

BEFORE THE PUBLIC SERVICE COMMISSION

In re: CWS Communities LP dba Palm Valley Utilities  
Petition for Staff Assisted Rate Increase  
Seminole County Florida

DOCKET NO.:090447-WS

Filed April 15, 2009

PETITION TO INTERVENE

Petitioner Del Burfitt, pursuant to Rule 25-22.039,

Florida Administrative Code hereby files his petition to intervene in this docket and state:

**A. AGENCY AFFECTED**

1. Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**B. IDENTIFICATION OF THE PETITIONERS....**

2. Del Burfitt  
815 East Palm Valley Drive  
Oviedo, Florida 32765-6955  
407-920-0228
3. Del Burfitt will be representing himself and is authorized to receive all notices, pleadings and other communications in this docket.

**...AND HOW PETITIONERS SUBSTANTIAL INTERESTS ARE AFFECTED**

4. Del Burfitt is a customer of Palm Valley Utilities.
5. Del Burfitt has been active over the past three years in efforts to address the issue of flow rate, management and efficiency. These efforts have been local to Seminole County Florida, regional to Central Florida. Utility policy strategies and record keeping relevant to Staff Assisted Rate Increases are at the core of this issue. To the extent that the proposed Staff assisted Rate Increase affects the community of Palm Valley, and the interest of Del Burfitt is affected.

DOCUMENT NUMBER-DATE

03005 APR 19 09

FPSC-COMMISSION CLERK

### **C. RECEIPT OF NOTICE OF AGENCY'S PROPOSED ACTION**

6. Petitioner received notice of the Public Service Commission's action through its *NOTICE OF CUSTOMER MEETING* received within the April land use billing.

### **D. DISPUTED ISSUES OF MATERIAL FACT**

7. Is there a need for the proposed Staff Assisted Rate Increase generating additional costs taking into account the need for Water and Waste Water delivery and treatment. system reliability and integrity, as this criterion is used in Section 367.011, Florida Statutes.
8. Is there a need for the proposed Staff Assisted Rate Increase the need for adequate water and waste water treatment at a reasonable cost, as this criterion is used in Section 367.011, Florida Statutes.
9. Whether dependable, conclusive information regarding conservation and demand site management measures exists, at this time, to reasonably allow for a determination to be made regarding the appropriateness of permitting proposed Staff Assisted Rate Increase.

### **E. CONCISE STATEMENT OF ULTIMATE FACTS ALLEGED**

10. The data and ongoing research pertaining to the various options available for the provision of the future rates needs that are proposed to be met by this increase and the variables affecting relative cost assessments do not provide a foundation that allows for a prudent, reasonable or responsible determination proving the need for this proposed Staff Assisted Rate Increase.

11. The permitting of this Rate Increase would be contrary to the historical behavior of the Florida Public Service Commission as it has in the past protected the viability of the State's water and waste water needs while protecting the interests of the residents of the State of Florida, in particular Palm Valley Utility customers.

**F. RELIEF SOUGHT BY PETITIONER**

12. I the undersigned, Del Burfitt, request that the Commission accept my petition and accept me as a "Party of Record" and an "Intervenor" in this docket.

Respectfully submitted this 15<sup>th</sup> day of April, 2010

s/Del Burfitt

Del Burfitt  
815 East Palm Valley Drive  
Oviedo, Florida