

DOCKET NO.: 020071-WS - Application for rate increase in Marion, Orange, Pasco, Pinellas, and Seminole Counties by Utilities, Inc. of Florida.

WITNESS: **Direct Testimony of Paul J. Morrison,**
Appearing on Behalf of the Staff of the Florida
Public Service Commission.

DATE FILED: June 16, 2003

DOCUMENT NUMBER-DATE

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FPSC-REGISTRATION CLERK

DIRECT TESTIMONY OF PAUL J. MORRISON

1
2 Please state your name and business address.

3 A. Paul J. Morrison, Florida Department of Environmental Protection, 3319
4 Maguire Blvd., Suite 232, Orlando, Florida 32803.

5 Q. Please state a brief description of your educational background and
6 experience.

7 A. I received a B.S. in Biology from Florida State University in 1972.
8 From 1972 to 1984, I worked for the Orange County Health Department in the
9 Environmental Health Section. I was involved with the regulation of drinking
10 water systems, restaurants, grocery stores, food processors, public swimming
11 pools and bathing beaches, health facilities, septic tanks, mobile home parks,
12 rabies control, and environmental nuisance complaints. From 1984 to present,
13 I have been working for the Florida Department of Environmental Protection
14 with the regulation of solid and industrial waste facility enforcement (1986
15 and 1987) and with the regulation of public drinking water systems in the
16 compliance and enforcement section (1984, 1985 and 1988 to present).

17 Q. By whom are you presently employed?

18 A. Florida Department of Environmental Protection (FDEP)

19 Q. How long have you been employed with the FDEP and in what capacity?

20 A. I have been employed with the FDEP since 1984 (18 years). I am an
21 Environmental Manager, involved with public drinking water systems monitoring
22 compliance and enforcement.

23 Q. What are your general responsibilities at the Florida Department of
24 Environmental Protection?

25 A. As an Environmental Manager, I supervise the public drinking water

1 | monitoring compliance and enforcement section. This involves notifying
2 | systems of monitoring requirements, reviewing monitoring results submitted by
3 | water systems to determine if the results are in compliance with established
4 | rule standards, notifying systems when corrective action is necessary because
5 | of unsatisfactory results, entering monitoring results into the computer
6 | database, issuing and rescinding Boil Water Notices when appropriate,
7 | reviewing water system malfunction reports, taking appropriate enforcement
8 | action against systems not in compliance with the monitoring rules, and
9 | taking and referring drinking water complaints to the appropriate County
10 | Health Department for investigation under the DOH- FDEP Interagency Agreement.

11 | Q. Are you familiar with Utilities, Inc. of Florida's (utility) water
12 | systems in Seminole and Orange Counties, particularly the water treatment
13 | systems in Seminole County, including Bear Lake, Jansen, Park Ridge, Phillips,
14 | Crystal Lake, Ravenna Park, Weathersfield, Oakland Shores and Little Wekiva
15 | and the water distribution systems in Orange County, including Crescent
16 | Heights and Davis Shores?

17 | A. Yes, for monitoring I am responsible for the Seminole County water
18 | systems. I have also reviewed the permit and enforcement files for all the
19 | systems in Seminole and Orange Counties. In addition, I have reviewed the
20 | files for the Crescent Heights and Davis Shores distribution systems in Orange
21 | County.

22 | Q. Does the utility have any current construction permits from the FDEP for
23 | the Seminole or Orange County systems?

24 | A. No, except for Weathersfield. For Weathersfield there is one active DEP
25 | construction permit # WD59-0080885-003 which was issued on 3/22/00 for a main

1 relocation on State Road 436. DEP issued a partial clearance for this permit
2 on 7/17/00. The permit expires on 3/22/03.

3 Q. Are the utility's distribution systems for the Orange County systems of
4 Crescent Heights and Davis Shores sufficient to serve its present customers?

5 A. Yes. The Orange County systems of Crescent Heights and Davis Shores
6 have no treatment facilities. The Crescent Heights distribution system is a
7 consecutive system that purchases its water from the Orlando Utilities
8 Commission water system. The Davis Shores distribution system is a
9 consecutive system that purchases its water from the Orange County Utilities
10 Department/Western Regional water system.

11 Q. Does the utility maintain the required 20 psi minimum pressure
12 throughout the distribution system for Crescent Heights and Davis Shores in
13 Orange County?

14 A. Yes. A review of Department files does not reveal any consumer
15 complaints regarding low pressure. Lack of consumer complaints was used as
16 a gauge since the Department does not have data regarding continuous
17 monitoring of pressure in the distribution system. The consecutive system's
18 pressure is largely dependent on the pressure provided by the system it buys
19 its water from.

20 Q. Has the utility established a cross-connection control program for the
21 Orange County systems in accordance with Section 62-555.360, Florida
22 Administrative Code?

23 A. Yes.

24 Q. Does the finished water produced by the utility meet the State and
25 Federal maximum contaminant levels for primary and secondary water quality

1 standards?

