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March 3, 2014

Carlotta S. Stauffer, Director Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Re: Docket No. 130210-WS; Application for staff-assisted rate case in Polk County by CHC VII, Ltd.

Dear Ms. Stauffer:

Attached is a list of issues that the Office of Public Counsel has prepared to identify concerns we have with the information included in the staff report that addresses the preliminary review of the requested rate increase. We are submitting this letter in an effort to be up front with our concerns and allow the staff and utility sufficient time to review our concerns and ask for any additional information that might be needed. If you should have any questions, please feel free to call or e-mail me.

Respectfully submitted,

s | Denise N. Vandiver

Denise N. Vandiver Legislative Analyst

c: Division of Accounting & Finance (Prestwood, Mouring, Lester) Division of Economics (Hudson, Bruce) Division of Engineering (Lewis, Watts, Vickery) Office of the General Counsel (Teitzman, Tan) Office of Auditing and Performance Analysis (Deamer)

Office of Public Counsel (Reilly)

Friedman, Friedman & Long, P.A. Martin S. Friedman

Brian Altman CHC VII, Ltd.



FILED MAR 03, 2014

WILL WEATHERFORD Speaker of the House of Representatives

Quality of Service

- 1. We have reviewed the customer letters submitted to the PSC regarding this case. As of February 27, 2014, there are over 110 letters and 17 of these customers commented on the quality of water. Because of the magnitude of the rate increase proposed in the staff report, most people addressed that issue. We are concerned that the quality of water should be carefully considered and that the secondary standards should be reviewed before the Commission makes a finding on the quality of service. The 17 customers who commented on the quality of the water made the following comments:
 - tastes terrible, low water pressure
 - swamp-like odor, pressure varies, buys bottled water for drinking
 - can't use the water for drinking
 - is not good tasting
 - dirty water coming through faucets
 - smell from the disposal plant; can't stand the taste of the water
 - slow and stinks
 - water is not drinkable
 - cannot drink the water
 - water for drinking is not great
 - tastes bad
 - unusable to drink
 - better water quality is a must
 - uses a triple filtration system to make the water drinkable
 - quality of water has not improved
 - will the water quality be better
 - smells and tastes funny

Document No. 00709-14 in this docket is titled Docket correspondence - Consumers and their representatives. As of February 28, 2014, this document includes 260 pages of correspondence from utility customers. This correspondence represents letters from 112 customers addressing the substantial percentage increase recommended in the preliminary staff report, the quality of water and other issues. Attached to this letter is a matrix OPC has prepared to summarize these comments. The specific headings indicate:

- time and date stamp with the Document
- name of the customer
- size of the increase
- amount of unaccounted for water
- customers required to irrigate lots and wastewater based on irrigation consumption
- many residents are seasonal residents
- quality of water

Unaccounted For Water

2. The staff report does not address the issue of excessive unaccounted for water even though Attachment A page 1 of 2 indicates 27.3% excessive Unaccounted for Water (Line 6a). Based on our review of the audit work papers and the responses of the utility, it appears that there are nine unread common area meters in the test year. Audit WP 41-4 pages 1/5 through 5/5 is the utility response regarding these meters and the usage billed for July through September 2013. The usage for this period in 2013 was 2,357,730 gallons. We believe that staff should review the most recent usage and annualize the usage for these meters considering the latest billing information and seasonal consumption patterns. The additional meters and gallons should be included in the billing determinants used to determine rates. Further, the staff should verify whether the utility is reading all other meters and whether there are any unmetered uses of water, especially on the golf courses or common areas.

Our analysis shows 61,084,090 gallons were sold during the test year. Based on the Monthly Operating Reports provided in Document No. 06437-13, it appears that the utility pumped 83,370,027 gallons during the test year. This results in approximately 26.7% unaccounted for water. The annualization of the above unread meters will reduce this amount. We believe that after the billing determinants are adjusted the excessive unaccounted for water should be re-evaluated. If there is still an excessive amount, we recommend that purchased power and chemical expense should be reduced to reflect the excessive amount of unaccounted for water.

