CORRESPONDENCE MAR 22, 2016 DOCUMENT NO. 01525-16

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE:

March 22, 2016

TO:

Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

FROM:

Clayton Lewis, US Engineering Specialist, Division of Engineering

RE:

DN 150010-WS - Application for staff-assisted rate case in Brevard County by

Aquarina Utilities, Inc.

Please file the attached "Handouts received from customers at customer meeting", in the "Consumer side of the Correspondence Tab" in the above mentioned Docket File.

Thank you.

10 March 2016

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

Docket No. 150010-WS, Aquarina Utilities Inc.

We were surprised to learn that Aquarina Utilities Inc. (AUI) had no customer complaints on file with the Commission. There have been multiple complaints since this small business acquired this utility in 2011, but these have not been passed on to you by AUI as required by state law.

We have had an ongoing problem with AUI for over one year. It started with the discovery of water bubbling up through the ground and running down the street into the storm sewer drain in the Blue Heron Townhomes subdivision within the Aquarina Community. After at least one month of contested discussions between the homeowner's association and AUI, as to whose responsibility it was to repair the obvious broken water line, AUI finally agreed to address this leak and conduct the necessary repair!

Rather than hire trained professionals, Mr. Kevin Burge, the presumed owner and operator of AUI and an apparent unskilled crew of temporary help proceeded to dig a hole on 26 February 2015 and identify the broken pipe which was noted to supply water to two homes at 382 and 384 Aquarina Boulevard. During this attempted repair process, the proximal water shut-off valve at the excavation site dislodged from the pipe setting off a cascade of events that we are still wrestling with until this day!

Mr, Burge and his makeshift crew were extremely negligent by:

- 1. Failing to protect the involved homes by simply securing the "at risk" homes' meter valves.
- 2. Failing to locate and test the competency of the next proximal water shut-off valve to the Blue Heron homes before attempting to engage lines with active water pressure.
- 3. Failing to plan, in advance, by having necessary equipment such as suitable submergible water pumps to allow a reasonably dry field for access and visibility.
- 4. Failing to procure the necessary repair materials such as a replacement shutoff valve which still has not been accomplished until this day!

When the challenged repair crew finally realized they were in over their heads, they called for help and located our community maintenance man at that time, Mr. James Sullivan, who located and secured the necessary shut-off valves and helped salvage at least a partial repair.

Without belaboring more details of this "ill-fated repair", the end result was that a gross amount of muck, sand, and debris ended up inside the involved homes. Aside from the ensuing mayhem of plugged washing machines, dishwashers, sinks, shower heads, faucets, and toilets, which took months to repair at entirely homeowner expense, there exists a much more important issue!

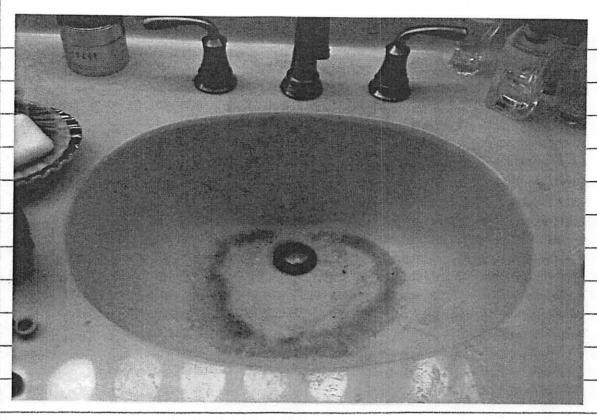
The usually absentee owners and operators of AUI with their limited on site staffing have demonstrated a strong propensity to disregard the health and well-being of our community by continually not complying with state utility regulatory statutes A blatant example of this is failing to inform the residents to boil drinking water for the appropriate time needed to insure the health of all concerned,

Rather than haggle over a rate increase, you would serve the public good for well over one thousand people, by taking the necessary steps to assign this important water resource to a municipal water district or other more trustworthy and competent authority.

Thank you,

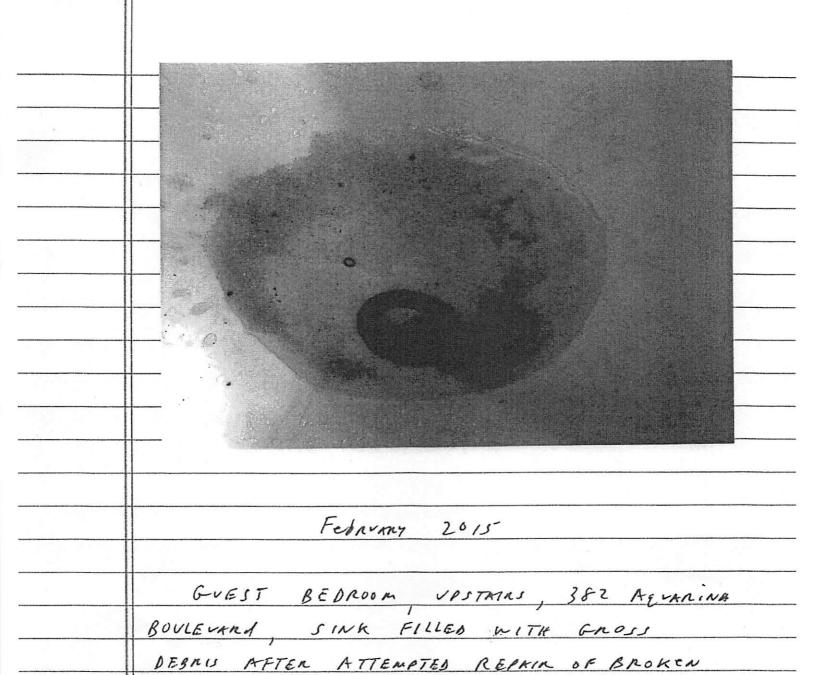
James E. Royer, D.M.D.

