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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20200139-WS

APPLICATION FOR INCREASE IN
WATER AND WASTEWATER RATES IN
CHARLOTTE, HIGHLANDS, LAKE, LEE,
MARION, ORANGE, PASCO, PINELLAS,
POLK, AND SEMINOLE COUNTIES, BY
UTILITIES, INC. OF FLORIDA.

_____ /

PROCEEDINGS: SERVICE HEARING

COMMISSIONERS
PARTICIPATING: CHAIRMAN GARY F. CLARK
COMMISSIONER ART GRAHAM
COMMISSIONER JULIE I. BROWN
COMMISSIONER ANDREW GILES FAY
COMMISSIONER MIKE LA ROSA

DATE: Wednesday, January 6, 2021

TIME: Commenced: 10:00 a.m.
Concluded: 11:46 a.m.

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: DEBRA R. KRICK
Court Reporter

PREMIER REPORTING
114 W. 5TH AVENUE
TALLAHASSEE, FLORIDA
(850) 894-0828

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1 P R O C E E D I N G S

2 CHAIRMAN CLARK: Good morning. I would like
3 to welcome you all to this customer service hearing
4 in the UIF rate case. Today's service hearing is
5 an important part of the rate case process, and is
6 dedicated to hearing from you, the customer.

7 My name is Gary Clark, and I have the
8 privilege of serving as Chairman of the Florida
9 Public Service Commission. On the line also today
10 Commissioners Art Graham, Julie Brown, Andrew Fay
11 and Mike La Rosa, who are also interested in
12 hearing your comments.

13 Before we begin the meeting, I would like to
14 give my fellow Commissioners -- I would just like
15 to remind you to please mute your phone. If you do
16 not mute your phone, we will be removing you from
17 the line. You will have to call back in.

18 Okay. I would like to give any of my
19 Commissioners an opportunity that would like to
20 make opening remarks a chance to do so before we
21 begin this morning.

22 Commissioner Fay, I understand that you are on
23 the line, I don't see your picture in front of me,
24 so if you need to get my attention, just yell at
25 me, we will try to -- try to fit you in here

1 somewhere.

2 Any comments from any Commissioners before we
3 begin?

4 COMMISSIONER FAY: I will holler. Thank you,
5 Mr. Chairman.

6 CHAIRMAN CLARK: Thank you, Commissioner Fay.

7 All right. Seeing none, staff, would you read
8 the notice, please?

9 MS. LHERISSON: By notice issued on November
10 13th, 2020, this time and place has been set for a
11 customer service hearing in Docket No. 20200139-WS?

12 CHAIRMAN CLARK: All right. Thank you.

13 At this time, we will take appearance of
14 counsel. I am going to begin with UIF.

15 MR. FRIEDMAN: Thank you, Mr. Chairman and
16 Commissioners.

17 My name is Marty Friedman with the Dean Mead
18 law firm. We represent Utilities, Inc. of Florida.
19 Thank you.

20 CHAIRMAN CLARK: Thank you, Mr. Friedman.
21 Office of Public Counsel. Is OPC on the line?

22 MS. MORSE: I am sorry, I was on mute.

23 Yeah, good morning, Mr. Chair. I am sorry.
24 Thank you for recognizing me. This is Stephanie
25 Morse for the Office of Public Counsel.

1 CHAIRMAN CLARK: Thank you, Ms. Morse.
2 Staff.

3 MS. LHERISSON: This is Bianca Lherisson on
4 behalf of Commission Staff. I also want to enter
5 an appearance for Walt Trierweiler and Jennifer
6 Crawford.

7 MS. HELTON: And, Mr. Chairman, Mary Anne
8 Helton is here today as your Advisor. I would also
9 like to enter an appearance for Keith Hetrick, your
10 General Counsel.

11 CHAIRMAN CLARK: All right. Does that get
12 everyone, all appearances?

13 All right. Let me begin by thanking each of
14 you for taking time out of your schedule to call in
15 to this customer service hearing. We appreciate
16 your interest in the petition that has been filed
17 by UIF.

18 As I mentioned, this hearing is designed so
19 that we can hear directly from the customer. So
20 this is your opportunity to express your thoughts,
21 concerns and comments related to the utility's
22 request on quality of service. Later this month,
23 there will be a technical hearing where the
24 Commission will take in technical evidence in this
25 case.

1 If you have a specific service or billing
2 issue, UIF has provided two representatives to
3 contact specifically for those participating in
4 this proceeding. UIF's Customer Service Manager
5 can be reached at (407)468-4004. And I believe
6 those numbers are up on the board. They are on the
7 Zoom for you to look at if you are following along
8 via Zoom.

9 UIF's Customer Contact Center Supervisor can
10 be reached at (407)790-1992.

11 Ms. Amber Norris from our Accounting & Finance
12 Division is the PSC's representative for this
13 docket, and she can be reached by emailing
14 amnorris@psc.state.fl.us, or by calling
15 (850)413-6984.

16 At this time, I would like to acknowledge the
17 additional Commission technical staff that are on
18 the line and available for questions today from our
19 Commissioners. In the Accounting & Finance
20 department, Amber Norris, Dale Buys and Andrew
21 Maurey. In the Economics division, Shannon Hudson.
22 In Engineering, Kerri Maloy and Marissa Ramos, and
23 our Public Information Officer Kelly Thompson and
24 Cindy Muir.

25 This is an official hearing that is going to

1 be transcribed and become an official part of the
2 record. As such, I will swear you in over the
3 phone before you begin your comments. Please note
4 that your comments are subject to
5 cross-examination, and that is you may be asked
6 questions by the parties or by one of the
7 commissioners.

8 For those that are on the line calling in
9 today, please attempt to maintain a quiet setting
10 during the duration of the dial-in participation.
11 Please keep your phone on mute unless you are
12 speaking. Do not put your phone on hold, and make
13 sure that you are connected to a power source.

14 When speaking, please do not use the speaker
15 function. The sound comes across extremely
16 distorted on the other end of the line. Please
17 speak directly into your phone, or use a head set
18 if you have one available.

19 If you happen to get disconnected, please call
20 back in as soon as you can to the exact same
21 number. If we have problems or we -- we can
22 identify on this end that your phone is unmuted or
23 an unusual disturbance or noise, we do disconnect
24 those lines and cut you off. So if you get
25 disconnected, please dial back in, but make certain

1 that your phone is muted at the time.

2 We appreciate the professional nature of these
3 proceedings and ask that you do the same. Be
4 courteous to others who have taken time to call in
5 today.

6 In addition to sharing your comments here, you
7 may also share your comments or any additional
8 materials that you would like to submit for the
9 Commission's consideration via mail or email. To
10 contact the PSC by mail, you can find a
11 pre-addressed comment card for download on our
12 website. If you would like to email, please email
13 the Commission's Clerk at clerk@psc.state.fl.us.
14 Also please reference the docket number for this
15 case, Docket No. 20200139-WS.

16 During the course of the hearing another
17 customer said something that you wanted to say or
18 you absolutely agree with, please feel free to
19 reference their comments and just say ditto. We
20 want to make you feel as comfortable as possible
21 when providing testimony, whether your comments are
22 made verbally today or they are received in
23 writing, be assured that your comments will be
24 reviewed and taken into consideration during the
25 course of these proceedings.

1 Now, with that, I would like to invite UIF to
2 present a brief opening statement, and that will be
3 followed by Ms. Morse with OPC.

4 Mr. Friedman, you are recognized.

5 MR. FRIEDMAN: Yes. Thank you, Mr. Chairman,
6 Commissioners, customers. My name is Marty
7 Friedman, and I am the attorney for the Utilities,
8 Inc. of Florida in this proceeding.

9 I would like to remind you, as the Chairman
10 said, that after you get through speaking, please
11 remain on the line in case I have any questions for
12 you, to better understand the nature of your
13 complaint or concern.

14 As the Chairman pointed out, Utilities, Inc.
15 of Florida has several customer service
16 representatives that they have dedicated
17 specifically for purposes of this -- this customer
18 hearing. If you have questions or -- or comments
19 about your billing, any time other than during this
20 hearing, or today afterwards, please contact the
21 regular customer service number, which is
22 (886)842-8432.

23 Now I would like to ask Gary Rudkin, who is
24 the President of Utilities, Inc. of Florida, would
25 like to say a few words to you.

1 Thank you very much. I look forward to
2 hearing your testimony.

3 MR. RUDKIN: Thank you, Marty.

4 Good morning, Chairman --

5 CHAIRMAN CLARK: Good morning, Mr. Rudkin.

6 MR. RUDKIN: -- representatives of the PSC and
7 the OPC. Thank you for the opportunity to listen
8 to the customers, and a special thank you to the
9 customers for attending and taking time out of your
10 busy schedule. We look forward to hearing your
11 feedback.

12 I am Gary Rudkin, President of Utilities, Inc.
13 of Florida. I joined the Florida team in January
14 of 2020 following the retirement of Jon Hoy.
15 Previously, I led multisystem utilities for
16 University of Oklahoma, which included water and
17 wastewater.

18 Our goal today is to try to provide a better
19 understand of why we are investing in the
20 infrastructure and how important it is, and how
21 it's changing your -- your water and wastewater
22 rates.

23 Utilities, Inc. of Florida is the largest
24 regulated water and wastewater utility in Florida.
25 We provided service for over 40 years with 40

1 systems in 10 counties. We serve about 70,000
2 water, wastewater and reuse connections. We take
3 our responsibility to upgrade the infrastructure
4 seriously. We are committing to ensuring quality
5 of service and compliance in this ever-changing
6 environment of regulation.

7 Since the last rate case, we have invested
8 over 60 million in capital improvements in our
9 communities, most of which are end-of-life. Again,
10 most of the systems -- a lot of the systems are
11 over 40 years old.

12 We continue to invest in infrastructure such
13 as mains, lift stations and treatment plants to
14 ensure we provide safe and reliable service to our
15 customers. As our expenses increase, such as
16 energy, taxes, chemicals, we have a mechanism to
17 recover that through the rate-making process in
18 addition to our capital infrastructure
19 improvements.

20 Just to put in perspective how critical the
21 need is, the Environmental Protection Agency
22 estimates that over the next 20 years, the state of
23 Florida will have to spend around 20 billion in
24 drinking water improvements alone just to provide
25 safe, reliable drinking water to Floridians.

1 On the wastewater side for Utilities, Inc. of
2 Florida, we have made significant investments
3 because that has been our more critical need at
4 this time with a shift to water. But again, just
5 keep in mind, most of our systems are over 40 years
6 and they are nearing end-of-life.