Used and Useful Plant

3. Wastewater Treatment Plant: This utility has not previously had a Commission order setting a used and useful percentage for the wastewater treatment plant. The staff report calculates that the wastewater treatment plant is 58.4% used and useful. The report further claims that because the service territory is built out and there is no potential for growth, the wastewater treatment plant should be considered 100% used and useful. Commission Rule 25-30.432, Florida Administrative Code includes the build out issue as an item that will be considered. However, we believe that the Commission should also consider the prudency of the size of the plant. If the utility built a plant that is virtually double size that the current customers are using, we believe that the Commission should determine whether this was reasonable and prudent.

O&M Expenses

Salaries & Wages

4. The staff report included Salaries & Wages Expense of \$50,284 for the water system and \$65,660 for the wastewater system. The staff report does not indicate how it came up with this level of expense. Our review of the audit work papers indicates that the expense should be lower. Because we have been unable to reconcile the information included in the audit work papers to the total expense in the staff report and the fact that the utility has requested that the salary amounts be held as confidential, the following analysis will be limited to a generic discussion of the areas we believe need further review.

Utility Employees

Our review indicates that the utility has requested salary expenses for four utility employees: J. Coryell (WP 43-9, pg. 2), S. Marquart (WP 43-9, pg. 2), R. Curls (WP 43-9, pg. 10), and J. Wright (WP 43-9, pg. 3). These employees appear to allocate their total time among all the utilities, with 30% allocated to CHC VII, Ltd. The audit work papers (WP 43-9 pgs. 4-6) include a brief description of duties for three of these employees and we agree that if the allocations do not duplicate any duties included in contractual services, then they appear reasonable.

Jerry Coryell - Water & Wastewater: oversee all water line repairs, repairs and maintenance at each of the water plants, oversee the cross-connection control plan (water system requirement by the Health Dept.), assist with lift station maintenance and repair, assist with wastewater plant operations and maintenance and responsible for water meter replacements, 100% of his time on water and wastewater duties (estimated 50% / 50%).

Steve Marquart- Water & Wastewater: wastewater plant maintenance, lift station maintenance and repair (checks lift stations daily), water line repairs and water plant maintenance, 100% of his time on water and wastewater duties (estimated 50% / 50%).

Jason Wright - Wastewater Operator: primary role is to oversee the operations of wastewater plants; make sure the plants are operating properly, carry through the required tests, logging the plant, performance, overseeing the lift station operation & maintenance and checking each of the plants daily, 100% of his time with the wastewater plants.

Park Employees

In addition, it appears that the utility has requested an allocation of salary expense for four park employees as shown on WP 43-9, pg. 2: R. King, S. King, B. Pugh, and G. Wolf. These employees are allocated at 30% (for R. and S. King) and 25% (for B. Pugh and R. Wolf). The audit work papers (WP 43-9 pgs. 4-6) include a brief description of duties for three of these employees.

Roy & Sharon King - Swiss Golf & Tennis/Hidden Golf (CHC VII), Community Managers: responsible for the property management - collect rents and utility billings, manage the maintenance crew at the communities, enforce the rules and regulations of the communities, overall community appearance, work with the HOA, etc., approximately 30% of their time dealing with utilities issues - collect utility billing payments, deal with water leaks, lift station issues, meter testing, etc.

Bill Pugh - Swiss Golf & Tennis/Hidden Golf (CHC VII), Maintenance: responsible for general maintenance - various maintenance jobs - painting, power washing, mowing, landscaping, etc., read the water meters, prepare the meter reading books and send them to corporate for billing, re-read meters and test meters when necessary, approximately 25% of his time on water related items.

We are concerned that the 30% allocation for these employees is not reasonable and allocates more expense to the utility than is reasonable. The description provides insufficient detail to justify the 25-30%. The utility should provide actual

records (or estimates if none are available) that indicate how many hours a day, week, or month, each employee spends on each specific activity. We believe that these allocations need more detail to justify the reasonableness. In addition, we have heard customer comments that indicate when customers request information regarding the utility from the park managers they do not receive any helpful information. The park managers deny any knowledge of the status and state that they are just another tenant like the rest of the customers. This does not convince us that the park managers are spending 30% of their time on utility issues.