ames E. Kye

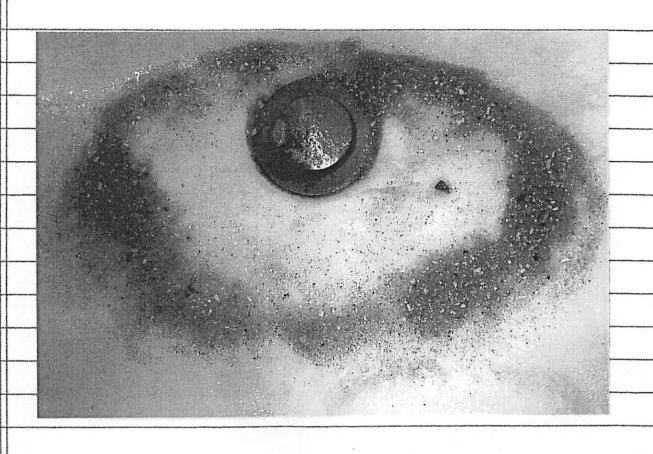


February 2015

	SKNO AND DEBRIS CLOGGING MASTERBEDROOM
	SINK FAUCETS AND SUPPLY LINES IN 382
	ARVARINA BOULEVARD
ri = vi	

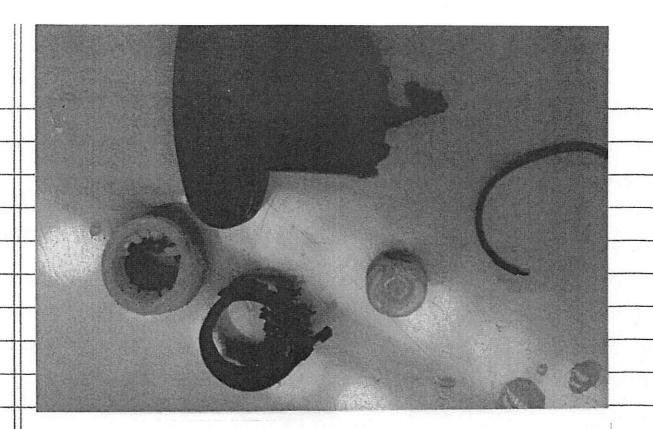


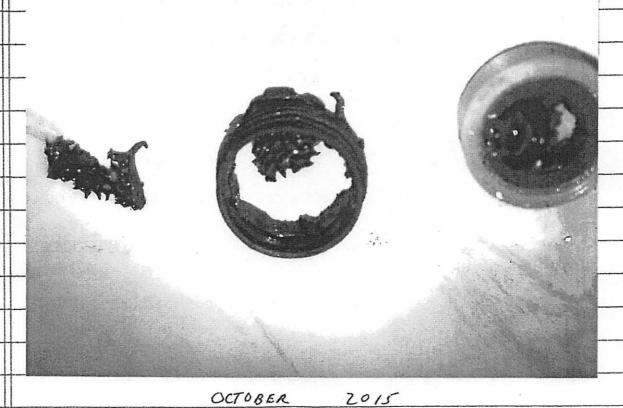
WATER LINE IN BLUE HERON



FEBRUARY 2015

382 AQUARINA BOULEVARD, GVEST BATHROOM SINK FILLED WITH SAND KND DEBRIS REQUIRING REPLACEMENT OF FAUCET VALVES WHICH SAND COMPROMITED THE SEALS





ATTACKA ATTACKA

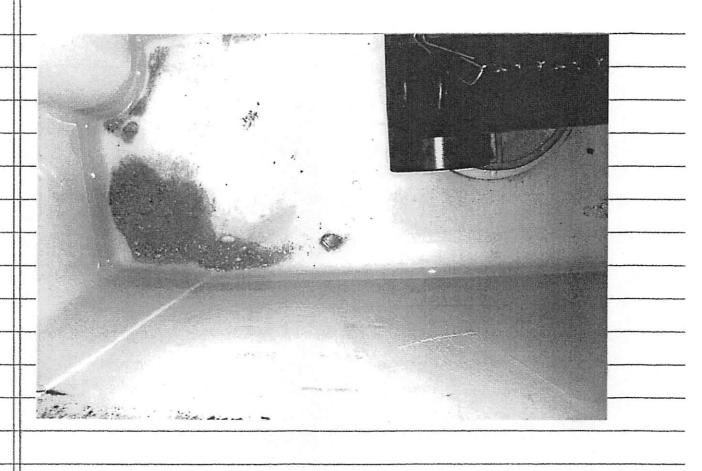
CLOCCED MASTERBEDROOM AERATORS FROM

BOTH SINKS HAD TO BE CUT OUT AND REPLACED

BECAUSE OF THE SAND INFILTRATION BETWEEN THE

PLASTIC COMPONENTS AND THE METAL HOUSING. THESE

FAUCETS WERE INSTALLED JUST 6 MONTHS EARLIER!



