

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**IN RE: TERRITORIAL DISPUTE BETWEEN
CLAY ELECTRIC COOPERATIVE, INC.
AND FLORIDA POWER CORPORATION
IN ALACHUA COUNTY.**

DOCKET NO. 900064-EO

**ORIGINAL
FILE COPY**

**DIRECT PREFILED TESTIMONY OF RUSSELL P. LEA
ON BEHALF OF CLAY ELECTRIC COOPERATIVE, INC.**

**DOCUMENT NUMBER-DATE
03552 APR 25 1990
FPSC-RECORDS/REPORTING**

- 1 Q. Would you please state your name?
- 2 A. Russell P. Lea
- 3 Q. What is your business address?
- 4 A. P. O. Box 308, Keystone Heights, Florida 32656.
- 5 Q. What is your occupation?
- 6 A. I am director of engineering for Clay Electric Cooperative,
7 Inc.
- 8 Q. What is your background training and education?
- 9 A. I attended the University of Florida, and became licensed
10 with the State of Florida as a professional engineer in 1970.
11 My license number is 11. In approximately 1954, I began
12 employment with Jacksonville Electric Authority and I worked
13 for JEA for the next 20 years. During those years I served
14 as director of operations engineering, division chief of
15 distribution engineering, division chief of substation
16 engineering, and division chief of system planning and
17 substation engineering.
- 18 Q. When did you first begin your employment with Clay Electric?
- 19 A. In approximately October of 1974. At that time I was
20 director of planning and design engineering and directed
21 system planning and substation design. Since 1978 I have
22 been Clay's director of engineering.
- 23 Q. Have you participated in any professional societies or
24 organizations?
- 25 A. Yes. I have been a member of the Institute of Electrical and

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Electronic Engineers for 22 years and I served as its chairman for the year 1971.

Q. Turning your attention to the present case, are you familiar with the disputed area in Alachua County near the City of Archer?

A. Yes I am.

Q. What is the purpose of your testimony?

A. As Director of Engineering for Clay Electric it has been my general responsibility to oversee the planning and design of distribution facilities necessary to serve the disputed area, and to describe the Clay Electric facilities in the general area in terms of both historic service, facilities available, system capacity, and how the site would be served.

Q. Are you familiar with the location of Clay's distribution facilities in southwest Alachua County?

A. Yes, I am. I supervised the preparation of Exhibit _____ (WCP-1) and all other exhibits submitted by Mr. Phillips as part of his direct testimony. As Mr. Phillips pointed out, referring to Exhibit _____ (WCP-3), Clay has distribution facilities surrounding the property and extending both east, west, north and south from the property.

Q. Are you familiar with FPC's answers to Clay's first interrogatories?

A. Yes I am. I have reviewed them.

Q. In answer to interrogatory number 19, FPC submitted a map

1 showing its service areas claimed in Alachua County. Are you
2 aware that FPC claims sections 4, 5, 7, 8, 9, and 10 of
3 township 11 south, range 18 east as its service territory?

4 A. Yes, I noticed they included that in their answers to
5 interrogatories, but I find it rather surprising, since
6 Clay's distribution facilities are virtually the exclusive
7 facilities located in those sections. FPC has admitted that
8 it has no customers in Sections 4, 5, and 6 in its answers to
9 our interrogatories. The only FPC facility that I am aware
10 of shown on Exhibit _____ (WCP-3) is the FPC express
11 feeder running from the Archer substation down County Road
12 SW20-A west to County Road 241 and then south down County
13 Road 241 into the City of Archer. To back up for a minute,
14 attached hereto is Exhibit _____ (RPL-1) which is a detail
15 map of our system in this area. We have identified the
16 disputed area in yellow highlight. All the black lines shown
17 are Clay Electric distribution facilities. On the map
18 attached to this testimony, the facilities are difficult to
19 see, but at the hearing we will have a large version of this
20 map from which my exhibit was made. The detail map attached
21 hereto is a reduction copy of a much larger system diagram.
22 Page 2 of that exhibit is a town map showing a more detailed
23 rendition of the area on the east side of State Road 241
24 adjacent to the disputed area. Shown on the map is the FPC
25 substation, and the green line shows the location of the FPC

1 express feeder from its substation to 241 and then south on
2 241. All the black lines shown are Clay Electric's
3 distribution facilities except for the FPC transmission line
4 running diagonally across the map. I am therefore surprised
5 that Florida Power Corporation claims that it has extensive
6 distribution facilities in the area. To my knowledge except
7 for the FPC express feeder, all the facilities located in the
8 area shown on the map belong to Clay Electric.