7 We provide service to many communities 55 and
8 up, mobile home communities, RV parks, residential,
9 single and multi-family, such as apartment complex.
10 We diligently address customer issues. I have been
11 involved with customer issues myself. We try to
12 look at a customer as an individual, and we take
13 our -- our customer service and responsibility to
14 our customers seriously. We are committed to
15 investing in technologies, and we are looking at
16 advanced metering to provide better service to our
17 customers. In addition to that, we have
18 implemented My Utility Connect. It is application
19 for your phone or a web portal that allows you to
20 pay your bill, check on your usage, submit trouble
21 calls or work orders, things of that nature. If
22 you are not already signed up for it, I recommend
23 that you do. We are also on Facebook, Twitter and
24 Google. And, of course, we still use USPS mail.
25 Customers can contact us any time with any

1 questions through various platforms such as those.

2 Our focus will be to continue to provide safe,
3 reliable drinking water and wastewater service, and
4 we strive on improving our service. This proforma
5 allows us to invest in the infrastructure that we
6 think is very important to do so. So again, thank
7 you for your time, and we look forward to hearing
8 your comments.

9 Back to you, Marty.

10 CHAIRMAN CLARK: Mr. Friedman, any comment?

11 MR. FRIEDMAN: That's all.

12 CHAIRMAN CLARK: All right.

13 MR. FRIEDMAN: Yes, Mr. Chairman, that
14 concludes our presentation. Thank you very much.

15 CHAIRMAN CLARK: Thank you, Mr. Friedman.

16 Ms. Morse.

17 MS. MORSE: Good morning. Thank you, Mr.
18 Chair, and good morning, everyone.

19 Again, I am Stephanie Morse. I am one of the
20 attorneys in the Office of the Public Counsel. To
21 the customers on-line today, our office represents
22 you, the customers as a group, in rate cases. We
23 are working on your behalf to independently analyze
24 the information submitted by the utility and the
25 reports generated by the PSC staff as we prepare

1 for the technical hearing that's scheduled for
2 February.

3 We hired three independent rate consultants to
4 testify on your behalf, including a utility
5 accounting expert, a utility engineering expert and
6 a utility cost of capital expert. In addition, we
7 have our in-house accounting staff working on the
8 case.

9 Our four witnesses filed testimony on November
10 13th contesting several aspects of UIF's case. The
11 major issues involved UIF asking for an 11.7 --
12 11.75 percent return on equity, which we feel is
13 just too high, particularly in light of today's low
14 interest rates and the impacts of the coronavirus.

15 Second, we are challenging several of UIF's
16 requested projects because they either have not
17 begun construction, or have not provided the
18 requisite documentation and evidence to support the
19 projects.

20 And the third major issue involves a proposed
21 plan by UIF that they created for this case, which
22 they call the Sewer and Water Improvement
23 Mechanism, or SWIM. So that proposal would allow
24 UIF to recover the cost of certain new capital
25 projects between rate cases without the benefit of

1 the vetting or in consideration of the company's
2 current earnings. They would simply file these
3 costs as pass-throughs right into rates.

4 We do not believe any such new program is
5 necessary under the current law, and also that it
6 would need to be authorized by the Florida
7 Legislature to go into effect.

8 The bottom line is that UIF has requested an
9 annual increase in water revenues of approximately
10 \$2.8 million, or 17 percent, and we believe -- and
11 additionally, they have asked for an increase in
12 annual wastewater revenues of 6.5 million, or 32.2
13 percent. We don't believe the evidence supports
14 those increases.

15 So today, this is your meeting and it's
16 vitally important for you to speak directly to the
17 Commissioners and their staff, and to share your
18 experiences about your water quality, the quality
19 of the customer service, including your
20 interactions with the utility, and your thoughts
21 about the proposed rates.

22 If you want to follow up to talk with our
23 office after this meeting, please call us at
24 (850)488-9330, or reach out to us on the web at
25 www.FloridaOPC.gov.

1 Thank you for being here and for participating
2 in this process. We appreciate your input, and
3 that's all from me.

4 Thank you, Mr. Chair.

5 CHAIRMAN CLARK: Thank you, Ms. Morse.

6 Our practice, if we have any elected officials
7 that are on the line that would like to make
8 comments or provide testimony, I would like to take
9 them up first. Are there any elected officials on
10 the line?

11 I am also aware that Ms. Ann Marie Ryan is on
12 the line today. Ms. Ryan is an appointed official,
13 serving on the Public Service Council Nominating
14 Committee. And out of respect to Ms. Ryan, I would
15 like to ask her if she would like to go on record
16 first and give her comments in front of the line.

17 Ms. Ryan, are you available?

18 MS. RYAN: I am.

19 CHAIRMAN CLARK: All right. Welcome to the
20 PSC.

21 PUBLIC COMMENT

22 MS. RYAN: Thank you.

23 Good morning, Commissioners. I -- I thank you
24 for this opportunity to speak on behalf of the
25 Suntree community and pretty much the constituents

1 countywide.

2 One of the reasons that I would like to just
3 quickly do a synopsis. My first thing would be I
4 would like to thank the PSC, and I would like to
5 thank Utilities, Inc. for giving us this
6 opportunity to speak. It's very important.

7 One of the things that is an issue, I think,
8 is the timing of this particular rate case. It has
9 been pushed back to February, which is a very
10 difficult time, because I believe the Legislature
11 is also -- the Legislature of Florida is also in
12 session at that time.

13 It's been very difficult for us to rally as a
14 community because of COVID. As a result of that, I
15 am going to be sending 1,327 comment sheets. I
16 know they are late. They will be in the mail
17 today. We did a rally. We had people come and
18 drive by, pick up papers, fill them out, and I have
19 got them all together.

20 So basically what our concerns are is, No. 1,
21 that the water rates increases for the county is
22 pretty much for any of the municipal water
23 companies has been two percent increases in water
24 and two percent increases in wastewater
25 respectively. I live in Pasco County, and I spoke

1 with the heads of those departments, and they said
2 that they believed that other counties had had
3 basically the same increases.

4 UI is increasing our water by 16.7 percent and
5 our sewer by 32.12 percent, which is significant.
6 We also have a concern, as the Office of Public
7 Counsel, about the ROE going from 10.4 percent to
8 11.75 percent. We do find that to be egregious,
9 especially when this country has been at such odds
10 with employment, layoffs and the unknown due to
11 COVID.

12 We ask that you consider the fact that -- I
13 understand that they are getting money as they go
14 along to balance their budget, and between 2008 and
15 2000, May of 2020, they have recovered 1.7 million
16 and \$423,000 for pass-throughs and for -- and
17 indexing.

18 The other concern that we have is the
19 transparency. People who are working with me on my
20 committee, the Summertree Water Alliance, have
21 tried to get into the -- (inaudible) -- the Office
22 of Public Counsel or -- (inaudible) -- with DEP.
23 The red tape trying to get us closure on finding
24 out where Utilities, Inc. stands on consent order
25 completions has been horrific. After hours on the

1 phone, we have little to no information to know
2 where we stand. We only know for sure that those
3 cases have been cleared since 2015. We don't know
4 where we are with '16, '18, '19 and 2020. That
5 tore should be more available, and we believe more
6 accessible to all constituents.

7 And my last concern is that we feel that we
8 have also had a change in our water treatment. We
9 had a chemical called chlorine dioxide put into a
10 pilot study in our community. We were given a
11 notification after the implementation of the
12 system. We don't know where we stand. There was
13 no survey of the community or offer to meet with us
14 and/or to see how we are doing at the end of this
15 program.

16 So communication and customer input is still a
17 very serious consideration for my community, and I
18 hope that you will still consider and still value
19 the input of the 1,300 customer comments that I
20 will be sending in today.

21 I don't know if you have any questions.

22 CHAIRMAN CLARK: Thank you very much, Ms.
23 Ryan.

24 All right. Commissioners, any questions?

25 Commissioner Brown.

1 COMMISSIONER BROWN: Thank you.

2 Ms. Ryan, thank you so much for your
3 participation. Always appreciate the input of you
4 on behalf of the Summertree residents.

5 Just a very general question, and I appreciate
6 you going through the items of your concern and --
7 and noted them. But since the last rate case, as
8 you know, you have been very involved in -- which
9 you were very involved in, have you seen the
10 quality of the service of the utility improve?

11 MS. RYAN: I do believe that there has been an
12 effort by Utilities, Inc. I don't think
13 communications is where it needs to be. Even
14 though we had made changes, I had to put in a very
15 expensive, expensive system in my house to keep me
16 where I can be able to utilize my ice and -- ice
17 machine, and I was having problems, as you know,
18 with all of my plumbing.

19 I don't know why we have to have additional
20 chemicals put into our system, because when Pasco
21 utilities brings their water to our development, we
22 do have that connection now, in adjoining
23 communities they don't have to have chlorine
24 dioxide put into the system.

25 I know I was very concerned about it. Many

1 people here have cancer and other issues, and so
2 they are concerned as to what the long-range plan
3 will be. It's a 90-day program that they put in,
4 and we don't have any input as to how we are doing.

5 We've seen changes in our homes with that
6 addition. And it's going to be, at the end of 90,
7 I think the DEP makes the decision with UI without
8 even consulting to see if we have seen any changes.

9 So I just hope, but I hope that they just
10 don't continue to practice as they have in the
11 past. We are always ready to see improvements, and
12 we hope they will be part of that solution going
13 forward.

14 COMMISSIONER BROWN: Thank you.

15 CHAIRMAN CLARK: Commissioner Graham.

16 COMMISSIONER GRAHAM: Thank you, Mr. Chairman.
17 Ann Marie, how are you doing today?

18 MS. RYAN: Very good. It's good to hear your
19 voice.

20 COMMISSIONER GRAHAM: You referenced some
21 numbers at the beginning of your speech. I got the
22 two percent increase in water and wastewater, and
23 then there was two other numbers you said. One was
24 16 percent, and I can't remember what the one was
25 just before that.

1 MS. RYAN: Okay. The 16.7 percent increase is
2 what Utilities, Inc. is putting into their rate
3 case, and that's for water. And the 32.12 percent
4 is wastewater increases.

5 And I know that we did that consolidation
6 because the economies of scale, we were supposed to
7 see, you know, rate reductions. The reason why I
8 mentioned the DEP issues, I think back in 2016, UI
9 got around \$38 million, plus they have been
10 getting -- they got \$1.7 million through indexing
11 and pass-throughs for things that were -- I think
12 the President had mentioned something about that's
13 because of taxes and increases, and things that go
14 along annually.

