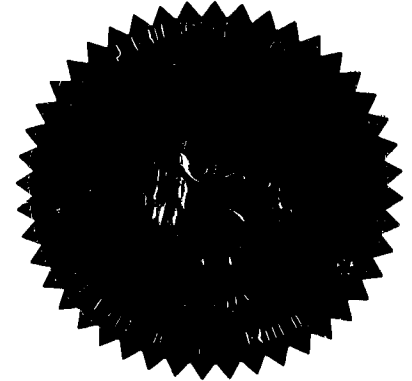


BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 991666-WU

In the Matter of

APPLICATION FOR AMENDMENT OF  
CERTIFICATE NO. 106-W TO ADD  
TERRITORY IN LAKE COUNTY BY  
FLORIDA WATER SERVICES  
CORPORATION.



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PROCEEDINGS: GROVELAND SERVICE HEARING

BEFORE: COMMISSIONER LILA A. JABER  
COMMISSIONER BRAULIO L. BAEZ  
COMMISSIONER MICHAEL A. PALECKI

DATE: Wednesday, July 11, 2001

TIME: Commenced at 10:05 a.m.  
Concluded at 6:40 p.m.

PLACE: E. L. Puryear Building  
243 South Lake Avenue  
Groveland, Florida 34736

REPORTED BY: TRICIA DeMARTE  
Official FPSC Reporter  
(850) 413-6736

## 1 APPEARANCES:

2 J. STEPHEN MENTON, Post Office Box 551, Tallahassee,  
3 Florida 32302, appearing on behalf of Florida Water Services  
4 Corporation.

5 SUZANNE BROWNLESS, 1311-B Paul Russell Road, #201,  
6 Tallahassee, Florida 32301-4860, appearing on behalf of the  
7 City of Groveland.

8 PATTY CHRISTENSEN and ROSANNE GERVASI, Florida Public  
9 Service Commission, Division of Legal Services, 2540 Shumard  
10 Oak Boulevard, Tallahassee, Florida 32399-0870, appearing on  
11 behalf of the Commission Staff.

12

## 13 ALSO PRESENT:

14 SUE HENESY, Florida Water Services Corporation  
15 JOHN TILLMAN, JR., Florida Water Services Corporation

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I N D E X

WITNESSES

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NAME:

PAGE NO.

JEFFREY S. COOPER

Direct Statement

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CERTIFICATE OF REPORTER

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## P R O C E E D I N G S

1  
2 COMMISSIONER JABER: Counsel, let's go ahead and  
3 convene the hearing in this docket. Would you please read the  
4 notice.

5 MS. CHRISTENSEN: By notice issued June 11th, 2001,  
6 this time and place having been set for a hearing in Docket  
7 Number 991666-WS, application for amendment of Certificate  
8 Number 106-W to add territory in Lake County by Florida Water  
9 Services Corporation. The purpose of this hearing is as set  
10 forth in the notice.

11 COMMISSIONER JABER: At this time let me for the  
12 purposes of the record recognize that it's 5 after 10:00, and  
13 this is the time when we would take customer testimony. So for  
14 purposes of the record, let me ask if there are any customers  
15 in the room that are wishing to testify in this proceeding. If  
16 there are, would you please stand up.

17 Let the record reflect that there are no customers  
18 this morning. I will note that we have a service hearing for  
19 the purposes of taking testimony from customers this evening at  
20 6:00 p.m. We will now begin the technical evidentiary part of  
21 this proceeding, and recess just before 6:00 p.m. where we will  
22 come back and determine if there are customers wishing to  
23 testify at 6:00 p.m.

24 (Service hearing recessed at 10:06 a.m.)

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1 (Service hearing reconvened at 6:05 p.m.)

2 COMMISSIONER JABER: Let's go back on the record.  
3 Counsel, read the notice.

4 MS. CHRISTENSEN: By notice issued June 11th, 2001,  
5 this time and place having been set for a hearing in Docket  
6 Number 991666-WS, application for amendment of Certificate  
7 Number 106-W to add territory in Lake County by Florida Water  
8 Services Corporation. The purpose of this hearing is as set  
9 forth in the notice.

