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RECORDS AND
REPORTING

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November 17, 1998

Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

VIA HAND DELIVERY

Re: Docket No. 950387-SU (Remand)
Application of Florida Cities Water Company - North Ft. Myers
Division - for increased wastewater rates in Lee County.

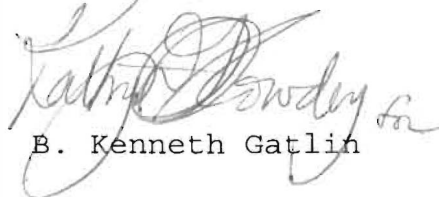
Dear Ms. Bayo:

Enclosed on behalf of Florida Cities Water Company, for filing
in the above docket, are an original and fifteen (15) copies of
following:

1. Remand Rebuttal Testimony of Mike Acosta, along with exhibits (MA-5) through (MA-7); 12891-98
2. Remand Rebuttal Testimony of Harley W. Young; and 12890-98
3. our Certificate of Service.

ACK _____
AFA 2 Please acknowledge receipt of the foregoing by stamping the
APP enclosed extra copy of this letter and returning same to my
CAF attention. Thank you for your assistance.

Sincerely,


B. Kenneth Gatlin

CMU _____
CTR _____
EAG _____
LEG 1
LIN 31 ag
OPC BKG/ldv
RCH _____
SEC _____
WAS Willis
OTH _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for a rate) DOCKET NO. 950387-SU
increase for North Ft. Myers)
Division in Lee County by)
Florida Cities Water Company -) Filed: November 17, 1998
Lee County Division.)

Certificate of Service

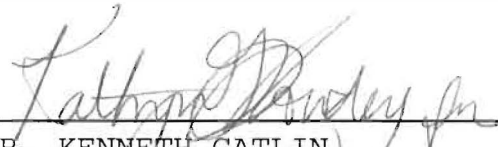
I HEREBY CERTIFY that a true and correct copy of Remand Rebuttal Testimonies and Exhibits of Michael Acosta and Rebuttal Testimony of Harley W. Young have been furnished by U.S. Mail (unless otherwise noted) this 17th day of November, 1998 to:

Cheryl Walla
1750 Dockway Drive
North Fort Myers, FL 33903

Jerilyn Victor
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North Fort Myers, FL 33903

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Florida Public Service
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Attorneys for Florida Cities
Water Company

1 FLORIDA CITIES WATER COMPANY

2 NORTH FORT MYERS DIVISION

3 REMAND TESTIMONY OF HARLEY W. YOUNG

4 Docket No. 950387-SU

5 Q. Would you please state your name and address.

6 A. My name is Harley W. Young; and my address, the office
7 address, is 2295 Victoria Avenue, Suite 364, Fort Myers,
8 Florida.

9 Q. And you are employed by the Florida Department of
10 Environmental Protection (DEP)?

11 A. Yes.

12 Q. How long have you been so employed?

13 A. Nine years.

14 Q. What is your position with the DEP?

15 A. I am a section manager, supervising the permitting of
16 domestic wastewater systems, collection systems,
17 underground injection control and compliance and
18 enforcement.

19 Q. Are you a professional engineer?

20 A. Yes. I have been a PE for ten years and have been
21 practicing for 15 years.

22 Q. Would an application for a permit for a wastewater plant,
23 such as Florida Cities at Waterway Estates treatment
24 plant, be under your supervision?

25 A. Yes.

1 Q. Would the application be filed with your department and
2 someone under your supervision make an examination of
3 that application?

4 A. Yes.

5 Q. During the permitting process does the utility, in this
6 instance Florida Cities Water Company, have to provide
7 reasonable assurance that the peak flows to be received
8 by the plant will be treated to meet the water quality
9 standards?

10 A. Yes. A utility has to provide reasonable assurance that
11 all the flows that come into the plant will be treated to
12 meet DEP standards.

13 Q. Does that assurance include peak or maximum flows?

14 A. Yes. Peak and maximum flows coming into a plant must be
15 treated to meet DEP water quality standards.

16 Q. Does the current review of the Florida Cites application
17 and the engineering, design engineering report indicate
18 that the plant is designed to treat both maximum and peak
19 flows?