15 So back on the \$40 million, we wanted to know,
16 like, was the money used? We see that there's a
17 lot of problems in other communities with their
18 wastewater issues. We were hoping that we would
19 see a tremendous amount of progress with the money
20 they've gotten, but we don't know if they completed
21 those projects. And it was just mentioned by the
22 Office of Public Counsel that they are going into
23 this project without all their paperwork
24 requirements in place again.

25 COMMISSIONER GRAHAM: Okay. Well, I will

1 check on the chlorine dioxide. I think you guys
2 will be happy with that over just regular chlorine,
3 but I -- I don't know -- excuse me, I don't know
4 where that trial stands either, but we will find
5 out and we will get back to you.

6 MS. RYAN: I appreciate that. Thank you.

7 COMMISSIONER GRAHAM: Thank you.

8 CHAIRMAN CLARK: Commissioner La Rosa.

9 COMMISSIONER LA ROSA: Thank you, Chairman.
10 And thank you, Ms. Ryan, for your comments today,
11 and really are very detailed.

12 You did mention the amount of folks that you
13 guys had put together, and obviously because of
14 COVID and I assume the holidays, and so forth, you
15 are sending some stuff out to us to review. You
16 mentioned the number. What was the number of folks
17 that you have coming forward to provide us
18 comments?

19 MS. RYAN: We have a community of 1,200
20 homeowners, and I have comments we put together
21 with a panel, and so there is four different
22 comment sheets, and we have 1,327 returns. We were
23 able to complete that on Tuesday.

24 COMMISSIONER LA ROSA: Okay.

25 MS. RYAN: That's a pretty significant

1 outcome. People a came in cars. They walked into
2 the building.

3 COMMISSIONER LA ROSA: Certainly. Certainly.
4 Thank you, Chairman.

5 CHAIRMAN CLARK: Thank you.

6 MS. RYAN: Thank you, Commissioner La Rosa.

7 CHAIRMAN CLARK: Other questions from
8 Commissioners?

9 Commissioner Fay.

10 COMMISSIONER FAY: Thank you, Mr. Chairman.

11 And my question is going to be a little bit similar
12 to Commissioner Graham's question.

13 Ms. Ryan, you said the consent orders,
14 basically you were able to obtain that information
15 up to 2016 -- or 2015, and then after that, you
16 weren't able to access that information. Is
17 that -- that's from DEP?

18 MS. RYAN: DEP, yes. We were given the names
19 of people to speak to in the DEP, as well as, you
20 know, the names of the different areas we were
21 supposed to go to. And one of the people in my
22 community -- in my community was on that, and they
23 did speak to several people. They recommended that
24 he put in request forms and all of that. So when
25 we finally got some -- (inaudible) -- so

1 complicated, we don't know where we stand, and we
2 only got that this week.

3 So we don't have the research that we normally
4 have when we come before you. We feel like we're
5 left at odds. We really wanted to know was the
6 money that they have already received utilized, and
7 did they fix the project across the state? And we
8 know that it's not just us. We are in this
9 together, UI and all of us, and we would like to
10 see improvements to know that the money is being
11 utilized properly, and when they ask for more, that
12 it's going to good resources.

13 COMMISSIONER FAY: Okay. Great. Thanks.

14 And maybe Mr. Friedman or the utility could
15 answer that, or, Mr. Chairman I just want to make
16 sure we would have that information by the time we
17 take up the rate case. I don't know if that's a
18 staff question.

19 MS. RYAN: We need more improvement with the
20 information coming from the DEP. It's very hard to
21 get.

22 CHAIRMAN CLARK: I think we can commit to
23 getting that information prior to the rate case.

24 MS. RYAN: Thank you.

25 CHAIRMAN CLARK: Other questions from

1 Commissioners?

2 All right, Mr. Friedman.

3 MR. FRIEDMAN: Thank you, Mr. Chairman. And,
4 Ms. Ryan, thank you for participating.

5 There is a -- a -- DEP does have a pretty good
6 website called Oculus that should have every
7 document that's filed with regard to the Summertree
8 system. So it is all available on-line, although
9 it is kind of an arduous process to go through
10 there, and if you -- if you need some information,
11 please shoot me an email and I will be glad to give
12 you the website address. And everything from DEP
13 is available on-line from them because I know --

14 MS. RYAN: I do have that address, but it's
15 not easy to get through. You have to be very
16 specific. You can't go -- we'll have to see what
17 happened in Summertree. You really have to know
18 what you are looking for.

19 Well, thank you, Mr. Friedman --

20 MR. FRIEDMAN: Oh, I understand. I had the
21 same problem as well.

22 And be assured that as far as the money that
23 was granted in the last rate case for those
24 proforma improvements, the staff did -- does do a
25 follow-up from the utility. So the staff did do a

1 follow-up, and was assured that the proforma
2 projects which were included in the 2016 rate case
3 were, in fact, put into play. So the staff -- the
4 staff can verify to you and as well as to the
5 Chairman and Commissioners that those projects
6 were, in fact, done and completed. But thank you
7 very much for your participation, Ms. Ryan.

8 That's all I have, thank you.

9 MS. RYAN: Thank you, Mr. Friedman. I
10 appreciate it.

11 CHAIRMAN CLARK: Thank you, Mr. Friedman.
12 Ms. Morse, any questions?

13 MS. MORSE: No, I don't have any questions.
14 Thank you.

15 CHAIRMAN CLARK: Thank you very much.

16 All right. Thank you so much, Ms. Ryan, for
17 your participation today.

18 All right. We are going to begin with the
19 remainder of our customers. We want to give every
20 customer that has signed up the opportunity to
21 speak today.

22 I would like to remind all of the customers
23 that you will have three minutes for public
24 comment. We want to try to make sure that we get
25 everyone in today. We have a lot of customers

1 signed up, so I am going to be pretty strict. I
2 will try to be nice about it, but I am going to be
3 pretty strict about the three-minute time limit.
4 At your three minutes, I will give you kind of a
5 quick warning, and you need to wrap it up within
6 about 10 seconds or we are going to have to mute
7 your microphone.

8 I will call your name when it is your turn to
9 speak, and I will also swear you in at that time.

10 I would like to also remind you that before
11 you begin your verbal comments to please give your
12 name, address, and state whether or not you are a
13 customer of UIF. Your verbal comments are being
14 transcribed today and will become part of the
15 official record for this case.

16 If you have addressed the Commission at a
17 previous service hearing in this docket, I ask you
18 that you limits your comments to new testimony. I
19 would also like to remind you that we are looking
20 for customers' experience with service and quality
21 as it relates to the utility company. If it goes
22 beyond that, or someone has made the point that you
23 have already made, please feel free to just echo
24 their comments, and you can say you support or
25 oppose the rate increase and let's try to move this

1 thing along as expeditiously as possible.

2 All right. Let's begin this morning. Mr.

3 Paul Timothy Freeman, are you on the line?

4 MR. FREEMAN: Yes, I am here.

5 Whereupon,

6 PAUL TIMOTHY FREEMAN

7 was called as a witness, having been first duly sworn to
8 speak the truth and testified as follows:

9 MR. FREEMAN: Yes, I do.

10 CHAIRMAN CLARK: All right. You are
11 recognized for three minutes.

12 PUBLIC COMMENT

13 MR. FREEMAN: I just want to thank the
14 Commission for this opportunity to speak. I am the
15 manager, property manager and agent for the
16 Hammocks of Cape Haze at 8660 Amberjack Circle in
17 Englewood, Florida. The service address is 6995
18 Placida Road, Englewood, Florida, 34224.

19 We are a multi-residential condo association.
20 We are a wastewater customer only, and we are
21 opposed to the rate increase.

22 I will say I am not aware of any service
23 issues with the utility. Wastewater is fairly
24 simple on our end. I don't think we've had any
25 complications in terms of servings or

1 communication. It purely comes down to numbers for
2 us.

3 What we are looking at is about a \$12,000
4 increase in our wastewater bill with the proposed
5 increases of just under 33 percent, which we feel
6 is very aggressive and excessive, especially given
7 the current times.

8 Now, just to give a little bit of picture. We
9 run about a \$700,000 budget. So that increase is
10 just short of two percent of our entire budget for
11 our entire condo association, which is -- it's a
12 hard pill to swallow. It's -- it's about
13 13 percent of what we budget for water and sewer,
14 so that doesn't even account for any water
15 increases. Just our -- just our sewer increase
16 would be a 13-percent increase in our budget. And
17 like I said, it's about a -- just under 33 percent
18 increase in total for that expense.

19 The -- the association -- the condo
20 association has no problem with the utility making
21 money. We -- we are not here to say that there
22 should not be an increase at all. We just feel
23 that the proposed increase is excessive. And --
24 and we would request that, you know, something more
25 reasonable be done that could be spread over the

1 course of time.

2 As was mentioned earlier, most utilities that
3 we work with, you know, we are looking at a couple
4 of percent increases, most of our vendors. You
5 know, we are fine with a couple, three percent
6 increase every year. It is what it is. But a
7 33-percent increase is just excessive for us.

8 So I just -- I thank everyone for your time
9 and I appreciate the opportunity to speak.

10 CHAIRMAN CLARK: Thank you, Mr. Freeman.

11 Commissioners, any questions?

12 Mr. Friedman?

13 MR. FRIEDMAN: We don't have any questions
14 for -- for Mr. Freeman. Thank you for your
15 comments, sir.

16 CHAIRMAN CLARK: OPC?

17 MS. MORSE: Thank you. No questions, and
18 thank you, Mr. Freeman, for your comments.

19 CHAIRMAN CLARK: All right. Thank you very
20 much, Mr. Freeman.

21 Next up is Maria Delose. Ms. Delose, are you
22 on the line?

23 MS. DELOSE: I am. Can you hear me?

24 Whereupon,

25 MARIA DELOSE

1 was called as a witness, having been first duly sworn to
2 speak the truth and testified as follows:

3 MS. DELOSE: I do.

4 CHAIRMAN CLARK: All right. You are
5 recognized.

6 PUBLIC COMMENT

7 MS. DELOSE: Good morning, Commissioners. My
8 name is Maria Delose. I am a homeowner. Have been
9 at this home for 35 years, 167 Havilland Point in
10 Longwood, the unincorporated part, Wekiva.

11 My testimony is to the, not just the high cost
12 of the water and wastewater service, but the
13 quality of the water. It's really not
14 satisfactory, and so I am opposed to the rate
15 increase.

