

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

DOCKET NO. 080121-WS
FILED: OCTOBER 27, 2008

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Direct Testimony of Catherine A. Walker, on behalf of the Florida Public Service Commission, has been furnished by hand delivery, on this 27th day of October, 2008, to the following:


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DOCKET NO.: 080121-WS - Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington Counties by Aqua Utilities Florida, Inc.

WITNESS: Direct Testimony of Catherine A. Walker, appearing on behalf of the Staff of the Florida Public Service Commission.

DATE FILED: October 27, 2008

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1 DIRECT TESTIMONY OF CATHERINE A. WALKER

2 Q. Please state your name and business address.

3 A. My name is Catherine Walker. My business address is 4049 Reid Street, Palatka,
4 Florida.

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

6 A. I am employed by the St. Johns River Water Management District (SJRWMD or
7 District) as the Director of the Division of Water Use Regulation in the Department of
8 Resource Management.

9 Q. How long have you worked in that position?

10 A. Since February 2008.

11 Q. What are your duties in that position?

12 A. I am responsible for oversight of the Division of Water Use Regulation. I supervise a
13 staff of hydrologists, engineers, environmental specialists, and water resource representatives
14 in Palatka and in the District's Service Centers regarding consumptive use permitting,
15 compliance and enforcement, and well construction. In addition, I coordinate the consumptive
16 use permitting activities with other District divisions and departments including water supply
17 planning, ground water programs, government and communications. The five functional areas
18 within the Division of Water Use Regulation include consumptive use permit review,
19 consumptive use permit compliance and enforcement, water well construction permitting,
20 water well construction permit compliance and enforcement, and water well contractor
21 licensing. Prior to my appointment as the Division Director, I worked as an Assistant Division
22 Director from November 2003 to February 2008. My primary role in that position was to
23 oversee the consumptive use permit compliance and enforcement activities. In addition, I
24 assisted the Division Director in supervising, reviewing, revising, and approving the work of
25 hydrologists, engineers, and other staff throughout the Division regarding consumptive use

1 permitting, compliance and enforcement; water well construction permitting, compliance and
2 enforcement; and water well contractor licensing. I also assisted the Director in coordinating
3 the consumptive use permitting program with the District's water supply planning, ground
4 water evaluations, and other programs, among other duties.

5 Q. Please summarize your educational background and professional experience before
6 you joined the District.

7 A. I graduated from the University of Central Florida in 1989 with a Bachelor of Science
8 degree in Environmental Engineering. In 2002, I received a Master's of Business
9 Administration from the University of Phoenix (at the Maitland, Florida campus). I am a
10 Professional Engineer registered in the State of Florida and have more than twenty years of
11 experience in project management for water and wastewater utility operations and
12 engineering.

13 I began my professional employment in 1985 as a laboratory technician in the City of
14 Orlando's Wastewater Bureau. I worked there for approximately one year at the City's Iron
15 Bridge Wastewater Treatment Facility. I accepted a position as an engineer intern in the
16 City's Project Management Department in 1986 and worked there for two years on public
17 works improvement projects and in developing the five-year capital improvement program.
18 From 1988 to 1990, I worked as an Engineer Intern with Commonwealth Engineering
19 Associates, a private consulting firm, on projects for public and private utilities that included
20 water conservation planning, consumptive use permitting, and the design and permitting of
21 wastewater collection, treatment, and reuse systems. Following my employment with
22 Commonwealth Engineering, I went to work for Seminole County Utilities in the
23 Environmental Services Department. I worked there as a utilities engineer, supervising a staff
24 of 35, operating ten water treatment plants, and three wastewater treatment facilities and
25 associated distribution and collection systems. After that, I served as a senior permitting and

1 compliance engineer for ten years at Florida Water Services Corporation, the prior owner of
2 many of the utility systems that are the subject of this case. While at Florida Water Services, I
3 had a major role in the development and implementation of the company's corporate
4 compliance program and in the handling of all aspects of environmental permitting for water
5 and wastewater facilities throughout the state.

6 Q. Have you ever filed or presented expert testimony before this Commission or any other
7 regulatory agency?

8 A. Yes, in 2007 I filed testimony on behalf of the staff of the Florida Public Service
9 Commission in the Aqua Utilities water and wastewater rate case (Docket No. 060368-WS). I
10 have also testified as an expert in wastewater facility permitting in support of the permittee
11 (Florida Water Services) in a case filed with the Division of Administrative Hearings to
12 challenge a proposed permit for a wastewater facility in Martin County.

13 Q. What is the purpose of your testimony in this proceeding?

14 A. The purpose of my testimony is to address the District's requirements for utilities to
15 implement a rate structure that promotes water conservation, discuss the importance of water
16 conservation, and address Aqua Utilities Florida, Inc. (AUF or utility) systems' compliance
17 with District permit requirements.

18 Q. Have you attached any exhibits to your testimony?

19 A. Yes, I have attached four exhibits to my testimony.

20 (a) Exhibit CAW-1 is my professional resume.

21 (b) Exhibit CAW-2 is a map showing the AUF systems in this case which hold
22 District permits and are located within Priority Water Resource Caution Areas.

23 (c) Exhibit CAW-3 is a summary of the AUF systems located in the SJRWMD and
24 indicates whether those systems are in compliance with District permits and
25 rule criteria.

