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**REBUTTAL TESTIMONY OF HAROLD A. WILKENING, III
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
ON BEHALF OF
SOUTHERN STATES UTILITIES, INC.
DOCKET NO. 950495-WS**

1 **Q. WHAT IS YOUR NAME AND BUSINESS ADDRESS?**

2 A. My name is Harold A. Wilkening, III. My Business
3 address is St. Johns River Water Management
4 District, Post Office Box 1429, Palatka, Florida
5 32175-1429.

6 **Q. WHO IS YOUR CURRENT EMPLOYER AND WHAT IS YOUR
7 POSITION?**

8 A. I am the Assistant Director, Department of Resource
9 Management for the St. Johns River Water Management
10 District ("SJRWMD").

11 **Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND
12 EXPERIENCE?**

13 A. I received a Bachelor's Degree in Civil Engineering
14 from the University of Delaware in 1979 and a
15 Master's Degree in Water Resources Engineering from
16 the University of Maryland in 1982. I then worked
17 for 4 years as a water resources engineer with
18 SJRWMD, during which my responsibilities included
19 conducting floodplain and flood control studies,
20 agricultural water use investigations, project
21 management of the Upper St. Johns Flood Control
22 project, and development of engineering criteria
23 for the SJRWMD Management and Storage of Surface
24 Waters (MSSW) rule. I then worked for about 2
25 years as a Civil Engineer with the U.S. Army Corps

1 of Engineers, planning and managing Federal flood
2 control projects in Florida, Georgia, and Puerto
3 Rico. I returned to SJRWMD in 1987 as Chief
4 Engineer of the Department of Resource Management,
5 where I supervised all engineering conducted as
6 part of the SJRWMD's Management and Storage of
7 Surface Waters and Consumptive Use Permitting
8 programs. In 1993, I assumed the position of
9 Assistant Department Director. I have been a
10 registered Professional Engineer in the State of
11 Florida since 1986.

12 **Q. WOULD YOU PLEASE DESCRIBE YOUR PRESENT DUTIES AS**
13 **ASSISTANT DIRECTOR IN THE DEPARTMENT OF RESOURCE**
14 **MANAGEMENT.**

15 A. I am primarily responsible for directing the
16 SJRWMD's water supply planning and regulatory
17 programs, including Consumptive Use Permitting,
18 Water Well Construction Permitting, Water Supply
19 Needs and Sources, and Groundwater Resource
20 Investigations. Working under the general
21 oversight of the Department Director, I conduct
22 those management duties necessary to implement
23 these programs, including the following: rule
24 development, interpretation of rules, review and
25 approval of staff recommendations on permit

1 applications, review and approval of water supply
2 investigations and studies, and presentations to
3 the SJRWMD governing board, regulated users, and
4 the general public.

5 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

6 A. The purpose of my testimony is to recommend that
7 SSU should be allowed to recover the costs for its
8 proposed conservation program as submitted in this
9 case and to rebut certain portions of the Testimony
10 of Kim Dismukes filed on behalf of the Office of
11 Public Counsel regarding SSU's proposed
12 conservation program. I will also respond to
13 portions of the testimony of Office of Public
14 Counsel ("OPC") witness Ted Bidy that facilities
15 dedicated to reuse should not be considered 100%
16 used and useful.

17 **Q. WHAT ARE SJRWMD'S OBJECTIVES REGARDING WATER**
18 **CONSERVATION?**

19 A. SJRWMD's goal for water supply is to ensure the
20 availability of an adequate and affordable supply
21 of water for all reasonable-beneficial uses while
22 protecting the water and related resources of the
23 District. To achieve this goal, SJRWMD's objective
24 for water conservation is for all water users to
25 implement all feasible water conservation

1 practices. This is very strategic in maximizing
2 the use of existing potable water supplies to the
3 largest number of users and limiting future water
4 supply problems that will typically result in
5 significantly higher costs for water. For this
6 reason, we seek to promote and establish water
7 conservation through our water use regulatory
8 program, our water supply planning (Needs and
9 Sources), and public outreach program. Since a
10 large percentage of the water use in SJRWMD is for
11 public supply, we believe that it is necessary to
12 encourage and assist all citizens to develop water
13 conserving habits. We have extensive public
14 education materials which we share with utilities
15 so that they can distribute these materials to
16 their customers.