10 COMMISSIONER JABER: Thank you, Ms. Christensen.  
11 This is the customer service portion of our evidentiary  
12 hearing. I understand that there are customers who wish to  
13 speak this evening, and we certainly welcome them and are eager  
14 to hear from customers. I wanted to just briefly explain the  
15 purpose of this application which is initiated because Florida  
16 Water Services Corporation on November 3rd, 1999, filed an  
17 application to amend its current certificate to add water  
18 service territory in Lake County to serve a proposed  
19 development called the Summit. The City of Groveland, within  
20 its rights, filed a timely protest to the application, and  
21 therefore, we're here to take testimony from the City of  
22 Groveland and from Florida Water.

23 The Commissioners here at the table with me to my  
24 left, Michael Palecki, and to my right, Braulio Baez. We have  
25 Staff people here that are also willing and available to answer

1 questions. On the far right, Patty Christensen is the Staff  
2 counsel, the Staff attorney assigned to the case. Next to her  
3 is Billie Messer. Next to Billy is our engineer,  
4 Rick Redemann; and Rosanne Gervasi.

5 With that, I'd like to know if there are customers in  
6 the room that would like to testify. Okay. Would you please  
7 stand. Now, as a matter of formality, I need to have you agree  
8 to an oath, and with that, would you raise your right hand,  
9 please.

10 (Witness sworn.)

11 COMMISSIONER JABER: Thank you. Let me go ahead and  
12 add that the issues to be decided in this case relate to  
13 whether Florida Water has the technical ability, the financial  
14 ability to serve the projected area. We will also look at  
15 whether there's a need for service, whether there's a  
16 duplication of service, and finally, we will look at whether  
17 the application is in the public interest.

18 So with that, let me call our witness up, and we  
19 have -- let me just say, we have had trouble hearing through  
20 the microphone all day. I'll just ask that you bring the  
21 microphone up to you. If you have any trouble hearing any of  
22 us, let us know. I'd ask that you give your testimony first in  
23 its entirety. You're welcome to ask us questions and of our  
24 Staff and of the parties. They can ask you questions.

25 All right. So state your name please for the record

1 and your address.

2 JEFFREY S. COOPER

3 was called as a witness on behalf of the Citizens of the State  
4 of Florida and, having been duly sworn, testified as follows:

5 DIRECT STATEMENT

6 THE WITNESS: My name is Jeff Cooper, and I live at  
7 8950 Cherry Lake Road in Groveland -- Groveland address. And  
8 my home is approximately right across the street from the  
9 proposed Summit development.

10 COMMISSIONER JABER: What's the address? Do you  
11 mind --

12 THE WITNESS: 8950 Cherry Lake Road.

13 COMMISSIONER JABER: Okay. Mr. Cooper, you have  
14 prepared remarks?

15 THE WITNESS: I have to apologize, I don't have  
16 prepared remarks. I just found out about this hearing this  
17 morning when I read the morning paper. So if I seem a little  
18 disorganized, please forgive me, and maybe you can keep me on  
19 the right track if I stray too far afield. The reason -- a  
20 little history perhaps for both the City of Groveland and  
21 Florida Water Services and the Commission, a little bit of  
22 history to know why I am here.

23 Approximately three or four years ago, a development  
24 was proposed for the same property across the street from me  
25 and -- with a different development type. It was supposed to

1 have a school, and there was supposed to be a strip mall of  
2 some sort, and there was supposed to be approximately, I think,  
3 365 homes in this area. And the homeowners around us --  
4 there's about 200 of us -- all believed that since we were  
5 required to have a five acre parcel for each home, that it  
6 wasn't right that they would be able to take this 690 acre  
7 parcel and the density would be in some places up to a house  
8 per quarter acre. So in essence, what happened was, we tried  
9 to stop the proposal from going forward, and there's no wood  
10 here, but knock wood, we were able to do that.

