

ORIGINAL  
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment  
of Certificate No. 427-W to add  
territory in Marion County by  
Windstream Utilities Company. )  
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Docket No. 960867-WU

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PREFILED DIRECT TESTIMONY  
OF  
LYLE R. TITTERINGTON, P.E.

On Behalf of Marion County, Florida  
and  
Joe Lettelleir/Barrett Family Partnership IV, Ltd. (JB Ranch)

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- RCH \_\_\_\_\_ 43
- RCH \_\_\_\_\_ 44
- WAS Bedemann
- OTH \_\_\_\_\_

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 96-0867-WU

MARION COUNTY, FLORIDA and

JB RANCH

In Re: Application for amendment of Certificate No.  
427-W to add territory in Marion County by  
Windstream Utilities Company.

PREFILED DIRECT TESTIMONY OF

LYLE R. TITTERINGTON

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is Lyle R. Titterington, P.E. My business address  
is 506 Emerald Road, Ocala, Florida 34472-7160, and you  
can call me Bob.

Q. WHERE ARE YOU EMPLOYED?

A. I am the Utilities Director for Marion County, Florida.

Q. COULD YOU PLEASE GIVE A BRIEF SUMMARY OF YOUR  
PREVIOUS EMPLOYMENT AND EDUCATIONAL  
EXPERIENCE?

A. Yes, I have been with Marion County for almost 2 years,  
serving first as the County Engineer, and presently as the  
Utilities Director. Prior to that I worked for approximately  
5 years as Director of Public Works/City Engineer for the  
City of Brooksville. Prior to that, I worked for a little over  
3 years as a professional engineer for the Board of County  
Commissioners of Citrus County. Prior to that, I worked



1 for approximately 3 years with Amasek, Inc., as a project  
2 manager and engineer in Cocoa, Florida. I have prepared  
3 a resume' outlining the salient details of my educational  
4 and professional background which is attached to and  
5 incorporated in this prefiled testimony as Exhibit LRT-1.

6 Q. HAVE YOU EVER TESTIFIED BEFORE THE FLORIDA  
7 PUBLIC SERVICE COMMISSION?

8 A. No.

9 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

10 A. To present expert opinion on behalf of Marion County with  
11 regard to the opposition of the requested Windstream  
12 Utilities, Inc. service area expansion, as well as to provide  
13 statements of fact regarding Windstream Utilities  
14 representation during meetings to negotiate a Bulk Water  
15 Supply Agreement with Marion County for water service.

16 Q. HAVE YOU READ THE PREFILED TESTIMONY OF  
17 GERALD C. HARTMAN AND ANDREW T. WOODCOCK?

18 A. Yes, I have.

19 Q. SO AS TO EXPEDITE THIS PROCEEDING AND REDUCE  
20 THE BULK OF THIS FILING, DO YOU AGREE WITH AND  
21 ADOPT THIS TESTIMONY AS YOUR OWN?

22 A. Yes, I do.

23 Q. IS THE COUNTY FINANCIALLY AND TECHNICALLY  
24 CAPABLE OF SERVING THE S.R. 200 SUBREGIONAL  
25 SERVICE AREA?

1           A.    Yes, it is.

2           Q.    IS THE GRANTING OF THE AMENDMENT TO

3                    CERTIFICATE NO. 427-W TO WINDSTREAM UTILITIES

4                    INCONSISTENT WITH THE MARION COUNTY PLAN?

5           A.    Yes, it is.

6           Q.    ARE YOU FAMILIAR WITH THE CHRONOLOGY OF

7                    EVENTS REGARDING THE COUNTY'S UTILITY

8                    CONSOLIDATION EFFORTS AND THE FILING TO AMEND

9                    THE CERTIFICATED SERVICE AREA BY WINDSTREAM

10                   UTILITIES?

11          A.    Yes, I am. I was personally present at the Board meetings

12                    and at all negotiation meetings with Mr. Dlouhy. It is as

13                    specified in the testimony of Andy Woodcock which I

14                    adopt as my own.

15          Q.    ARE YOU FAMILIAR WITH THE DETAILS OF THE

16                    DECEMBER 4 MEETING BETWEEN THE COUNTY AND

17                    WINDSTREAM REGARDING THE BULK DEAL?

18          A.    Yes, I am. I was present for the entire meeting. I have

19                    reviewed the testimony of Andy Woodcock on this point

20                    and I adopt that testimony as my own.

