

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of the Quality)
of Service Provided by Florida)
Water Services, Inc. to the)
Deltona Service Territory.)
_____)

Docket No. 010153-WU

Filed: May 11, 2001

**FLORIDA WATER SERVICES
CORPORATION'S ANSWER TO
OFFICE OF PUBLIC COUNSEL'S
PETITION TO OPEN AN INVESTIGATION
OF THE QUALITY OF SERVICE PROVIDED BY
FLORIDA WATER SERVICES CORPORATION
TO THE DELTONA SERVICE TERRITORY**

Florida Water Services Corporation ("Florida Water"), files its Answer to the Office of Public Counsel's Petition to Open an Investigation of the Quality of Service Provided by Florida Water Services Corporation to the Deltona Service Territory, and says:

GENERAL RESPONSE

Florida Water is continuing to address the unique situation in Deltona regarding the discovery of midge fly larvae in water samples. The investigation, intended to find the source of the larvae and eradicate the problem, is being conducted in cooperation with the Volusia County Health Department, City of Deltona, the Florida Department of Environmental Protection, and other health and environmental agencies. The Volusia County Health Department has stated that the larvae do not pose a health threat.

All water facilities within Deltona have been thoroughly inspected for the presence of midge fly larvae. The water plant in the immediate area where the midge fly larva had been detected, serving approximately 6,000 of the 26,000 Deltona customers, was twice taken out of service during various phases of the investigation, first on Wednesday, September 27, 2000 and again on Friday,

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January 19, 2001. The water tank that initially had evidence of midge fly larvae was twice drained and cleaned, using a steam cleaning process on the second cleaning, and sanitized. An extra fine screening was installed at the aerator and its framework and other structures resealed. As a further precaution, an in-line filter costing over \$75,000 was placed in the water main leaving the plant site. Water lines have been flushed throughout the northeast Deltona neighborhood where the midge fly larvae was detected.

Florida Water continues to take water samples at various locations within the area, especially at the request of individual customers who suspect the presence of larvae in their homes. To date, based on independent laboratory analysis of dozens of samples collected by Florida Water, the larvae has only been found in one home. The Volusia County Health Department has reported publicly that larvae have been visually detected in one other home and in three fire hydrant samples collected by that agency. Florida Water is continuing to seek scientific verification of these reports.

From the initiation of this situation in September 2000, in an abundance of caution and to protect its customers, Florida Water had proceeded with its investigation and actions as if the larvae were active within the water system. Efforts have been made to attempt to locate the source of the larvae, to prevent further entry into the system, and eliminate any possible midge fly larvae from the system.

In September 2000 when a Florida Water customer, Mrs. Hester, first alerted the company about the alleged presence of larvae in her home, Florida Water began working with her to determine where and how the larvae may have entered the house. As part of its investigation, Florida Water employees:

- assisted the customer in flushing the home plumbing;

- inspected the water meter for the presence of larvae (none was detected through laboratory analysis)
- sampled water at homes and within the field upstream and downstream from the home;
- verified adequate chlorine residual;
- inspected the plant and its 500,000 gallon water tank serving the neighborhood;
- drained and cleaned the tank and its aerators;
- added double screening on the aeration portion of the water storage tank;
- flushed water from the distribution system within the neighborhood; and
- installed a filter attendant to the customer's service to help detect any larvae which might appear within the water system over time.

There were no further reports of larvae within the neighborhood for approximately two months. Accordingly, Florida Water decided to remove the filter from the company's service line in the vicinity of Mrs. Hester's home. However, within one week after removal of the filter, Mrs. Hester reported seeing larvae again in her home.

Florida Water recovered samples from the house and laboratory analysis confirmed the presence of a single larva discovered in a toilet bowl in one of three samples. The investigation was expanded and additional steps, as described above, were taken to insure that the situation was resolved.

As with the earlier investigation, the intent has always been to eliminate all possible points of entry for the larvae at the plant and in the water system. Florida Water has given this situation its highest priority. It recognizes the discomfort and concern customers have over the situation and will continue to work with customers on an individual basis to collect samples for analysis upon

request.

On Wednesday, February 7, 2001, Florida Water in cooperation with the City of Deltona and the Volusia County Health Department held a public meeting to inform citizens of the steps being taken to eliminate this problem.

On April 17, 2001, Mrs. Hester, the original Florida Water customer who complained that there were midge fly larvae in her water supply, contacted the Volusia County Health Department to advise them that she collected midge fly larvae from an “anonymous” neighbor’s pool and tub faucet. Mrs. Hester was advised by the Volusia County Health Department that they were treating this complaint as an “invalid complaint” as the complaint was not verified because the “anonymous” neighbor was not identified by Mrs. Hester.