9 Q. How many customers does Clay have in the nine square mile map
10 identified as Exhibit 1 (WCP-3) to Mr. Phillips testimony?

11 A. 241 customers.

12 Q. Would you describe the facilities located around the disputed
13 area that would be used to provide service to the disputed
14 area?

15 A. The source of the service to the disputed area comes from our
16 Archer substation. The Archer substation has a capacity of
17 20 megawatts and a diagram showing the connection of the
18 Archer substation to the lines surrounding the property is
19 shown on Exhibit _____ (RPL-2). The size and the capacity
20 of the lines are indicated on the diagram. The summer peak
21 for the substation at Archer in 1989 was 4,831 KW for the
22 summer peak, and 4,946 KW for the winter peak. The
23 substation operates at a voltage of 24.9 KV. Clay Electric
24 serves approximately 1,288 customers from the Archer
25 substation, including the areas of Archer, Farnsworth and

1 Arredondo. Exhibit _____ (WCP-3) is a town map taken from
2 our detail map showing the feeder line running from the
3 Archer substation south westerly along State Road 24. You can
4 see the existing distribution facilities of Clay Electric in
5 that immediate area as well.

6 Q. Would any additional distribution facilities other than
7 facilities internal to the developer's site be required for
8 Clay Electric to serve the developer's property?

9 A. No. As Mr. Law will indicate in his testimony, service to
10 the area by Clay Electric will cost approximately \$51,500 as
11 shown on Mr. Law's Exhibit _____ (SL-1). Service to this
12 site would also be provided as shown on Mr. Law's Exhibit
13 _____ (SL-2) by service to the back lot lines as requested
14 by the developer and I believe as represented by FPC to the
15 developer for its service.

16 Q. Can Clay provide adequate and reliable service to this
17 subdivision?

18 A. Yes it can. The load for this subdivision, completely built
19 out, will not significantly impact our 20 megawatt substation
20 at Archer nor the capacity of the lines serving the property.

21 Q. Was the Archer substation and the feeder line serving the
22 site recently upgraded?

23 A. Yes, both the substation and the feeder line had been
24 upgraded, prior to this dispute. The Archer substation was
25 upgraded in 1988 and the feeder line on Archer Road was

1 upgraded in 1988. At the same time the voltage was converted
2 to 24.9 KV.

3 Q. Why was the substation and the feeder line upgraded?

4 A. Our responsibility includes system planning, forecasting
5 projected load into the future, and making sure that our
6 substations and main feeder lines have adequate capacity to
7 serve the load we expect in various areas of our districts.
8 The upgrading of those facilities takes into account our long
9 range plans for service to not only the disputed area, but to
10 the areas surrounding it.

11 Q. How would you describe the character of this area in terms of
12 rural or urban?

13 A. It is definitely a rural area. If you drive around the
14 property, you will find subdivisions near the southern end of
15 the property, and less intense development along the eastern
16 and northern portions. The western side of the property
17 includes a dairy, pasture land, and rural homesites with
18 horses and cattle roaming around. Indeed, the property in
19 dispute itself is basically undeveloped farmland. There are
20 large open areas of pasture land, oak trees, pine trees and
21 along the northern border of the property along County Road
22 SW22 is planted pines. We also serve farmland on the north
23 side of County Road SW22.

24 Q. In your view, is this property in Clay's historic service
25 area?

1 A. Yes it is.

2 Q. Why should Clay provide service to this property?

3 A. As I just said it's our historic service area, we have
4 actually served the property itself and continue to serve the
5 owner's property adjacent to the disputed area to the south.
6 We have planned to serve this entire area for many years and
7 have factored the growth of this area into our system
8 planning. Over the years, Florida Power Corporation has
9 basically confined itself to serving in cities and towns and
10 has left these rural areas to the cooperative to serve and
11 develop. I don't believe ay should be forced out of an
12 area simply because it is beginning to show some growth in an
13 area that the cooperative has served for many, many years. I
14 am also concerned because our business records indicate that
15 Florida Power had assured us it would not serve any customers
16 off of its express feeder line running from its Archer
17 substation along State Road 241 into the Town of Archer. It
18 simply does not make good sense from a planning standpoint
19 for one utility to move into the service area of another.
20 All that will do is promote additional territorial disputes.
21 We don't want to get into a situation where we will have to
22 do "defensive system planning" to protect our territorial
23 integrity.

