**  
**412 EMPRESS LN**  
**CHULUOTA, FL 32766**

Account Number  
**000980571 0642829**  
**CHULOTA**

**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 service?... Contact us before the due date.

Bill Date

Total Amount Due

Due Date

**April 25, 2007**

**\$ 2.98**

**May 17, 2007**

**Meter Data**

Meter	Size	Billing Period	Days	Read Type	Meter Readings	Usage	Units
82308000	5/8	04/20/07	30	Estimated	24100	4,000	Gallons
		03/21/07		Actual	20100		
Average Daily Usage = 133 Gallons		Total Days:	30	Total Usage:		4,000	Gallons

**Billing Detail**

Amount Owed from Last Bill .....	\$ 28.87	
Total Payments Received .....	55.31	
Balance .....	26.44	Credit
Total Water Charges .....	28.29	
Utility Tax .....	1.13	
Amount Due 05/17/07 .....	\$ 2.98	

**Water Usage History**

Read Types: ☒ Actual ☐ Estimated ☐ Customer

*March 07 = 150 gal plday*

**Message Center**

- Ⓢ Please note your account number is a 16-digit number. The full 16-digits must be used when to ensure correct posting of your Aqua payment.
- Ⓢ This bill is based on an estimated reading. Your actual usage could be higher. Please refer to the back for estimated billing procedure.

1336456

**IMPORTANT NOTICE: SEE REVERSE SIDE FOR OTHER INFORMATION**

FL3590186

Return this portion with your payment.  
 Keep top portion for your records.

Service To:  
**KRISTIE TORUNO**  
**412 EMPRESS LN**  
**CHULUOTA, FL 32766**

**AQUA Water Bill**

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

Account Number  
**000980571 0642829**

Total Amount Due

Due Date

**\$ 2.98**

**May 17, 2007**

Amount Enclosed

\$

Please make check payable to Aqua Util. FL.  
 Print your account number on your check,  
 then mail to address on back.

Seq=26376 Cyl=3301 rtp=328508

**KRISTIE TORUNO**  
**412 EMPRESS LN**  
**CHULUOTA FL 32766-6026**

\*327666026129\*

00098057106428290000000002983

Exhibit 40  
080121-WS

2 1/2 pages +  
Samples

Aqua Utilities dropped off the attached letter and application at my home in June of 2008....claiming my water needed to be tested for lead and copper. The letter claims that an Aqua Utilities rep would be back the morning after the sample was taken to pick it up. However, the letter itself was not dated and there were no deadlines or date specifications as to when the samples were needed. I put my sample out on June 30, 2008. It remained on my front porch for a week. I called the customer service number that was provided on the form, but was forwarded to someone in Illinois who claimed they called my district office and could not get anyone to answer there.

Cyndy Russell  
157 Osprey Lakes Circle  
Chuluota, FL 32766  
407-977-5601

FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET NO. 080121-WS EXHIBIT 40  
COMPANY Letter & Samples  
WITNESS Cyndy Russell  
DATE 07/17/08

A UA  
Utilities Florida

PO Box 490310  
Leesburg, FL 34749

Dear Resident of

The EPA Drinking Water Program requires that samples be collected from your home or business. These samples are required to determine the contribution of faucet fixtures and household pipes and/or solder to the Lead and Copper in your drinking water. In order to comply with the requirements, the water system & utilities will require your cooperation. Your cooperation is essential in our ability to ensure that the levels of Lead and Copper in your home are below the EPA levels. Should the sample results reveal that those levels are high you will be notified, if you do not hear from us your home levels were acceptable.

Please follow the instructions located in the square of the sheet attached. Please fill in the lines of the area **To Be Completed By Sampler**. *Water last used, date and time, Sample Collected, Date and time.* Please circle the Sample Tap Location, **KITCHEN/BATH/OTHER**. Please print your name and sign your name in the areas requested.

Please collect your sample and place the bottle with these two sheets outside your front door the following morning. An Aqua Utilities Florida representative will come by and pick up your sample. If you have any questions please contact us at the number shown on the attached form. Thank you in advance for your help with this. Together we can ensure the safest drinking water possible at your tap.