On Wednesday, April 18, 2001, Mr. Tracy Smith, an employee of Florida Water was contacted by Ms. Debra Berrios, 2410 Alamanda Avenue, Deltona. Ms. Berrios advised that she was the “anonymous” neighbor mentioned by Mrs. Hester two days earlier. Ms. Berrios advised Mr. Smith that “she never had worms in the house.” The larvae were found in her swimming pool which had been drained to about one-quarter depth during the winter. She stated that she and her husband were able to dip a strainer into the water and pull up numerous “worms” from just beneath the surface. Mr. Smith explained that the partially filled pool presented a perfect opportunity for the midge flies to lay their eggs and for them to mature into larvae. She said that she was aware of that, having attended the public forum held by the city earlier this year. Ms. Berrios further stated that Mrs. Hester came over to her house and asked for a sample of the larvae from the pool. Mrs. Hester, according to Ms. Berrios, suggested that she use the worms to get a “ruckus” with the media and Florida Water. Mrs. Hester also told Ms. Berrios that she was “getting free water from Florida

Water” and “didn’t have to pay her water bills.” Ms. Berrios stated that she told Mrs. Hester that she knew the larvae came from the pool and not the tap water and would not make a false claim.

Ms. Berrios also told Mr. Smith that she witnessed Mrs. Hester giving her next door neighbor, Ms. Martinez, a larvae from her tub to place in the Martinez’ toilet tank. Ms. Berrios stated that Mrs. Hester had scared Ms. Martinez into placing the larvae in her home by saying that there were likely health effects from the worms and they would harm her grandchildren. Ms. Berrios stated that Mrs. Hester then sent the Health Department to Ms. Martinez’s home to check for worms. Florida Water had a service crew analyze the water coming in to Ms. Berrios’ home to insure that there was no midge fly infestation. No larvae were detected.

According to Volusia County Health Department Records, on April 19, 2001, Ms. Berrios contacted the Volusia County Health Department and advised them that she was upset with the news coverage generated by Mrs. Hester’s claim on April 17 that there were blood worms in an “anonymous” neighbor’s faucet. Ms. Berrios advised the Health Department that no blood worms came out of her faucet and that the specimens that Mrs. Hester possessed came from Ms. Berrios’ above ground pool. Ms. Berrios told the employee of the Health Department that Mrs. Hester’s other neighbor never had worms but only said she did after receiving pressure from Mrs. Hester. She said Mrs. Hester told her that her lawyer said it would be best that she remained anonymous so that she wouldn’t receive the same treatment that Mrs. Hester had received. Ms. Berrios lastly stated that Mrs. Hester was seeking \$94,000 in a lawsuit against Florida Water.

Over the course of the investigation, Mrs. Hester has made numerous service requests to Florida Water for a variety of reasons, including color, odor, pressure, and no water. On one occasion, Mrs. Hester verbally threatened Florida Water employees resulting in the necessity to have

law enforcement escorts for future service calls.

Florida Water has responded, and will continue to respond fully and professionally, to all of the issues raised in the midge fly investigation. Florida Water maintains its commitment to ensuring that all of its customers receive high quality and safe water. Since the first complaint filed by Mrs. Hester, Florida Water has worked in conjunction with the Volusia County Health Department to eradicate the problem.

The Volusia County Health Department, on at least two occasions, has praised the efforts of Florida Water as “exemplary” in dealing with the midge fly investigation (see attached Exhibits 1 and 2).

RESPONSE TO SPECIFIC ALLEGATIONS

1. Florida Water admits that in September, 2000 it was alleged by a customer that potable water was being delivered that had a midge fly larvae in it. Florida Water is without knowledge and therefore denies that the midge fly larvae originated in the potable water supply.

2. Florida Water admits that in the weeks and months following the first discovery of the midge fly larvae, Florida Water took steps to try to identify the source of the contamination and to develop a solution to the problem.

3. Denied. Although Florida Water has taken and continues to take every precaution to ensure that no midge fly larvae are in the potable water supply, Florida Water is without knowledge as to the source of the midge fly larvae.

4. Florida Water admits that it has not been documented that the midge fly larvae presents a widespread problem. Florida Water is without knowledge and therefore denies that midge fly larvae have been found in water taken from fire hydrants connected to Florida Water’s main

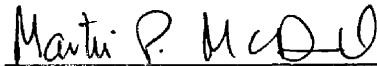
water transmission line. Florida Water denies that the contamination persists many months after first being discovered, as Florida Water is without knowledge as to the source of the midge fly larvae.

5. Florida Water admits that its Deltona customers need to be reassured that the water they are using to drink, cook and bathe is safe, clean and free of unsavory organic contamination, but asserts that its customers can be assured that Florida Water, in cooperation with health and environmental agencies, has taken, and continues to take, appropriate action to ensure that their water is safe and clean. There is no need for the Public Service Commission to open a docket to needlessly duplicate the current agency oversight of the situation.

6. Denied. Florida Water sees no need to open a docket as the Volusia County Health Department is closely monitoring the investigation and the situation presents no health or safety concerns.

Respectfully submitted this 11th day of May, 2001.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by U.S. Mail to the following this 11th day of May, 2001:

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