

STATE OF FLORIDA

COMMISSIONERS:
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OFFICE OF THE GENERAL COUNSEL
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(850) 413-6199

Public Service Commission

April 29, 2010

Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED-FPSC
10 APR 29 PM 2:17
COMMISSION
CLERK

Re: Docket No. 080562-WU - Request for approval of amendment to connection/transfer ~~sheet~~, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems Inc.

Dear Ms. Cole:

Attached for filing is Staff's testimony and exhibits in Docket No. 080562-WU. The testimony is filed subject to approval and Order of the Prehearing officer in this docket. As always, if you have any questions, please do not hesitate to contact me.

Sincerely,

Lisa C. Bennett
Senior Attorney

LCB:th

Attachment

cc: Parties of Record
Economic Regulations (Fletcher, Hudson, Daniel)

DOCUMENT NUMBER - DATE
03524 APR 29 09
FPSC-COMMISSION CLERK

DOCKET NO.: 080562-WU – Request for Approval of Amendment to Connection/Transfer Sheets, Increase in Returned Check Charge, Amendment to Miscellaneous Service Charges, Increase in Meter Installation Charges, and Imposition of New Tap-In Fee, in Marion County, by East Marion Sanitary Systems, Inc.

WITNESS: **Direct Testimony of Shannon J. Hudson**, Appearing on Behalf of Staff

DATE FILED: April 29, 2010

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EPSC - COMMISSION CLERK

DIRECT TESTIMONY OF SHANNON J. HUDSON

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Q. Please state your name and professional address.

A. My name is Shannon J. Hudson and my business address is 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

Q. By whom are you employed and in what capacity?

A. I am employed by the Florida Public Service Commission as a Regulatory Analyst IV in the Division of Economic Regulation.

Q. How long have you been employed by the Commission?

A. I started working at the Commission in November 1995.

Q. Would you state your educational background and experience?

A. I received a Bachelor of Science degree with a major in Economics and a minor in Business Administration from Florida Agricultural and Mechanical University in December 1994. From May 1995 to November 1995, I was a Fiscal Assistant with the Florida Fish and Wildlife Conservation Commission formerly known as the Florida Game and Freshwater Fish Commission. My duties under this capacity included processing utility invoices for payment and auditing telephone bills and logs for proper standard equipment charges and rates. In November 1995, I was employed by the Commission as a Regulatory Analyst I in the Division of Water and Wastewater's Rate Section of the Bureau of Economic Regulation. In June 1997, I became a Regulatory Analyst II in the Rate Section of the Bureau of Economic Regulation. In June 1999, I became a Regulatory Analyst III in the Bureau of Special Assistance. In May 2003, I became a Regulatory Analyst IV in the Bureau of Certification, Economics & Tariffs. I have attended various regulatory seminars and Commission in-house training and professional development meetings concerning regulatory matters.

Q. Would you explain what your general responsibilities are as a Regulatory Analyst IV in the Rate Filings Section?

A. This section is responsible for the financial, accounting and rate review and evaluation of

1 complex formal rate proceedings before the Commission. Specifically, I am assigned to review and
2 analyze the accounting issues for water and wastewater utilities under the jurisdiction of the Florida
3 Public Service Commission. For the cases that I am assigned, I coordinate, prepare and present staff
4 recommendations to the Commission. I am also responsible for preparing and writing cross-examination
5 questions for hearings involving complex accounting and financial issues.

6 Q. What is the nature and purpose of your testimony?

7 A. Several customers of East Marion Sanitary Systems (East Marion or Utility) have indicated that
8 the Utility refused to provide an application for an irrigation meter until a pending application for new
9 charges was approved by the Commission. Pursuant to Rule 25-30.520, Florida Administrative Code, it
10 is the responsibility of the utility to provide service within its certificated territory in accordance with terms
11 and conditions on file with the Commission. The purpose of my testimony is to present evidence that Mr.
12 Herbert Hein, the owner of East Marion, is in violation of this rule. On September 26, 2008, Mr. Hein left
13 a voicemail in which he indicated irrigation meters would not be installed until the Commission
14 addressed his request for an irrigation meter tariff. The voice message has been included as a
15 transcription in Exhibit SJH-1 and as a WMA audio file in Exhibit SJH-2 of my testimony.

16 Q. Does this conclude your testimony?

17 A. Yes, it does.

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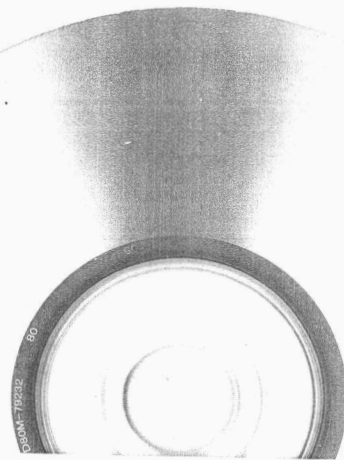
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Transcription of Phone Message from Herbert Hein

“Yes, Herbert Hein returning your call regarding David Greco. I’ve spoken to Mr. Greco, I guess I’m wondering, just recently, I’m just wondering when he called in again. If you would call and let me know that information I would appreciate it. And as my written reply indicated, I’m in the middle of asking for an irrigation meter tariff and until that is approved I am not installing irrigation meters. Thank you. Bye.”

Voice Recording of Message left by Herbert Hein on September 26, 2008



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Exhibit SJH-2

In re: Request for approval of amendment to connection/transfer sheets, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems Inc.

DOCKET NO. 080562-WU

DATED: APRIL 29, 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of STAFF'S TESTIMONY AND EXHIBITS has been served by electronic and U. S. mail to the following by U. S. mail this 29th day of April, 2010:

Herbert Hein
East Marion Sanitary Systems, Inc.
G-4225 Miller Road, #190
Flint, MI 48507-1227

Terry Will
1385 NE 130th Terrace
Silver Springs, FL 34488

Joseph M. Singel
1215 NE 130th Terrace
Silver Springs, FL 34488

David and Carol Greco
1221 NE 130th Terrace
Silver Springs, FL 34488

Dennis Smith
1384 NE 130th Terrace
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Earl and Turner
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