MARCH 2015

382 ARVARINA BOULEVARD VPSTAIRS BEDROOM
TOILET. THIS SAND AND DEBRIS OCCLUDED
THE SAME TOILET VALVE ON TWO OCCASIONS
AND HAD TO BE REPLACED TWICE.



6 CTOBER 2015

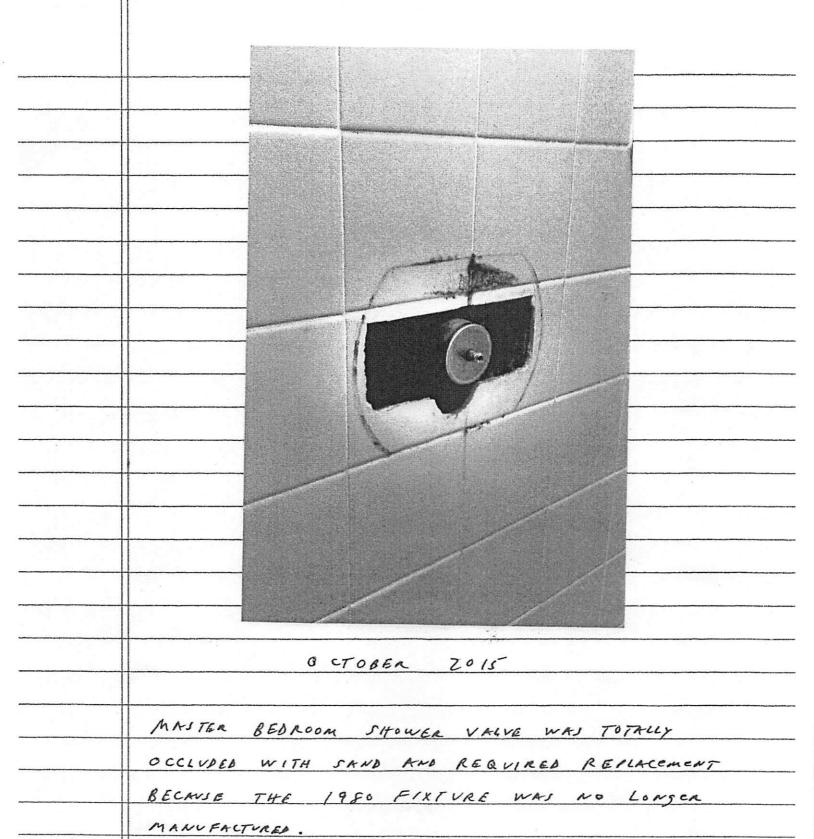
GEORGE HAMILTON, THE 3ª PLUMBER TO

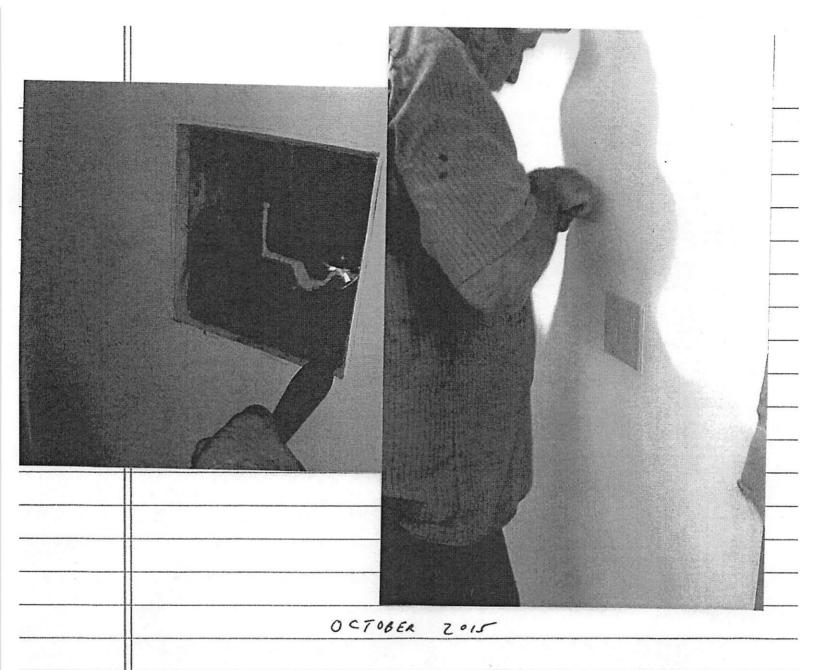
BE EMPLOYED WHO HAD THE COMPETENCE AND

VNDERSTANDING OF THE SAND PROBLEM CAUSED

BY AQUARINA UTILITIES, INC. TO EFFECTIVELY

START SOLVING THE PROBLEMS





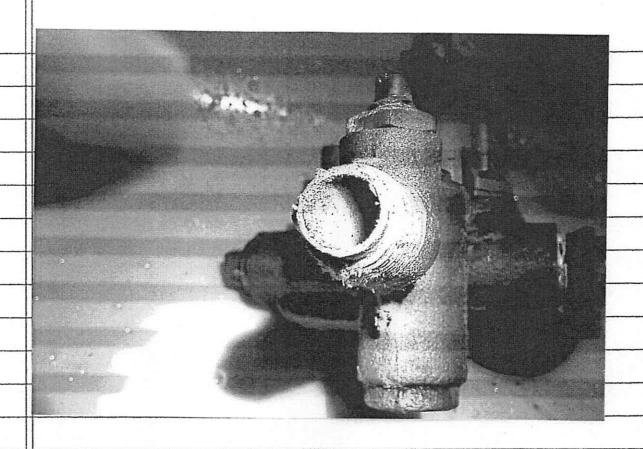
AS AN ALTERNATIVE TO GAINING ACCESS

TO REPLACE. THE SAND CLOGGED VALVE

THROUGH THE MAJTER BEDROOM SHOWER TILE,

THE PLUMBER ELECTED TO CUT THROUGH THE

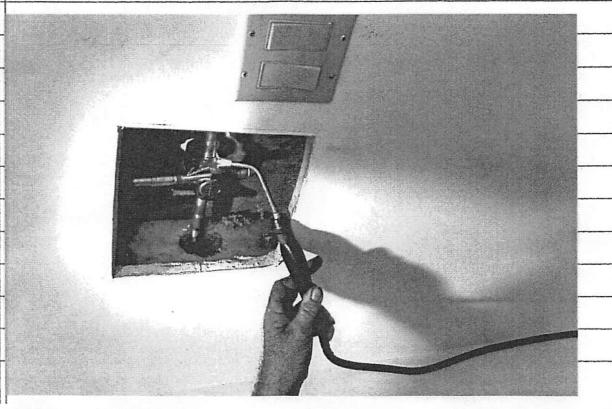
DRY WALL.



OCTOBER 2015

TOTALLY OCCLUBED MAJTER BEDROOM SHOWER

VALVE REQUIRING REPLACEMENT.



NOTICE CLOUDY WATER?

AQUARINA UTILITIES HAD A SEAL BLOW OUT IN THEIR REVERSE OSMOSIS SYSTEM CAUSING AIR TO GET IN THE SYSTEM.

FEBRUARY 2016

A NOTICE POSTED BY THE ELEVATOR

IN OCEAN DUNES APPROXIMATELY FOUR

DNYS AFTER RESIDENTS REPORTED DIRTY WATER

IN THEIR HOMES. THIS IS TYPICAL OF

ARVARINA UTILITIES, INC. WE CUSTOMERS NEVER

RECEIVE COMMUNICATION WARNING US THAT A

BREACH IN THE INTEGRITY OF THE WATER