11 Subsequently, now, we also had -- we found out that  
12 they were proposing 135 homes and a golf course, and I guess if  
13 you go against City Hall too many times, you're bound to lose.  
14 And our choice was, would you rather have 135 homes and a golf  
15 course -- I have a fly around here --

16 MR. MENTON: It's been here all day.

17 THE WITNESS: -- 135 homes and a golf course, or 350  
18 homes and a strip mall and on and on and on. So we decided not  
19 to fight. I won't speak for the other homeowners in the area,  
20 but I was the one who organized all the homeowners in the area.  
21 So with that little bit of history, that's why I'm here today  
22 after seeing the article in the paper. There was also a --

23 MR. MENTON: That was Suzanne's responsibility to get  
24 that fly, but --

25 THE WITNESS: I better change my perfume.



1 COMMISSIONER JABER: We've had the fly, but no sound.

2 THE WITNESS: Also of concern to the neighbors and  
3 myself, as we've talked, seeing that the City of Groveland has  
4 now been installing water lines along Cherry Lake Road. I will  
5 tell you that I have -- other than whatever has been published  
6 in the paper, I have not been notified by anybody, whether it  
7 be Summit, Florida Water, or the City of Groveland, that they  
8 are going to put water lines all the way down past my home.

9 My proximity to the Summit development is, and this  
10 is my understanding, is that the golf course maintenance shack  
11 is going to be located fairly close to where I am. I also  
12 understand that the Summit development, and this gets into the  
13 water, which is what you are concerned with, water issue, has  
14 an actual piece of property that they own that is directly on  
15 Cherry Lake.

16 So one the questions I have, as it relates to the  
17 Summit development and Florida Water and how it relates in any,  
18 way, shape or form, is what are the plans of the Summit  
19 development or Florida Water in regard to pulling water out of  
20 Cherry Lake given the drought that we are in right now? And I  
21 can only tell you to give you some perspective is, three and a  
22 half years ago here in central Florida, the water was at the  
23 highest level ever, and I had a 75-foot dock. The water level  
24 being so high, it ruined my dock. I had to tear it down.  
25 Subsequently, I put in an 85-foot dock, and I am still 20 feet

1 from the water's line. Okay. So that's how bad it is, and  
2 Cherry Lake is very low. As a matter of fact, we cannot -- we  
3 used to be able to go through all the canals and go all the way  
4 to Lake Louisa (phonetic). We cannot do that anymore.

5 So one of my questions is, what is the effect of the  
6 Summit development in regards to water, and whether or not they  
7 will be pulling anything out of Cherry Lake, especially when it  
8 relates to the golf course, and will they be using it at all in  
9 that respect?

10 The second question -- I don't know if you want to  
11 answer these or --

12 COMMISSIONER JABER: Let's leave them until the end.

13 THE WITNESS: Okay. Because I'm kind of trying to  
14 think of them right off the top of my head here since I'm not  
15 prepared as I would have liked to be.

16 The second question I have is, if Florida Water  
17 actually uses their Palisades water plant, and if I misstate  
18 this in some way, please, you know, somebody correct me, I  
19 understand that Palisades has a water resource that they are  
20 going to use to push water to the Summit development. If that  
21 is true, if that's the way it works, how will that affect me in  
22 terms of, will I be able to hook up? Will I not be able to  
23 hook up? What are they providing? Or is it just something  
24 that goes to the Summit development with no applicable affect  
25 to any of the homeowners? And as I said, there's not a lot of

1 us there. And since the density in some of the places on the  
2 development is greater than five acres per household, I'm  
3 interested to find out what that will be.

4 At the same time, if Groveland is offered the  
5 opportunity or has the opportunity since they are already  
6 putting in water lines, you know, what affect will the  
7 Groveland water line have on my home? And will I have to hook  
8 up? Since they are a city or a municipality, will I have to  
9 hook up? What will I have to pay? And will I be forced to  
10 hook up? If I sell the property, will that have to happen? If  
11 my well goes dry, will I have to hook up? And what are the  
12 corresponding charges? And if you consider that I am 330 feet  
13 from the roadway just to the corner of my property and you'd  
14 probably have to go another 50 feet, you're talking about a  
15 water line just from the hookup at the street of at least  
16 390 to 400 feet. And I'm sure that doesn't cost a little bit.  
17 I don't know how much it costs, but I'm sure it's costly. And  
18 there are others of us along that road.

19 COMMISSIONER JABER: Let me interject here. It is my  
20 understanding, and I would allow the parties to correct me if  
21 I'm wrong, as it relates to both parties, it's my  
22 understanding, they are not proposing to require anyone outside  
23 of the Summit development, if it actually takes place, to  
24 connect to their water or their sewer systems. At least that  
25 is not covered in anyone's testimony.