Sincerely  
Aqua Utilities Florida

Complaint:

- 762 W. Leicester  
Bryn Mawr, PA

19010

Attn: ~~Claims~~ Dept.  
Complaints



**Lead and Copper Certification of Training for Sample Collection**

Utility: **BOTTLE #:** \_\_\_\_\_  
Address: **PO Box 490310**  
**Leesburg, FL 34749-0310**  
Phone: **(352) 787-0980**

**To Be Completed By Public Water System:**

System Name: \_\_\_\_\_ PWS ID#: \_\_\_\_\_  
System Type (circle one): Community or Non-Transient Non-Community  
Sample Plan ID Number: \_\_\_\_\_  
Tier Number: \_\_\_\_\_  
Location: \_\_\_\_\_  
Contact Person at Site: \_\_\_\_\_

**Instructions for Sample Collection:**

Samples for Lead and Copper are being collected from your home or business according to EPA requirements. These samples are being required to determine the contribution of faucet fixtures and household pipes and/or solder to the levels of Lead and Copper in your drinking water. In order to comply with the EPA requirements, the water system & utilities will require your cooperation. The sample is to be collected after an extended period of stagnant water conditions (no water usage in this period). Due to this requirement we suggest that you collect your sample first thing in the morning BEFORE any water use or in the evening when you return home from work.

1. Prior arrangements will be made with the sample collector to coordinate sample collection and delivery to water system representative.
2. A MINIMUM of 6 hours with no usage is required to achieve proper sampling. Please be sure that you have met this condition before you collect your sample.
3. A cold water kitchen or bathroom fixture MUST be used for sample collection. Place the sample bottle below the faucet BEFORE you turn on the water. Gently open the cold water tap and fill the bottle completely! Do not overflow bottle. Tightly cap the container. Be sure that the information on this form and on the bottle is correct.

If you have any questions please call: **Aqua Utilities Florida Customer Service**  
Phone#: **1-800-250-7532**

**To Be Completed By Sampler:**

Water last used Date: 6-29-08 Sampled Collected Date: 6-30-08  
Time: 12 (am/pm) Time: 9:30 (am/pm)  
Sample Tap Location (circle one): **KITCHEN** / **BATH** / **OTHER** (specify): \_\_\_\_\_

I have read the above instructions and have collected my sample accordingly:

Print name: CYNTHIA RUSSELL  
Signature: Cynthia Russell  
Address: 151 DUNREY LAKE CIR. CHALLIS, FL 32716

**PLEASE RETURN THIS SHEET WITH YOUR WATER SAMPLE. SAMPLES MUST BE RECEIVED BY THE LAB WITHIN 14 DAYS AFTER SAMPLE COLLECTION.**

Thank you for your cooperation!

**To Be Completed By Laboratory:**

Date Received: \_\_\_\_\_ Time Received: \_\_\_\_\_  
Initials: \_\_\_\_\_ Sample #: \_\_\_\_\_  
Volume < 900 ml?: Y or N  
Preserved by lab or client? \_\_\_\_\_ Date and time HNO3 added: \_\_\_\_\_

## Bill History

## View Payments and Bills

Angelica + Keteana Harris  
507 Granite Cir.  
Chuluota, FL 32766

Exhibit 41  
D. No. 080121  
(4 Pages)

To view payments and bills for a different date range, select an option in **Current View**. Use the **Additional Options** box to show a list for specific settings.

Current View

Past 180 days and future

Additional Options

Show

Biller Name

For

Aqua Utilities Florida, Inc. \*44979

Go

How do I sort, search, or categorize?

Bill Name Category	Account	Amount	Pay Date	Status	Action
Aqua Utilities Florida, Inc. Utilities *44979	*75808	\$283.61	06/30/2008	Paid	<a href="#">View Detail</a>
Aqua Utilities Florida, Inc. Utilities *44979	*75808	\$150.00	06/20/2008	Paid	<a href="#">View Detail</a>
Aqua Utilities Florida, Inc. Utilities *44979	*75808	\$128.06	05/23/2008	Paid	<a href="#">View Detail</a>
Aqua Utilities Florida, Inc. Utilities *44979	*75808	\$96.65	04/14/2008	Paid	<a href="#">View Detail</a>
Aqua Utilities Florida, Inc. Utilities *44979	*75808	\$138.15	03/14/2008	Paid	<a href="#">View Detail</a>
Aqua Utilities Florida, Inc. Utilities *44979	*75808	\$116.73	02/08/2008	Paid	<a href="#">View Detail</a>
Aqua Utilities Florida, Inc. Utilities *44979	*75808	\$264.64	01/22/2008	Paid	<a href="#">View Detail</a>