1 (d) Exhibit CAW-4 contains copies of Consent Orders entered into with AUF for
2 their Chuluota and Imperial Mobile Terrace systems.

3 Q. What constitutes a water-conservation-promoting rate structure?

4 A. Any structure which sends a significant price signal to reduce water demand can be
5 characterized as a water-conservation-promoting rate structure.

6 Q. Please describe the District's rules regarding conservation-promoting rate structures.

7 A. Section 12.2.5.1(f) of the Applicant's Handbook, which is incorporated by rule,
8 Chapter 40C-2.101(1), Florida Administrative Code, requires that an applicant for a
9 consumptive use permit "submit a written proposal and implement a water-conservation-
10 promoting rate structure, unless the applicant demonstrates that the cost of implementing such
11 a rate structure is not justified because it will have little or no effect on reducing water use. In
12 the event that the applicant has a water-conservation-promoting rate structure in effect, the
13 applicant must submit a written assessment of whether the existing rate structure would be
14 more effective in promoting water conservation if it were modified, and if so, describe and
15 implement the needed changes."

16 Numerous studies have documented that a water-conservation-promoting rate structure
17 has a significant effect on reducing water use; therefore, the District requires its
18 implementation in almost all cases.

19 Q. Does the District have a preference regarding the percentage of fixed versus variable
20 charges to be recovered through the rates?

21 A. Yes. The higher the percentage of costs associated with usage, the greater the price
22 signal to reduce demand. Therefore, the maximum percentage of charges that the District
23 prefers to see in the base facility charge (BFC) is 40%. The reason for this limit is that the
24 District wants to have at least 60% of the cost to the customer tied to actual water use (i.e., in
25 the gallonage charge), because charging for the actual amount of water used promotes

1 conservation. In addition, the 40% maximum in the BFC is consistent with a specific
2 recommendation arising from the statewide Water Conservation Initiative (WCI). The goal of
3 the WCI was to find ways to improve efficiency in all categories of water use.

4 Q. Are you familiar with the water and wastewater rate case pending before the Florida
5 Public Service Commission in which the rate structure and rates to be approved for AUF
6 Utilities Florida, Inc. are at issue?

7 A. Generally, yes. In particular, I am familiar with respect to the proposed rate structure
8 and its potential to promote the conservation of water and compliance with District rules
9 related to water conservation.

10 Q. Have you reviewed the proposed rates and rate structures that are the subject of this
11 proceeding?

12 A. Yes. I have reviewed AUF's proposed rates and rate structures for the systems located
13 within the St. Johns River Water Management District.

14 Q. Please describe the utility's proposed rate structure request.

15 A. The utility's proposed rate structure for each system in the District consists of a BFC
16 and a two-tiered inclining block rate. The first usage block is proposed for monthly
17 consumption of 5,000 gallons or less, while the second block would be for monthly
18 consumption in excess of 5,000 gallons per month. The utility's proposed rate provides for
19 the fixed fraction of the bill to be greater than 40% until consumption reaches 9,000 gallons
20 per month.

21 Q. Does the District support the utility's request for a BFC and a two-tiered inclining
22 block gallonage charge rate?

23 A. Generally, yes. As mentioned previously, conservation-promoting rate structures
24 generally contain three or four tiers of inclining rates. The District encourages a multi-tiered
25 inclining block rate structure that progressively increases the cost to the user with increasing

1 consumption. However, the District does approve one- or two-tiered structures if the
2 gallonage charge is sufficiently high relative to the BFC, to send a clear price signal to
3 discourage use. Furthermore, 5,000 gallons per month is a reasonably conservative quantity
4 for essential domestic use. An average household with a reasonable conservation ethic should
5 be able to keep their usage in the first usage block. In this case, the tiers appear to support the
6 District's conservation goals.

7 However, with the statewide consolidated rates, many systems will see an increase in
8 the fixed portion of the bill, with a reduction in the variable portion of the bill. In some cases,
9 the price signal to conserve occurs at a much higher consumption level under the utility's
10 proposed rate structure, compared to the utility's existing rate structure. A review of those
11 systems which hold permits in the SJRWMD indicates that customers of about half of those
12 systems would see the fixed fraction of the bill increase relative to the total bill. This is true
13 for usage from zero to approximately 10,000 gallons, at which point the variable fraction of
14 the total bill dominates.

15 Q. Does the District recommend that AUF's current rate structure be changed in this
16 proceeding to be consistent with the District's requirements?

17 A. In some instances yes, and in others, no. Currently, AUF's rate structure consists of
18 only a BFC and a single-tiered (uniform) gallonage charge for each of its water systems. In
19 some instances, the existing rate structure is more heavily weighted on the BFC, and in others,
20 the existing rate is more heavily weighted in the gallonage charge. The proposed rate provides
21 for the fixed fraction of the bill to be greater than 40% until consumption reaches 9,000
22 gallons per month. The higher cost to the customer using more than an essential, efficient
23 amount of water would be most noticeable above the 10,000 threshold.

24 Q. Would you please describe a Priority Water Resource Caution Area?

25 A. Yes. Priority Water Resource Caution Areas (PWRCA's) are described in the District

1 Water Supply Plan as areas where existing and reasonably anticipated sources of water and
2 conservation efforts may not be adequate to: (1) supply water for all existing legal uses and
3 reasonably anticipated future needs; and (2) sustain the water resources and related natural
4 systems. In more general terms, these are areas in which the projected demands exceed the
5 resource capacity to supply the water without unacceptable environmental impacts.