16 The water we have has such a strong rotten egg
17 smell, it's so bad that sometimes I like to -- I'm
18 in the shower and I don't even feel like I am
19 getting clean. I wonder if I am getting the smell
20 on me. And our guests have so noticed, which is a
21 little embarrassing. So that's one thing.

22 Also we get a white scaly substance on our
23 small appliances as well as our granite counters.
24 So much so that every other week or so I have to
25 use a putty scraper on the granite counters,

1 particularly around the faucets which are stained
2 with that same substance. And we go through a lot
3 of distilled vinegar and baking soda to cleanse our
4 small appliances.

5 A few years ago, we installed a carbon filter,
6 we had a plumber do that, and it hasn't improved.
7 So last year, we, through Costco, we had a company
8 come out to investigate a more advanced system, an
9 osmosis system, as one of my neighbors has to have,
10 a coconut water system, all of which are simply too
11 costly for us, particularly with the rates that we
12 pay to your company.

13 So that's my testimony today. I just feel
14 that quality could certainly be improved, and a lot
15 of our cost of our bills go to wastewater, which we
16 use in our landscape. In our community, most of us
17 have St. Augustine lawns, which have to be watered,
18 and 30 percent of our usage goes to our landscape,
19 so they say, approximately, and yet we are paying
20 also for the wastewater that is not in use. So
21 that's part of our bill.

22 So thank you for this opportunity to tell you
23 my feelings and our experience with the company and
24 our water.

25 CHAIRMAN CLARK: All right. Thank you very

1 much, Ms. Delose.

2 Any questions from any Commissioners?

3 Commissioner Brown.

4 COMMISSIONER BROWN: I'm just -- it's more of
5 a question maybe that Mr. Friedman can provide, if
6 there is any projects going on in that Longwood
7 area regarding treatment of the water.

8 CHAIRMAN CLARK: Mr. Friedman.

9 MR. FRIEDMAN: None -- none that -- none that
10 we are aware of.

11 COMMISSIONER BROWN: Okay. Thank you.

12 CHAIRMAN CLARK: Other questions from
13 Commissioners?

14 Cross from UIF?

15 MR. FRIEDMAN: Oh, yes. Thank you, Mr.
16 Chairman.

17 CHAIRMAN CLARK: Okay.

18 MR. FRIEDMAN: Ms. Delose -- I am sorry.

19 CHAIRMAN CLARK: I am sorry. Go ahead.

20 EXAMINATION

21 MR. FRIEDMAN: Okay. Ms. Delose, I don't see
22 that you have complained or commented to the
23 utility directly about the water quality concerns
24 that you just mentioned. Do you recall if -- if
25 you have? Their records do not reflect that you

1 called in.

2 MS. DELOSE: No, I don't believe that we have,
3 sir.

4 MR. FRIEDMAN: Okay. Well, thank you very
5 much for your comments, Ms. Delose. Have a great
6 day.

7 That's all I have, Mr. Chairman.

8 CHAIRMAN CLARK: Thank you, Mr. Friedman.

9 OPC?

10 MS. MORSE: OPC doesn't have any questions.

11 Thank you, Mr. Chair.

12 Thank you, Ms. Delose.

13 CHAIRMAN CLARK: Thank you.

14 All right. Before we go to the next customer,
15 I am going to try to expedite our little process
16 here, so I think it may be taking too long in a
17 couple of areas.

18 I will ask the Commissioners first if you have
19 questions. If you will unmute your phone if you
20 have a question, I will be able to see that on here
21 and recognize it. And then OPC, instead of
22 answering, and, Mr. Friedman, instead of answering,
23 if you are going to want to question the witness,
24 just unmute and I can see your green light. I get
25 a green light when you unmute on here, so I will

1 recognize you at that point. Otherwise, I will
2 just pass on your questions.

3 Everybody good with that?

4 MR. FRIEDMAN: Yes, Mr. Chairman.

5 CHAIRMAN CLARK: All right. Everybody seems
6 to be good. I think that will move things along a
7 little bit quicker.

8 All right. The next person up -- and thank
9 you, Ms. Delose for your testimony.

10 Next up Mary Ann de Villalvilla. I hope I am
11 pronouncing that right. Are you on the line? All
12 right. Ms. de Villalvilla is not on the line.

13 Next up is Mr. Robert Sides.

14 MR. SIDES: Yes, sir, I am here.

15 Whereupon,

16 ROBERT SIDES

17 was called as a witness, having been first duly sworn to
18 speak the truth and testified as follows:

19 MR. SIDES: Yes, sir, I do.

20 CHAIRMAN CLARK: You are recognized.

21 PUBLIC COMMENT

22 MR. SIDES: Okay. I live at 12112 Tournament
23 View in Summertree. I would like to run down a few
24 of the things from the rate case overview that was
25 emailed to me. Keep in mind, these are my real

1 world numbers coming from my bills and my
2 computations.

3 Item No. 2 says: UIF rates were last approved
4 by the Commission in 2017. I find discrepancies
5 with this. I pulled my past bills, one from
6 February 2018 and my last bill. The water has
7 increased by 12 cents in that time period, or 7.8
8 percent per 1,000 gallons respectively. Wastewater
9 has increased 33 cents, or 8 percent per 1,000
10 gallons. That provides a total increase to my bill
11 of 15.8 percent since 2018.

12 Item No. 5 says: The current monthly bill for
13 residential customers UIF using 6,000 gallons is
14 23.23. Again, this is misleading. My bill for the
15 last month was based off of approximately 2,090
16 gallons, and that bill was for 51.27. The numbers
17 quoted don't take into account wastewater.

18 Item No. 6 says: Using Utilities' proposed
19 rates, the monthly bill for residential customers
20 from UIF using 6,000 gallons would be 26.28. Based
21 off the difference between 23 -- 23.23 and 26.28,
22 that's a \$3.05 increase, or a 13.1 percent increase
23 to my bill. Now add the increase with what has
24 already been added to the 2018, which was 16
25 percent, that adds up to a total of 29 percent

1 increase in water that I have seen personally in my
2 bills. I have to ask, has anyone on this call had
3 a wage increase of 29 percent in the last two
4 years?

5 One of the comments made on the rate overview
6 from Item No. 1 that bothers me the most allowed
7 the opportunity to earn a fair rate of return on
8 investment. I question that. Shouldn't water be a
9 nonprofit service like police and fire? UIF is
10 really asking for a guaranteed rate of return with
11 no competition.

12 I urge the Commission to look at the big
13 picture. Right now isn't a good time for a rate
14 hike. With COVID-19, lots of people are hurting.
15 This is hard hit on retirees too. Think about the
16 rate involved and the message that's sent.

17 And I thank the Commission for listening,
18 giving one homeowner a place to voice his concerns.
19 Thank you.

20 CHAIRMAN CLARK: Thank you, Mr. Sides.
21 Commissioners, do you have any questions?
22 Mr. Friedman or OPC?

23 All right. No questions. Thank you very
24 much, Mr. Sides.

25 Next up is Richard Neilson. Mr. Neilson. Mr.

1 Neilson. Richard Neilson. Mr. Richard Neilson.

2 The reason I am hesitating is we show Mr.
3 Neilson is still on the line, so we are trying to
4 give him just a second.

5 All right. If we catch him, we will come back
6 and move him to the end.

7 Next up is Mr. Kurt Siegel. Mr. Siegel, are
8 you on the line? Kurt Siegel.

9 MR. SIEGEL: Can you hear me well?

10 CHAIRMAN CLARK: Is this Mr. Siegel?

11 MR. SIEGEL: Yes, it is. This is I.

12 CHAIRMAN CLARK: Yes, we can hear you.

13 Whereupon,

14 KURT SIEGEL

15 was called as a witness, having been first duly sworn to
16 speak the truth and testified as follows:

17 MR. SIEGEL: Yes, I do.

18 CHAIRMAN CLARK: All right. You are
19 recognized for three minutes.

20 PUBLIC COMMENT

21 MR. SIEGEL: Okay. I would just like to make
22 it short because I think my analysis has gone
23 noticed through Ms. Ryan and this last individual,
24 I think his name was Mr. Sides, who was in
25 Tournament View in Summertree, and I live in

1 Summertree as well, and I am a Utilities customer,
2 obviously.

3 And I have to say ditto to Ms. Ryan and Mr.
4 Sides. I am totally against this increase. I
5 think it's erroneous, and I don't think they've
6 done the proper testimony to it. I like what Mr.
7 Sides said. It doesn't make any sense to me about
8 this increase with everything going on. And not to
9 belabor the point, but like I said before, ditto to
10 all Ms. Ryan and Mr. Sides.

11 Thank you.

12 CHAIRMAN CLARK: Thank you very much, Mr.
13 Siegel.

14 Commissioners, do you have a question?

15 UIF or OPC?

16 All right. Moving right along. Thank you so
17 much.

18 Next up --

19 MR. NEILSON: Mr. Neilson -- I hung up -- I
20 hung up accidentally and you bypassed me. I am
21 sorry.

22 CHAIRMAN CLARK: Is this Mr. Neilson.

23 MR. NEILSON: Yes.

24 CHAIRMAN CLARK: Oh, okay. No problem, Mr.
25 Neilson.

1 Whereupon,

2 RICHARD R. NEILSON

3 was called as a witness, having been first duly sworn to
4 speak the truth and testified as follows:

5 MR. NEILSON: Yes.

6 CHAIRMAN CLARK: You are recognized for three
7 minutes.

8 PUBLIC COMMENT

9 MR. NEILSON: Thank you, Commissioners.

10 My name is Rich Neilson. I also live on
11 Summertree. I am on the Water Alliance board with
12 Ms. Ryan. Ms. Ryan spoke correctly about the
13 increases, and I support what she said. I also
14 support what the other gentleman said from
15 Roundtree Drive. It is important to note that we
16 are in a pandemic, and it's important to note that
17 some customers may be having problems paying their
18 bills, Utilities, Inc. recently put out a note
19 saying, if we are in a pandemic and you are having
20 problems paying your bills, please contact us.
21 We've been in a pandemic since March. This just
22 came out in December, which I think is kind of
23 late.

24 Also, those customers that are not having an
25 issue now may have an issue with this enormous rate

1 increase that's being proposed, and I oppose the
2 rate increase. I support what has been said by the
3 prior speakers, and I thank you for your time.

