

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for } DOCKET NO. 980657-WS
amendment of Certificates Nos.}
279-W and 226-S to add }
territory in Seminole County }
by Florida Water Services }
Corporation }

INTERVENOR, SEMINOLE COUNTY'S,
NOTICE OF SERVICE OF SUPPLEMENTARY TESTIMONY

COMES NOW, Intervenor, Seminole County, and by and through
its undersigned attorneys, files this Notice of Service of
Supplementary Testimony. On January 6, 1999, Seminole County
prefiled the direct testimony of Ms. Frances Chandler, Seminole
County Planning and Development Director. This testimony was
hand delivered to the Public Service Commission and served by
U.S. Mail on all other parties to this proceeding.

On Page 28, line 15 of the prefiled testimony, Ms. Chandler
stated that the County was undertaking a study of the Chuluota
area and a portion of the East Area of Seminole County and that,
if the study was approved and Plan amendments adopted, some of

ACK _____ Ms. Chandler's testimony could be subject to modification.
AFA _____
APP _____ On January 26, 1999, the Board of County Commissioners of
GAF _____
CMU _____ Seminole County ("Board") adopted the Chuluota Small Area Study.
CTR _____ The Board also approved the transmittal to the Florida
EAG _____
LEG _____ Department of Community Affairs of comprehensive plan amendments
LIN 3+02 relating Chuluota and the East Area of Seminole County. The
OPR _____
RCR _____
SEC 1 _____
WAS _____
OTH _____

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DOCUMENT NUMBER-DATE

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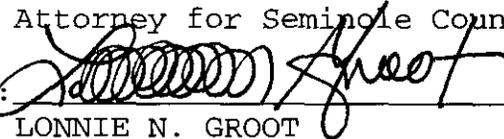
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attached supplemental testimony serves to clarify and update certain statements made by Ms. Chandler in Seminole County's prefiled testimony and serves to enhance the economic and expeditious resolution of this matter.

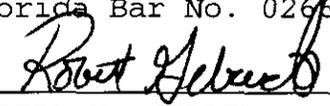
RESPECTFULLY SUBMITTED, this 8th day of March, 1999.

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for Seminole County, Florida
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Sanford, Florida 32771
(407) 321-1130, Ext. 7254
Attorney for Seminole County

By: _____


LONNIE N. GROOT
Deputy County Attorney
Florida Bar No. 0266094

By: _____

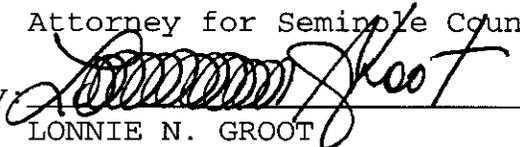

ROBERT H. GEBaide
Assistant County Attorney
Florida Bar No. 0123447

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and fifteen true and correct copies of Intervenor, Seminole County's, testimony and the original and fifteen true and correct copies of the foregoing notice have been furnished by U.S. Mail to the Division of Records and Reporting, Florida Public Service Commission, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850; and one (1) true and correct copy of the testimony and the foregoing notice have been furnished by U.S. Mail to Coalition for Responsible Econlockhatchee Development, Inc., c/o J.A. Jurgens, P.A, 505 Wekiva Springs Road, Suite 800, Longwood, FL 32779; Mr. Charles K. Smith, P.E., City of Oviedo, 400 Alexandria Boulevard, Oviedo, FL 32765; Mr. Matthew J. Feil, Esquire, Florida Water Services Corporation, P. O. Box 609520, Orlando, FL 32860-9520; and Alafaya Utilities, Inc., C/O Martin Friedman, Esquire, Rose Law Firm, 2548 Blairstone Pines Dr., Tallahassee, FL 32301, on this 8th day of March, 1999.

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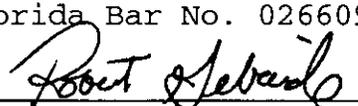
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PREFILLED DIRECT TESTIMONY OF FRANCES CHANDLER
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
ON BEHALF OF
FLORIDA WATER SERVICES CORPORATION
DOCKET NO. 980657-WS

DOCUMENT NUMBER-DATE

ASSOCIATED COURT REPORTERS (407 323-0308) MAR 10 8

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Seminole County Services Building
1101 East First Street
Sanford, Florida
February 26, 1999
1:30 p.m.