6 Q. What is the frequency of the District's determination of PWRCAs?

7 A. Priority Water Resource Caution Areas are established based on the District's Water
8 Supply Assessments (WSAs), which are conducted every five years. The last WSA was
9 completed in 2003. The 2008 WSA is anticipated to be presented to the District's Governing
10 Board at the December 9, 2008 Governing Board meeting.

11 Q. Are any AUF systems in the SJRWMD located in PWRCAs?

12 A. Yes. Those systems and their respective District permit numbers are shown on Exhibit
13 CAW-2 and include the following: Carlton Village (2605), East Lake Harris Estates (2607),
14 Fern Terrace (2611), Hobby Hills (2613), Morningview (2610), Palms Mobile Home Park
15 (2612), Picciola Island (2609), Skycrest (2614), Stone Mountain (2606), Valencia Terrace
16 (2632), Venetian Village (2608), Piney Woods/Spring Lake (2604), Quail Ridge (4545),
17 Silver Lake Estates/Western Shores (2644), Tangerine (51073), Chuluota (8362) and
18 Harmony Homes (8357). This information is based on the 2003 Water Supply Assessment.
19 We anticipate that there will be a significant expansion of the PWRCAs based on the 2008
20 WSA.

21 Q. What is the effect, if any, of a utility or system being located within a Priority Water
22 Resource Caution Area?

23 A. Water conservation is critically important in these areas in order to extend the
24 timeframe within which relatively inexpensive fresh groundwater supplies can be sustained
25 before more expensive alternative water sources must be developed.

1 Q. For each AUF system covered in this proceeding that is located in the SJRWMD,
2 would you please summarize the consumptive use permit compliance status?

3 A. Yes. We reviewed the compliance history from 2005 to the present of each of the
4 systems located within the SJRWMD that are the subject of this proceeding. A summary table
5 is attached as exhibit CAW-3.

6 Several of the systems do not currently hold District Permits. The following systems
7 do not hold District permits and appear to be required to; therefore, they are in significant
8 noncompliance with District requirements: J. Swiderski – Summit Chase, Ravenswood, and
9 Tomoka. Summit Chase has been incorporated into the Tavares Ridge permit held by J.
10 Swiderski. That permit expired on April 28, 2007, and an application for renewal has not been
11 received by the District. Therefore, these systems are in significant noncompliance as well.

12 Other AUF systems are not required to have District permits, either because they fall below
13 permitting thresholds or because they are interconnected with other systems and do not have
14 withdrawal facilities. Interconnected systems include Kingswood (interconnected with
15 Brevard County), Oakwood (interconnected with Brevard County), Friendly Center
16 (interconnected with East Lake Harris), Holiday Haven (interconnected with Astor Water
17 Association), Beecher's Point (interconnected with Town of Welaka), Hermits Cove
18 (interconnected with St. John's Highland) and Jungle Den (interconnected with Astor Water
19 Association). St. John's Highland is subthreshold and does not require a District Permit.

20 As of the time of this filing, however, we have not determined whether or not permits are
21 required for J. Swiderski – 48 Estates, and J. Swiderski - Kings Cove. These systems fall
22 below the volumetric thresholds for permit requirements, but if they have wells equal to or
23 greater than 6-inches in diameter, then they are required to obtain District permits. Pomona
24 Park, Silver Lake Oaks, and Wootens are subthreshold and do not require permits.

25 Q. Will you please characterize the nature of the AUF systems' violations identified and

1 their relevance to this proceeding?

2 A. All of the systems that have District permits have at least one minor violation for
3 failure to timely submit meter test results. For many of these, the reports were submitted
4 within a couple of weeks of the due date. However, Notices of Violation (NOVs) were sent to
5 several of the systems including Hobby Hills, Picciola Island, Skycrest, Stone Mountain,
6 Venetian Village, Quail Ridge, Silver Lake Estates/Western Shores, and Tangerine. These
7 NOVs were for various violations, including allocation exceedances along with other
8 reporting violations. The District entered into Consent Orders with AUF for violations at
9 Chuluota and Imperial Mobile Home Terrace. These Consent Orders are attached as Exhibit
10 CAW-4.

11 The Arredondo Estates system has a permit that is issued to Arredondo Utility Co., Inc.
12 d/b/a AquaSouce Utilities. If this system is owned by AUF, the permit should be transferred
13 to Aqua Utilities Florida, Inc.

14 Q. Does that conclude your testimony?

15 A. Yes.

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Catherine A. Walker, P.E., M.B.A.

4049 Reid Street
Palatka, FL 32177

PROFESSIONAL OVERVIEW

Over twenty years of experience in water/wastewater utility operations/engineering project management with emphasis on environmental permitting and compliance management in all six Florida Department of Environmental Protection districts, and three major water management districts. Currently serving as Director of the Division of Water Use Regulation at St. Johns River Water Management District. Formerly served as a Governing Board Member and Governing Board Regulatory Committee Chair at the St. John's River Water Management District. Served as a senior staff engineer for Florida's largest privately owned water and wastewater utility, and also worked as a utility engineer on staff for Seminole County Utilities and the City of Orlando Wastewater Bureau. Possess a unique combination of public sector and private sector utility engineering and operations and water resource management experience.