4 CHAIRMAN CLARK: All right. Thank you very
5 much, Mr. Neilson.

6 Commissioners, questions?

7 OPC or UIF?

8 All right. Moving on. Next up is Steve
9 Evans. Mr. Evans, are you on the line?

10 MR. EVANS: Yes, I am. Thank you.

11 Whereupon,

12 STEVE EVANS

13 was called as a witness, having been first duly sworn to
14 speak the truth and testified as follows:

15 MR. EVANS: Yes, sir. I do.

16 CHAIRMAN CLARK: You are recognized.

17 PUBLIC COMMENT

18 MR. EVANS: Thank you.

19 I live at 312 Blyth Court, Longwood, Florida,
20 and I am a customer of Utilities, Inc. And my
21 concern is for the residents that are retired and
22 on a fixed income that are impacted by the
23 excessive expenses. When it comes to utilities,
24 they have no option, since there is no competition,
25 to keep the costs in line.

1 The cost of the water has force the some
2 homeowners to stop irrigating their lawn and
3 landscape, which is creating a hardship with the
4 owners eventually receiving letters from the
5 homeowners' association that are not in compliance
6 regarding the landscape rules. This in effects
7 everyone with possible diminished home values
8 caused by lack of watering, and I hope you take
9 that into consideration when viewing these
10 increases.

11 Also, regarding Utilities, Inc. customer
12 relations, this last summer, while -- while
13 traveling for three months, we had a sprinkler
14 solenoid stick open, which caused the sprinkler to
15 run continuously for multiple days, creating a bill
16 of in excess of \$700 for July and August.

17 I contacted Utilities, Inc. by phone to see if
18 they would consider helping me with an excessive
19 cost and was denied. I asked why they would not
20 help and was told it is not their policy to do so.
21 I then requested a reduction in cost for the sewage
22 charge, since the water did not go down the drain,
23 and was denied that request as well.

24 As a long-term Wekiva resident, we have
25 experienced increases in the cost of water and

1 opportunity to speak.

2 I am -- I live at 1737 Blackmon Court in
3 Longwood. It's a single family residence, two of
4 us that live here. Our water rates keep going up
5 and up. It seems like to me that we get a notice
6 every -- three or four times a year that the
7 Utilities, Inc. has put in for a rate increase,
8 really don't get any detailed explanation why.

9 Before, when we had Sanlando Utilities, before
10 it was taken over, the quality of our water was
11 so -- so good that we would actually brag that we
12 didn't need bottled water. Recently we -- we
13 started buying bottled water. It seems like it has
14 declined quite a bit since our street, Blackmon
15 Court, the new multi-development behind us as it
16 has added 100 houses to this area. And I don't
17 know if they are adding chemicals, or what the
18 difference is, but since that development is in
19 there, and the taste, which I know is very
20 subjective, it is -- has declined. And I notice,
21 like, if I go to fill the sink up, it -- it foams
22 up, like, as if there is phosphate or something. I
23 don't know really, I am not a scientist, but the
24 quality of the water and the appearance of the
25 water has declined and the rates keep going up.

1 And I guess I really became aware of how high
2 the rates were when my son purchased a house on our
3 street, and it's -- it's vacant at the moment, and
4 just his basic water bill, not using any water
5 because he wants the water turned on for when he
6 comes, it's like \$40 just -- just for the privilege
7 of having the water turned on. That seems kind of
8 excessive to me.

9 Like one of the previous speakers, there are
10 several retirees in our neighborhood, and they've
11 all stopped irrigating their lawn, and so the
12 general appearance of our lawns of our neighborhood
13 is declined, which I am sure affects the property
14 value.

15 So that's really all I need -- have to say,
16 but I appreciate the opportunity to say it.

17 Thank you.

18 CHAIRMAN CLARK: Thank you very much.

19 Commissioners, any questions?

20 Commissioner Brown.

21 COMMISSIONER BROWN: Thank you. I forgot to
22 the do the microphone.

23 Thank you, Ms. Szafranski for your testimony.

24 I am curious, there was an earlier speaker, Ms.

25 Delose, who lives in Longwood as well, on Havilland

1 Point. Are you -- is your neighborhood located
2 near that?

3 MS. SZAFRANSKI: No. We are in -- we are in
4 unincorporated Longwood, but we are -- we are not
5 really a subdivision. We a one-street cul-de-sac,
6 technically, I think on the property thing, it's
7 Brantley Point II. But we are not in Wekiva. I
8 don't really know -- I am not familiar with the
9 other address of the gentleman that spoke
10 previously, but we are a single street development.

11 COMMISSIONER BROWN: Okay. Thank you. I just
12 was wondering because she had mentioned also a
13 different water quality issue in that area, so I
14 didn't know if there is was something going on.

15 The other thing is you mentioned about
16 multiple notices for increases -- and counsel, and
17 actually the UIF President, I believe, alluded to.
18 They have pass-throughs that have gone through, so
19 I suspect what you're getting are the pass-throughs
20 or the notices of the pass-throughs for the
21 indexing and not the actual --

22 MS. SZAFRANSKI: It's possible. Yeah, it's
23 possible. If the notice -- you know, that means --
24 this is the first time I really have felt like
25 there was an opportunity to address it, like, I

1 felt like there is just no choice because I can't
2 switch to a different water company. So I just
3 notice it says, we are requesting -- you know, we
4 are requesting a rate increase, and it seems like
5 we get that multiple times a year. I don't know,
6 you know, if it's just a multiple notice of a same
7 request.

8 COMMISSIONER BROWN: I'm sure they can explain
9 that a little bit better, but thank you, Ms.
10 Szafranski, for your testimony.

11 MS. SZAFRANSKI: Thank you.

12 CHAIRMAN CLARK: Thank you, Commissioner
13 Brown.

14 Other Commissioners?

15 UIF, OPC?

16 All right. We will move on.

17 Thank you very much, Ms. Szafranski.

18 Next up is Cynthia Day. Ms. Day, are you on
19 the line?

20 MS. DAY: Yes, good morning. I am here.

21 Whereupon,

22 CYNTHIA DAY

23 was called as a witness, having been first duly sworn to
24 speak the truth and testified as follows:

25 MS. DAY: Yes, I do.

1 CHAIRMAN CLARK: All right. You are
2 recognized.

3 PUBLIC COMMENT

4 MS. DAY: Okay. Thank you, and I appreciate
5 everybody and all the comments that people are
6 giving. I am just calling as a person with an
7 86-year-old mother that lives with me and my bottom
8 line is increased, especially in our world the way
9 it is today. I just wanted to -- I am a
10 bookkeeper, so I just want to go over just real
11 quick numbers with you that I have since living in
12 this house at 102 Ludlow since 2006. I am starting
13 with my numbers on 2014.

14 I paid 583 for that year; 2015, 837; 2016,
15 987; 2017, 1,129; 2018, 1,364; 2019, 1,198; and
16 2020, 1,282. From \$500 to \$1,200 is really, like,
17 how can we even afford to clean or use -- I don't
18 water my lawn at all, and then you get the HOA
19 saying how can you have a dry lawn, you are going
20 to have a fine. So the whole thing is in today's
21 world please, I just -- I oppose the increase
22 totally.

23 CHAIRMAN CLARK: All right. Thank you, Ms.
24 Day. Commissioners, any --

25 MS. DAY: And that's --

1 CHAIRMAN CLARK: I am sorry?

2 MS. DAY: If they have any questions, probably
3 not, but if you do, I am here.

4 CHAIRMAN CLARK: All right. Thank you.

5 Commissioners, any questions for Ms. Day?
6 UIF, OPC?

7 All right. Thank you for your testimony, Ms.
8 Day.

9 Next up is William Stringer. Mr. Stringer,
10 are you on the line?

11 MR. STRINGER: Yes, I am.

12 Whereupon,

13 WILLIAM STRINGER

14 was called as a witness, having been first duly sworn to
15 speak the truth and testified as follows:

16 MR. STRINGER: Yes, I do.

17 CHAIRMAN CLARK: All right. You are
18 recognized.

19 PUBLIC COMMENT

20 MR. STRINGER: Thank you for the opportunity
21 to address our concerns, Commissioners.

22 We feel that Utilities, Inc. has had a
23 flagrant disregard for reasonable public service.
24 I represent approximately 120 irate customers in
25 just one of 13 independent associations within

1 Cross Creek. I am sure you have heard that we have
2 experienced an increase in our billing from
3 Utilities, Inc. of 139 percent over the past three
4 years. Three years, that's disgraceful. The
5 change from the usage rate to a flat rate is
6 absolutely wrong in the first place. It's
7 beneficial to Utilities, Inc. because Cross Creek
8 consists of only about 30 percent of the residents
9 who are here year-round. So usage for much of the
10 year is minimal. With reduced usage off season,
11 Utilities, Inc. made less money so, of course, it
12 benefited them to go with a flat rate. But it sure
13 as heck is not reasonable and puts an unfair burden
14 on Cross Creek homeowners.

15 The SWIM program proposed by Utilities, Inc.
16 is inequitable. It should be denied by the
17 Commission. SWIM, or Sewer Water Improvement
18 Mechanism provides for the utility to pour millions
19 of dollars into their system and still get it all
20 paid for by the customers with billing that we
21 calculate will automatically increase because
22 between 5 and 8 percent every year. This is a sink
23 or swim program with Utilities, Inc. Utilities,
24 Inc. swims merrily down the stream and Cross Creek
25 sinks.

1 The billing from Utilities, Inc. is the
2 largest single expenditure in the entire Cross
3 Creek master budget. Accordingly, that amount,
4 with its 139-percent increase in three years, has
5 been a burden on homeowners who have already been
6 struggling during a pandemic. Many of these
7 residents are on fixed income and, for the most
8 part, belong to a 65 or older age group.

9 Cross Creek is a lovely community, but bear in
10 mind, it's not a Gulf Harbor or Tiburón.
11 Commissioners, no one is asking Utilities, Inc. for
12 a rebate despite the unconscionable increases. We
13 simply ask that the flat rate proposal be denied in
14 the public interest.

15 The Florida Public Service Commission,
16 according to your published purpose, is to make
17 sure consumers receive wastewater in a safe,
18 reasonable and reliable manner. You exercise
19 authority over Utilities in rate base and economic
20 regulation. Your website states that the PSC is
21 responsible for the economic regulation of the
22 state's investor-owned water and wastewater
23 utilities, which requires setting just and
24 reasonable rates.

25 I respectfully ask in that regard that you do

1 the job for which you have been paid. In the
2 public interest, deny the SWIM flat rate program
3 with its automatic increases, and no improvement in
4 service. Cross Creek has been hurt enough.

5 Thank you very much.

6 CHAIRMAN CLARK: Thank you very much, Mr.
7 Stringer.

8 Commissioners, do you have a question?

9 COMMISSIONER BROWN: Mr. Chairman, I just had
10 a quick comment.

11 Mr. Stringer, thank you. I grew up, was born
12 and raised right down the street from Cross Creek,
13 so I appreciate your participation and am very
14 familiar with the community.

