

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Joint petition for approval of ) stipulation on procedure with Office ) of Public Counsel, and application for ) limited proceeding increase in water rates ) in Pasco County, by Aloha Utilities, Inc. ) _____ /	Docket No. 060122-WU  Filed: March 24, 2008
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**PETITION ON PROPOSED AGENCY ACTION**

John P. Andrews, Chairman, Wayne T. Forehand, member, Richard E. Wiltsey, member, and Susan Hendrick, member, individually, and as the Executive Committee for “Better Water Now,” hereinafter called Petitioners, pursuant to Chapter 120.57, Florida Statutes, and Rules 25-22.029 and 28-106.201, Florida Administrative Code, file this objection to the Florida Public Service Commission’s (“Commission”) Order No. PSC-08-0137-PAA-WU (“Order”), issued March 3, 2008, and state:

1. The name and address of the agency affected and the agency’s file number:

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
Docket No. 060122-WU

2. The above Petitioners are all customers of Aloha Utilities, Inc. (“Aloha,” “Utility” or “Company”) whose substantial interests will be affected by the Order because the Order authorizes the Utility to increase the rates and charges it imposes upon its customers. Further, the above Petitioners are all of the members of the Executive Committee of “Better Water Now,” which was formed to provide customer input and to advocate correction of the quality of service problems experienced by the Aloha customers.

3. The address and telephone number of the one of the above Petitioners shall serve as the address and telephone number for all of the Petitioners, which shall be the address for service purposes during the course of the proceeding. This address and telephone number is as follows:

1216 Arlinbrook Drive  
Trinity, Florida 34655  
(727) 372-2104

4. The Petitioners received a copy of the Order by electronic mail on March 4, 2008.

5. At this time the ultimate facts alleged, including the specific facts which the Petitioner contends warrants reversal or modification of the agency's proposed action are as follows:

Rate Base

- a. It is imprudent to construct a temporary interconnection with Pasco County, and the costs of the temporary interconnection facility are overstated.
- b. It is imprudent to locate a single interconnection facility in the industrial park area as proposed by Aloha.
- c. The gallons of bulk water to be purchased from Pasco County and the associated impact fees included in rate base in 2008 and 2009 are overstated.

Expenses

- a. The rate per thousand gallons of water purchased from Pasco County is overstated and should be reduced.
- b. The flows that will be purchased from Pasco County are overstated and should be reduced.

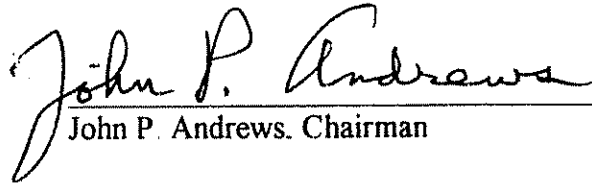
- c. As a result of subparagraphs a. and b. the cost of bulk water purchased from Pasco County in 2008 and 2009 is overstated and should be reduced.
  - d. The salaries and wages and related pensions and benefits associated with chloramine conversion and the interconnection facility are excessive and should be reduced.
  - e. Purchased power costs associated with the interconnection facility and the purchased power costs and chemical costs of the chloramine conversion are overstated and should be reduced.
6. Each of the foregoing matters involve disputed issues of material fact.
7. Order No. PSC-08-0137-PAA-WU establishes March 24, 2008 as the date by which protests must be filed.
8. Section 367.081, Florida Statutes, is a specific statute the Petitioners contend requires reversal of the agency's proposed action.
9. The Petitioners seek the Commission to take the following actions with respect to the agency's proposed action:
- a. Determine the proper water revenue requirements and resulting rates after:
    - i. making adjustments to remove the temporary interconnection costs included in rate base, as they are imprudent;
    - ii. making a finding of the imprudence of the location of the proposed interconnection facility;
    - iii. establishing the correct water flows to be purchased from Pasco County for purposes of determining the impact fees assessed by Pasco County;

- iv. setting the rate per thousand gallons to be charged by Pasco County at \$3.43;
- v. establishing the correct water flows to be purchased from Pasco County;
- vi. establishing the bulk water costs to be purchased from Pasco County based upon the correct water flows and correct rate to be charged by Pasco County;
- vii. adjusting salaries and wages and related pensions and benefits associated with chloramine conversion and the interconnection facility;  
and
- viii. adjusting purchased power costs associated with the interconnection facility and purchased power and chemical costs of the chloramine conversion.

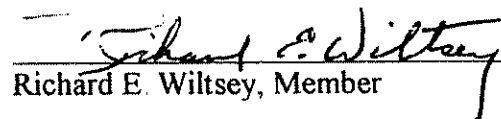
WHEREFORE, the Petitioners hereby protest and object to Commission Order No. PSC-09-0137-PAA-WU as provided above, and petitions the Commission to conduct a formal evidentiary hearing, under the provisions of Section 120.57(1), Florida Statutes, and further petitions that such hearing be scheduled at a convenient time within or as close as practical to the Utility's certificated service area.

Respectfully submitted,

**EXECUTIVE COMMITTEE FOR BETTER WATER NOW**

  
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John P. Andrews, Chairman

  
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Wayne T. Forehand, Member

  
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Richard E. Wiltsey, Member

  
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Susan Hendrick, Member

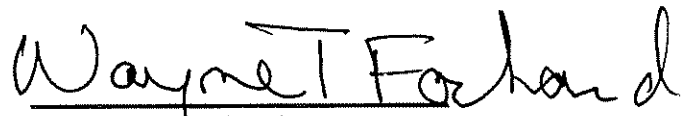
**CERTIFICATE OF SERVICE**  
**DOCKET NO. 060122-WU**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Petition on Proposed Agency Action has been furnished by electronic mail and U.S. Mail to the following parties on this 24<sup>th</sup> day of March, 2008.

Jean Hartman, Esquire  
Florida Public Service Commission  
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