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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application for Certificates)
to provide Water and Wastewater) DOCKET NO. 961321-WS
Service in Clay County by Point) Date Submitted for
Water and Sewer, Inc.) Filing: May 23, 1997
_____)

**ORIGINAL
FILE COPY**

**PREHEARING REBUTTAL TESTIMONY OF EDWARD McCORMACK
ON BEHALF OF POINT WATER AND SEWER, INC.**

- Q. Please state your name and address for the record.
- A. My name is Edward McCormack. My home and business address is located at 9603 Shelly Road, Jacksonville, Florida 32257. My telephone number is (904) 262-4035.
- Q. By whom are you employed and in what capacity?
- A. I am the President of Coastal Utilities, a Florida corporation, engaged in operating utilities.
- Q. What is the purpose of your testimony?
- A. I am appearing in support of the application of Point Water & Sewer, Inc. (hereinafter referred to as "PWS") for a certificate to provide water and wastewater services to the Point Townhomes and Whitney's Marina.
- Q. How are you familiar with PWS?
- A. I was retained on or about November of 1995 for the purpose of operating the water and wastewater plant located at the Point Townhomes. I have performed

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1 that service since March 1995 and continue to do so. I am personally familiar
2 with all of the equipment located at the plant and its operational nature.

3 Q. What is your experience in operating utilities?

4 A. In essence, I have been involved with the operation of utilities beginning with my
5 tenure at the City of Jacksonville Water Department. I began working there in
6 1947 and I retired in 1968. After 21 years with the City of Jacksonville Water
7 Division, I began my own company, Coastal Utilities, and have engaged in the
8 operation of water and wastewater facilities since 1968.

9 Q. Are you licensed as an operator?

10 A. Yes. I am licensed by the State of Florida as an operator. My operator's license
11 for water is: No. 200 and my wastewater license is: 187.

12 Q. What is the condition of the current plant facility at PWS?

13 A. The plant facility is in good shape and is being maintained properly on a regular
14 basis. As with any plant, it requires occasional maintenance to retain its proper
15 operating level. This plant is approximately 17 years old and it remains in good
16 shape. There is no reason that this plant cannot successfully continue to be
17 operated in the indefinite future as long as it is properly maintained. I do not
18 believe that the plant will experience a greater likelihood of mechanical failure or
19 resulting non-compliance with environmental laws with the passage of time. As
20 long as the plant is properly maintained and properly equipped, it should continue
21 to operate in an efficient and productive manner. I currently operate an older
22 package plant which is approximately thirty (30) years old and is operating well.

1 Q. Are you involved with the operation of other plants?

2 A. Yes. I currently work with two wastewater facilities and five water facilities,
3 including the Amelia Island plant, which generates millions of gallons of water
4 every day.

5 Q. Do you have any reason to believe that the plant imposes any environmental
6 threat?

7 A. No. As with all water and wastewater facilities, it is important to maintain the
8 facilities in such a manner that they do not operate improperly. This plant has
9 been properly operated during the period of time that I have been involved with it
10 and I have always had the cooperation of the owner with regard to meeting
11 whatever needs I have had to facilitate or maintain proper operation.

12 Q. Are there similar plants in the near vicinity that discharge affluent into the St.
13 John's River?

14 A. Yes. There are numerous plants within the Duval, Clay and Nassau County area
15 that discharge into the St. John's River. As a matter of fact, one Clay County
16 Authority Plant is located approximately one mile south of the PWS plant and
17 discharges millions of gallons of effluent into the St. John's River every day. In
18 addition, the City of Orange Park maintains a plant approximately one-half mile
19 north of the PWS plant and it discharges millions of gallons of effluent into the St.
20 John's River every day. In addition, the Paddlewood Plant located in Orange Park
21 discharges millions of gallons of effluent into the St. John's River every day.
22 Approximately one mile north of the PWS plant, the Naval Air Station discharges
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1 millions of gallons of effluent into the St. John's River from both its industrial
2 waste plant and its domestic waste plant. Across from the PWS plant on the other
3 side of the St. John's River exists the City of Jacksonville's Mandarin Plant which
4 discharges 20,000,000 gallons of effluent into the St. John's River each day. The
5 PWS plant discharges 9,000 to 16,000 gallons a day of effluent into the St. John's
6 River. It is difficult to believe that this small plant has any substantive impact on
7 the environment with respect to its discharge of effluent. There are approximately
8 150 small package plants of this type in the Jacksonville area.

9 Q. Have you ever observed a bad odor coming from the PWS plant?

10 A. No. I did receive a few calls from a homeowner at the Point who indicated to me
11 that he had smelled an odor. Upon receiving the call, I went to the plant as I do
12 everyday, and observed the situation and did not smell anything coming from the
13 facility. I proceeded to speak with him to address his concerns and he felt that
14 they were satisfied at that time.

15 Q. Are you familiar with Lynal DeFalco?

16 A. Yes. I have known Ms. DeFalco for many years. She works with the Water
17 Department of the Florida Department of Environmental Protection and we have
18 always had an excellent working relationship. During the past ten months, I have
19 spoken to her no less than a dozen times to discuss not only the PWS facility, but
20 also other facilities that I am working with. As recently as approximately last
21 November, she and I walked through and around the PWS plant and she made
22 various suggestions and comments to me as to the operation of the plant.

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Q. At any time since last July of 1996, did Ms. DeFalco inquire of you as to why PWS had not responded to a July 18, 1996 letter from the Florida Department of Environmental Protection regarding the sanitation survey and questions that it had regarding the facility?

A. No. The first I learned of the July 18, 1996 letter was this past week when it was brought to my attention by John Yonge. Although I have had numerous conversations with Lynam DeFalco over the past year, she never discussed the subject letter with me or indicated to me that PWS had failed to respond to the letter. It is our practice to timely respond to all governmental requests for information. If she had brought it to my attention, I would have immediately responded to it and provided whatever information she needed.