SUPPLY HAS OCCUPED. WE WERE FORCED

TO CONTINUALLY DISCOVER PROBLEMS AND

ASK OUR WATER UTILITY FOR A DELAYED

EXPLANATION WITH NO REGARD FOR THE

HEALTH CONSEQUENCES. THE PROBLEM IS

MUCH GREATER THAN "AIR IN THE SYSTEM"

Indian Landing gets their water from South Shore Utilities. Both developments were built by Len Sculthorpe. I have asked repeatedly for Advanced Property Management to get us a copy of a water bill. Sheila in accounting is supposed to be sending one, but no results so far.

South Brevard Water Co-Op Inc. Services many areas along A1A. Their charge is \$6.75 per 1,000 gallons Source: Nancy Runion (321) 723-0708

I have 2 copies of one household 's bill See attached

PLEASE NOTE OUR NEW LOCATION!!!!



South Shores Utility Association. Inc. c/o Space Coast Property Mgmt. of Brevard 928 E. New Haven Ave. Melbourne, FL 32901

South Shores Utility Invoice

DATE	INVOICE NO.
2/25/2016	54341

BILL TO

Indian Landing Homeowners Ass'n. Inc C/O Advanced Property Mgmt 1978 Rockledge Bivd.#106 Rockledge, FL, 32955

SHIP	TO
------	----

Indian Landing Homeowners Ass'n. Inc Meter 2089322 boat yard W METER Remote dock W METER POOL/ shower W/S METER BATH ROOMS W/S