2 A. Yes. All of the utility's Seminole and Orange County systems meet the
3 primary and secondary quality standards. It should be noted that for the
4 Crystal Lake system, the secondary contaminant iron result for the sample
5 collected on April 11, 2000, was 0.35 milligrams per liter (mg/L). The maximum
6 contaminant level (MCL) for iron is 0.3 mg/L. This system uses Aquadene
7 polyphosphate sequestrant treatment for iron. In accordance with Rule
8 62-550.325(1), F.A.C., a community water system may, in lieu of meeting the
9 MCL for iron or manganese, sequester iron or manganese using polyphosphates
10 when the maximum concentration of iron plus manganese does not exceed 1.0
11 mg/L. The level of manganese for the Crystal Lake system of 0.019 mg/L on
12 April 11, 2000, plus 0.35 mg/l of iron equals 0.369 mg/L, which does not
13 exceed 1.0 mg/L. Therefore, Crystal Lake is in compliance with the rules for
14 iron. For the Phillips water system, the secondary contaminant iron result
15 for the sample collected on April 11, 2000, was 0.62 mg/L. This system also
16 uses Aquadene polyphosphate sequestrant treatment for iron. The level for
17 manganese for the Phillips system of 0.012 mg/L on April 11, 2000, plus 0.62
18 mg/l of iron equals 0.632 mg/L, which does not exceed 1.0 mg/L. Therefore,
19 the Phillips system is in compliance with the rules for iron. As mentioned
20 previously, Crescent Heights and Davis Shores are consecutive systems. These
21 systems receive their water from other providers. The Crescent Heights system
22 is required to test for bacteriologicals, asbestos, and lead and copper only.
23 The Davis Shores system is required to test for bacteriologicals and lead and
24 copper only. The Crescent Heights and Davis Shores systems meet the maximum
25 contaminant levels for those contaminants.

1 Q. Does this include the lead and copper rule?

2 A. Yes, for all systems.

3 Q. Has the Utility's compliance with the lead and copper rule resulted in
4 a lessening of the monitoring requirements?

5 A. Yes, for the Seminole County systems of Bear Lake, Jansen, Park Ridge,
6 Phillips, Crystal Lake, Oakland Shores, Ravenna Park, and Weathersfield and
7 the Orange County systems of Crescent Heights and Davis Shores. These systems
8 are on reduced monitoring. Monitoring must be done every 3 years during the
9 months of June, July, August or September. Although the Lead and copper
10 sample results for the Little Wekiva system collected on 6/13/02 were below
11 the action level for both lead and copper, of the five required samples
12 collected, only three met the first draw tap sampling requirement of water
13 standing motionless in the plumbing system for at least six hours. As a
14 result of eliminating two sites which had samples collected in less than six
15 hours, a monitoring violation was created since an insufficient number of
16 samples were collected and submitted during the June-September 2002 monitoring
17 period. However, the number submitted shows that an effort was made to comply
18 with the lead and copper rule. As a result of this monitoring violation for
19 Little Wekiva, five additional lead and copper samples must be collected in
20 June 2003.

21 Q. Does the utility monitor for the volatile organic contaminants (VOCs)
22 listed in Section 62-550.515, Florida Administrative Code?

23 A. Yes, for all of the Seminole County systems. The Utility's Orange
24 County consecutive water systems, Crescent Heights and Davis Shores, are not
25 required to test for the VOCs.

1 Q. Does the utility monitor for the synthetic organic contaminants (SOCs)
2 listed in Section 62-550.516, Florida Administrative Code?

3 A. Yes, for all the Seminole County systems, except for dioxin which has
4 a statewide waiver for monitoring unless the water system is a surface water
5 system or is a system that has been determined to be under the direct
6 influence of surface water. The Seminole County systems are neither of those.
7 The utility's Orange County systems, Crescent Heights and Davis Shores are
8 consecutive water systems, which are not required to test for the SOCs.

9 Q. Do recent chemical analyses of raw and finished water, when compared to
10 DEP regulations, suggest the need for additional treatment for any of the
11 systems?

12 A. No.

13 Q. For the Orange County distribution systems of Crescent Heights and Davis
14 Shores, does the utility maintain the required chlorine residual or its
15 equivalent throughout the distribution system?

16 A. Yes. The chlorine residual is dependent on the chlorine provided by the
17 system it buys its water from.

18 Q. Are the Orange County distribution systems of Crescent Heights and Davis
19 Shores in compliance with all the other provisions of Title 62, Florida
20 Administrative Code, not previously mentioned?

21 A. Yes.

22 Q. Have the utility's Seminole or Orange County systems been the subject
23 of any FDEP enforcement action within the past two years?

24 A. No.

25 Q. Do you have anything further to add?

1 | A. No, I do not.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

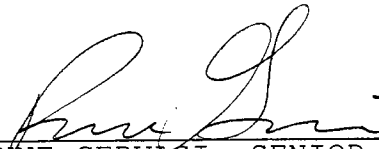
In re: Application for rate
increase in Marion, Orange,
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Direct Testimony of Paul J. Morrison has been furnished to **Martin S. Friedman, Esquire**, Rose, Sundstrom & Bentley, LLP, 600 S. North Lake Blvd., Ste. 160, Altamonte Springs, Florida 32701, and **Stephen Burgess, Esquire**, Office of Public Counsel, c/o The Florida Legislature, 111 W. Madison St., Room 812, Tallahassee, Florida 32399-1400, by U.S. Mail, this 16th day of June.



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