Experienced in design, operation, evaluation and permitting of wastewater facilities ranging from simple package treatment facilities serving small communities to advanced treatment facilities serving large communities. Experienced in numerous types of reuse and effluent disposal methods including public access reuse, wetlands reuse, and underground injection.

Experience in water treatment facilities ranges in complexity from simple aeration and disinfection facilities, to lime softening and reverse osmosis treatment of brackish water. Experienced in both groundwater and surface water treatment and permitting and have conducted site-specific evaluations to demonstrate compliance with the Surface Water Treatment Rule. Coordinated permitting activities for the first 20-year water use permit issued in the South Florida Water Management District, and coordinated permitting activities for one of the first raw water ASR well systems to be incorporated into an integrated water supply consisting of surface water, brackish water and reclaimed water to meet potable and nonpotable demands.

SUMMARY OF CAPABILITIES

- Strong oral and written communication skills
- Environmental Permitting and Regulatory Compliance Management
- Water, Wastewater and Reuse Systems evaluation, design, and operation
- Expert Witness
- Obtaining complex Multi-agency Permitting for water supply projects
- Utility Operation and Regulatory Compliance Analysis

EDUCATION:

Master of Business Administration, 2002. University of Phoenix, Maitland Florida campus.
Master of Business Administration, 2002. University of Phoenix, Maitland Florida campus.
Bachelor of Science in Environmental Engineering, 1989. University of Central Florida.
SJRWMD Academy – 2005-2006. Leadership Training Program, SJRWMD

EDUCATION: (cont.)

Operation of Wastewater Treatment Plants, Volume I. (Field Study Training Program) 2000.
California State University, Sacramento.

PROFESSIONAL REGISTRATION:

Professional Engineer No. 52188, Florida

PROFESSIONAL AFFILIATIONS/COMMUNITY SERVICE:

American Water Works Association. Vice Chair, Water Allocation and Regulation Committee
Member

St. John's River Water Management District Governing Board Member. March 2001 – September
2003 - Regulatory Committee Chair.

Leadership Seminole, Class of 2002.

Florida Water Environment Association. Former Biosolids Committee Chair

American Water Resources Association. Member.

WORK HISTORY:

St. John's River Water Management District February 2008 – Present

Director, Division of Water Use Regulation

Responsible for supervision, review and approval of the work and recommendations of a staff of Hydrologists, Engineers, Environmental Specialists, and Water Resource Representatives in Palatka and the Service Centers regarding Consumptive Use Permitting, compliance and enforcement, and well construction. Responsible for coordinating permitting program with District water supply planning and ground water programs.

St. John's River Water Management District December 2003 – Present

Assistant Division Director, Division of Water Use Regulation

Assist the Director of the Division of Water Use Regulation, in supervising, reviewing, revising and approving the work and recommendations of a staff of Hydrologists, Engineers, Environmental Specialists, and Water Resource Representatives throughout the District regarding consumptive use permitting, water use compliance and enforcement, water well construction permitting, water well construction compliance and enforcement, and water well contractor licensing.

Responsible for conducting training and meetings with staff to coordinate activities and maintain effective information exchange. Assist Division Director in coordinating permitting program with District water supply planning, ground water evaluations, and other programs. Responsible for presentations and generally representing the Division of Water Use Regulation in internal and external meetings.

Represent the District on Statewide Conservation Clearinghouse "Conserve Florida" Work Group. Serve as Co-Chair of regulatory coordination team.

WORK HISTORY: (cont.)

South Florida Water Management District May 2003- November, 2003
Senior Engineer

Reviewed water use permit applications and in the District's Orlando Service Center.

Government Services Group, Inc. May 2002 – November 2002
Senior Project Manager

Responsible for overall coordination and planning of capital improvements programs for the Florida Governmental Utility Authority, as well as advising the Director of Operations on water quality issues, facility capacity issues and regulatory matters. Also responsible for monitoring operations, billing and customer services agreements and contracts for laboratory services.

WCG, Inc. May 2001 – May 2002:
Water Resources Manager

Responsible for management of Water Resources Department of engineering consulting firm. Department services included water resources management planning, utility valuation, and regulatory liaison services for related engineering disciplines.

Florida Water Services Corporation November 1992 – April 2002:
Senior Permitting and Compliance Engineer

Prepared and implemented Corporate Compliance Program for Florida's largest investor-owned utility consisting of approximately fifty wastewater collection, treatment and reuse systems. Handled all aspects of environmental permitting for water and wastewater facilities throughout Florida in all six Districts of the Department of Environmental Protection as well as the St. John's River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District, as well as local County Health Departments and land development authorities. Prepared Capacity Analysis Reports, (CAR), Operation and Maintenance Performance Reports (OMPR), and Reuse Feasibility Studies (RFS) in support of FDEP wastewater treatment facility permits and Water Management District Consumptive Use Permits.

Coordinated permitting activities and managed consultants for the first raw water Aquifer Storage and Recovery system in Florida. Conducted tracer studies to evaluate and demonstrate compliance with EPA Surface Water Treatment Rule and Enhanced Surface Water Treatment Rule. Qualified as an expert witness in the field of environmental permitting. Provided testimony in support of a wastewater facility permit challenge.

