

# ORIGINAL

## MEMORANDUM

MARCH 30, 2004

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COMMISSION  
CLERK

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (RODAN) *JAR*

RE: DOCKET NO. 021256-WU - APPLICATION FOR CERTIFICATE TO PROVIDE WATER SERVICE IN VOLUSIA AND BREVARD COUNTIES BY FARMTON WATER RESOURCES, LLC.

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Attached is the REVISED DIRECT TESTIMONY OF VALERIE JAMES on behalf of Commission Staff to be filed in the above-referenced docket.

JAR/jb  
I:021256test.cos.doc

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CHARLES M. DAVIDSON



OFFICE OF THE GENERAL COUNSEL  
RICHARD D. MELSON  
GENERAL COUNSEL  
(850) 413-6199

## Public Service Commission

March 30, 2004

Ms. Blanca Bayo, Director  
Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

**Re: Docket No. 021256-WU – Application for certificate to provide water service in Volusia and Brevard Counties by Farmton Water Resources, LLC**

Dear Ms. Bayo:

Please be advised that page 3, line 17, of the testimony of Commission witness Valerie James has been revised. The attached page 3 replaces the original page 3 of the testimony that was filed in this docket on March 11, 2004.

Sincerely,

A handwritten signature in black ink that reads "Jennifer A. Rodan".

Jennifer A. Rodan  
Attorney

cc: All Parties of Record

1 A. Yes. Portions of the proposed utility service area in Volusia County are designated  
2 Forestry Resource, Agricultural Resource, and Environmental Systems Corridor land use  
3 categories, while the remaining portions in Brevard County are designated Agriculture. The  
4 utility services are proposed in an area that is completely rural; some of these areas contain  
5 natural resources that are environmentally sensitive and are intended to be protected.  
6 Therefore, extension of services into this area would encourage urbanization of rural,  
7 agriculture, and environmentally sensitive areas and may result in urban sprawl development  
8 patterns. Both Volusia and Brevard Counties have identified several goals, objectives, and  
9 policies in their Future Land Use Element (FLUE) plans which the proposed utility service  
10 application is inconsistent with, in addition to other objections. For example, FLUE Objective  
11 1.1.3 requires Volusia County to limit urban sprawl by directing urban growth to those areas  
12 where public facilities and services are available inside designated service areas. Brevard  
13 County FLUE Objective 4 recognizes the importance of agricultural land to the community as  
14 the industry benefits the economy, reduces the extent of the urban sprawl, and the costs of  
15 providing public facilities and service, provides environmental benefits, and provides open  
16 space and visual beauty. The application area is outside the County's designated service area.  
17 Volusia County Potable Water Sub-Element Policies 7.1.1.7 and 7.1.1.11, and Brevard County  
18 FLUE Policy 4.1 prohibit the extension of water lines, or establishment of central systems of  
19 potable water outside of the water service areas. In addition, the Cities of New Smyrna Beach  
20 and Titusville have also raised objections to the proposed utility service application. The City  
21 of New Smyrna Beach has concerns over the potential impacts to existing and projected  
22 demands of potable water wells. The City of Titusville believes that the utility's application  
23 conflicts with the Comprehensive Plans for both Volusia and Brevard Counties in the areas of  
24 establishment of central water systems outside the water service areas, and unapproved water  
25 wells and treatment plant sites.

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide  
water service in Volusia and Brevard Counties  
by Farmton Water Resources, LLC.

DOCKET NO. 021256-WU

DATED: MARCH 30, 2004

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the REVISED DIRECT  
TESTIMONY OF VALERIE JAMES on behalf of The Florida Public Service Commission has  
been furnished to the following, this 30<sup>th</sup> day of March, 2004:

Rose Law Firm  
Marshall Deterding, Esquire  
John Wharton, Esquire  
2548 Blairstone Pines Way  
Tallahassee, FL 32301

Brevard County  
Scott Knox  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

St. Johns River Water Mgt. District  
Mary Ellen Jones, Esquire  
P. O. Box 1429  
Palatka, FL 32178

Rich Burklew, P. G.  
St. Johns River Water Mgt. District  
525 Community College Parkway, S. E.  
Palm Bay, FL 32907

de la Parte Law Firm  
Edward P. de la Parte, Jr.  
P. O. Box 2350  
Tampa, FL 33601-2350

Farmton Management, LLC  
410 North Michigan Avenue  
Room 590  
Chicago, IL 60011

Farmton Water Resources, LLC  
1625 Maytown Road  
Osteen, FL 32764

City of Titusville  
555 South Washington Avenue  
Titusville, FL 32796-3584

Charles Gauthier, AICP  
Dept. of Community Affairs  
2555 Shumard Oak Blvd.  
Tallahassee, FL 32399

Volusia County  
William Bosch  
123 W. Indiana Avenue  
DeLand, FL 32720-4613

  
JENNIFER A. RODAN, Attorney  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
(850) 413-6189