} 89,500 gallons on  
one bill

## FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080121 EXHIBIT 41

COMPANY Bill History &amp; Pictures

WITNESS Angelica Harris

DATE 07/17/08

Angelica M. Harris + Ketema Harris  
507 Granite Cir.  
Chuluota, FL 32766

7/17/08 6:03 PM

Time Investment Company, Inc.  
PO Box 248  
West Bend, WI 53095



800-236-1177  
262-334-1037  
Fax: 262-334-1092  
www.timeinvestment.com

## Loan Detail for Account 02-00208135

Buyer(s)	Address	City	State	ZipCode	Phone
Ketema J Harris	507 Granite Circle	Oviedo	FL	32766	(407) 574-7289
Ketema J Harris (Work)	C4 Direct Inc				(954) 590-2211
Angelica M Harris	507 Granite Circle	Oviedo	FL	32766	(407) 574-7289
Angelica M Harris (Work)	Self employed				

Dealer: 11-00000490 Great Southern Water Treatment

Order Date:	4/13/2006	Last Payment Amount:	-\$7,080.31	Next Due Date:	3/15/2008
First Due Date:	10/15/2006	Last Payment Date:	1/16/2008	Normal Payment:	\$139.80
Amount Financed:	\$6,990.00	Last Payment Reference:	Check 2388 (Check #2388)	Amount to Bring Current:	\$0.00
Down Payment Amount:	\$0.00			Shortage Amount:	\$0.00
Finance Charge:	\$0.00			Extensions Exercised:	0
Loan Term:	60	Date Purchased:	4/17/2006	Fin. Charges Assessed:	\$2,179.11
Salesperson:	Illegible			Fees Assessed:	\$17.50
Credit Limit:	Not Applicable				
				Principal Balance:	\$0.00
				Interest Balance:	\$0.00
				Fee Balance:	\$0.00
				Total Balance:	\$0.00

## Transactions

Date	Type	Amount	Description
04/17/2006	PURCH	\$6,990.00	Initial Purchase Transaction for loan
10/13/2006	PAYMENT	-\$139.80	Lock Box BatchTrans #801015
10/15/2006	INTEREST	\$642.77	Automated Interest Charge
11/14/2006	PAYMENT	-\$139.80	Lock Box BatchTrans #801013
11/15/2006	INTEREST	\$102.18	Automated Interest Charge
12/13/2006	PAYMENT	-\$139.80	Lock Box BatchTrans #801015
12/15/2006	INTEREST	\$102.18	Automated Interest Charge
01/12/2007	PAYMENT	-\$139.80	Lock Box BatchTrans #801029
01/15/2007	INTEREST	\$102.18	Automated Interest Charge
02/15/2007	PAYMENT	-\$139.80	Lock Box BatchTrans #801005
02/15/2007	INTEREST	\$102.18	Automated Interest Charge
03/05/2007	PAYMENT	-\$140.00	Lock Box BatchTrans #801007
03/15/2007	INTEREST	\$102.18	Automated Interest Charge
04/13/2007	PAYMENT	-\$140.00	Lock Box BatchTrans #800010
04/15/2007	INTEREST	\$102.18	Automated Interest Charge
05/11/2007	PAYMENT	-\$140.00	Lock Box BatchTrans #801007
05/15/2007	INTEREST	\$102.18	Automated Interest Charge
06/15/2007	PAYMENT	-\$140.00	Lock Box BatchTrans #800009
06/15/2007	INTEREST	\$102.18	Automated Interest Charge
07/15/2007	INTEREST	\$102.70	Automated Interest Charge
07/17/2007	PAYMENT	-\$140.00	Lock Box BatchTrans #801012
08/13/2007	PAYMENT	-\$140.00	Lock Box BatchTrans #802013
08/15/2007	INTEREST	\$102.70	Automated Interest Charge
09/11/2007	PAYMENT	-\$140.00	Lock Box BatchTrans #801022
09/15/2007	INTEREST	\$102.70	Automated Interest Charge
10/15/2007	PAYMENT	-\$140.00	Lock Box BatchTrans #801022
10/15/2007	INTEREST	\$102.70	Automated Interest Charge

507 Granite Cir. Chuluota, Fl. 32766 Angelica H. Harris  
Henna Harris



507 Granite Co.  
Chuluota, FL 32766

Angelica + Ketema Harris