1           And, Ms. Brownless, can you confirm that for me or  
2 make someone available from the city to talk to Mr. Cooper  
3 after his testimony?

4           MS. BROWNLESS: Yes, ma'am.

5           COMMISSIONER JABER: Can you confirm on the record  
6 whether through your testimony you had any notion of requiring  
7 customers that are -- or constituents within the area but not  
8 within the Summit development of hooking up to the water or the  
9 wastewater system?

10          MS. BROWNLESS: I can tell you generally that most  
11 counties have a provision for mandatory hookup if you are  
12 within so many feet of a line. Whether that would apply --  
13 whether Lake County has such a provision, I do not know.  
14 Whether that applies to water, I do not know. Most of the  
15 ordinances I have seen apply to sewer. So we would have to  
16 check that and get back with you.

17          COMMISSIONER JABER: Mr. Cooper, Ms. Brownless will  
18 definitely find someone that can talk to you after you finish  
19 your testimony. And perhaps you can follow up with a letter  
20 too and carbon copy all the parties.

21          MS. BROWNLESS: Yes, ma'am.

22          COMMISSIONER JABER: Mr. Menton, will you also  
23 confirm that it is not your intention of requiring people  
24 outside of the Summit development to hook up?

25          MR. MENTON: That's correct, Commissioner. As I

1 understood what Mr. Cooper said, he is outside of the Summit  
2 which means he would be outside of the certificated area that  
3 we're requesting. So Florida Water would not be able to  
4 provide service without coming back and getting an additional  
5 amendment, which given this process, I'm not so sure it's worth  
6 it.

7 THE WITNESS: And thank you for your comment. If I  
8 may?

9 COMMISSIONER JABER: Yes, go ahead.

10 THE WITNESS: Because that generates another question  
11 in my mind. Is it in the public interest to allow somebody to  
12 go in specifically there when we're talking about an area where  
13 all the other homeowners are required to have a five acre  
14 parcel and to exclude us from that availability? Now, if  
15 that's so, that's so, but I would ask that question.

16 MR. MENTON: Well, and Mr. Tillman, the senior vice  
17 president from Florida Water, is here. And he could talk with  
18 you about what would be involved about trying to make it  
19 available to those who wanted to hook up. And my comment was  
20 flippant based upon a long day here.

21 THE WITNESS: I understand. A spent an hour  
22 listening.

23 MR. MENTON: But Mr. Tillman could explain it to you.  
24 But from a legal standpoint, Florida Water could not provide  
25 service without getting Commission approval, but certainly, if

1 there's an interest, Florida Water would work with those who  
2 would try to, and try and make service available, if possible.

3 THE WITNESS: And in regard to that, I guess I would  
4 have to make the comment, or at this time I would like to make  
5 this comment, and that is, at the time when I first got into  
6 this situation under the first development and now under the  
7 second development, it just appears to me that, you know, while  
8 I don't have a lot of money, and there's a lot of Commission  
9 people, and it's run by the State, and the City of Groveland  
10 certainly is, you know, trying to entertain what's in their  
11 best -- the City of Groveland's interest, but it seems to me  
12 that, you know, we just aren't communicating at all.

13 And it would seem to me that when you do this, it's  
14 in the public interest to inform the citizens of what's going  
15 on. And I feel that, you know, not only on the first  
16 development try but on the second development try -- now, we  
17 have not heard from the developers, and I understand that you  
18 gentlemen are not here for the developers, but you are with  
19 Florida Water, and I don't understand why you can't talk to us  
20 and tell us. I mean, we're not talking about thousands of  
21 people. We're talking about 19 people on Cherry Lake, and I  
22 just find that to be absolutely incredible. And I'll try to  
23 keep my scourging remarks to that. I mean, it upsets me very  
24 much.

25 COMMISSIONER JABER: Mr. Cooper, let me address your

1 concerns this way because I certainly understand your  
2 frustration in finding out about the hearing with the newspaper  
3 article today. Our rules, as it relates to this proceeding, we  
4 do require the utility to send out a notice to proposed  
5 customers, customers in the proposed territory. It occurs to  
6 me that you probably were not mailed a notice because you are  
7 not within the proposed territory, but saying all of that, I  
8 certainly echo your concerns that communication is the way to  
9 go. And certainly, we can look into our rules and whether  
10 it's, you know, appropriate to find a way to communicate with  
11 the area around the development so that if not for anything but  
12 to educate them on the process and to have feedback from them.

