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RECORDS AND
REPORTING

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FPSC-RECORDS/REPORTING

October 5, 1999
VIA HAND DELIVERY

Ralph Jaeger, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0833

Re: Aloha Utilities, Inc.; Docket No. 960545-WS
Water Quality Investigation
Our File No. 26038.17

Dear Ralph:

After reviewing the Prefiled Testimony of Mr. Bidy in the above-referenced matter and discussions among ourselves here at Aloha Utilities, we are still shocked and dismayed not only at some of the findings of the laboratory employed by the Office of Public Counsel, based upon sampling taken on August 4, 1999, but also by the conclusions drawn by Mr. Bidy as a result of those findings. The implication is that Aloha somehow tampered with both the aquifer and with the treated water in order to inject excessive amounts of chlorine, thereby masking the presence of sulfides and sulfates in not only the treated water, but in the raw water as well. As you will see once our testimony is filed, the testing results of independent labs hired by Aloha taken on the exact same day within five minutes of those of OPC's laboratory, show a very different picture with regard to sulfide and sulfate levels. Since the test results are taken by Short Environmental Laboratories, Inc. are consistent with the sulfide and sulfate levels noted by us in testing these wells over the years, we believe OPC's tests are in error.

However, in order to ensure that the Commission and Mr. Bidy get the most accurate information available and to allow the staff the opportunity to see that errors have occurred in OPC's testing of Aloha's water, we hereby extend to you the opportunity to retest for the sulfide, sulfate, copper and chlorine parameters, at your convenience, on any day in the next three weeks as long as you provide sufficient notification to allow us to bring a representative of Short Environmental Laboratories, Inc. back to the sight to once again take simultaneous sampling and testing. We are confident that you will find that OPC's original test results were in error and that Mr. Bidy's conclusions are not only farfetched, but not based on any accurate evidence.

It is our understanding that you have chosen to do these tests on Wednesday, October 6, 1999 at 10:00 a.m., and that you will utilize Southern Analytical Laboratories, Inc. of Oldsmar, Florida for this

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Ralph Jaeger, Esq.
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purpose. It is also our understanding that a representative of Southern Analytical Laboratories, Inc. will meet us at the same location (intersection of State Road 54 and Little Road at the new 7-Eleven on the northeast corner) at 10:00 a.m. and proceed from there. The staff will have representatives there to direct to the laboratory which you have chosen, and David Porter and I for the Utility will also be there. It is our understanding that Public Counsel may or may not have someone attend, however, they are welcome to do so in accordance with this schedule. It is our understanding that the laboratory will test for sulfide, sulfate, free available chlorine residual, total chlorine residual and copper at each of the same well sites that we visited on August 4, 1999 (Well #s 1,3,6,8 and 9). They will perform each of these 5 tests on both the raw and the treated water at each site. Aloha will pay for the cost of this testing, though the work itself will be performed on behalf of the Public Service Commission staff and at your direction.

In order to alleviate OPC's concern that the Utility might somehow add excessive amounts of chlorine to the raw or finished water in anticipation of these tests, you are welcome to station a guard at the well house and inspect all activities by Aloha personnel there for as many days leading up to the testing as you see fit. In the alternative or in addition thereto, we can certainly wait for five or ten minutes outside each well location and allow the 1,000 gallon a minute pumps there to run for any period of time which you see fit.

This is the opportunity for the staff to have a second test performed by a laboratory chosen by the staff to verify or counter the allegations made by Mr. Biddy in his testimony. We are confident that you will find, based upon these test results, that Mr. Biddy's conclusions (and apparently his laboratory's test results to the extent they support Mr. Biddy's conclusions), were in error and are not indicative of the quality of water provided by Aloha Utilities, Inc.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP


F. Marshall Deterding
For The Firm

FMD/tmg

cc: Records and Reporting (15 copies)
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