15 MR. STRINGER: Thank you.

16 CHAIRMAN CLARK: All right. Other
17 Commissioners?

18 Seeing none, UIF, OPC?

19 No questions. Moving right along.

20 Thank you, Mr. Stringer, for your testimony
21 today.

22 Next up is Mr. Brent Minor. Mr. Minor, are
23 you available.

24 MR. MINOR: I am.

25 Whereupon,

1 BRENT MINOR

2 was called as a witness, having been first duly sworn to
3 speak the truth and testified as follows:

4 MR. MINOR: I do.

5 CHAIRMAN CLARK: You are recognized for three
6 minutes, please.

7 PUBLIC COMMENT

8 MR. MINOR: Thank you for this opportunity.

9 My name is Brent Minor, and I am also a
10 resident of Cross Creek and a member of the Master
11 Board, which is a 905-unit condo community in Ft.
12 Myers.

13 The one thing I want you to think about for
14 just a moment is the number, and you are going to
15 hear all kinds of numbers. The one I want to talk
16 about is 139, 140, the percentage of increase that
17 we have dealt with in the last three years.

18 As a nation, we are dealing with 350,000
19 deaths, millions of people unemployed, hundreds of
20 thousands of people in a food insecure situation,
21 50 to 60 percent of them have never been there
22 before. In 2017, Utilities requested an increase
23 of 40 percent. The Commission gave them 71
24 percent. I would like to know why. We went from
25 \$24,000 a month to \$58,000 per month.

1 In reading through all of Utilities' requests,
2 I was just fascinated by what they were requested.
3 One of them was money for a Christmas party.
4 Whoever does their community relations ought to be
5 fired. That's what I did for my company, and I
6 never would have put something like that in their
7 presentation.

8 In addition, they are asking for money for
9 executive bonus. If there is an executive bonus,
10 it's up to management to find out how that's being
11 made. It should not be paid by the members.

12 David Garrett and Andrea Crane in their
13 testimony, and I have read it multiple times,
14 indicated the number of the projects that were
15 asked to do by Utilities are unnecessary. Their
16 request for approval of SWIM is absolutely
17 ludicrous.

18 80 percent of our residents are part-time
19 seniors and cannot afford these extremes. I've
20 been here seasonably for 35 years and watched this
21 increase significantly increase under the last
22 three to four years. The first question a buyer
23 asks is what is your quarterly or monthly
24 assessment? It will have a negative impact on sale
25 prices. It's already having a negative impact,

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PUBLIC COMMENT

MR. MARANTO: My name is Frank Maranto, and I live at 13110 Cross Creek Boulevard in Ft. Myers, and I am a customer of Utilities, Inc. for sewage only. We are fortunate to have our water supplied by Lee County Utilities.

As president, I represent a small subcommittee in Cross Creek consisting of 34 households and 60 residents. I speak on behalf of all the 905 condominium houses, totaling approximately 1,600 of your users being used by Utilities, Inc. The mission of the Public Service Commission was noted before is to ensure the safe and reliable clean services at fair prices. And at least in our specific case, I suggest that you have failed.

Today, I will try to present proof of unconscionable use of rate increases -- (inaudible) -- and finally suggest which could be done to mitigate the situation.

Utilities, Inc. has serviced our Cross Creek community for about 20 years, and until 2017, it averaged a reasonable three -- (inaudible) -- percent annual increase. In 2017, it requested a 34.5 percent increase, but for some reason, the Commission granted more than double that, at 71.5

1 percent. Some of our residents still ask me why a
2 commission that's supposed to represent our
3 interest would do that. I have no answer.

4 For 2021, the Commission recommended a 3.46
5 percent increase, but Utilities, Inc. requested
6 32.2. Allow me to put these recent increases in
7 perspective.

8 In 2016 my community paid almost \$2 to
9 Utilities, Inc. for every dollar charged by Lee
10 County Utilities for water used. By 2020, this had
11 grown to almost \$4 every dollar used. And with the
12 2021 increase, we would be paying \$5 in sewage cost
13 for every dollar we paid for water that we used.

14 In 2017, our sewage costs had risen by an
15 average of 17 percent a year. And if you approve
16 the 2021 rate, it would be more than 20 percent per
17 year. My community is an older community, as was
18 mentioned, it was established more than 25 percent
19 retired and collecting Social Security benefits.
20 This 20 percent a year increase in sewage cost
21 overwhelms our Social Security benefits, which has
22 averaged only 1.6 percent since 2017.

23 Now let us look at what changed in 2017 that
24 caused this problem. When we filed an official
25 complaint with the Commission as to Utilities,

1 Inc., we found our increase resulted from the same
2 flat rating being applied to all customers
3 regardless of utilization. We were told, quote,
4 "the new rate structure explains why some customers
5 see an increase, while others may see a decrease in
6 their rates," unquote.

7 Utilities, Inc. provided us a table showing
8 the flat rate based on an average of 5,000 gallons
9 a month. Now they are increasing this to 6,000.
10 But the table also showed the large variance. Some
11 customers were using nearly four times that of
12 others. The flat rate meant that users with high
13 demand, well in excess of 5,000 gallons, received a
14 decrease, while those lower demand, like us,
15 received an outrageous increase in order to
16 subsidize the higher users.

17 Now let's look at -- sorry --

18 CHAIRMAN CLARK: Mr. Maranto, would you wrap
19 it up in about 10 seconds for me, please?

20 MR. MARANTO: Oh, wow. Okay, just one more
21 point.

22 The problem with the flat rate is that
23 everybody is paying the same amount regardless of
24 how much they use. It would be similar to
25 everybody paying the same income tax regardless of

1 how much they made. I am sure that doesn't make
2 any sense at all.

3 CHAIRMAN CLARK: All right. Thank you very
4 much.

5 MR. MARANTO: I'm willing to provide backup
6 data for any -- for all of these numbers. I thank
7 you for your time and your consideration.

8 CHAIRMAN CLARK: Thank you, sir.

9 Commissioners, do you have any questions?
10 Commissioner Fay.

11 COMMISSIONER FAY: Thank you, Mr. Chairman.
12 And thank you, Mr. Maranto, for your comments as
13 very detailed.

14 My question is: Do you have any experience --
15 you mentioned your water and wastewater on separate
16 providers. Have you reached out to either of those
17 entities, and do you have any experiences where you
18 have comparable customer service?

19 MR. MARANTO: We are quite pleased with the
20 service of the Lee County Utilities. We very
21 pleased with their water, and very pleased with the
22 rate of increase that's given.

23 I don't know of very many complaints about the
24 sewage, either the service or the operations.

25 There have been complaints more in the increases of

1 costs of it. The costs just don't make any sense
2 at all. And I think it's mainly because of the --
3 because we are paying for processing 6,000 gallons
4 and we are only using an average of 15 to 26
5 gallons a month. I got those numbers from Lee
6 County Utilities.

7 COMMISSIONER FAY: All right. Well, thank you
8 very much for your -- your testimony, Mr. Maranto.
9 I appreciate it manner.

10 MR. MARANTO: Thank you.

11 CHAIRMAN CLARK: Other Commissioners?
12 UIF, OPC?

13 All right. Moving right along. Thank you
14 very much, Mr. Maranto.

15 Next up Peter Brochhausen?

16 MR. BROCHHAUSEN: Speaking.

17 Whereupon,

18 PETER BROCHHAUSEN
19 was called as a witness, having been first duly sworn to
20 speak the truth and testified as follows:

21 MR. BROCHHAUSEN: I do.

22 CHAIRMAN CLARK: You are recognized.

23 PUBLIC COMMENT

24 MR. BROCHHAUSEN: Thank you.

25 My name is Peter Brochhausen. I'm the

1 President of Wildwood Village here at Cross Creek,
2 and I just want to say that in terms of what our
3 speakers have already spoken to, Mr. Maranto and
4 Stringer, I agree with them, especially in terms of
5 the overall costs. With out, not only the waste
6 management cost increases but other increases I
7 faced with my residents for the first time not
8 having their full support for the 2021 budget,
9 which certainly is not unnerving, but problematic.

10 Wastewater management cost is just one of the
11 costs that's associated with this issue. I say
12 ditto for all the comments that have been made from
13 Cross Creek.

14 Thank you.

15 CHAIRMAN CLARK: Thank you very much.

16 Commissioners, question?

17 OPC, UIF?

18 Thank you, Mr. Brochhausen.

19 Next up, Harvey LaPointe. Mr. LaPointe.

20 MR. LAPOINTE: I am with you.

21 Whereupon,

22 HARVEY LAPOINTE

23 was called as a witness, having been first duly sworn to
24 speak the truth and testified as follows:

25 MR. LAPOINTE: I do.

1 CHAIRMAN CLARK: You are recognized.

2 PUBLIC COMMENT

3 MR. LAPOINTE: Thank you very much. Thank you
4 for this opportunity. You might get a little bit
5 of information that you have already heard, but I
6 will try to make it brief.

7 On 9/21/17, our monthly rate here at Cross
8 Creek for all 905 condo was \$24,054. On 11/21/17,
9 it was \$41,268, a 31-and-a-half percent increase.
10 If Utilities, Inc. gets the current requirement --
11 the current rate that they are requesting, that
12 number will increase to \$57,720, a total of
13 140-percent increase from 9/21/17.

14 When this increase first took place, it was
15 71.5 percent in 2017, we had no knowledge of
16 Utilities, Inc. asking for any rate increases at
17 that time. I don't know why that happened, but we
18 received no information from anyone involved in
19 that situation. So when we got the 71.5 percent
20 increase, it was a total -- totally unexpected.

21 I am told that that rate cannot be rolled
22 back. What I would like you to consider, and it's
23 probably unusual, is you currently granted an
24 interim rate increase to Utilities, Inc., and I
25 would ask that you rescind that rate and not

1 MS. KELLY: I do.

2 CHAIRMAN CLARK: You are recognized for three
3 comments, please.

4 PUBLIC COMMENT

5 MR. KELLY: Thank you.

6 I really have nothing additional to say but
7 support absolutely everything on Ms. Ryan,
8 Mr. Freeman, Sides, Siegel, Neilson, Stringer,
9 Maranto, Minor, LaPointe and Brochhausen. We are
10 opposed. I represent 38 doors, or approximately 76
11 people in Cross Creek, and would appreciate if this
12 rate did not go through.