21          Q.    DID YOU CONSIDER THAT THE COUNTY SHOULD

22                    INTERVENE IN THESE PROCEEDINGS AT THE TIME OF

23                    THE APPROVAL OF CONTRACT NO. 96-5?

24          A.    Yes, prior to the November 5, 1996 meeting, utility counsel

25                    for the County discussed the filing of an intervention. At



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the November 5, 1996 meeting, however, Mr. Butch Dlouhy, representing Windstream Utilities Company, approached the Board of County Commissioners and asked if the Board would negotiate a bulk agreement so that the Board could serve retail areas with wholesale water from Mr. Dlouhy. Again, at the November 12, 1996 meeting, certain information and data was presented by the Marion County Utility Counsel and Mr. Gerald Hartman, Marion County utility engineer, regarding a proposed agreement with Windstream Utilities Company. Points of the deal included that Windstream Utilities Company would withdraw its certification proceeding and that Marion County would provide retail water and wastewater service to areas previously sought to be served by Windstream Utilities Company for water only. Mr. Dlouhy was also present during the presentation and did not object to any of the points made during the presentation. But for Mr. Dlouhy's actions, statements, and representations to the Board, the Board would have intervened in this proceeding in early November of 1996.

**Q. DOES THIS CONCLUDE YOUR TESTIMONY.**

**A. Yes.**

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RESUME  
OF  
LYLE R. TITTERINGTON, P.E.

ADDRESS: MARION COUNTY UTILITIES  
DIVISION  
Marion County Utilities Department  
506 Emerald Road 34472  
P.O. Box 7160  
Ocala, Florida 34472-7160  
352/687-1856

PERSONAL DATA: Birth Date: June 25, 1958  
Height: 5'10"  
Weight: 195 lbs.  
Health: Excellent  
SS# 430-21-4957  
Marital Status: Married  
Number of Children: 2

EDUCATION: Bachelor of Science in Civil Engineering  
University of Arkansas, Fayetteville, Arkansas  
Associate of Arts in Engineering  
Westark Community College, Fort Smith, Arkansas  
Attended Continuing Education Short Courses and  
Seminars in the last three years as follows:  
Dredge, Fill and Stormwater Seminar  
Sanitary Landfill Design  
Powerful Writing Skills  
A.P.W.A. Pavement Management  
Perfecting Personnel Practices  
New Rules on Mgmt. and Storage of Surface Waters  
Introduction to Autocad  
Stormwater Management Design  
Advanced Permitting Workshop  
Asphalt Pavements - Materials, Design,  
Construction, Pavement Management, Maintenance and  
Rehabilitation

PROFESSIONAL  
REGISTRATION: Florida - PE #42789

PROFESSIONAL  
MEMBERSHIPS: National Society of Professional Engineers,  
Florida Society of Professional Engineers,  
American Public Works Association,  
Chairman, Florida Department of Transportation,  
District VII Utility Liaison Committee.  
Member of the Spring Hill/Hernando County  
Metropolitan Planning Organization Technical  
Advisory Committee.



Resume of: Lyle R. Titterington  
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**EMPLOYMENT:**

9/90 - Pres.      **EMPLOYER:** City of Brooksville  
26 S. Brooksville Ave.,  
Brooksville, Fl. 34601

**POSITION:** Director of Public Works/City Engineer  
Appointed Assist. City Manager June 93  
*Served as Acting City Manager 7 months*  
**RESPONSIBILITIES & EXPERIENCE:**

**Administration:** Responsible for preparing and regulating operating budget and capital improvement budgets for the entire Department of Public Works, of which includes the divisions of Streets/Traffic, Sanitation, Utilities, Cemetery, Maintenance and Parks and Recreations, with a total annual budget of approximately \$11,000,000. Manage personnel. Set policies. Obtain funding. Attend board and committee meetings. Negotiate contracts. Supervise administrative staff and division level operational managers, comprised of 64 employees.

**Highways:** Supervise performance of R.O.W. and construction surveys. Prepare construction plans and specifications. Obtain funding. Obtain permits from other government agencies. Establish road prioritization and maintenance projects. Establish levels of service for all roadways. Design storm sewer systems. Review bridge reports. Prepare material and labor cost estimates. Determine if projects should be done with contractor or city forces. Prepare work orders for city road maintenance section. Supervise construction. Conduct traffic counts, intersection studies and signal warrants. Erect traffic signs and stripe highways.

**Parks:** Design and supervise construction of tennis courts, park pavilions, rest room facilities and parking lots at public parks. Serve as advisor to the City's Parks and Recreation Advisory Board on matters relating to Parks administration and expansion projects. Design work to repair park buildings, parking lots.

**Planning:** Prepare Capital Improvement Plan and implement said plan. Maintain permanent traffic stations to project future traffic flows. Advise and assist the Planning and Zoning Division on all matters pertaining to water and waste-water improvements, storm drainage infra-structure improvements, and traffic patterns and service level requirements for all future expansion programs.