A P P E A R A N C E S

LONNIE N. GROOT, ESQUIRE
Deputy County Attorney
Seminole County Services Building
1101 East First Street
Sanford, Florida 32771

I N D E X

TESTIMONY OF FRANCES E. CHANDLER

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P R O C E E D I N G S

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WHEREUPON,

FRANCES CHANDLER,

having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. GROOT:

Q Okay. Would you please state your full name again.

A Frances Chandler.

Q Okay. Are you the same Frances Ellen Chandler that testified in this proceeding on December 22nd of last year?

A Yes, I am.

Q Have your qualifications changed in any way since that testimony that you gave?

A No, they haven't.

Q Are you still in the same position that you were in at that point in time?

A Yes, I am.

Q You continue to be Planning Development Director since that time?

A Yes, I have.

Q Now, since your testimony on December 22nd, 1998 have there been any changes that you believe should

1 be brought to the attention of the Florida Public
2 Service Commission and any others involved in this
3 proceeding relative to the east area of Seminole County,
4 the Comprehensive Plan of Seminole County as it applies
5 to the eastbound area and the proposed expansion of the
6 water and sewer service by the Florida Water Service?

7 A Yes, there are.

8 Q What are those matters that you believe
9 should be brought forward at this time?

10 A On January 27th, 1999 the Seminole County
11 Board of County Commissioners held a public hearing to
12 review the land uses and urban service boundary for the
13 area including the area surrounding Chuluota. At time
14 they transmitted a small area study as well as
15 amendments to the comprehensive plan to the Department
16 of Community Affairs for their review which amended the
17 urban boundary in this area.

18 Q When you say "transmitted", does that
19 indicate a final action of any type?

20 A No.

21 Q Okay. What final action would occur relative
22 to those matters which you have just testified were
23 transmitted to the Florida Department of Community
24 Affairs?

25 A It would be a second public hearing by the

1 Board of County Commissioners that would adopt any final
2 amendment associated with that transmittal.

3 Q Have you discussed the eastbound area study
4 and the extension of the urban boundary with the staff
5 of the Florida Department of Community Affairs?

6 A Yes, I have.

7 Q Do you have any indication that that
8 department would object to that which the county has
9 done?

10 A I have no indication at this time.

11 Q Okay. Assuming that no changes are made as
12 to the planned amendments transmitted by the Board of
13 County Commissioners and, in fact, they are adopted in
14 the future would that then be a final action absent any
15 challenge or appeal?

16 A Yes, it would.

17 Q And the urban boundaries would have been
18 expanded by that action?

19 A Yes, it would.

20 Q In your professional opinion what would that
21 have meant with regard to the interrelationship of the
22 Seminole County Comprehensive plan proposed by FWS?

23 A The policy of the comprehensive plan
24 prohibits the expansion of central service outside of
25 the urban area. With the expansion of the urban area it

1 provided for additional lands that would be available to
2 have central services and still be consistent with the
3 policies of the comprehensive plan.

4 Q Okay. Now, the -- would the application for
5 expansion that has been filed with the PFC by FWS still
6 go beyond that which the Board of County Commissioners
7 has indicated that it will expound the urban boundary
8 to?

9 A Yes, it would.

10 Q And what would your professional opinion be
11 as to those out of the boundary?

12 A The policies of the comprehensive plan have
13 not been proposed to be amended that I testified about
14 before such that that any extension of central service
15 outside the urban boundary are still prohibited under
16 the comprehensive plan.

17 Q Has there been any discussion relative to any
18 possible expansion of water -- excuse me, potable water
19 service areas, a potable water service area beyond the
20 urban boundary?

21 A By?

22 Q Okay, scratch that. I'll reask the question.
23 Has there been any discussion by any county staff or
24 board relative to the possibility of having the Seminole
25 County Comprehensive Plan adjusted such that potable

1 water service could be permitted beyond the urban
2 boundary into rural densities?