TERMS	READ DATE	PREVIOUS READ	METER#	TYPE	CURRENT READ
On/Before 15th of next month.	2/18/2016		422145 - 2089322		
DESCRIPTION	٧	GALLONS USED	RATE		AMOUNT
Water Base Facility Charge Water Gallonage Charge-BOATY 0197640-0198040	ARD	400	16.00 0.00425		16.00 1.70
WATER & SEWER BASE FACIL Water & Sewer Gallonage Charge 0329120-0329640		520	30.00 0.008		30.00 4.16
Water Base Facility Charge Water Gallonage Charge-POOL 0493610-0498310		4,700	16.00 0.00425 [二八寸子][百][3]		16.00 19.98
WATER & SEWER BASE FACI Water & Sewer Gallonage Charge Water Base Facility Charge		0	0.008 0.008 16.00		30.00 0.00 16.00
Water Gallonage Charge-REMOT 0104810-0105810	TE DOCKS	1,000	0.00425		4.25
			1 i .	CEIVEL	
			BY:	P & & 7010	

IF YOU WOULD LIKE TO PAY ONLINE, PLEASE EMAIL TOWERS.AR@CFL.RR.COM WITH YOUR PROPERTY ADDRESS AND EMAIL ADDRESS AND WE WILL SEND YOU A LINK TO PAY YOUR INVOICE ONLINE.

Total for this Invoice	\$138.09
Payments/Credits Applied	\$0.00

Phone#	Fax#
1321-733-3382 SCPM	321-733-0718 SCPM

Total Balance Due on your Account \$138.09

PLEASE NOTE THIS INVOICE MAY PROVIDE A TOTAL BALANCE DUE ON YOUR ACCOUNT. IF YOU HAVE ALREADY PAID YOUR PRIOR BALANCE PLEASE IGNORE THIS INFORMATION!

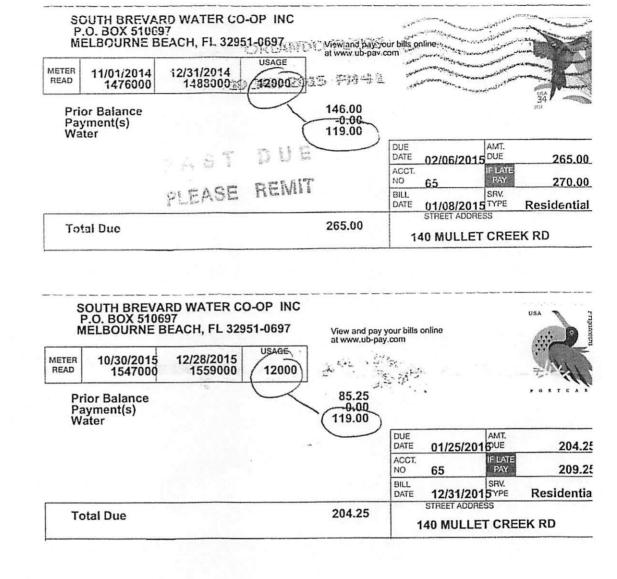


Exhibit 2

Subj:

Water rate

Date:

3/7/2016 9:33:38 A.M. Eastern Standard Time

From:

r.crapo@yahoo.com

To:

romrod@cfl.rr.com, gsmay41@aol.com, weilandg42@gmail.com, farmerclay@aol.com,

bbb1993@hotmail.com, vmoore@apmfla.com

So far the only rate I have is Floridana Beach where they get water service, but not sewer. Nancy Runion at S. Brevard Water Co-op 321 723-0708 charges \$6.75 per 1,000 gallons.

Aquarina Utilities is asking for/recommending \$11.94 per 1,000 drinking water 8.36 per 1,000 waste water

This is putting a typical 3,000 gal. residential cost at \$62.03 water usage 2,000 gal. 38.72 wastewater raising the average water bill to \$100.00 per month.

My friend at Aquarina gets the same type of water bill/same rate with golf course water usage figured separately (as part of their quarterly fees) as far as she knows.

Roberta

KEEP THIS PORTION FOR YOUR RECORDS

AQUARINA UTILITIES INC.

P.O. BOX 1114

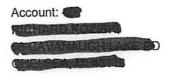
(772) 708-8350	FELLSMERE	FL 32948
ACCOUNT N	UMBER	BILLING DATE
-		01/25/2016
CURRENT	PREVIOUS	USAGE
421320	419500	1820
FROM	то	DAYS
12/21/2015	01/21/2016	31

SERVICE ADDRESS	DUE DATE
CALEDONIA DR	02/16/2016
DESCRIPTION	AMOUNT DUE
Prior Balance	41.41
Payment(s)	-41.41
Water	31.81
Sewer	30.85
Water	0.00
	Total: 62.66