Conducted due diligence investigations of proposed utility acquisitions. Investigations included review of regulatory compliance history, operational performance, available capacity and potential required capital improvements to meet current and proposed regulatory requirements.

Seminole County Environmental Services Department 1990 - 1992

Utilities Engineer

Supervised water and wastewater operation and maintenance staff of 35 operating 10 water treatment plants and 3 wastewater treatment facilities and associated distribution and collection systems at Seminole County, Florida. Responsible for developing plans and programs to improve the overall efficiency of water and wastewater operations, assuring compliance with all applicable state and federal regulations, developing and monitoring annual budgets for the division and other related duties. Also responsible for the development and implementation of the County's Industrial Waste Pretreatment Program and a County-wide Water Conservation Plan.

Commonwealth Engineering Associates 1988 - 1990

Engineer Intern

Environmental engineering design and project management for public and private water and wastewater utility clients. Representative projects include water distribution system hydraulic analysis and design, water conservation planning, consumptive use permitting, design and permitting of wastewater collection, treatment and reuse systems.

City of Orlando, Project Management Department 1986 - 1988

Engineer Intern

Served as acting project manager for public works improvement projects. Assisted in development of project schedules and budgets, consultant coordination and project related research on large capital improvement projects. Assisted in the development of five-year capital improvement program.

City of Orlando, Wastewater Bureau 1985 - 1986

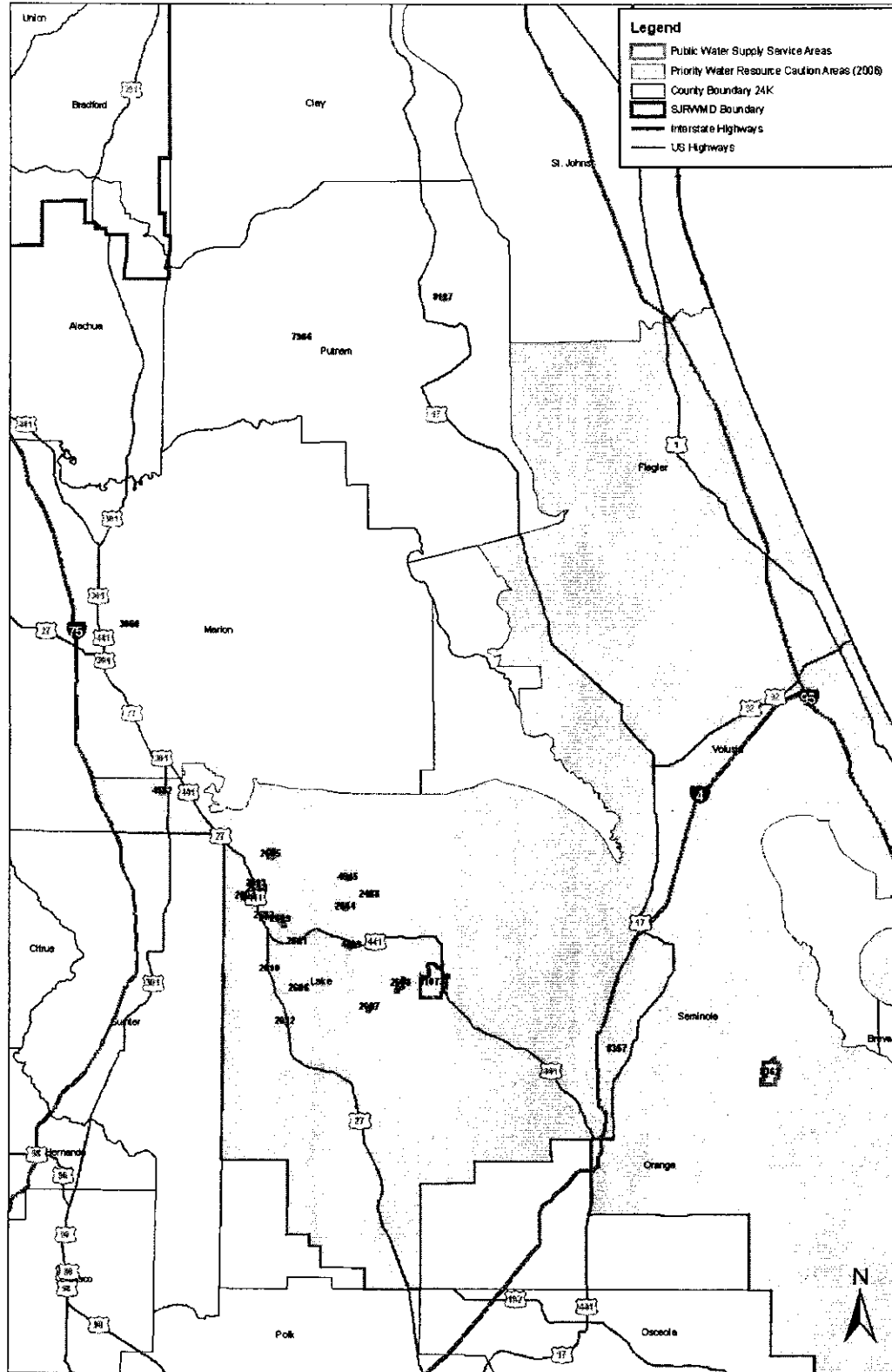
Laboratory Technician

Daily laboratory testing of wastewater to evaluate compliance with process control parameters and permitted effluent limitations.