13 Thank you.

14 CHAIRMAN CLARK: All right. Thank you very
15 much.

16 Questions, Commissioners?

17 OPC, UIF?

18 Moving right along, next up is Elizabeth
19 Holling.

20 MS. HOLLING: I am here.

21 Whereupon,

22 ELIZABETH HOLLING

23 was called as a witness, having been first duly sworn to
24 speak the truth and testified as follows:

25 MS. HOLLING: Yes, I do.

1 CHAIRMAN CLARK: You are recognized for three
2 minutes, please.

3 PUBLIC COMMENT

4 MS. HOLLING: Good morning. Thank you for
5 this opportunity.

6 I -- my name is Elizabeth Holling. I own a
7 condo on Onion Creek Court in Ft. Myers. I am a
8 wastewater only customer of Utilities, Inc. I am
9 president of the Board of Directors at Villas 1,
10 which is a condo association within the 905 units
11 of Cross Creek Golf & County Club.

12 Villas 1 consists of 52 units. We are a
13 seniors only condo group. Owners must be 55 or
14 older. There are no children who are allowed to
15 live here. We are attached garden villas with only
16 20 -- 1,200 square feet, two bedrooms, two baths.
17 14 of our units have only a single occupant. 38
18 have two occupants. Only 30 percent of our units
19 are occupied year-round. 70 percent of our units
20 are empty between six and nine months a year. So
21 as you can see the previous change from usage base
22 to flat fee per household was already extremely
23 harmful to my owners.

24 I have looked at our association's annual
25 charges for two of our basic utilities, that being

1 water and wastewater treatment. From 2016 to 2020,
2 there has been a tremendous difference between the
3 amounts charged by the two service providers. I
4 find it hard to understand how or why one company
5 can process, purify and provide quality drinking
6 water to us at an almost unchanging low cost over
7 those years, yet Utilities, Inc. has raised their
8 charges for treatment of our wastewater at an
9 alarming rate of over 135 percent in the past four
10 or five years. This current rate increase request
11 to us is 28.7 percent.

12 I wonder how one enterprise can be run so
13 efficiently and another not. How can clean, safe,
14 drinking water be provided at so much lower cost
15 than that being charged to remove that water once
16 consumed? One reason must have to do with the fact
17 that we are only charged for the water that we do
18 actually receive and use by the water company. As
19 of it 2017 our wastewater charges are no longer
20 based on usage. We are now charged a flat monthly
21 fee whether we have any wastewater to process or
22 not every month, 12 months a year, even though most
23 of us are not in residence most of those months.

24 Florida -- FPL only charges us for the amount
25 of electricity we use. And by the way, FPL ads

1 touts the fact that they have some of the lowest
2 rates in the country.

3 Speaking for the 80 voting owners of the 52
4 condo units of Villas 1, I vehemently object to any
5 further increase in charges from Utilities, Inc.
6 As senior citizens, mostly receiving only fixed
7 pension income and/or Social Security -- which, by
8 the way, has only increased slightly over one
9 percent each year over the past five years -- we
10 cannot afford such steep increases as has been
11 levied in the past, and this new request of 28.3
12 percent is an unreasonable increase, especially
13 during these pandemic times.

14 I, therefore, ask the Commission, especially
15 now during the pandemic, to act responsibly to deny
16 any increase at this time, or at the very least
17 reduce the request to a more reasonable percentage,
18 2.83, not 28.3.

19 I also oppose the SWIM proposal. No public
20 utility company should be allowed to increase their
21 rates without Public Service Commission review and
22 public comment.

23 CHAIRMAN CLARK: Ms. Holling, would you wrap
24 it up in 10 seconds, please?

25 MS. HOLLING: Thank you. I ditto the comments

1 of Ms. Ryan, Mr. Stringer, Mr. Minor, Mr. Maranto,
2 Mr. Brochhausen, Mr. LaPointe, Ms. Kelly and
3 others.

4 CHAIRMAN CLARK: Thank you.

5 MS. HOLLING: Thank you. I appreciate the
6 chance to speak.

7 CHAIRMAN CLARK: Thank you very much.
8 Commissioners, do you have questions?

9 All right. OPC, UIF?

10 All right. Thank you, Ms. Holling.

11 Next up John Carraher.

12 MR. CARRAHER: I am here.

13 Whereupon,

14 JOHN CARRAHER

15 was called as a witness, having been first duly sworn to
16 speak the truth and testified as follows:

17 MR. CARRAHER: I do.

18 CHAIRMAN CLARK: All right. You are
19 recognized for three minutes, please.

20 PUBLIC COMMENT

21 MR. CARRAHER: My name is John Carraher, and I
22 reside at 13131 Cross Creek Boulevard, Unit No.
23 109, in Ft. Myers Florida, and I am a customer of
24 Utilities, Inc.

25 I am the Association President of Clubhouse

1 Village, a 60-unit association of two-bedroom,
2 two-bathroom condos. 70 percent of our condos are
3 used only for four months of the year, yet this
4 flat rate usage charges us as if they were used all
5 year round. I don't see how this is fair --
6 (inaudible) -- increasing by \$29 per month, or \$87
7 a quarter, which works out to \$348 a unit, or
8 \$20,880 a year for 60 units, I don't understand how
9 that is justifiable.

10 Also I am opposed to the implementation of the
11 SWIM program. I agree that all rate increases
12 should come before the Public Service Commission
13 for review. And I echo the comments of Mr.
14 Stringer, Mr. Minor, Mr. Maranto, Mr. Brochhausen,
15 Mr. LaPointe, Ms. Kelly and Ms. Holling.

16 I thank you for your time --

17 CHAIRMAN CLARK: All right.

18 MR. CARRAHER: -- and have a good day.

19 CHAIRMAN CLARK: Thank you very much.

20 Commissioners, do you have questions?

21 Redirect -- cross, OPC, UIF?

22 All right. Thank you, sir.

23 Next up is Cheryl Casciano. Ms. Casciano, are
24 you on the line?

25 All right. Ms. Casciano, I don't believe, is

1 with us.

2 Next is Mr. David Waller. David Waller. Is
3 he on the line?

4 All right. Next up, Michael Emmons.

5 MR. EMMONS: Hi, this is Mike.

6 CHAIRMAN CLARK: Hi, Mike.

7 Whereupon,

8 MICHAEL EMMONS

9 was called as a witness, having been first duly sworn to
10 speak the truth and testified as follows:

11 MR. EMMONS: Yes.

12 CHAIRMAN CLARK: All right. You are
13 recognized for three minutes, sir.

14 MS. CASCIANO: Cheryl Casciano is back when
15 you have time.

16 CHAIRMAN CLARK: All right. Ms. Casciano,
17 just stand by. We will come right back to you.

18 MS. CASCIANO: Thank you.

19 CHAIRMAN CLARK: All right. Mr --

20 PUBLIC COMMENT

21 MR. EMMONS: Okay. I live at 818 Miami
22 Springs Drive, Longwood, Florida, 32779, and I have
23 lived here for 18 years and watched the rates just
24 continually climb over the past five or six years.

25 We've recently -- we installed a well for

1 irrigation about two years ago, and I finally paid
2 off the loan. I think eventually it's going to pay
3 for itself because of the rate increases that --
4 that Utilities, Inc. has been billing to us. My
5 bill to water the lawn, it looked terrible, one
6 April/May timeframe was over \$270. It just -- it
7 just was too much, so we decided to put a well in.
8 I don't know how many other people are going to
9 want to do that.

10 And additionally, about three years ago, we
11 had our pool refinished. I had to drain the pool.
12 I contacted Utilities, Inc. about getting some
13 reduced costs. They refused, and I even begged
14 them, they seemed to not care that I was going to
15 have to pay for all of those wastewater charges
16 when it really wasn't being used. From my
17 experience, Utilities, Inc. is not working for
18 their customers. They only care about the money.

19 Additionally, we have extremely hard water,
20 which I put some filters here and there. And we
21 have very high pressure. I called Utilities, Inc,
22 and their response was: We've never heard anyone
23 say this before. So my brother-in-law, who is a
24 plumber and electrician from North Carolina,
25 installed a pressure reducer for me to help me in

1 residents and the speakers as this is outlandish.
2 I am a seasonal owner, so I am only here for three
3 months. A flat rate is extremely unfair. I object
4 to this rate increase, and it should be usage --
5 usage based, not a flat rate.

6 Thank you.

7 CHAIRMAN CLARK: Thank you, Ms. Casciano.
8 Commissioners, questions?

9 UIF, OPC?

10 All right, next up is Brad Grove.

11 MR. GROVE: I am here.

12 Whereupon,

13 BRAD GROVE

14 was called as a witness, having been first duly sworn to
15 speak the truth and testified as follows:

16 CHAIRMAN CLARK: You are recognized.

17 PUBLIC COMMENT

18 MR. GROVE: My name is Brad Grove, and I serve
19 as President for Country Club Villas 1 Cross Creek
20 in Ft. Myers. We are a wastewater only customer of
21 Utilities, Inc. We have 32 unit owners.
22 93 percent of our unit owners are occupied for four
23 months or less. We have endured 139 percent
24 increase in our wastewater over the past three
25 years. There have been no changes in our service

1 good or bad to justify the 139-percent increase
2 over the past three years. We would prefer that
3 our billing be placed back on a usage rate versus
4 the flat rate.

5 Due to the proposed increase, which is
6 approximately \$11,000, or six percent of our
7 association's budget, we have had to put off
8 building upgrades which would have included
9 installing new lights around our buildings.

10 We also object to the measure being considered
11 before the Commission to allow the SWIM platform.

12 We want and deserve the opportunity to speak
13 out against unfair rate increases and not just
14 allow Utilities, Inc. to increase our rates without
15 public comments.

16 The federal government is struggling with
17 providing stimulus checks for the American people.
18 The Commission now has an opportunity to provide
19 stimulus of approximately \$348 to our unit owners
20 by denying this rate increase, which is the cost to
21 us for this increase.

22 I appreciate the Commission allowing me to
23 speak on behalf of our owners. Thank you.

24 CHAIRMAN CLARK: Thank you, Mr. Grove.

25 Commissioners, do you have questions?

1 UIF, OPC?

2 All right. Next up, Gary Konchar.

3 MR. KONCHAR: I am here.

4 Whereupon,

5 GARY KONCHAR

6 was called as a witness, having been first duly sworn to
7 speak the truth and testified as follows:

8 MR. KONCHAR: I do.

9 CHAIRMAN CLARK: All right. You are
10 recognized for three minutes, sir.

11 PUBLIC COMMENT

12 MR. KONCHAR: I am also a member of the Cross
13 Creek community. I serve on the Board of Directors
14 at CCV 2.

15 I support all the statements made by Brent,
16 Harvey, Frank, Brad Grove. I can't say it any
17 better. I am a seasonal -- can you hear me? I am
18 sorry.