3 A The local planning agency at the public
4 hearing regarding the small area study for Chuluota as
5 well as these planned amendments did discuss and
6 recommend to the Board of County Commissioners policies
7 that would have allowed for that extension to occur.
8 The Board, however, did not transmit those.

9 Q Is there any action being taken at this time
10 at the staff level relative to those proposals?

11 A Not at this time.

12 Q Are there any exhibits or documents or plans
13 that you believe would be helpful in terms of
14 understanding the testimony you've just given?

15 A The Seminole County Chuluota small area study
16 has been prepared in four volumes in executive summary.
17 A final report, Volume One, a final report, Volume two
18 and Appendix A to the final report all of which would be
19 important to this discussion.

20 MR. DE GROOT: Okay. Let's mark those all as
21 composite Exhibit A to this testimony.

22 (Whereupon, composite Exhibit A was received
23 and marked for identification.)

24 Q And I'm going to hand you a document. Would
25 you please identify that document.

1 A This is a letter to the Florida Department of
2 Community Affairs Subject: Transmittal of Chuluota
3 small area study and related large scale plan amendments
4 to the Seminole County Comprehensive Plan and
5 retransmittal of the commercial realty group future land
6 use amendment.

7 Q That is the document by which the document
8 that was used, introduced into evidence as Exhibit A was
9 transmitted to the Department of Community Affairs?

10 A Yes, it is.

11 MR. DE GROOT: Mark this Exhibit B to this
12 testimony, please.

13 (Whereupon, Exhibit B was marked for
14 identification.)

15 Q Miss Chandler, is there anything else you
16 believe is of significance or importance relative to the
17 action that occurred after the testimony you gave on
18 December 2nd?

19 A Most directly is a part of the executive
20 summary of the Chuluota County small area study there is
21 a graphic entitled Board of County Commissioners Action
22 1/27/99 public hearing. It is a graphic that shows the
23 extension of the urban boundary.

24 Q Okay. For ease of identification would you
25 just put your initials and asterisk in the bottom

1 right-hand corner of that document which is contained in
2 the executive summary.

3 A (Witness complies.)

4 MR. DE GROOT: Thank you. Is there anything
5 else you have to say at this time?

6 THE WITNESS: No.

7 MR. DE GROOT: Thank you very much.

8 (Whereupon, the foregoing testimony was
9 concluded.)

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CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I, the undersigned authority, certify that,
Frances E. Chandler personally appeared before me and
was duly sworn.

WITNESS my hand and official seal this 5th
day of March, 1999.

FRANCES R. DIRIENZO, CSR, CMR
NOTARY PUBLIC

1
2 CERTIFICATE OF REPORTER3
4 STATE OF FLORIDA5 COUNTY OF SEMINOLE
67 I, Frances R. Dirienzo, Certified Shorthand
8 Reporter, CMR, certify that I was authorized to and did
9 stenographically report the deposition of FRANCES
10 CHANDLER, and that a review of the transcript was
11 waived; and that the transcript is a true and complete
12 record of my stenographic notes.
1314 I further certify that I am not a relative,
15 employee, attorney, or counsel of any of the parties,
16 nor am I a relative or employee of any of the parties'
17 attorney or counsel connected with the action, nor am I
18 financially interested in the action.
1920 Dated this the 5th day of March, 1999.
21
2223 _____
24 FRANCES R. DIRIENZO, CSR, CMR
25

Exhibit A

Chuluota Small Area Study Final Report
Chuluota Small Area Study Executive Summary
Chuluota Small Area Study Volume I: Public Participation
Chuluota Small Area Study Volume II: Transportation Study

Exhibit B

Transmittal letter from Carlton Henley, Chairman, Board of
County Commissioners to Plan Processing Team, Florida
Department of Community Affairs.

The original Exhibit A and Exhibit B have been filed
attached to the original filing with the Division of Records
and Reporting, Florida Public Service Commission. Service
copies of Ms. Chandler's Supplemental Testimony have been
served without Exhibit A and Exhibit B due to the extensive
volume of paper that would be required for such full service.
Any party may view the Exhibits or receive copies of the
Exhibits by contacting the Seminole County Attorney's Office,
1101 East First Street, Sanford, FL 32771, or by calling
(407) 665-7254.