13 But with respect to the affect it has on you, I  
14 wanted to ask you a question. I heard you say both things.  
15 You might be interested in receiving service from either the  
16 city or Florida Water if you had more information.

17 THE WITNESS: That's correct. And I guess the reason  
18 you heard two things was, one, this is a private company and,  
19 two, Groveland is a municipality. And that really was the  
20 beginning of a second generating question in my mind, because I  
21 don't know the laws and the rules of how municipalities may or  
22 may not operate, and that is, if they are going to put in  
23 this -- they certainly didn't ask me if they can put in the  
24 water line down Cherry Lake Road. They are doing it. So my  
25 question is, if they are doing that, then, you know, what are

1 my entitlements? What am I able to or what am I not able to  
2 do? Just both sides.

3           The second is, if the City of Groveland does have  
4 that water line, and I hate to put it in wins and losses and  
5 everything, but just from my perspective, what if they lose  
6 today and now they have this water line there? What does that  
7 mean to me? Because then what it suggests is that perhaps the  
8 City of Groveland has some other motive in terms of maybe  
9 annexing the territory that is adjacent to. Or let's take the  
10 commercial side. What if their development fails but Groveland  
11 wins the whatever it is, this whether it's a suit or whatever  
12 you call it? What if they win? And what is their ability to  
13 annex that whole area and create a higher density of  
14 population? And what are the water effects on this in that  
15 regard in terms of they are already putting the pipes down,  
16 which I can't stop? Of course, I went over there today, and I  
17 was going to ask to see the permit from the county, since they  
18 are on the incorporated area, but nobody was working on it  
19 today, to find out exactly when the permit was approved or even  
20 if they needed a permit. And so, you know --

21           COMMISSIONER JABER: With respect to Florida Water,  
22 they cannot construct or do or change anything until the Public  
23 Service Commission approves their application. If the Public  
24 Service Commission grants their application, they can't change  
25 anything more with respect to their service territory beyond



1 what's approved in their certificate. So there will always be  
2 a proceeding before the Public Service Commission before that's  
3 done, and there can't be any changes to rates or charges  
4 without our prior approval.

5 Now, with respect to the City of Groveland and what  
6 notice they gave you prior to putting in lines on Cherry Lake,  
7 I can't answer that question because we don't have jurisdiction  
8 over the City of Groveland.

9 Ms. Brownless, do you know if the city noticed the  
10 area around Cherry Lake before lines went in?

11 MS. BROWNLESS: No, ma'am, I do not. I think it was  
12 considered -- my understanding -- specifically noticed, I don't  
13 think so. I think it was considered at a City Council meeting  
14 which was noticed as City Council meetings are ordinarily  
15 noticed with appropriate agendas produced.

16 COMMISSIONER JABER: Please make sure that Mr. Cooper  
17 has a copy of that and understands --

18 MS. BROWNLESS: Sure.

19 COMMISSIONER JABER: -- the process there. And to  
20 the degree he has any more questions, I would just ask that you  
21 all follow up with him.

22 MS. BROWNLESS: Yes, ma'am.

23 THE WITNESS: Can I ask for something additional  
24 there? If the notice came out at the City of Groveland  
25 Council, you're putting in water lines in the unincorporated

1 area, which is not your jurisdiction, therefore, I would ask  
2 that if there is an appropriate or an auxiliary county  
3 authorization that was publicized, if you could let me know  
4 what was --

5 MS. BROWNLESS: We will be glad --

6 THE WITNESS: -- if that's the auspices under which  
7 you did that.

8 MS. BROWNLESS: Sure. We will be glad to explain the  
9 whole process to you, Mr. Cooper.

10 THE WITNESS: Okay.

11 COMMISSIONER JABER: Ms. Brownless, I would just ask  
12 that you close the loop with a letter to the docket.

13 MS. BROWNLESS: Does Mr. Copper have his address and  
14 the means for us to contact him in the record?

15 COMMISSIONER JABER: He read his address into the  
16 record. It's 8950 Cherry Lake Road. And that would be  
17 Groveland?