19 CHAIRMAN CLARK: Yes, sir, we can hear you.

20 MR. KONCHAR: I'm having a technical problem.

21 I am seasonal in Cross Creek since 1996. In
22 my immediate building, we have 12 units, eight of
23 them are seasonal, and we are paying the same
24 amount of water fees that the full-time owners have
25 here. I don't really believe we should have a flat

1 tax. We should have a usage rate that would help
2 us all out. We are all retired people, and my
3 Social Security hasn't gone up 28 percent. It's
4 only gone up, I think, one percent this year, and
5 it's offset by Medicare, so it's like a push. So I
6 urge the board not to vote the 28 percent increase
7 and go back to a usage rate instead of a flat tax.

8 Thank you very much for the time you gave me
9 to speak on this behalf.

10 CHAIRMAN CLARK: Thank you very much, sir.

11 Commissioners, do you have questions?

12 UIF, OPC?

13 All right. Moving next -- next up is

14 Mr. Leonel Baird, Baird.

15 MR. BAIRD: Yes, I am here.

16 Whereupon,

17 LEONEL BAIRD

18 was called as a witness, having been first duly sworn to
19 speak the truth and testified as follows:

20 MR. BAIRD: Yes, I do.

21 CHAIRMAN CLARK: All right. You are
22 recognized, sir.

23 PUBLIC COMMENT

24 MR. BAIRD: I am Leonel Baird, 13094 Cross
25 Creek Court, No. 110. I am owner for 18 years.

1 I'm on the Board of Association. I have been for
2 several years, and totally agree with the comments
3 of, not to be redundant and go through any numbers,
4 but totally agree with all of the owners,
5 constituents of Cross Creek who totally oppose this
6 rate increase. I think that 139 percent increase
7 that we've experienced over the past three years is
8 just totally, totally unreasonable, and just unfair
9 to all of us to be paying this flat rate when many
10 of us are only there for three months of the year.

11 I thank you very much for an opportunity to
12 speak.

13 CHAIRMAN CLARK: Thank you, Mr. Baird.

14 Commissioners, do you have questions?

15 UIF, OPC?

16 All right. Moving right along, next up is Mr.

17 David Joswick. Mr. Joswick, are you on the line?

18 MR. JOSWICK: Hopefully I am.

19 CHAIRMAN CLARK: All right.

20 Whereupon,

21 DAVID JOSWICK

22 was called as a witness, having been first duly sworn to
23 speak the truth and testified as follows:

24 MR. JOSWICK: I sure do.

25 CHAIRMAN CLARK: All right. You are

1 recognized for three minutes, sir.

2 PUBLIC COMMENT

3 MR. JOSWICK: Hi, everyone. My -- I live at
4 600 Magnolia Oak Court in Longwood here, and last
5 night, I submitted to the P -- Public Service
6 Commission a petition with 814 signatures. The
7 petition essentially says no pay -- or no water
8 increase, and we offer a study -- an in-depth study
9 with results in layman's terms that we can
10 understand as customers of Utilities, Inc.

11 I don't know if I mentioned this. I did talk,
12 or testify here one of the previous hearings, and
13 if -- if you folks have looked at the University of
14 North Carolina and University of Florida water
15 study, where currently they are showing Utilities,
16 Inc.'s rates at 119 percent -- excuse me, 19
17 percent of the mean rates, and if -- they are
18 projecting if this increasings through, will be
19 paying 51 percent above the mean rate, so we should
20 get, you know, premier service for -- for these
21 kinds of payments.

22 I -- if you read through the petition, you are
23 going to come across statements by residents that
24 say, unfair, untrustworthy, greedy, this type of
25 thing is -- there is a lot of unhappy. I would

1 say -- I would say the Utilities, Inc. right now
2 falls into what -- (inaudible) -- customer service
3 based on the comments and talks that I have had
4 with residents here in the community.

5 I am going to go just from -- from the one and
6 I will be done from the petition. I won't mention
7 the fella's name, but I guess it's a public
8 document anyway and you can look at it.

9 He said: aside from existing remarks about the
10 already high cost and future increases, I would
11 like to point out what I consider a big flaw in the
12 rates. The monthly base charges for water and
13 sewage on my bill are \$56.21. That's before any
14 actual usage. So even when I use water
15 conservatively or not at all, I'm still hit with
16 this unjustified large bill. Compare that with
17 electricity from Duke Energy, where the monthly
18 base charge is relatively low and, therefore, high
19 bills are directly tied to high usage.

20 And I might point out it's a good thing to
21 know some of you folks are talking about -- or
22 Commissioners are talking about, you know, customer
23 service, and Duke Energy is the epitome. I would
24 suggest Utilities, Inc. look at -- look at Duke
25 Energy. They contact their customers probably once

1 a month. They are constantly offering services to
2 come out and find ways to reduce energy at your
3 house, just reducing our rates by 2.8 percent. So
4 they are constantly in contact in a positive manner
5 with -- with the customer. Not like some of the
6 testifiers today here where they get notices in the
7 mail of a -- of a rate increase. Utilities, Inc.
8 needs to get more in contact with its customers and
9 understand its customers, and then they will be
10 more successful, and you won't have this plethora
11 of people complaining about rates, and services,
12 and quality.

13 The other thing I would like to point out --
14 CHAIRMAN CLARK: Mr. Joswick, would you wrap
15 it up in about 10 seconds for me, please?

16 MR. JOSWICK: Yep.

17 I worked in mergers and acquisitions, and when
18 we acquired a company, or bought a company, we --
19 we knew what we were doing. We knew the ins and
20 outs, right, current and -- and future. So I got
21 to believe there -- Utilities, Inc. have their
22 people doing the same thing that we did years ago,
23 so thank you.

24 CHAIRMAN CLARK: Thank you very much, Mr.
25 Joswick.

1 Commissioners, do you have questions?

2 UIF, OPC?

3 All right. Thank you, Mr. Joswick.

4 Next up, Lauren Smith. Lauren Smith, are you
5 on the line?

6 MS. SMITH: I am here.

7 Whereupon,

8 LAUREN SMITH

9 was called as a witness, having been first duly sworn to
10 speak the truth and testified as follows:

11 PUBLIC COMMENT

12 MS. SMITH: Yes, I do. I apologize for
13 getting on late.

14 I -- I -- I live in Summertree in Pasco
15 County. My address is 12045 Loblolly Pine Drive,
16 New Port Richey.

17 I just want to echo what has previously been
18 said by my fellow residents, particularly Ann Marie
19 Ryan. She is our most eloquent person to present
20 the information about our community to you, and I
21 know that the Commission realizes that.

22 My husband and I have lived here for just over
23 15 years. I have never seen any kind of capital
24 investment that Utilities, Inc. has provided to us.
25 Perhaps I missed something, but I am not aware of

1 anything like that. And the increase that they are
2 asking for is outrageous, particularly in the
3 current pandemic situation and the economic
4 situation that our whole country is in. So I would
5 ask that the rate increase be denied by them at
6 this time. And I appreciate the opportunity to
7 speak.

8 CHAIRMAN CLARK: Very good. Thank you very
9 much, Ms. Smith.

10 Commissioners, do you have questions?

11 UIF, OPC?

12 All right. Our final speaker today is Reg
13 Kirkey. Mr. Kirkey.

14 MR. KIRKEY: Hello.

15 Whereupon,

16 REG KIRKEY

17 was called as a witness, having been first duly sworn to
18 speak the truth and testified as follows:

19 MR. KIRKEY: Yes, I do.

20 CHAIRMAN CLARK: All right. You are
21 recognized for three minutes, sir.

22 PUBLIC COMMENT

23 MR. KIRKEY: Thank you.

24 I would like to thank you for the opportunity
25 to speak today, and I won't be very long-winded

1 because everything I would like to have said has
2 sort of been said already.

3 I am a property owner at 13110 Cross Creek
4 Boulevard in Ft. Myers. And I have to say we are
5 serviced by Utilities, Inc. on the sewer side, and
6 strongly support all the statements that are made
7 here today in objection to these outlandish
8 increases that Utilities, Inc. is asking for, and
9 strongly recommend that you oppose them completely.

10 One of the big things that seems is the fact
11 that, you know, we have the way the usage is bulked
12 up rather than pay by user, and that seems to be a
13 recurring theme that I have heard from not only
14 Cross Creek residents, but everybody else.

15 Anyhow, that's -- that's what I would like to
16 say, and I thank you for letting me speak today.

17 CHAIRMAN CLARK: All right. Thank you, Mr.
18 Kirkey. We had a little feedback there for a
19 second. Thank you, Mr. Kirkey.

20 Commissioners, do you have questions?

21 UIF, OPC?

22 All right. I believe that concludes all of
23 our speakers that are signed up to speak this
24 morning. I am going to ask staff counsel if they
25 are aware of anyone else that was signed up to

1 speak. I am getting all kinds of no head shakes
2 going go here.

3 Ms. Helton?

4 MS. HELTON: I didn't check off Mr. LaPointe,
5 so I am wondering if I just missed him?

6 CHAIRMAN CLARK: I think you missed him. I
7 remember --

8 MS. HELTON: Okay. I am sorry. I -- for some
9 reason I didn't get that.

10 CHAIRMAN CLARK: All right. Is there anyone
11 on the line that was signed up and registered to
12 speak who we may have missed or overlooked?

13 All right. Very good.

14 Commissioners, do you have any final comments,
15 questions or concerns?

16 Mr. Friedman, OPC, either of you have any
17 comments before we adjourn?

18 All right. Mr. Friedman, yes, sir.

19 MR. FRIEDMAN: No, Mr. Chairman. I just
20 wanted to again thank the customers for
21 participating in the process.

22 Thank you.

23 CHAIRMAN CLARK: Very good. Thank you.

24 All right. Thank you again for taking time
25 out of your busy schedules to call into this

1 service hearing today. Your comments and testimony
2 are very important to this process, and we do
3 appreciate you assisting in the proceeding.

4 If you have any questions, feel -- please feel
5 free to discuss them with one of our staff members
6 or a company representative. Their contact
7 information has been provided in the notices for
8 this proceeding.

9 If the Commissioners do not have any other
10 closing comments, we will stand adjourned.

11 Thank you for your participation.

12 (Proceedings concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, Court Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 21st day of January, 2021.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH31926
EXPIRES AUGUST 13, 2024