

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for authority to transfer assets and Certificate Nos. 517-W and 450-S of Service Management Systems, Inc. to Aquarina Utilities, Inc., in Brevard County.

DOCKET NO. 110061-WS

DATED: August 10, 2012

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing testimony of Tom Powers was furnished to Martin S. Friedman, Esquire, Sundstrom, Friedman & Fumero, 766 North Sun Drive, Suite 4030, Lake Mary, Florida 32746, on behalf of Aquarina Utilities, Inc., and that a copy of same was furnished to the following, by U.S. Mail, on this 10th day of August, 2012:

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DIRECT TESTIMONY OF TOM POWERS

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2 Q. Please state your name and business address.

3 A. Tom Powers

4 Department of Environmental Protection

5 3319 McGuire Boulevard, Suite 232

6 Orlando, FL 32803-3767

7 Q. Please provide a brief description of your educational background and experience.

8 A. I have a B.A. in Biology from Americrest College.

9 Q. What are your general responsibilities at the Department of Environmental Protection
10 (DEP)?

11 A. My responsibilities are to perform inspections of domestic and industrial wastewater
12 facilities within the DEP Central District to ensure the facilities meet all applicable federal and
13 state requirements.

14 Q. Are you familiar with the Aquarina Utilities, Inc. (AUI) wastewater system in Brevard
15 County?

16 A. Yes. The DEP permitted wastewater facility number is #FLA010352. This facility is
17 inspected by me at a minimum, annually.

18 Q. Is this system in compliance with all applicable DEP requirements?

19 A. The last Compliance Evaluation Inspection (CEI) was performed on March 1, 2012.
20 At the time of the inspection, the facility was in compliance.

21 Q. Has this system been the subject of any DEP compliance enforcement action within the
22 past three years?

23 A. No, however, the facility has in the past had deficiencies which have since been
24 corrected. Additional information can be provided regarding past deficiencies.

25 Q. Other than any violations discussed above, is AUI in compliance with all DEP - DATE

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1 requirements for their wastewater system in Brevard County?

2 A. As of the last inspection, yes.

3 Q. Is the overall operation and maintenance of these wastewater treatment plant and
4 distribution facilities satisfactory?

5 A. Yes.

6 Q. Do you have anything further to add?

7 A. No.

8 Q. Does this conclude your testimony?

9 A. Yes.

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