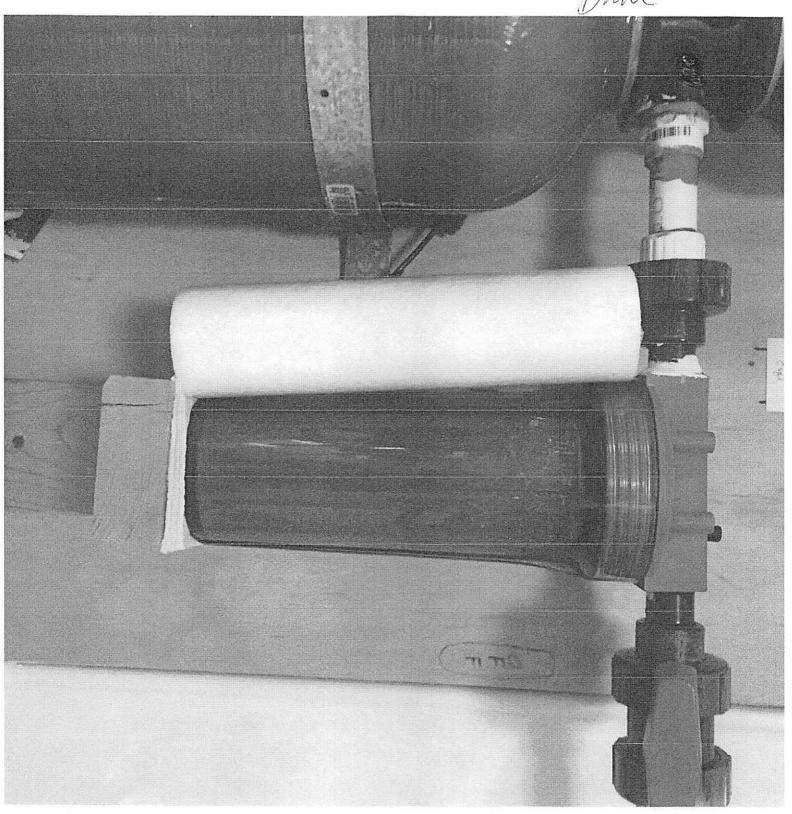


AFTER DUE DATE	BY DUE DATE
\$69.66	\$62.66



ST AMPROUS UNIVAGE

KENETICK 430 HAMMOCH SHOPE



DELIVERIO PSY HANTE

Aquarina Utilities Rate Increase
PSC Docket No. 150010-WS
Customer Meeting Notice Dated Feb 25, 2016
Comments and Questions by ACSA homeowners

In the Section Entitled "Background"

- 1. Reference is made to the last rate case established in 2003. This approximately 90-page document was extremely thorough in its detailed development of its recommended rates. Can we expect the Commission Staff's planned review to be equally detailed?
- 2. The first paragraph refers to a customer base of 288 water and waste water customers in Brevard County. This is the total used in the 2003 rate case it is not the current total because many customers have been added since 2003. Aquarina is now a community of 376 units with another 17 under construction.

The units that have been added or that are under construction since 2003 are;

Ocean Dunes 1—28 residences
Ocean Dunes 2---28 residences
Ocean Dunes 3---28 residences
Hawks Nest 5--- residences
Maritime Hammocks-19 residences
Mantanilla Reef 15 under construction
Whaler Drive 2 under construction

We have also added a Community Center with its own rest room and shower facilities as well as a 44 seat restaurant (Brassie Grille). A beach club with toilet and shower facilities is under construction on Route A1A and is scheduled to open by May 2016.

In addition to the units in Aquarina the water and sewer utility services 46 homes in the neighboring community of St. Andrews and 20 units in the neighboring community of Sunnyland.

What is the number of residences and other connections that the Commission staff has used in its development of the proposed water and waste water rates?

- 3. Using the single 2014 results as the basis for assessing a rate increase does not make allowance for the recent and continuing growth in the number of homes and amenities in Aquarina.
- 4. There is no mention of income and expense for non-potable water operations. 2014 is being used as the base year for assessing the application for a rate increase yet 2014 was a year of much rainfall that reduced the reliance of the Aquarina golf course, the Association, and it's sub communities on irrigation water from the utility. If reduced

revenues due to weather patterns in one year contributed to a loss would it not be more equitable to base the assessment of the rate increase application on the last 3 or 4 years of information rather than just the 2014 year.

If irrigation water sales are a significant revenue factor and have been affected by weather patterns is it equitable to increase rates for homeowner rate payers who have no control over the weather?