University of Central Florida, Environmental Engineering Laboratory 1984 - 1985

Laboratory Technician

Laboratory testing in support of research on reverse osmosis membrane treatment for trihalomethane removal.



**Aqua Utilities CUP Compliance Summary Table
SJRWMD**

Exh CAW-3
Page 1 of 2

County	System Name	Permit Required?	District Permit No.	Permit Expiration	Violations	Enforcement?	Comments
Alachua	Arredondo Estates/Farms	Y	11364	3/2/2021	Y	N	Permit holder is Arredondo Utility Co., Inc, Aqua Source Utilities (not Aqua)
Brevard	Kingswood (Interconnect w/Brevard County)	N	none		N/A	N	
Brevard	Oakwood (Interconnect w/Brevard County)	N	none		N/A	N	
Lake	Carlton Village	Y	2605	12/8/2020	Y	N	Minor violations for late submittal of Water use reports
Lake	East Lake Harris Estates	y	2607	3/7/2020	Y	N	Minor violations for late submittal of Water use reports and meter accuracy reports
Lake	Fern Terrace	y	2611	2/18/2020	N/A	N	2008 EN51 overdue, EN50's OK
Lake	Friendly Center (Interconnect w/East Lake Harris)	N					
Lake	Grand Terrace	Y	2488	2/8/2022	Y	N	Minor violation for late submittal of Meter Test reports
Lake	Haines Creek		2598	10/9/2026	N	N	Issued to Haines Creek RV Village, Donald and Syvia Caskey. Permit does not show Aqua as owner. Transfer needed?
Lake	Hobby Hills	Y	2613	12/7/2019	Y	Notice of Violation (NOV)	2 years late in submitting Meter accuracy report
Lake	Holiday Haven (Interconnect w/Astor Water Assn.)	N					
Lake	Imperial Mobile Home Terrace	Y	4493	10/17/2027	Y	Consent Order	Permit expired in 2006 prior to renewal application. Consent order entered into for resolution of violations including excessive use of surface water and late meter accuracy reporting.
Lake	J. Swiderski - 48 Estates	No Data	None				
Lake	J. Swiderski - Kings Cove	No Data	None				
Lake	J. Swiderski - Summit Chase	Yes?	None				Operating without required permit?
Lake	Morningview	Y	2610	11/17/2019	Y	N	Minor violations for late submittal of Water use reports and meter accuracy reports
Lake	Palms Mobile Home Park	Y	2612	11/17/2019	Y	N	Minor violations for late submittal of Water use reports and meter accuracy reports
Lake	Picciola Island	Y	2609	12/7/2019	Y	NOV	Meter Calibration Report
Lake	Skycrest	Y	2614	2/23/2020	Y	NOV	Meter Calibration Report, exceeded 2007 allocation by 14.5%, at 68% of 2008 allocation by July 1.
Lake	Stone Mountain	Y	2606	7/27/2022	Y	NOV	Meter Calibration Report
Lake	Valencia Terrace	Y	2632	8/11/2020	Y	N	Minor violation for late submittal of Meter Test reports
Lake	Veneitan Village	Y	2608	2/18/2020	Y	NOV	Violations for: water audit, annual report water line repair, data submitted in 07. Currently annual line repair report past due for 08
Lake	Piney Woods/Spring Lake	Y	2604	5/17/2021	Y	N	Minor violations for late submittal of Water use reports and meter accuracy reports

Aqua Utilities CUP Compliance Summary Table
SJRWMD

Exh CAW-3
Page 2 of 2

County	System Name	Permit Required?	District Permit No.	Permit Expiration	Violations	Enforcement?	Comments
Lake	Quail Ridge	Y	4545	11/5/2006	y	NOV	Expired permit, Enforcement in progress plus minor violation for late meter accuracy reporting
Lake	Ravenswood	Y	None				Operating without required permit
Lake	Silver Lake Estates/Western Shores	Y	2644		Y	NOV	Allocation Exceedance, water audit past due & received complaint 09/08 from homeowner of leaks along the street.
Marion	Ocala Oaks	Y	3043	9/3/2019	Y	Pending	Allocation Exceedance, Meter test report, Permitted to Ocala Oaks Utilities (not transferred)
Orange	Tangerine	Y	51073	9/30/2009	Y	NOV	Allocation Exceedance, Water Use report late
Putnam	Beecher's Point (Interconnect w/City of Welaka)	N					
Putnam	Hermits Cove (Interconnect w/St. John's Highlands)	N					
Putnam	Interlachen Lakes Estates	Y	7986	9/30/2019	Y	Pending	Allocation Exceedance, Excessive system leaks, Unaccounted water
Putnam	Palm Port	Y	8127	5/2/2021	Y	N	Meter Calibration Report
Putnam	Pamona Park	No Data					
Putnam	River Grove	N					
Putnam	Silver Lake Oaks	N					
Putnam	St. Johns Highlands (Interconnect w/ Hermits Cove)	N					
Putnam	Welaka/Saratoga Harbor (Interconnected)	N					
Putnam	Wootens	N					
Seminole	Chuluota	Y	8362	4/12/2007	Y	Consent Order	Multiple violations. CO rendered 01/28/08. Permit application in house for renewal.
Seminole	Harmony Homes	Y	8357	10/18/2020	N/A		
Volusia	Jungle Den (Interconnect w/Astor Water Assn.)	N					
Volusia	Tomoka	?	None				In process of permit determination



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

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January 28, 2008

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P.O. Box 490310
Leesburg, FL 34749

Re: WTP No. 1-AUF Chuluota and WTP No. 2-AUF Chuluota; CUP NO. 8362

Dear Mr. Lihvarcki:

I have enclosed copy of the CUP General Consent Order Number 03 for the above-referenced matter. Also enclosed is the original receipt in the amount of \$34,892.00 for payment of the settlement penalty and staff costs.