In addition, the utility has requested additional expenses if the billing is increased from quarterly to monthly. No additional expenses should be included for new duties without looking at any reduction of test year expenses. For instance, the utility stated that it would need to hire a new employee to read meters. If this duty is incorporated in a pro forma adjustment, there should be an adjustment to reduce the test year expenses for the time that was previously spent by the park employee. The utility also requested additional administrative time to process monthly bills. We believe that the requested time is excessive and should be reduced to a more reasonable level to reflect the computerized bill calculation. In addition, if any pro forma increase is considered, there should only be an increase for any incremental time spent.

Corporate/Admin

The last allocation to salary expense is for "corporate/admin" for B. Altman as shown on WP 43-9, pg. 3. The information provided in the audit work paper appears to indicate a 25% allocation for utilities, with a further allocation to each utility system. However, our calculated expense seems to suggest that the staff report may have only made the 25% allocation to CHC but neglected to further allocate that amount among the four utilities. Because we have not seen the staff calculation, we cannot be certain of this.

In addition, we are concerned that the 25% allocation to the utilities is not a reasonable allocation. The audit work papers (WP 43-9 pgs. 4-6) include a brief description of the duties as shown below:

Brian Altman - Vice President, Century Companies: works at the company's corporate headquarters, responsible for the overall property management, oversees the Community Managers at each park, the Utility employees and is responsible for the operations of the communities, including rent and utility billing, collections, park maintenance and upkeep, rules and regulation enforcement, utility operations (water and sewer systems), etc., about 25% of his time on water and wastewater items.

The description provides insufficient detail to justify the 25%. The utility should provide actual records (or estimates if none are available) that indicate how many hours a day, week, or month is spent on each specific activity. We believe that this allocation need more detail to justify the reasonableness.

Contractual Services

Our last concern is that the salary expenses discussed above may be duplicative of contractual services provided. The staff audit report reflects the following balances for Contractual Services.

	Water	Wastewater
CS - Professional Fees	13,552	7,499
CS - Other	855	5,064

The Professional Fees include services provided by Consta-Flow (\$7,200 for water and \$454.63 for wastewater) and Ivan King (\$4,284.84 for water and the same amount for wastewater.) The Contractual Service – Other includes another \$5,000 to Consta-Flow for the wastewater system (the staff audit indicates an expense balance of \$5,780 but the staff report indicates a balance of \$5,064 and it is not clear what adjustments have been made in the staff report.)

The audit work papers requested contracts for these individuals and none were provided. We believe that the staff should carefully review these charges to determine that these services are not already included in the services provided y the employees listed above.

Chemicals

5. We reviewed the invoices for chemicals that were provided in Document No. 06437-13 in response to staff's data request. The Chemical Expense for water includes three invoices from Davis Supply, Inc. that appear to be for other systems. These three invoices include delivery locations different than the rest of the invoices. We believe that the Chemical Expense for the water system should be reduced by \$313.65 to remove these charges to other systems.

Invoice #	Invoice Date	Amount	System Named
15862	4/15/2013	113.55	Four Lakes Golf Club
16465	4/29/2013	117.60	Four Lakes Golf Club
16959	5/9/2013	82.50	Swiss Village

6. The invoices included in the water expense are generally allocated amounts as the deliveries of chemicals include an amount for the water treatment plant as well as the pool, plus a \$15 delivery charge and sales tax. It appears that only the chemicals for the pool are taxable. However, several allocations of the total invoice amount appear to be incorrect. The chart below shows the more significant differences. (The chart below allows a full allocation of the \$15 delivery fee to the utility, even though one could argue that it should be split on a pro rata basis.) We believe that the \$46.90 should also be removed from the water chemical expense.

Invoice	Company	Date	Chemicals	Delivery Fee	Unknown Alloc	G/L Amount
6817	Davis Supply, Inc	8/28/2012	359.10	15.00	19.53	393.63
9109	Davis Supply, Inc	10/23/2012	372.60	15.00	2.45	390.05
10235	Davis Supply, Inc	11/20/2012	410.40	15.00	14.45	439.85
10764	Davis Supply, Inc	12/4/2012	433.35	15.00	4.70	453.05
15943	Davis Supply, Inc	4/16/2013	178.20	15.00	5.77	198.97
			1,753.65	75.00	46.90	1,875.55

7. The Chemical Expense for both water and wastewater also includes late fees. The water expense includes two charges (\$11.90 and \$1.80) and the wastewater expense includes one charge for \$27.67. We believe that the Chemical Expense for water and wastewater should be reduced to remove these late fees.