- 5. A review of the Utility's 2014 Annual Report raises the following questions:
 - The subsidiary Aquarina Water Works was paid \$187,000. What was the profit of this subsidiary and what was paid out in returns to the owners who appear to be the Burges. Should these returns not constitute part of the return on investment to the owners of Aquarina Utilities who are the same owners as those of Aquarina Water Works?
 - The long term debt is recorded as \$860,000. Various members of the Burge family either directly or through their subsidiaries have advanced \$425,000 (49.4%) of that debt. It appears that the interest paid to the Burges on this debt was \$20,068. Shouldn't this interest return be considered to be part of the return to the Burges on their investment in the Utility Plant?
 - \$15,000 in payroll taxes are recorded but there is no indication of to whom salaries were paid. If the Burges drew salaries should these salaries not be included in the calculation of their return on investment?
 - \$56,000 is recorded as "taxes other than income tax". This amount is far above the normal property tax rate. What was this tax payment for?
 - Potable water operations and associated losses are documented separately from the Wastwater operations but Non potable water operations and profits or losses are not presented. What was the net total return on the combined 3 operations in 2014? It would be more prudent and equitable to review the net return on all 3 operations for 2013, 2014 and 2015 in assessing the rate review request?
 - The financial report contains a number of entires that raise questions but PSC staff seeem to have accepted the financial statements without question. As part of their due diligence will Commission staff be verifying the entries which raises questions...up to or including a line item audit of the income and expenses detailed in the 2014 Annual Report?
- 6. The financial statements show the value of the utility at some \$4 million but it is unclear as to the basis of that evaluation and no depreciation schedule is recorded. It appears that the Burges paid something between \$500,000 and \$600,000 for the utility.
- 7. Shouldn't the return on investment be based on the actual capital investment by the Burges as opposed to a book entry number that appears to be the cost of the utility when it was built over 30 years ago?
- 8. What does the Commission project as the annual revenue and profit for water and waste water if its preliminary rates are adopted?

- 9. Who are the shareholders of Gold Coast and what revenues if any do they derive from Aquarina Utilities?
- 10. Corporate Tax returns would make possible an assessment of the true returns to the Burges in regards to their investment in Aquarina Utilities.

In the Section Entitled "Current and Preliminary Rates and Charges

- 1. There is no description given in the Notice of what "Phase 1" or "Phase II" means. Nor is "4-year Rate Reduction" explained.
- 2. For water service (see our Exhibit A) the proposed Base Facility Charge is an increase of 42.5% in Phase I and 49.7% in Phase 2. In addition, the proposed increase in the charge per 1000 gallons ranges from 66.4% to 95.7% in Phase I to 74.8% and 105.5% in Phase II. Similarly the projected monthly user cost increases range from 55.0% to 73.9% in Phase I to 62.8% to 82.6% in Phase II. In addition it is proposed to raise the irrigation charge per 1000 gallons by 42.3% in Phase I to 47.4% in Phase II.

We highly question the need for such astronomic increases. The proposed irrigation rate increase will have a dire impact on the financial status of our golf course.

3. For waste water service (see our Exhibit B)) the proposed residential Base Facility Charge is an increase of 12.1% in Phase I and 15.5% in Phase 2. In addition, the proposed increase in the charge per 1000 gallons ranges from 45.3% in Phase I to 49.7% in Phase II. Similarly the projected monthly user costs range from 22.0% to 30.9% in Phase I to 25.8% to 34.8% in Phase II.

The Utility made a profit on waste water service. In view of that why is such a large rate increase necessary?

4. If the concerns raised by customers of Aquarina Utilities are not reflected in the final rate increase imposed is there an appeal process that customers can follow?

Complaints

The Burges claim no complaints have been logged or recorded over the past 3 years however numerous complaints have been made by homeowners and Home Owner Associations regarding service and damages.

Examples of the many complaints that have been lodged with the Burges (Aquarina Utilities) are;

- Extremely low water pressure over a period of months or in one case a year.
- No notification of service interruption leading to damaged pumps in buildings with supplementary pumps.
- No notice of repairs to mains and no notice to boil following the repair.

- Sink traps, hot water heaters and other equipment clogged with sand and debris following repairs that homeowners were not notified of.
- Discolored and sometimes black water flow from potable water faucets
- Non availability of irrigation water to the golf course at critical times.
- Non availability of water for sub community irrigation.
- Unusual build up of debris in homeowner water filtration units.
- Insufficient supply of fire suppression water and no notification to homeowners or the local fire station.
- Over billing of homeowners, multi resident buildings and the golf course because of faulty or misread meters. These types of complaints in particular are typically never addressed in a meaningful way.
- Irrigation sprinkler heads fouled by shell debris.

Docket No. 150010-WS Aquarina Utilities, Inc. Customer Meeting Notice

Customer Meeting Notice		2 7	
		1-	
Water			
	STAFF RECOMMENDED FHASE D	STAFF RECOMMENDED PHASE II RATES	VS. Cueren
	RATES	AA.ES	·
Residential and General Service Base Facility Charge by Meter Size 5/8" x 3/4" 3/4" 1" 1-1/2" 2" 3" 4" 6" Charge per 1,000 gallons — Residential Service	\$40.98 \$68.30 \$136.60 \$218.56 \$437.12 \$683.00 \$1,366.00	+42.5% \$28.69 +42.5 \$71.73 +42.6 \$143.43 +42.6 \$239.52 +42.6 \$459.04 +42.6 \$717.25 +42.6 \$1.434.50 +42.6 \$1.434.50 +42.6 \$1.434.50	+49.8 +49.7 +49.7 +49.7 +49.7 +49.7
0-3,000 gallons Over 3,000 gallons	\$13,60	1+ 95.7% \$14.28	+105,5
Charge per 1,000 gallons - General Service	\$11.94	12 71.8% S12.54	+80.4
Irrigation Service			
Charge per 1,000 gallons	\$1.11	1 4 42.3% \$1.15	+47.46
Typical Residential 5/8" x 3/4" Meter Bill Comparison 3,000 Gallons 6,000 Gallons 8,000 Gallons	\$102.83	3 + 55.0% \$65.14 3 + 69.0% \$107.98 3 + 73.9% \$136.54	+77.90