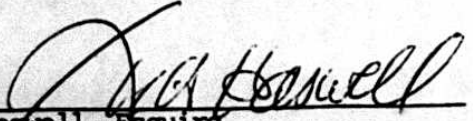
24 Q. Does this conclude your testimony?

25 A. Yes it does, but I do reserve the right to make additional

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comments depending on matters that may come up after further
discovery.


TO BE SWORN TO AT THE HEARING.



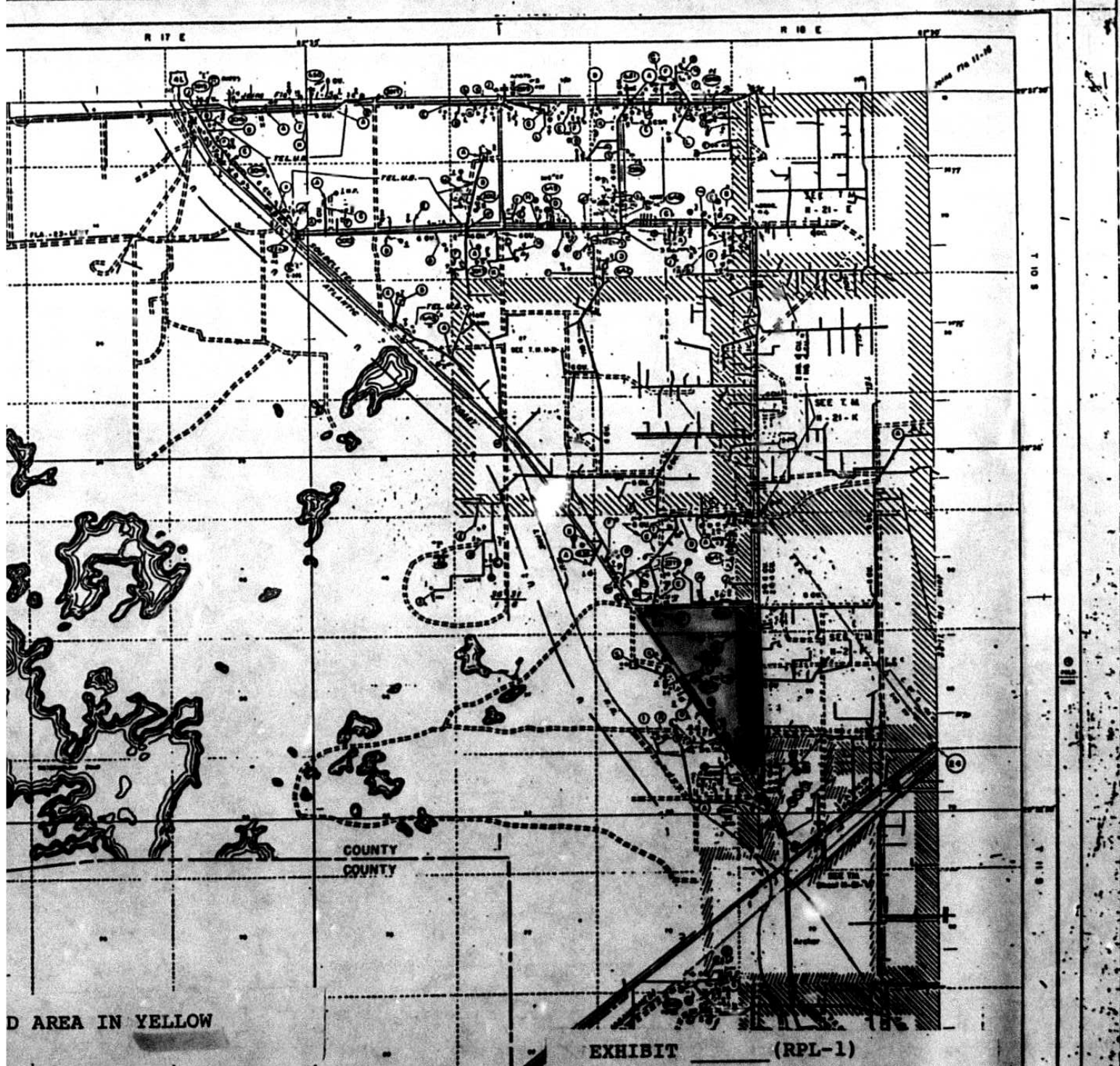
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the
foregoing Direct Pre-Filed Testimony of Russell P. Lea has been
furnished to PAMELA I. SMITH, ESQUIRE, Staff Attorney, Florida
Power Corporation, P. O. Box 14042, St. Petersburg, FL 33734; and
MICHAEL A. PALECKI, ESQUIRE, Florida Public Service Commission,
101 E. Gaines Street, Tallahassee, FL 32301 by U.S. Mail this
24 day of April, 1990.



