

*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 Gary P. Miller,** 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-COMMISSION CLERK

1 DIRECT TESTIMONY OF GARY P. MILLER

2 Q. Please state your name and business address.

3 A. Gary P. Miller, Florida Department of Environmental Protection, 3319  
4 Maguire Blvd., Suite 232, Orlando, Fl. 32803

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

7 A. I have a B.S. in Biology. I worked for the Osceola County Health  
8 Department in the environmental health section for approximately 5 years and  
9 for the Florida Department of Environmental Protection (DEP) in the wastewater  
10 and drinking water sections for approximately 19 years.

11 Q. By whom are you currently employed and in what capacity?

12 A. I am the Program Manager in the Wastewater Compliance/Enforcement  
13 Section of DEP.

14 Q. What are your general responsibilities at the DEP?

15 A. I manage the Wastewater Compliance/Enforcement Section which includes  
16 reviewing all enforcement documents (warning letters, consent orders, notice  
17 of violations etc.) and noncompliance letters of all Type I and II domestic  
18 wastewater facilities and conducting enforcement and compliance meetings.

19 Q. Are you familiar with Utilities, Inc. of Florida's wastewater systems  
20 in Seminole County, particularly the Lincoln Heights and Weathersfield  
21 Wastewater Treatment Facilities (WWTF)?

22 A. Yes.

23 Q. Does the utility have the appropriate current permits from the DEP for  
24 these facilities?

25 A. Domestic wastewater treatment plant permits are not required for those

1 facilities. The Lincoln Heights WWTF was shut down on July 6, 2001 with the  
2 flow being diverted to the City of Sanford WWTF. The Weathersfield WWTF was  
3 shut down many years ago with the flow being diverted to the City of Altamonte  
4 Springs WWTF.

5 Q. Do the utility's pump stations and lift stations meet DEP requirements  
6 with respect to location, reliability and safety?

7 A. Yes. No recent deficiencies have been noted for either facility.

8 Q. Are the collection facilities in compliance with all other provisions  
9 of Title 62, Florida Administrative Code, not previously mentioned?

10 A. Yes.

11 Q. Has the utility been subject of any DEP enforcement action within the  
12 past two years?

13 A. Yes. Prior to the Lincoln Heights WWTF being shut down, the utility  
14 entered into a consent order with the DEP (OGC File No. 98-2102). All of the  
15 requirements of the consent order have been completed and the case is closed.

16 Q. Do you have anything further to add?

17 A. No, I do not.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

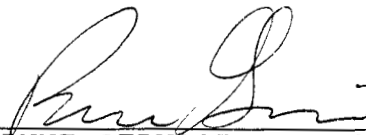
In re: Application for rate  
increase in Marion, Orange,  
Pasco, Pinellas, and Seminole  
Counties by Utilities, Inc. of  
Florida.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Direct Testimony of Gary P. Miller 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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