20 A. Yes. The design engineering report indicates that all
21 the flows including the peaks will be treated adequately.

22 Q. Is Florida Cities required to treat all flows adequately
23 at the Waterway plant?

24 A. The rule basically says that the plant must be designed
25 to efficiently and reliably meet the limits; and one

1 infers that that means meet them at all times.

2 Q. Is it a violation if the Waterway plant exceeds the

3 parameters of water quality standards?

4 A. Yes, it is.

5 Q. Should the design of the plant be such that there would

6 not be exceedances?

7 A. Yes.

8 Q. What are the Ten State Standards?

9 A. The Ten State Standards is a set of standards for the

10 design of wastewater treatment systems and transmission

11 systems that's widely used in the United States.

12 Q. Does it have any particular application as to wastewater

13 treatment plant design and capacity?

14 A. It is cited as a reference in the DEP rule and we rely on

15 it.

16 Q. What is there in the ten state standards that is relevant

17 to the design relative to capacity of a plant?

18 A. The Ten State Standards indicates that the plant must be

19 designed to accommodate seasonal flows.

20 Q. What are seasonal flows?

21 A. Ordinarily we use as a kind of a basis for talking about

22 flows to treatment plants the term "annual average flow."

23 The annual average flow is the total volume of water that

24 comes through the treatment plant in a 365-day period

25 divided by 365 and expressed in gallons per day or

1 millions of gallons per day. The actual flow that comes
2 into a treatment plant varies widely throughout the
3 course of the year and how it varies depends on the
4 locale of the treatment plant, how built out the region
5 is, how many residents come and go throughout the course
6 of the year. There may be periods of time when the flows
7 are significantly higher. This flow variation is
8 sometimes described as seasonal flows.

9 Q. Does the plant have to have the capability of treating
10 flows; higher than the annual average daily flow.

11 A. Yes.

12 Q. Is there a DEP rule that requires the permittee to list
13 the time frame for the flows on the permit application?

14 A. Yes. It says the permit shall specify the time frame
15 associated with the permitted capacity, such as annual
16 average daily flow, maximum monthly average daily flow,
17 three-month average daily flow.

18 Q. Are you familiar with DEP wastewater application Form 2-
19 A?

20 A. Yes. This is one of the forms that is filed with the
21 application for a permit. The permittee is responsible
22 for filling the form out. It is usually filled out by
23 the engineer of record. The permittee indicates on that
24 form the time frame for the flows.

25 Q. Should a plant have the capacity to treat flows of

1 greater volume than stated in the permit?

2 A. Yes. The assumption is that the permit application as it
3 is submitted to us provides reasonable assurance that the
4 plant can meet standards at all times.

5 Q. If a plant is permitted based on maximum month average
6 daily flow, would it be permitted at a greater capacity
7 than if it was permitted based on average annual daily
8 flow?

9 A. No. The capacity is the capacity. The basis of design
10 simply tells you that it's designed based on a peak
11 seasonal flow.

12 Q. What do you mean by "peak seasonal flow"?

13 A. During the course of the year the actual flow is going to
14 be less than during part of the year and more during part
15 of the year; and if that number is significant, it is to
16 be taken into account in the design of the plant. We'll
17 have that listed as the basis for design. In other
18 words, if the period, say, the three-month maximum daily
19 flow or the month, one-month maximum daily flow is
20 significantly greater than the annual average flow, we
21 would expect that to be listed as the basis for design.

22 Q. Did the adoption of the DEP rule that requires the
23 permittee to list the time frames for the flows change
24 the requirement that a wastewater plant must have the
25 ability to treat peak or maximum flows?

1 A. No. The plant is still required to meet the limits at
2 all times; and regardless of what you write down on the
3 permit as a basis of design or a permit capacity, it
4 still has to meet the requirements.

5 Q. Prior to the adoption of the rule that requires the
6 permittee to list the time frame for the flow did the
7 permit show the time frame or the basis on the permit?

8 A. I don't believe so. Prior to that I'm not sure we even
9 required that the engineer to submit what the basis of
10 design was; but there was still the assumption that the
11 plant would function at all times, seasonal and peak.

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