Docket No. 150010-WS Aquarina Utilities, Inc. Customer Meeting Notice

		7.	
Wastewa	ter /]
	STAFF RECOMMENDED PHASED RATES	STAFF RECOMMENDED FHASE II RATES	VS. Current
Residential Base Facility Charge - All Meter Sizes		+12.1% 53.54	+15.4%
Charge Per 1,000 gallons 6,000 gallon cap	_\$6.96	+ 45.3% \$7.17	+49.7
Fini Rate Service	\$39.83	→14.8% \$41,02	+18.2
General Service Base Facility Charge by Meter Size			
5/8° x 3/4°		+ 12,1% \$25.54	
3/4° 1°		+12.2% \$38.31 +12.2% \$63.85	+ 15.5
1-1/2" 2"		+12.2% \$127.70 +12.2% \$204.32	
3"	.\$396.80	+12.2% \$638.50	+14.4
4° 6"		+12.2% \$1,277.00	+15.5
Charge per 1,050 gailons	. \$8.36	+ 45.1% 58.61	+ 49.5%
Typical Residential 5/R" x 3/4" Motor BM Compariso	<u>9</u> \$18.72	+ 22.0°/0539.88	+25.8%
2,000 Gallons 6,000 Gallons 8,000 Gallons	\$66.56	+30.9°/0 868.56 +10.1°/0 \$68.56	+34.8

Docket No. 150010-WS Aquarina Utilities, Inc. Customer Meeting Notice

Water			
	STAFF RECOMMENDED PHASE D RATES	STAFF RECOMMENDED PHASE II RATES	VS.
Residential and General Service			
Base Facility Charge by Meter Size	222.25	2 +42.5% \$28.69	+49.70
5/8" x 3/4"	321.3	1 +42.5 \$43.04	+49.8
3/4"		Contract of the Contract of th	CONTROL OF THE CASE OF THE CONTROL O
In	308.31) + 42.5 \$71.73) + 42.6 \$143.45	+49.8
1-1/2"	747 V 14 (2.10 (2.11)	5 + 42.6 \$229.52	100
2"		2 + 42.6 \$459.04	
3*		0 4 42.6 \$717.25	
4"	2083.0	+ 42.6 \$1,434.50	
6"	\$1,300.0	, , , , , , , , , , , , , , , , , , , ,	operations are a second
Charge per 1,000 gallons - Residential Service	011.0	7 + 66.4°/0 \$12.15	+74.8%
0-3,000 gallons	311.5	0+95.7% \$14.28	+1055
Over 3,000 gallons			
Charge per 1,000 gallons - General Service	\$11.9	41.8% S12.54	+80.4
Irrigation Service			
Charge per 1,000 gallons	\$1.1	1 + 42.3% \$1.15	+47.4
Typical Residential 5/8" x 3/4" Meter Bill Comparison	0/0.0	3 455.0% \$65.14	+62.8
3,000 Gallons	562.0	3 + 69.0% \$107.98	+77.90
6,000 Gallons	\$102.8	3 + 73.9 % \$136.54	1824
8,000 Gailons	\$130.0	3 4 124 10313034	1 + 06.0

Docket No. 150010-WS Aquarina Utilities, Inc. Customer Meeting Notice

	17.		
Wastewa	ter /		
	STAFF	STAFF	YS .
	RECOMMENDED	RECOMMENDED	CURRENT
	PHASED	PHASE II	CORRENT,
	RATES	RATES	
Residential		01	, , , , , , , ,
Base Facility Charge - All Meter Sizes	\$24.80	+12.1% \$25.54	+15.4%
Charge Per 1,000 gallons			1. 40 7
6,000 gallon cap	\$6.96	+ 45.3% \$7.17	1 77·'
Flat Rate Service	\$39.83	+14.8% \$41.02	+18.2
General Service			
Base Facility Charge by Meter Size			
5/8" x 3/4"		+ 12,1% \$25.54	
3/4"	\$37.20	+12.2 % \$38.31	+15.5
l"		+12,2% \$63.85	
1-1/2"		+12,2% \$127.70	
2"		+12.2% \$204.32	+ 15.5
3"		+12.20/0 \$408.64	+14.4
4"	\$620.00	+12.2% \$638.50	+ 15.5
6"	\$1,240.00	+12.2% \$1,277.00	+15.5
Charge per 1,000 gallons	. \$8.36	+45.1% \$8.61	+ 49.5%
Typical Residential 5/8" x 3/4" Meter Bill Comparison	1	04	17504
2,000 Galiens	538.72	+ 22.0% 539.88	1+ 53-8 10
6,000 Gallons	\$66.56	+ 30,9 % \$68.50	1 + 27.4
8,000 Gallons	\$66.56	+ 10.1 % \$68.56	1 + 13.4