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Sent: Tuesday, September 27, 2011 4:45 PM
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Subject: AQUA UTILITIES FLORIDA, INC. RATE ACTION (Docket. No. 100330-WS): NOTICE OF FILING MOTION FOR ENTRY OF ORDER SETTING DATE FOR TESTIMONY AT TECHNICAL HEARINGS

Attachments: 2931_001.pdf

Electronic Filing

- a. Person Responsible for this electronic filing:

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- b. Docket No. 100330-WS

In Re: Application for increase in water/wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

- c. Document being filed on behalf of YES COMPANIES, LLC d/b/a ARREDONDO FARMS
- d. There are a total of 4 pages
- e. The document attached for electronic filing is Intervener, YES Companies, LLC d/b/a Arredondo Farms', Motion for Entry of Order Setting Date for Testimony at Technical Hearings.

Thank you for your cooperation and attention to this matter.

Sue

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DOCUMENT NUMBER-DATE

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9/28/2011

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9/28/2011

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water/wastewater Rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

Docket No. 100330-WS

Filed: September 27, 2011

MOTION FOR ENTRY OF ORDER SETTING DATE FOR TESTIMONY AT TECHNICAL HEARINGS

Intervener, YES Companies, LLC d/b/a Arredondo Farms (“YES”), by and through its undersigned counsel, files this its Motion for Entry of Order Setting Date for Testimony at Technical Hearings (the “Motion”), and in support states:

1. On or about June 15, 2010, Aqua Utilities Florida, Inc. (“Aqua”) informed the Florida Public Service Commission (“PSC”) of its intention to submit an application of general rate relief for its water and wastewater systems in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties (“Rate Case”).

2. As to Alachua County, the water and wastewater systems operated by Aqua and which are part of the Rate Case serve what is known as the Arredondo Farms Mobile Home Park (“Property”). The Property consists of 445 mobile home lots along with various common area elements and facilities. Aqua supplies the water and wastewater to all of the mobile home lots and the common area elements and facilities.

3. YES is the owner of the Property and also a customer of Aqua as to several lots at the Property.

4. On or about June 13, 2011, the PSC entered Order No. PSC-11-0256-PAA-WS (the “PAA Order”), in which the PSC approved, in part, water and wastewater increases for Aqua as sought in the Rate Action, including as to the Property.

5. In or about July, 2011, the Office of Public Counsel, among other parties, filed a petition contesting the PAA Order (the “Appeal”).

6. As part of the Appeal, the PSC held customer service hearings at various locations across the State to take testimony from Aqua customers regarding the quality of water and service provided by Aqua and the affordability of Aqua’s product.

7. At the customer service hearing in Gainesville, Florida on September 12, 2011 (the “Gainesville Hearing”), dozens of residents of the Property testified regarding the poor quality of water and service and predatory billing practices of Aqua.

8. Since the date of the Gainesville Hearing, several residents of the Property have indicated they also wish to testify at the technical hearing (“Technical Hearing”) in Tallahassee, Florida, currently set for November 29-30, December 1, and 7-8, 2011, pursuant to Order No. PSC-11-0309-PCO-WS (the “Order Setting Procedure”).

9. However, most of the residents of the Property who wish to testify are on fixed incomes, have work and family commitments, and lack the funds and flexibility to attend the Technical Hearing on short notice and without coordinating transportation well in advance of the Technical Hearing.


10. Therefore, in an effort to facilitate customer testimony and to make the Technical Hearing accessible to the residents of the Property, YES moves the PSC to enter an Order setting a specific date among the dates that have been preselected for the Technical hearing in the Order Setting Procedure—November 29-30, December 1, and 7-

8, 2011—for testimony of residents of the Property¹, as well as testimony of YES representatives Jeremy Gray, Shawn Harpin, Mallory Starling, Kim Kurz, and Mike Green, some of whom will be traveling from out of State to attend.

WHEREFORE, Intervener, YES Companies, LLC d/b/a Arredondo Farms, respectfully requests that this Public Service Commission grant its Motion, enter an Order setting a specific date for the testimony of residents of the Property and YES representatives Jeremy Gray, Shawn Harpin, Mallory Starling, Kim Kurz, and Mike Green, and any further relief that is necessary, just and proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished via email (where provided below) and U.S. Mail on September 21, 2011 to:

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¹ Aqua will not be prejudiced by the entry of this Order as YES has properly disclosed this customer testimony to Aqua in its Objections and Responses to Aqua's First Set of Interrogatories dated September 19, 2011.

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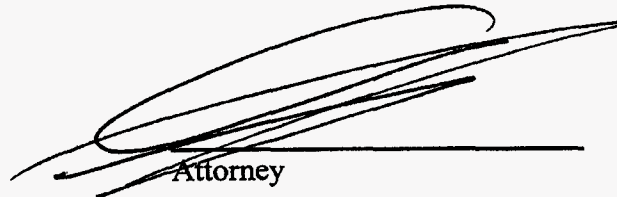
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