Materials and Supplies

8. We reviewed the audit work papers for Materials and supplies expense and believe that the water expense includes several entries that appear to need additional review. We believe that the two invoices listed below should be evaluated as they appear to be for plant items that should be capitalized. These invoices are described in the staff audit work papers as shown in the table below. It appears that the first invoice is for master meters that may need to be capitalized. The second invoice is not described clearly but appears to be similar and should also be reviewed to determine if it is for a plant item.

Invoice	Vendor	Date	Amount	Audit WP 43-2 pages 9 and 10 of 12
12105	S K ZIELINSKI COMPANY	8/30/12	1,034.93	Master Meters
13102	S K ZIELINSKI COMPANY	6/10/13	1,032.37	Unclear

9. The wastewater expense includes several entries that also appear to need additional review. The staff report removed three amounts totaling \$4,920.86 for items that should be capitalized. OPC believes that several other invoices should be evaluated as they appear to be for plant items that should be capitalized. These invoices are described in the staff audit work papers as shown in the table below. (The staff audit identified two charges to be moved to chemicals for \$400.40 and \$238.01, but these were originally recorded in Contractual Services – Professional Fees.)

Invoice	Vendor	Date	Amount	Audit WP 43-2 pages 9 and 10 of 12
3002760	WINANS ELECTRIC MOTORS INC	7/25/12	1,636.02	Pumps
3002882	WINANS ELECTRIC	11/24/12	848.30	Greenview lift station

	MOTORS INC			replace defective pump
3002942	WINANS ELECTRIC MOTORS INC	2/1/13	1,203.75	Pumps
3002967	WINANS ELECTRIC MOTORS INC	2/21/13	1,059.30	Unclear
919797	USA BLUE BOOK	4/17/13	916.48	Portable controller
3003018	WINANS ELECTRIC MOTORS INC	4/24/13	406.60	Sump Pumps
3003019	WINANS ELECTRIC MOTORS INC	4/24/13	160.50	Unclear

Contractual Services-Testing

10. The staff report adjusts the water expense for testing by \$182 to reflect the required copper and lead testing that occurs every three years. However, it appears that the invoice for this testing was \$545. Therefore 2/3 of that amount should be removed to allow only one year's amount in the test year. That would result in a further decrease of \$363.33.

Transportation Expense

- 11. The staff audit reflects \$717 in reclassification adjustments decreasing the wastewater transportation expense. The staff report does not reflect these adjustments to transportation expense even though the reclassified amounts are included in the destination accounts. We believe that the wastewater transportation expense should be reduced by \$717.
- 12. Audit Work Paper 43-5 (pages 13 and 14 of 156) includes a copy of a Reimbursement to Ivan King for expenses. The support for this reimbursement indicates an expense of \$861.13 for Sprint from 12/30/11 through 12/31/12 and an expense for gas of \$2,475.00 from 4/30/12 through 12/31/12. This reimbursement includes expense from months outside the test year. We believe that the transportation expense should be reduced by \$167.89 for both water and wastewater.

		Total	Months in	Months out	Ratio to	Expense out			Wastewater
Vendor	Dates	Expense	Test Year	of Test Year	exclude	of Test Year	CHC %	Water Adj	Adj
Sprint	12/30/11 - 12/31/12	861.13	6	6	50%	430.57	32%	68.89	68.89
Gas	4/30/12 - 12/31/12	2,475.00	6	2	25%	618.75	32%	99.00	99.00
		3,336.13				1,049.32		167.89	167.89

<u>Rates</u>

- 13. The Staff Report indicates that the customer base is non-seasonal. However, correspondence we reviewed in Document No. 00709-14 appears to indicate that about half of the customer base is seasonal but that the residents maintain irrigation on their lots while they are not in residence.
- 14. The current rates include a monthly Base Facility Charge of \$15.71 which includes both water and wastewater and 8,000 gallons. Many customers, especially in the

related SV utilities rate case) expressed concern that they were not aware of their past consumption history. Currently, the Base Facility Charge is billed monthly and the usage charge is billed quarterly. It is not clear whether the customers received a quarterly bill if their consumption was within the 24,000 gallons per quarter (8,000 gallons per month). However, even if they did, if their "bill" was for zero, it is unlikely that the customers scrutinized the consumption very closely. We recommend that the Commission require the utility send each of the customers a report indicating their consumption for the most recent twelve month period, showing the consumption for each quarter. This report could be sent out with the customer notice for the rate increase and would assist the customers in assessing the actual impact on their monthly expenses.

