

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.

Docket No. 960867-WU

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PREFILED DIRECT TESTIMONY

OF

RANDY HARRIS

On Behalf of Marion County, Florida  
and

Joe Lettelleir/Barrett Family Partnership IV, Ltd. (JB Ranch)

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
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- OTH \_\_\_\_\_

Thomas A. Cloud, Esquire  
Fla. Bar No. 293326  
GRAY, HARRIS & ROBINSON, P.A.  
Post Office Box 3068  
Orlando, FL 32802-3068  
Telephone: 407/843-8880  
Facsimile: 407/244-5690

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FPSC-RECORDS/REPORTING

1 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
2 DOCKET NO. 96-0867-WU  
3 MARION COUNTY, FLORIDA and  
4 JB RANCH

5 In Re: Application for amendment of Certificate No.  
6 427-W to add territory in Marion County by  
7 Windstream Utilities Company.

8 PREFILED DIRECT TESTIMONY OF RANDY HARRIS

9 Q. Please state your name and address for the record.

10 A. My name is Randy Harris. My business address is 6540  
11 N.E. 25th Avenue, Ocala, FL 34479.

12 Q. By whom are you employed?

13 A. I am currently self-employed and own a construction and  
14 plumbing business by the name of Randy Harris  
15 Construction & Plumbing.

16 Q. In what capacity have you worked for Marion County?

17 A. From November, 1994 to the present, i am serving as a  
18 County Commissioner on the Board of County  
19 Commissioners of Marion County, Florida.

20 Q. Mr. Harris, what is the purpose of your testimony here  
21 today?

22 A. I am here as a witness for Marion County and JB Ranch in  
23 opposition to Windstream Utilities Company's Application  
24 for Amendment of Certificate No. 427-W to add additional  
25 territory in Marion County, Florida.

1 Q. What is the purpose of your testimony?  
2 A. To provide statements of fact regarding Windstream  
3 Utilities Company's representations to the Board of  
4 County Commissioners and Staff regarding the  
5 negotiation of a bulk agreement with Marion County for  
6 water services.  
7 Q. Briefly describe your involvement with Marion County  
8 Utilities.  
9 A. During my term on the Board of County Commissioners,  
10 I have been active in water and wastewater utility issues of  
11 all kinds. As a member of the Commission, I have  
12 participated in the development of the Marion County  
13 Water Resource Protection and Utilities Plan, which was  
14 adopted by the Board and incorporated into its  
15 comprehensive plan in May of 1996. This plan called for  
16 the implementation and provision of water and wastewater  
17 service by the County in the S.R. 200 corridor.  
18 Q. What other actions has the Board taken to provide water  
19 and wastewater service in the S.R. 200 corridor?  
20 A. In July of 1996, representatives of Marion County began  
21 negotiating with owners of the JB Ranch property and  
22 other properties to provide water and wastewater service  
23 within the S.R. 200 corridor. On November 5, 1996, the  
24 Board approved the Marion County/Barrett Family/Zacco  
25 Subregional Water and Wastewater Utilities Agreement,

1 Contract No. 96-5. I also assisted in the negotiation and  
2 the Board approved a City of Ocala/Marion County Water  
3 and Wastewater Service Territorial Agreement, Contract  
4 No. 96-2, on September 24, 1996. Taken together, these  
5 agreements provide that the County will provide water and  
6 wastewater service within the S.R. 200 corridor.

7 Q. Did you consider intervening in these proceedings at the  
8 time of approval of Contract No. 96-5?

9 A. Yes, at the November 5, 1996 meeting, however, Mr. Butch  
10 Dlouhy, representing Windstream Utilities Company,  
11 approached the Board of County Commissioners and  
12 asked if the Board would negotiate a bulk agreement or  
13 purchase his water system so that the Board could serve  
14 retail areas with either wholesale water from Mr. Dlouhy or  
15 utilizing Mr. Dlouhy's system. As the Board liaison to  
16 private utilities, I agreed to meet with Mr. Dlouhy to see if  
17 a bulk agreement was possible. I then met with Mr. Dlouhy  
18 and began the process of negotiations. Again, at the  
19 November 12, 1996 meeting, certain information and data  
20 was presented by the Marion County Utility counsel and  
21 Mr. Gerald Hartman, Marion County utility engineer,  
22 regarding a proposed agreement with Windstream Utilities  
23 Company. Points of the deal included that Windstream  
24 Utilities Company would withdraw its certification  
25 proceeding and that Marion County would provide retail

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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. Furthermore, Mr. Dlouhy personally invited me to attend a meeting with the Marion County Staff and consultants on December 4, 1996, in Marion County's utility office in Silver Springs Shores, Florida. During that meeting, an agreement was reached to provide bulk services, and during that meeting, Mr. Dlouhy indicated that he would sign the agreement when it was sent to him. But for Mr. Dlouhy's actions, statements, and representations to the Board, I believe the Board would have intervened in this proceeding much earlier than it did.

Q. Does this conclude your testimony.  
A. Yes.