Of Counsel



R I C E R I C E R I C E

COUNTY
COUNTY

D AREA IN YELLOW

EXHIBIT (RPL-1)

FROM PG 11-28

SEE T.M.
R-21-K

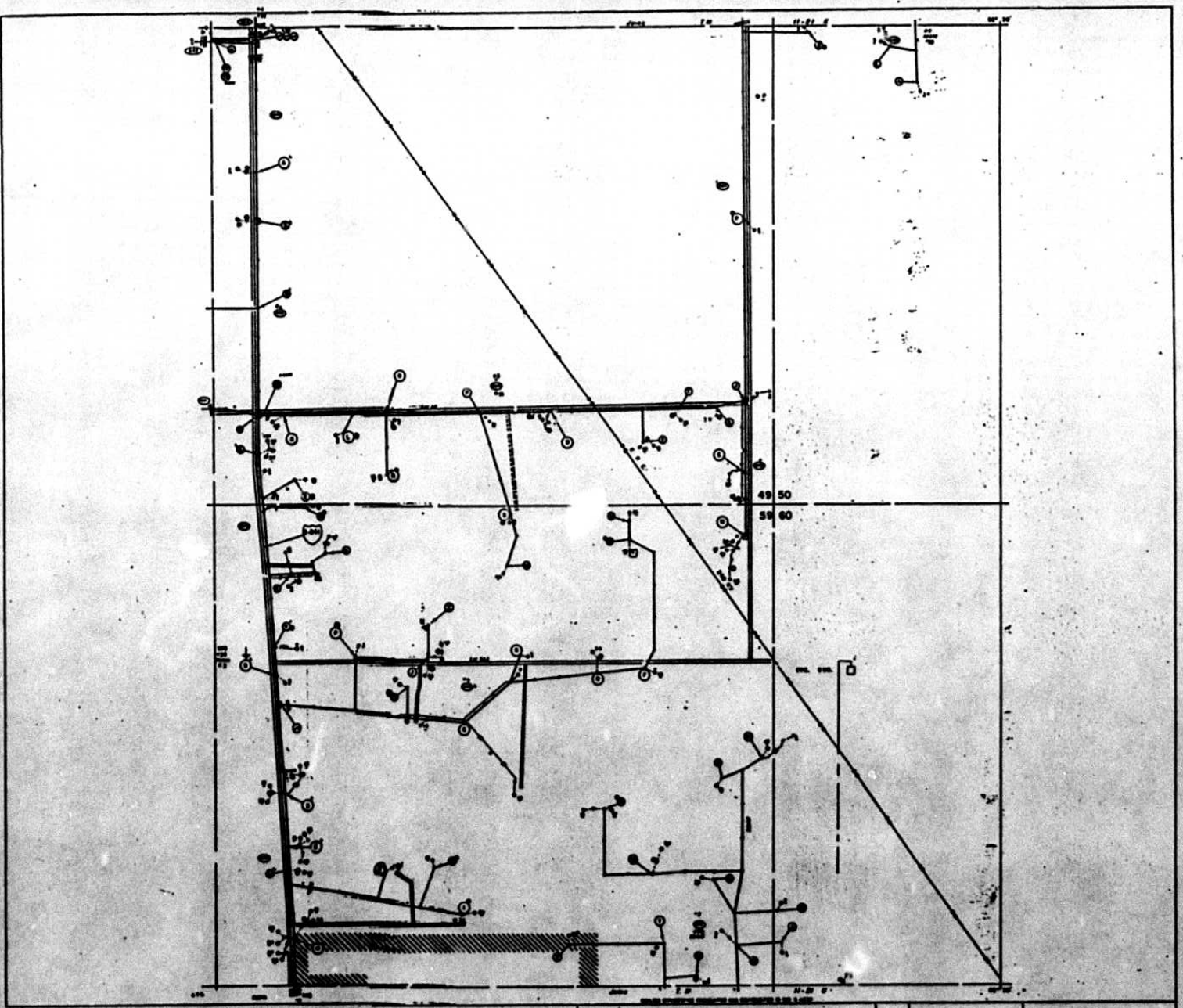
SEE T.M.
R-21-K

SEE T.M.
R-21-K

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T 10 S

T 11 S



CLAY ELECTRIC COOPERATIVE, INC.