Date	Time	Name		-	once	-		Quality Complaint
r			%	UAW	Irrig	PT Res	Quality	
0/07/44								
		Lloyd & Nancy Brinson	Y		Y	Y	Y	Tastes terrible, low water pressure
2/26/14	12:52 PM	Margaret Arthurs	Y		Y			
2/26/14		Louis & Rosemary Kalinowsky	Y	Y	Y	Y	Y	Swamp-like odor, pressure varies, buy bottled water for drinking
		Robert & Susan McClew	Y		Y			
		Robert & Doris Gardynec	Y		Y	Y		
		Jim Dunnington	Y					
2/27/14	10:11 AM	Dennis Dido (Duplicate)						
		Doris Shoulak	Y				Y	Can't use the water for drinking
2/27/14	12:10 PM	Edward & Linda Keenan	Y			Y		
2/27/14	12:08 PM	Gaetan Bouchard	Y				Y	Is not good tasting
2/27/14	11:43 AM	Ken & Evelyn Krapf	Y	Y				
2/26/14	12:38 PM	Ivan Fort	Y					
2/26/14	12:36 PM	Thomas Walton	Y					
2/26/14	10:09 AM	Cheryl Cooksey	Y				Y	Dirty water coming through faucets
2/25/14	4:58 PM	Mr. & Mrs. Gilbert Hoffman	Y			Y		
2/25/14	4:08 PM	Dorothy Smith	Y					
2/25/14	4:08 PM	Grotjan	Y			Y		
2/25/14	4:08 PM	Anthony Sorrentino & Diane Hulburd	Y					
2/25/14	4:08 PM	Mae & Rena Island	Y	Y				
2/25/14	12:35 PM	Ned & Dorothy Philpott	Y			Y		
		Bud & Sylvia Landaal	Y				Y	Smell from the disposal plant; can't stand the taste of the drinking water
2/25/14	12:32 PM	Everett & Pam Wager	Y		Y	Y		
		Dan Schinneller	Y		Ý			
		Dennis Dido	Y		<u>'</u>			
		Ricky Van Moorsel	Y				<u> </u>	
		Hernan Nieves	Y		Y			
		Linda Richards	Y		<u> </u>			
		R. F. Miller	Y		<u> </u>			
		Robert & Eleanor Kapise	Y	Y	Y	Y		
		Joyce & Ernie DeLorme	Y	Y	Y	Y		
2/27/14			I	1	l '	I		

Date	Time	Name			once			Quality Complaint
			%	UAW	Irrig	PT Res	Quality	
2/24/14	10:35 AM	Michael & Betty Florinchi	Y					
2/24/14	10:34 AM	Jean Lauigne	Y		Y			
		Bernadine Weir	Y					
		Andrew Choiniere	Y					
		Dawn Warner	Y					
		Robert Faulise	Y					
		Tom & Pat Mills	Y		Y	Y		
2/21/14	10:04 AM	Bob Smith	Y	Y				
2/20/14	2:33 PM	Keith & Patricia Gaisoe	Y		Y			
		Richard & Eleanor Allison					Y	Slow and stinks
		Charles & Linda Dawson	Y					
		Gail Casey				Y		
2/20/14	2:29 PM	William Baker	Y					
2/20/14	2:28 PM	Bill and Sandie Luck		Y	Υ			
2/20/14	2:27 PM	Marsha Alvey	Y					
2/20/14	2:26 PM	Steve Landis	Y	Y		Y	Y	Taste
2/20/14	2:25 PM	Thomas Hanft		Y			Y	Not drinkable
2/20/14	2:25 PM	Edward John	Y	Y		Y		
2/20/14	2:22 PM	Dan & Phyliss McKenzie	Y			Y		
2/20/14	2:22 PM	Donald & Virginia Dodds	Y					
2/20/14	2:21 PM	Robert & Ann Hoitenga	Y			Y	Y	Water for drinking not great
2/20/14		Phillip Gruenstern	Y			Y		
2/20/14	2:13 PM	James & Norma Schmidt			Y			
2/20/14	2:12 PM	Harry Gallagher	Y					
		Susan Ganson	Y		Y	Y		
2/19/14	11:30 AM	Douglas & Susan Wilson	Y					
		Hilton Comeau	Y					
		John Patterson	Y					
		Barbara & William Squire	Y			Y		
		Jay & Trina Bendickson	Y					
		Lou & Regina Celmer	Y					
		Peter Drehovas	Y					
2/18/14			Ý					