18 THE WITNESS: Yes, ma'am.

19 COMMISSIONER JABER: What's the zip code, Mr. Cooper?

20 THE WITNESS: 34736.

21 COMMISSIONER JABER: Now, Mr. Groveland, finally,  
22 with respect to your questions regarding the --

23 THE WITNESS: Cooper.

24 COMMISSIONER JABER: Cooper. What did I say?

25 THE WITNESS: Groveland.

1           COMMISSIONER JABER: I'm sorry. It's the fly.  
2 Mr. Cooper, with respect to your questions regarding the Summit  
3 development, that's really an issue you might want to take up  
4 with the county, and make sure that you have as much  
5 information and give feedback to the county with regard to your  
6 concerns about the development itself.

7           THE WITNESS: Okay.

8           COMMISSIONER JABER: Do you have any other questions?

9           THE WITNESS: The one question I did ask about using  
10 the water from Cherry Lake.

11           COMMISSIONER JABER: Yes. The question earlier,  
12 Staff, was, what are Florida Water's plans with respect to  
13 taking water out of Cherry Lake? I'll take a stab at it. It's  
14 my understanding that that is not the case at all, but I'll let  
15 Mr. Menton --

16           MR. MENTON: That's correct. The current plan would  
17 be to provide the water from the Palisades plant.

18           THE WITNESS: Okay. May I ask you, does that include  
19 anything from Cook Lake or Wilson Lake?

20           MR. TILLMAN: No service water.

21           THE WITNESS: And no water that is piped out of those  
22 lakes at all?

23           MR. MENTON: No, no. It's a deep well aquifer  
24 service.

25           THE WITNESS: May I ask another --

1 COMMISSIONER JABER: Yes. Go ahead.

2 THE WITNESS: May I ask you, for the golf course what  
3 water source are you proposing to use?

4 MR. MENTON: The golf course, I believe, is going to  
5 be irrigated off of the same water lines or --

6 MS. HENESY: (Inaudible.)

7 COMMISSIONER JABER: Why don't you come up to the  
8 microphone, identify yourself. This is for the purpose of  
9 answering Mr. Cooper's questions.

10 MS. HENESY: My name is Sue Henesy. I work for  
11 Florida Water. It's our understanding and, again, it is only  
12 through what the developer has told us, but there is an  
13 existing four-inch well on-site that they'd use. It's another  
14 deep well.

15 THE WITNESS: Okay.

16 COMMISSIONER JABER: What I will ask -- Ms. Henesy,  
17 you said? If you will sit down with Mr. Cooper and answer all  
18 of his questions with respect to the water source, that would  
19 be great.

20 But as I understand it, Mr. Cooper, their assertion  
21 is that none of the water will be surface water.

22 THE WITNESS: Okay. May I ask the Commission a  
23 question?

24 COMMISSIONER JABER: Yes, of course.

25 THE WITNESS: As you explained your purpose here, you

1 indicated that there were specific things that you were here to  
2 decide, and the last thing, I believe, that you mentioned was,  
3 was it in the best interest of the public? And I guess most of  
4 my questions and concerns have been related to that since I am  
5 not schooled in water consumption or numbers that have to do  
6 with that. And are these questions -- does your decision have  
7 an affect based on what the developer -- how the developer  
8 answers my questions? Let me try and restate that.

9 I'm asking questions about the water usage, and do  
10 those questions, whether they be for Groveland or Florida  
11 Water, and do the use of water by the developer for any other  
12 means have an affect on the public interest of whether either  
13 one of them gets permission to do what they want to do?

14 COMMISSIONER JABER: The short answer to your  
15 question is, no, but that is the short answer to your question.  
16 With respect to how Florida Water uses its water and the source  
17 and their technical ability to provide a service, that's  
18 something that we would look at. The developer here has not  
19 filed testimony. We have not heard from the developer.

20 And the other thing is, I would take this opportunity  
21 to point out that just because we approve Florida Water's  
22 application, if we, in fact, do that, doesn't mean that the  
23 development will go forward. And that would be true even  
24 though we don't have jurisdiction over the city. I'm sure that  
25 just because the city intends to serve that proposed

1 development, that the proposed development will go through. It  
2 has to go through its own county process.