WILSON'S CLAY

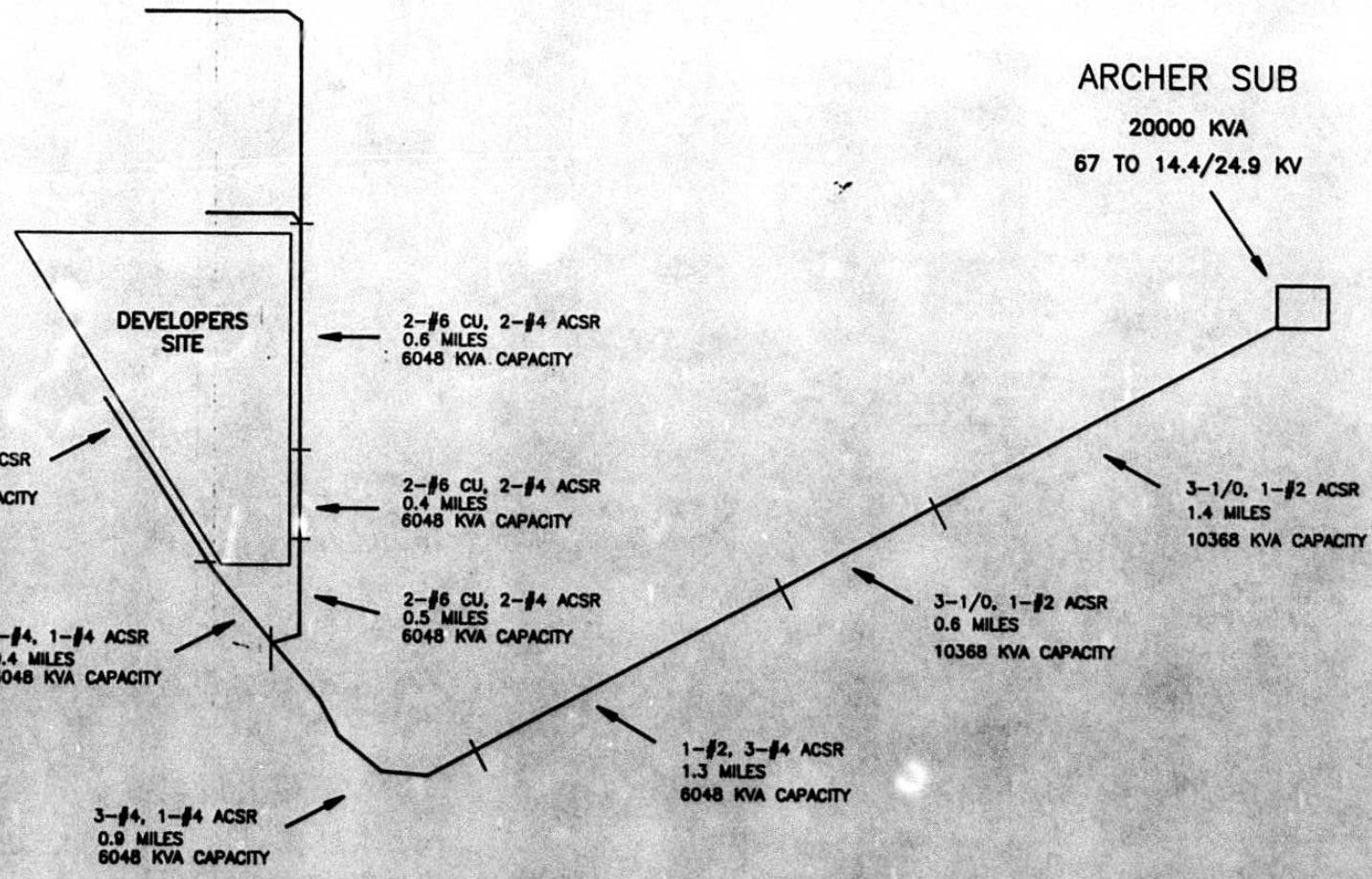
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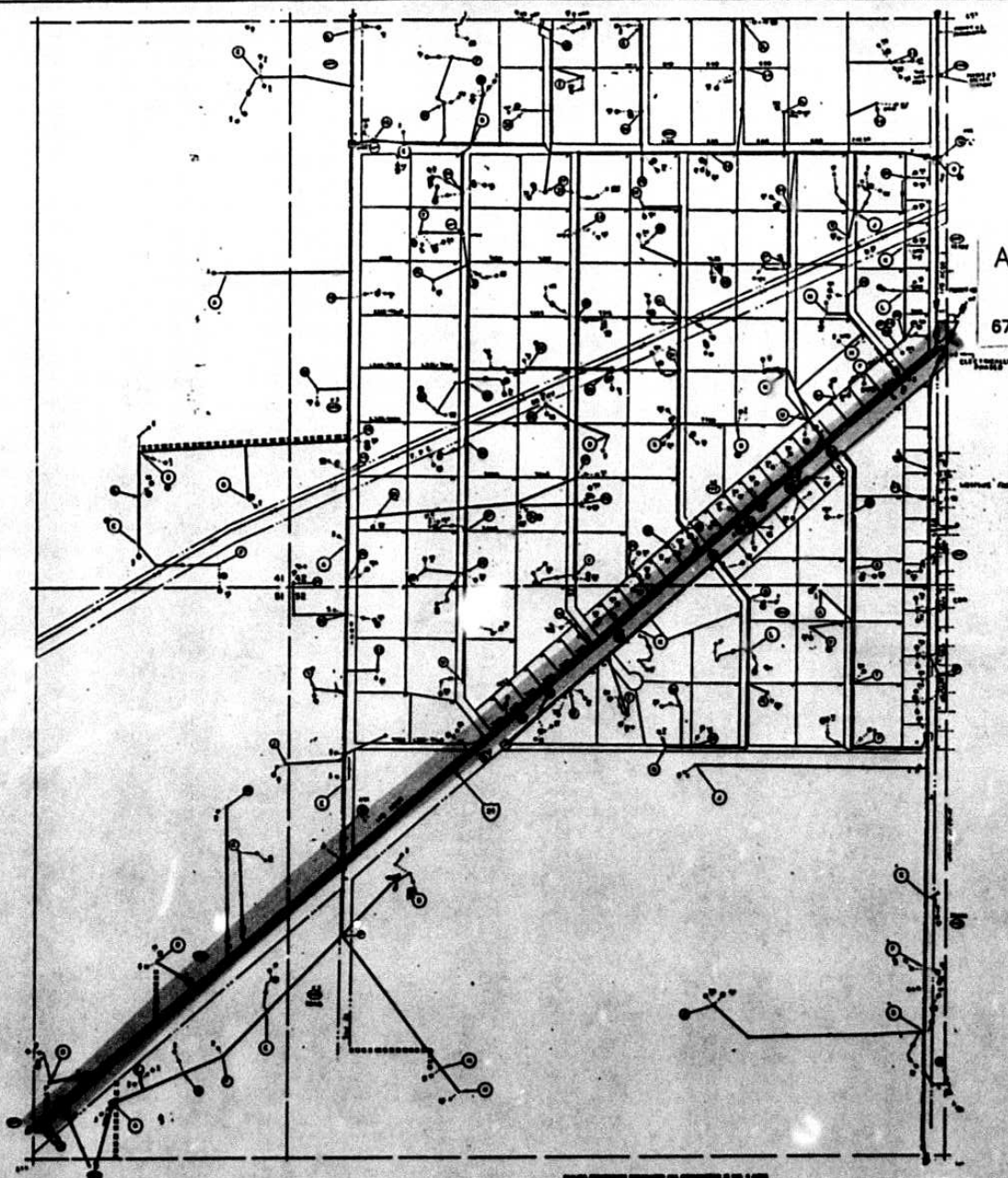
TOWN MAP

EXHIBIT (RPL-1)

PAGE 2 CEC

NORTH
NOT TO SCALE





ARCHER SUB
 20000 KVA
 67 TO 14.4/24.9 KV

EXHIBIT (RPL-3)

CLAY ELECTRIC COOPERATIVE, INC.
 FLORIDA 14 CLAY

TOWN MAP			
FLA.	11	22	L

SCALE
 1" = 40' HOR