Date	Time	Name			oncei		_	Quality Complaint
			%	UAW	Irrig	PT Res	Quality	
2/18/14	3:06 PM Maxi		Y					
2/18/14	3:04 PM Hele		Y					
2/18/14	3:03 PM Ther		Y					
2/18/14	3:03 PM Rayn		Y			Y		
2/18/14		Mrs. Carl Hoitenga	Y			Y		
2/18/14		ert & Janet Burns	Y					
2/18/14	2:58 PM Mary		Y					
2/18/14	2:56 PM Doro		Y					
2/18/14	2:55 PM Robe		Y					
2/18/14	2:53 PM Lynn		Y			Y		
2/18/14	2:34 PM Murr		Y	Y	Y		Y	Taste
	8:56 AM Jean		Y				Y	Unusable to drink
2/18/14	8:55 AM Kare		Y	Y				
2/18/14		se & Theodore Carman	Y					
2/18/14	8:51 AM Char	les & Louise Lawson	Y		Y	Y		
2/14/14	4:04 PM Hidd	en Golf Homeowners	Y	Y	Y	Y		
2/14/14	4:03 PM Sam							
2/14/14	1:21 PM There	esa DeVoe	Y					
2/14/14	1:14 PM E F E		Y					
2/14/14	1:13 PM Robe	ert & Judith Meador	Y		Y	Y		
2/14/14	1:12 PM Mich		Y		Y	Y		
2/14/14	1:11 PM Dian	e Kuzma & Fern Haverkamp	Y					
2/14/14		ard & Maureen Rooney	Y					
2/14/14	1:09 PM Marg	aret Andrews	Y					
2/14/14	1:08 PM John	Green	Y				Y	Better water quality is a must
2/14/14	1:07 PM John	Jack	Y	Y		Y		
2/14/14	1:06 PM Kenr	neth Toal	Y					
2/14/14	1:06 PM Carl	& Pam Skimp	Y	Y	Y	Y		
2/14/14		Gray & Connie Standbrook	Y					
2/14/14	1:03 PM Willia	am & Elizabeth Dyer	Y			Y		
2/13/14	4:09 PM Maril	yn Collis	Y		Y	Y	Y	Triple filtration system to make the water drinkable
2/13/14		Mrs. Provencal	Y	Y				
2/13/14	4:09 PM Geor	ge & Maureen Walford	Y	Y				

Date	Time	Name		С	once	rns		Quality Complaint
			%	UAW	Irrig	PT Res	Quality	,
2/13/14	2:33 PM	Crinnion - Cassidy	Y			Y		
2/13/14	12:13 PM	Robert Wenstil	Y					
		Gary Hovind	Y					
		William Constantine	Y			Y		
2/13/14	11:14 AM	John & Mary Baty	Y					
2/13/14	11:05 AM	Catherine Griffith	Y		Y	Y		
		Phyliss Sheppard (daughter)	Y					
2/13/14	11:03 AM	Robert & Hilary James	Y					
2/13/14	11:00 AM	Phyliss Sheppard-Culp	Y					
2/13/14	10:59 AM	Harlyn & Candace Buwalda	Y	Y			Y	Quality of water has not improved
2/13/14	10:57 AM	Terry & Kathy Jamison	Y					
2/13/14	10:54 AM	Robert & Susan McCormick	Y					
2/12/14	10:35 AM	Perry Simms	Y					
		Linda Wages	Y				Y	Will the water quality be better
2/12/14	10:26 AM	Gerald Pope	Y		Y	Y	Y	Water smells and tastes funny
2/12/14	10:25 AM	Phyliss Barlow	Y		Y	Y		
2/12/14	10:20 AM	Mike & Jane Walker	Y					
		113	106	18	26	35	17	
ass Ona	Dunlicato	112						-

Less One Duplicate

112