3 THE WITNESS: Okay. I guess I just have a lot of  
4 questions to be answered by the city --

5 COMMISSIONER JABER: Now, parties, is that your  
6 understanding as well? Is there something that needs to be  
7 clarified for Mr. Cooper about what I just said?

8 MS. BROWNLESS: I think it's at the discretion of the  
9 developer whether he proceeds ahead with his development even  
10 once he acquires every permit necessary.

11 THE WITNESS: So let me try and make sure I  
12 understand this. So, for example, if the developer moves  
13 forward and you approve either the City of Groveland's  
14 application, or whatever it is, to provide water, or you  
15 approve Florida Water Services', what I was trying to do was  
16 draw the connection between whatever else the developer is  
17 going to do and how that will have an effect on the area.

18 COMMISSIONER JABER: Right. And that's why I said  
19 those kinds of concerns would be better addressed by the county  
20 because our limited focus here is really on Florida Water's  
21 application. It's not even that we would be ruling on the City  
22 of Groveland's plants. It's only as it relates to the  
23 application as was filed by Florida Water.

24 THE WITNESS: I'll have to process that one.

25 COMMISSIONER JABER: Okay. And our Staff can sit

1 with you tonight and certainly we can too.

2 THE WITNESS: Okay. I was just -- I was trying to  
3 make a connection so that you could, you know, bring it under  
4 your jurisdiction I guess is what I was trying to do. But  
5 if -- because it seems to me that it's in the public interest  
6 to consider, I guess if you want to say it this way, the whole  
7 gestalt, the whole picture here, not just, you know, a  
8 micro-focussed area.

9 And also, before I forget, you had made the comment  
10 before to one of your Staff about notifying the people in the  
11 surrounding area. One of the results of our first attempt to  
12 defeat the notice or the development was the fact that the  
13 county did change their rules saying that they extended the  
14 number of feet from a development to notifying homeowners  
15 farther out. I think it went from, like, 100 feet to 500 feet.  
16 So I would encourage the PSC to do something about that as  
17 well.

18 COMMISSIONER JABER: Okay. Thank you, Mr. Cooper.

19 THE WITNESS: Other than that, I guess that's it  
20 then.

21 COMMISSIONER JABER: Thank you very much, and I  
22 appreciate that you stuck around. Thank you.

23 THE WITNESS: I won't say it was necessarily  
24 entertaining, but it was interesting.

25 (Witness excused.)

1           COMMISSIONER JABER: Thank you. Are there any other  
2 customers that wish to testify tonight? Are there any other  
3 customers that wish to testify tonight? All right. Let the  
4 record reflect there are no other customers for the evening  
5 service hearing. We will pick up with cross examination by  
6 Ms. Brownless of Mr. Tillman.

7           MS. BROWNLESS: I just want to identify for the  
8 record the exhibits that we discussed.

9           COMMISSIONER JABER: Suzanne, Hang on. Let's wait  
10 just a minute.

11           (Service hearing concluded at 6:40 p.m.)

12                                 - - - - -



1 STATE OF FLORIDA     )  
 2                             :             CERTIFICATE OF REPORTER  
 3 COUNTY OF LEON        )

4  
 5 I, TRICIA DeMARTE, Official Commission Reporter, do hereby  
 6 certify that the foregoing proceeding was heard at the time and  
 7 place herein stated.

8 IT IS FURTHER CERTIFIED that I stenographically  
 9 reported the said proceedings; that the same has been  
 10 transcribed under my direct supervision; and that this  
 11 transcript constitutes a true transcription of my notes of said  
 12 proceedings.

13 I FURTHER CERTIFY that I am not a relative, employee,  
 14 attorney or counsel of any of the parties, nor am I a relative  
 15 or employee of any of the parties' attorneys or counsel  
 16 connected with the action, nor am I financially interested in  
 17 the action.

18 DATED THIS 26TH DAY OF JULY, 2001.

19 *Tricia DeMarte*

20 \_\_\_\_\_  
 21 TRICIA DeMARTE  
 22 FPSC Official Commission Reporter  
 23 (850) 413-6736  
 24  
 25