Sincerely,

Kim Player
Legal Assistant
Office of General Counsel

/kp

cc: Shannon Joyce, RIM Palatka/Altamonte Springs

-17-

GOVERNING BOARD

David G. Graham, CHAIRMAN JACKSONVILLE	Susan N. Hughes, VICE CHAIRMAN PONTEVEDRA	Ann T. Moore, SECRETARY BUNNELL	W. Leonard Wood, TREASURER FERNANDINA BEACH
Michael Ertel- OVECO	Hershey "Herky" Huffman ENTERPRISE	Arlan N. Jumper FORT MCCOY	William W. Kerr MELBOURNE BEACH
			Quana L. Ottenstroet JACKSONVILLE

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
CUP GENERAL CONSENT ORDER NUMBER 03

IN RE: Aqua Utilities Florida, Inc.
Attn: Jack Lihvarcik
PO BX 490310
Leesburg, FL 34749

F.O.R. #2007-06

This CUP General Consent Order is entered into by Aqua Utilities Florida, Inc. ("Respondent") and the St. Johns River Water Management District ("District") to settle certain matters at issue between them under Chapter 373, Florida Statutes (F.S.), and Chapters 40C-2, 40C-3, 40C-20, or 40C-22, Florida Administrative Code (F.A.C.).

1. The St. Johns River Water Management District is a special taxing district established by Chapter 373, F.S., and charged with the duty to administer and enforce Chapter 373, F.S., and the rules promulgated thereunder, including Chapters 40C-2, 40C-3, 40C-20, and 40C-22, F.A.C.

2. Respondent owns or controls real property (the "subject property") and the water use located at Chuluota water services area; identified as Consumptive Use Permit 8362.

3. Respondent violated Sections 373.219, 373.323, 373.324, 373.333, or 373.342, F.S., and Rules 40C-2.041(1), 40C-2.381, 40C-3.037, 40C-3.038, 40C-3.041, 40C-3.492, or 40C-22.030, F.A.C., by (brief description of illegal activity): Violations of conditions for Consumptive Use Permit 8362

4. The District has jurisdiction over this matter, the well(s), Respondent, and the water use. Sections 373.069(2)(c), 373.219, 373.323, 373.324, 373.333, and 373.342, F.S.

5. The District is authorized under Section 373.129, F.S., to seek injunctive relief and/or a civil penalty not to exceed ten thousand dollars (\$10,000.00), per offense per day, for violations of Chapter 373, F.S., and Chapters 40C-2, 40C-3, 40C-20, or 40C-22, F.A.C.

6. Respondent agrees to pay a settlement penalty of \$33,546.00 and staff costs of \$1346.00. Within ten (10) days of rendition of this consent order, Respondent shall deliver to the District a cashier's check or money order made payable to the St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177-2529, in the total amount of \$34,892.00. Any sums unpaid within the time frame provided herein shall bear interest at the rate of 1.5 percent per month until paid.

7. Respondent shall not undertake any further use of water or further construction, repair, or abandonment of water wells on the subject property except as authorized by District permit and this consent order.

8. The complete and timely performance of the obligations set forth herein shall be dispositive of the violation(s).

9. The District waives its rights to seek judicial imposition of civil or criminal penalties. The Respondent waives its rights, including its defenses, under section 120.69, F.S., to judicial review or an administrative hearing on the terms of this Order.

Approved as to form by Office of General Counsel

1/10/07
Date Vance Kuder
Attorney

12/26/07
Date [Signature]
Respondent
(Signature)
John M. Nawrocki
(Printed Name)

District Staff
10/25/07
Date Shannon L. Joyce
Shannon L. Joyce
St. Johns River Water
Management District

01/11/08
Date [Signature]
Assistant Director,
Division of Water Use Regulation
St. Johns River Water
Management District

Rendered this 15th day of January, 2008.
[Signature]
Robert Nawrocki
District Clerk



Send cashiers check or money order (Do Not Send Cash) to: SJRWMD, 4049 Reid Street, Palatka, FL 32177-2529.
(NOTE: When remitting payment, please include: CUP General Consent Order Number 03, F.O.R. #2007-06 on the check, and return with the original of this CUP General Consent Order.)



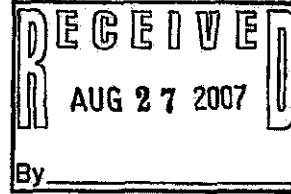
St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director
David Dewey, Altamonte Springs Service Center Director

975 Keller Road • Altamonte Springs, FL 32714-1618 • (407) 659-4800
On the Internet at www.sjrwmd.com.

August 22, 2007

Aqua Utilities Florida, Inc.
Attn: Jack Lihvarcik
PO BX 490310
Leesburg, FL 34749



RE: Consent Order F.O.R. 2007-06; Number 6; for Consumptive Use Permit 4493; Imperial Terrace; Item #772628

Dear Mr. Lihvarcik:

Enclosed please find the Consent Order that was referenced in my August 21, 2007 letter to Aqua Utilities Florida, Inc.