17 **Q. IS WATER CONSERVATION NECESSARY IN AREAS THAT ARE**
18 **NOT PRESENTLY EXPERIENCING WATER RESOURCE PROBLEMS?**

19 A. Yes. Water conservation is important to all
20 citizens of Florida. SJRWMD advocates implementing
21 conservation in all areas of our district
22 regardless of whether water supply problems in that
23 area have become critical for the reasons I
24 discussed in the previous question.

25 **Q. DOES SJRWMD HAVE ANY SPECIFIC RULES THAT REQUIRE**

1 **UTILITIES TO IMPLEMENT CONSERVATION MEASURES?**

2 A. Rule 40C-2.301 (4)(e) provides, "All
3 available water conservation measures must be
4 implemented unless the applicant demonstrates that
5 implementation is not economically, environmentally
6 or technologically feasible." Appendix K to
7 *SJRWMD's Applicant's Handbook: Consumptive Uses of*
8 *Water*, provides a list of water saving measures
9 applicants may incorporate in their water
10 conservation plan, including implementation of an
11 indoor plumbing retrofit program, and
12 implementation of a rain sensor device distribution
13 program.

14 **Q. HAVE YOU REVIEWED SSU'S WATER CONSERVATION PROGRAM**
15 **ENHANCEMENTS AS PROPOSED IN THIS RATE CASE?**

16 A. Yes.

17 **Q. DOES SJRWMD SUPPORT SSU'S PROPOSED CONSERVATION**
18 **PROGRAM ENHANCEMENTS?**

19 A. Yes. SSU's program enhancements includes a set of
20 conservation practices that is supported by SJRWMD,
21 approved by SJRWMD in SSU's permits as sufficient
22 to meet the water conservation provisions of the
23 SJRWMD CUP rule, and consistent with
24 recommendations of the American Water Works
25 Association to contribute to a reduction in public

1 supply water use. As a result, we believe that SSU
2 should be allowed to recover the costs for its
3 proposed conservation plan.

4 **Q. DO YOU HAVE ANY OPINION REGARDING THE BENEFITS OF**
5 **SIMILAR CONSERVATION PROGRAMS IMPLEMENTED BY OTHER**
6 **UTILITIES WITHIN SJRWMD?**

7 A. Our experience indicates that conservation programs
8 such as the one proposed by SSU are beneficial in
9 developing a conservation ethic among water
10 customers. While we do not yet have adequate data
11 to demonstrate the per capita benefits of each
12 specific water conservation practice for utilities
13 within SJRWMD, our opinion is that such programs
14 are necessary to make the case that public supply
15 is a reasonable-beneficial use and therefore
16 entitled to a consumptive use permit. The customer
17 surveys proposed as part of SSU's program are an
18 important step to gaining further valuable
19 information about the benefits of specific water
20 conservation measures.

21 **Q. DOES SJRWMD HAVE ANY REQUIREMENTS FOR IMPLEMENTING**
22 **REUSE OF RECLAIMED WATER?**

23 A. Yes. Rule 40C-2.301 (4)(f) provides, "When
24 reclaimed water is readily available it must be
25 used in place of higher quality water sources

1 unless the applicant demonstrates that its use is
2 either not economically, environmentally or
3 technologically feasible." This provision is part
4 of the reasonable-beneficial use criteria. SJRWMD
5 requires utilities to submit a reuse feasibility
6 study with their consumptive use permit
7 application. We review those feasibility studies
8 in detail to ascertain whether we can match
9 potential end users with the reclaimed water
10 utility providers. SJRWMD very recently adopted
11 amendments to our Consumptive Use Rule governing
12 the duration of consumptive use permits. This rule
13 states that utilities may be eligible for
14 significantly longer duration permits when the
15 utility provides reclaimed water to other water
16 users.

17 **Q. SHOULD FACILITIES NECESSARY TO PROVIDE REUSE BE**
18 **CONSIDERED 100% USED AND USEFUL?**

19 A. Yes. Facilities that are constructed and operated
20 to provide reuse should be considered 100% used and
21 useful. Such facilities, whether serving existing
22 or future customers, serve to benefit the general
23 public because potable water supplies are
24 conserved. From our standpoint at SJRWMD, it is
25 very important to allow utilities full recovery of

1 the costs of these facilities in accordance with
2 the consumptive use permit program so that the goal
3 of utilizing reclaimed water to the greatest extent
4 possible can be achieved. If the FPSC does not
5 allow full recovery of these costs, they will be
6 impeding this critical goal of SJRWMD and the State
7 of Florida.

8 **Q. DOES THAT CONCLUDE YOUR PRE-FILED TESTIMONY?**

9 A. Yes, it does.