Resume of: Lyle R. Titterington

Page 3 of 6

Solid Waste: Responsible for solid waste management within the City. Insure that solid waste is collected and disposed of in a sanitary and cost efficient manner by City forces.

Sewer and Water: Supervise preparation of and review submission of all plans and specifications for sewermain and watermain extensions and plant expansion for city-owned and operated sewer and water systems. Insure that all operational activities of the Utilities Division are carried out in an environmentally sound manner and in accordance with all regulatory agency requirements.

Stormwater: Supervise stormwater management including design of enclosed stormsewer systems, swales, ditches and drainage retention areas. Obtain permits from state water management districts and other state and federal agencies. Review all modified and new construction plans to insure the efficiency of planned stormwater management facilities and regulatory compliance.

**EMPLOYER:** Board of County Commissioners of Citrus County.  
Citrus County Courthouse  
110 North Apopka Avenue  
Inverness, Florida 32650

7/87 - 9/90

**POSITION:** Engineer III/Assistant Director of Engineering

**RESPONSIBILITIES & EXPERIENCE:**

Administration: Responsible for preparing and regulating operating budget and capital improvement budget for the Engineering Department, with a total annual budget of approximately \$3,500,000. Manage personnel. Set policies. Obtain funding. Attend board and committee meetings. Negotiate contracts. Supervise staff of engineers, surveyors, technicians, construction crews and support personnel, comprised of 16 employees.

Highways: Supervise performance of R.O.W. and construction surveys. Prepare construction plans and specifications. Obtain funding. Obtain permits from other government agencies. Establish a pavement management program evaluating deficiencies and prioritizing roads for repair.



Resume of: Lyle R. Titterington  
Page 4 of 6

**Design** storm sewer systems. Review bridge reports. Prepare material and labor cost estimates. Determine if projects should be done with contractor or county forces. Supervise construction. Conduct traffic counts, intersection studies and signal warrants.

**Parks:** Design and supervise construction of tennis courts, boat ramps, park pavilions, rest room facilities and parking lots at public parks. On consultant selection committee and negotiation team for master plan and design of park facilities and swimming pool. Design work to repair park buildings, boat ramps, parking lots and fishing piers.

**Planning:** Prepare 5-Year Capital Improvement Plan and implement said plan. Assist Planning and Zoning divisions in the preparation of the county comprehensive plan. Maintain permanent traffic stations to project future traffic flows. Space planning for future building.

**Surveying:** Review subdivision plats and development plans. Supervise staff of surveyors responsible for property, construction, and topographic surveys.

**Solid Waste:** Responsible for solid waste management in addition to engineering management from July 1987 to October 1988. Assisted in the preparation and management of the solid waste budget. Responsible for purchase and maintenance of landfill equipment. Prepared plans for final closure of a 60 acre landfill site. Supervised construction of lined landfill cells.

**Sewer and Water:** Supervise preparation of plans and specifications for sewermain and watermain extensions for county-owned and operated sewer and water systems.

**Airports:** Designed a runway extension for a county-owned airport. Reviewed plans for an airport fueling facility. On advisory committee working with consultant to prepare a master plan for the county airports.

**Stormwater:** Supervise stormwater management including design of enclosed stormsewer systems, swales, ditches and drainage retention areas. Obtain permits from state water management districts and other state and federal agencies.

Resume of: Lyle R. Titterington  
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9/84 - 7/87

**EMPLOYER:** Amasek, Inc.  
400 High Point Drive  
Cocoa, Florida 32926  
(407) 631-2750

**POSITION:** Project Manager

**RESPONSIBILITIES & EXPERIENCE:**

**Administration:** Manager of the engineering services department. Provide control and review of finances for and affecting the engineering office. Assist in marketing in both development and presentation.

**Highway & Streets:** Designed and supervised construction of roads, streets and highways (both urban and rural).

**Commercial Site Development:** Designed and supervised construction of commercial projects.

**Housing Site Development:** Designed multi and single family subdivision projects.

**Wastewater:** Designed and constructed 6 MGD advanced secondary sewage treatment plant with deep well effluent disposal. Designed pump stations and force mains. Supervised and directed technical staff in the preparation and review of construction drawings, specifications, permits and estimates. Interpreted and managed construction activities including pay estimates, construction modifications and negotiation of change orders.

**Environmental:** Principal design engineer in the development of service and support facilities for water hyacinth operations.

**Stormwater:** Served as stormwater specialist for concept, design, programming, and permits.

6/84 - 9/84

**EMPLOYER:** Daniels Geophysical Inc.  
Denver, Colorado  
**POSITION:** Junior Surveyor

2/84 - 6/84

**EMPLOYER:** Milholland Engineering & Surveying Co.  
Fayetteville, Arkansas 72801  
**POSITION:** Civil Engineer