You may contact me by telephone at (407) 659-4848 or by e-mail at sjoyce@sjrwmd.com to discuss settlement of the Consent Order. Although I am frequently traveling between our different offices and you may not be able to speak with me immediately by telephone, you may always contact me by e-mail. I look forward to hearing from you within the next fourteen (14) days to initiate resolution of the consent order. If you would like to arrange a meeting to discuss these issues, if you can provide me with a listing of dates you are available, via e-mail, I will coordinate with the appropriate District staff.

Sincerely,

Shannon L. Joyce, P.G.; Compliance Manager
Division of Water Use Regulation
Department of Resource Management

cc: PDS; Compliance Number 566722
Catherine Walker
James Lemine
Bryan Carrick

4493-5
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SEP 20 2007
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ALTAMONTE SVC. CTR.

GOVERNING BOARD

David G. Graham, CHAIRMAN JACKSONVILLE	Ann T. Moore, SECRETARY BUNNELL	Duane L. Ollensroer, TREASURER JACKSONVILLE	Susan N. Hughes PONTE VEDRA
Michael Ertel OVIEDO	Hershey "Herky" Hultman ENTERPRISE	Arlen N. Jumper FORT MCCOY	William W. Kerr MELBOURNE BEACH
			W. Leonard Wood FERNANDINA BEACH

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

CUP GENERAL CONSENT ORDER NUMBER 06

IN RE: **Aqua Utilities Florida, Inc.**
Attn: Jack Lihvarcik
PO BX 490310
Leesburg, FL 34749

F.O.R. #2007-06

This CUP General Consent Order is entered into by Aqua Utilities Florida, Inc. ("Respondent") and the St. Johns River Water Management District ("District") to settle certain matters at issue between them under Chapter 373, Florida Statutes (F.S.), and Chapters 40C-2, 40C-3, 40C-20, or 40C-22, Florida Administrative Code (F.A.C.).

1. The St. Johns River Water Management District is a special taxing district established by Chapter 373, F.S., and charged with the duty to administer and enforce Chapter 373, F.S., and the rules promulgated thereunder, including Chapters 40C-2, 40C-3, 40C-20, and 40C-22, F.A.C.

2. Respondent owns or controls real property (the "subject property") and the water use located at Imperial Terrace; Identified as Consumptive Use Permit 4493.

3. Respondent violated Sections 373.219, 373.323, 373.324, 373.333, or 373.342, F.S., and Rules 40C-2.041(1), 40C-2.381, 40C-3.037, 40C-3.038, 40C-3.041, 40C-3.492, or 40C-22.030, F.A.C., by (brief description of illegal activity): Violation of Condition 13. Condition 13 states that this permit (4493) will expire on June 30, 2006, however an application to renew was not submitted to the District until August 18, 2006.

4. The District has jurisdiction over this matter, the well(s), Respondent, and the water use. Sections 373.069(2)(c), 373.219, 373.323, 373.324, 373.333, and 373.342, F.S.

5. The District is authorized under Section 373.129, F.S., to seek injunctive relief and/or a civil penalty not to exceed ten thousand dollars (\$10,000.00), per offense per day, for violations of Chapter 373, F.S., and Chapters 40C-2, 40C-3, 40C-20, or 40C-22, F.A.C.

6. Respondent agrees to pay a settlement penalty of \$3,199.00 and staff costs of \$156.00. Within ten (10) days of rendition of this consent order, Respondent shall deliver to the District a cashier's check or money order made payable to the St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177-2529, in the total amount of \$3,355.00. Any sums unpaid within the time frame provided herein shall bear interest at the rate of 1.5 percent per month until paid.

7. Respondent shall not undertake any further use of water or further construction, repair, or abandonment of water wells on the subject property except as authorized by District permit and this consent order.

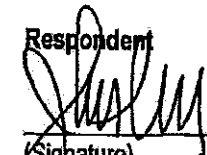
8. The complete and timely performance of the obligations set forth herein shall be dispositive of the violation(s).

9. The District waives its rights to seek judicial imposition of civil or criminal penalties. The Respondent waives its rights, including its defenses, under section 120.69, F.S., to judicial review or an administrative hearing on the terms of this Order.

Approved as to form by Office of General Counsel

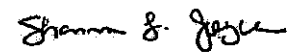
Date Attorney

9/18/07
Date

Respondent


(Signature)
John M. Litvareik
(Printed Name)

8/22/07
Date

District Staff


(Signature)
Shannon L. Joyce
St. Johns River Water
Management District

Date Assistant Director,
Division of Water Use Regulation
St. Johns River Water
Management District

Rendered this ____ day of _____, 2007.

Robert Nawrocki
District Clerk



Send cashiers check or money order (Do Not Send Cash) to: SJRWMD, 4049 Reid Street, Palatka, FL 32177-2529.
(NOTE: When remitting payment, please include: CUP General Consent Order Number 06, F.O.R. #2007-06 on the check, and return with the original of this CUP General Consent Order.)

4493-5
RECEIVED
SEP 20 2007
PDS
ALTAMONTE SVC. CTR.