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April 20, 2004

By Federal Express Airbill No. 8488 3373 3944

Blanca Bayo, Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumark Oak Blvd.
Tallahassee, FL 32399-0850

APR 21 AM 10:49
COMMISSION CLERK
PSC

Re: In Re: Application of Farnton Water Resources, LLC for original Water Certificate in Volusia and Brevard Counties, Florida
Docket No. 021256-WU

Dear Ms. Bayo:

This firm represents the City of Titusville in the above-referenced matter. I enclose an original of the Titusville's Notice of Filing and fifteen (15) copies of the Prefiled Direct Testimony of Patrick A. Barnes.

I request that you file the original of these pleadings in the PSC's file. Please forward one copy of the pleading to Staff Personnel. I also request that you date stamp the second copy of the Notice of Filing and return it to me in the self-addressed stamped envelope.

Thank you for your attention to this matter. If you have any questions or comments.

Sincerely,

de la PARTE & GILBERT, P.A.

Patrick J. McNamara

AUS _____
CAF _____
CMP _____
COM 3 _____
CTR _____
ECR _____
GCL 2 _____
OPC _____
MMS _____
SEC 1 _____
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PJM/jwd
Enclosures

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3
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

04726 APR 21 03

FPSC-COMMISSION CLERK

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

IN RE:

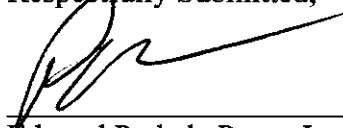
)
)
Application of Farmton Water Resources,)
LLC for original Water Certificate in Volusia)
and Brevard Counties, Florida)
_____)

DOCKET NO. 021256-WU

TITUSVILLE'S NOTICE OF FILING
PREFILED DIRECT TESTIMONY

Attached in accordance with the requirements of Order No. PSC-03-0370-PCO-VVU are the original and fifteen copies of the Prefiled Direct Testimony of Patrick A. Barnes filed on behalf of City of Titusville.

Respectfully Submitted,



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Counsel for City of Titusville, Florida

CERTIFICATE OF SERVICE


I **HEREBY CERTIFY** that a true and correct copy of the foregoing was served by
Telefacsimile and U.S. Mail to the following on 4-20, 2004:

Scott L. Knox, Esquire
Brevard County Attorney
2725 Judge Fran Jamieson Way
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Volusia County Attorney
123 West Indiana Avenue
DeLand, FL 32720-4613
Telefacsimile No.: (386) 736-5990



Patrick J. McNamara

1 **DIRECT TESTIMONY OF PATRICK A. BARNES**

2
3 Q: State your name and address.

4
5 A: Patrick A. Barnes
6 Barnes, Ferland and Assoc., Inc.
7 3655 Maguire Boulevard, Suite 150
8 Orlando, FL 32803
9

10
11
12 Q: Please state your profession.

13
14 A: I am a Professional Geologist.

15
16
17
18 Q: Do you hold any licenses in the State of Florida?

19
20 A: Yes, I hold a Professional Geologist license.

21
22
23 Q: What is your academic background?

24 A: S.U.N.Y. at Stony Brook, B.S. Geology, 1985
25 Graduate Study in Seismology, Geophysics and Water Resources
26
27
28

29
30
31 Q: Have you ever been qualified by a court or agency to provide testimony as an
32 expert witness?

33
34 A: Yes

35
36
37
38 Q: Have you reviewed the Application of Farnton Water Resources to the Florida
39 Public Service Commission?

40
41 A: Yes.

1 Q: Have you formulated an opinion on whether Farmton has the technical ability to
2 serve the proposed service area?
3
4 A: Yes.
5
6
7
8 Q: What is that opinion?
9
10 A: That Farmton has not demonstrated the technical ability to provide the water
11 utility services, as described in its application, in the proposed service area.
12
13
14
15 Q: Have you worked with the City of Titusville to prepare its application to modify
16 its consumptive water use permit submitted to the St. Johns River Water
17 Management District?
18
19 A: Yes.
20
21
22
23 Q: What is the status of that application to modify Titusville's consumptive water use
24 permit?
25
26 A: It is pending and Titusville has recently received a Request for Additional
27 Information from the St. Johns River Water Management District.
28
29
30
31 Q: In your opinion, does Titusville's application for modification of its consumptive
32 water use permit meet all the requirements in the St. Johns River Water
33 Management District rules and its Permit Applicant's Handbook?
34
35 A: Yes.
36
37
38
39 Q: In addition to your direct testimony, do you anticipate offering any testimony for
40 impeachment or rebuttal?
41
42 A: Yes, to the extent needed.