

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application of )  
 Florida Water Services )  
 Corporation for Amendment of ) DOCKET NO. 990054-WU  
 Certificate No. 106 to add and )  
 delete territory in Lake County, )  
 Florida. )  
 \_\_\_\_\_ )

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NOTICE OF FILING

CRYSTAL RIVER UTILITIES, INC., by and through its undersigned attorneys, hereby notices the filing of the Prefiled Direct Testimony of Johnnie M. Overton, P.E. in the above-referenced matter.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to Matthew J. Feil, Esquire, Florida Water Services Corporation, P.O. Box 609520, Orlando, Florida 32860-9520 and Samantha McRae, Esquire, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 this 14th day of December, 1999.

Respectfully submitted this 14th day of December, 1999, by:

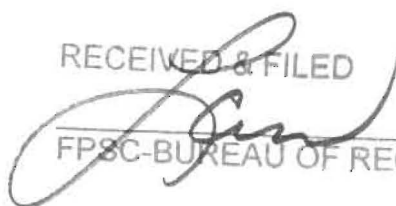
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 For the Firm

- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
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DIRECT TESTIMONY OF JOHNNIE M. OVERTON, P.E.

ON BEHALF OF

CRYSTAL RIVER UTILITIES, INC.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 990054-WU

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- Q. Please state your name and business address.
- A. My name is Johnnie M. Overton and my business address is 567 Interstate Boulevard, Sarasota, Florida 34240.
- Q. By whom are you employed and what is your position?
- A. I am Regional Manager, East Region for AquaSource Services and Technology, Inc.
- Q. What are your job duties?
- A. I am responsible for overall operations of the water and wastewater systems owned by AquaSource Utility, Inc. in Florida, Georgia, South Carolina and North Carolina.
- Q. What is your training and experience in the water and wastewater industry in Florida?
- A. Attached and marked for identification as Exhibit JMO-1 is a copy of my resume.
- Q. Do you have any professional certificates?
- A. Yes, I have been a professional engineer in Florida since 1980.
- Q. Do you have operational responsibility over the Haines Creek water system in Lake County owned by Crystal River Utilities, Inc.?
- A. Yes.
- Q. Does the Haines Creek water system have sufficient capacity at this time to provide water service to the 77 lots in the subdivision currently being served by Florida Water Services Corporation in Section 1?
- A. No, we do not . However, had Florida Water Services Corporation filed an amendment application prior to serving this subdivision as required by Florida law, we could have, through a plant expansion, provided water service to that

1 subdivision at a less cost than Florida Water since we are in closer proximity to  
2 that subdivision than is Florida Water Services Corporation.

3 Q. Does the Haines Creek system have sufficient capacity currently to serve the  
4 property in Sections 2 and 11?

5 A. No. However, there is no showing of any real need for service in those  
6 Sections. This application is an attempt by Florida Water to certificate large  
7 areas even though there is no reasonable need for water service. I understand  
8 from Florida Water's prefiled testimony that there is a church in Section 2 that  
9 has allegedly requested service. Due to the sparsity of current development in  
10 this area, it does not appear to be financially feasible to provide water service  
11 to the church at this time. However, it is a good ruse by which to attempt to  
12 justify a land grab. When there is a real need for service in this area, the  
13 Haines Creek water system can be expanded which would benefit existing  
14 customers by taking advantage of economies of scale.

15 Q. What is the direct result to the Haines Creek water system if the Commission  
16 grants Florida Water's application?

17 A. It would landlock that system so that there would be no future growth potential  
18 to that system. As mentioned previously, that would mean that no economies  
19 of scale could be accomplished for the customers of the Haines Creek system.  
20 Florida Water has already landlocked the Haines Creek system to the North by  
21 providing service to that subdivision without Commission approval. Since  
22 Haines Creek borders the Haines Creek system in the East, the only growth  
23 potential is to the West, which would be cut off by Florida Water's expansion.

24 Q. What do you believe would be the appropriate response by the Commission to  
25 Florida Water providing water service to the subdivision in Section 1 without

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Commission approval?

- A. I believe Florida Water should be penalized \$5,000 for each customer it serves in that subdivision.