

State of Florida



# Public Service Commission

## -M-E-M-O-R-A-N-D-U-M-

---

**DATE:** February 21, 2002  
**TO:** Division of Commission Clerk and Administrative Services  
**FROM:** Patricia Brady, Division of Economic Regulation *pb f/d*  
**RE:** Docket No. 000242-WS - Request for acknowledgment of transfer of receivership of Enterprise Utilities Corporation (Deltona) from Florida Water Services Corporation to Volusia County and cancellation of Certificates Nos. 316-W and 264-S.

---

Please add to the docket file the attached Notice of Hearing and Final Report of Attorney Ad Litem regarding the Seventh Circuit Court Case No. 81-5258-CA-01.

Attachments: (2)

cc: Division of Economic Regulation (Willis)  
Office of General Counsel (Christensen)  
Division of Commission Clerk and Administrative Services (Security File)

DOCUMENT NUMBER DATE  
02050 FEB 21 2002  
FPSC-COMMISSION CLERK

RECEIVED  
PUBLIC SERVICE  
DIVISION

02 FEB 14 AM 10:17

OFFICE OF  
ECONOMIC REGULATION

IN THE CIRCUIT COURT, SEVENTH  
JUDICIAL CIRCUIT, IN AND FOR  
VOLUSIA COUNTY, FLORIDA

CASE NO. 81-5258-CA-01  
DIVISION B

IN RE: ENTERPRISE UTILITIES, INC.,  
\_\_\_\_\_ /

**NOTICE OF HEARING**

PLEASE TAKE NOTICE that on the 26th day of April, 2002, at 9:30 a.m., or as soon thereafter as counsel may be heard, the Court will hear the Final Report of Attorney Ad Litem, in this cause before, and for the disposition by, the Honorable Edwin E.P. Sanders, at the Volusia County Courthouse, 101 North Alabama Avenue, Hearing Room 409, DeLand, Florida 32724. The time reserved for this hearing is 45 minutes.

In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven (7) days prior to the proceeding at the address given on notice. Telephone: (904) 255-8171. **For hearing impaired individuals:** Telecommunications Device for the Deaf (TDD): 1-800-955-8771 (TDD) or Florida Relay Service: 1-800-955-8770.

**THIS IS NOT A COURT INFORMATION LINE.**



C. Allen Watts  
COBB COLE & BELL  
FLA. BAR NO. 139759  
150 Magnolia Avenue  
Post Office Box 2491  
Daytona Beach, FL 32115-2491  
Telephone: (904) 255-8171  
Facsimile: (904) 238-7003

**FOR YOUR INFORMATION  
C. Allen Watts**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail to M. Bradley Luzack, Esquire, Sobering, White & Luzack, P.A., 558 West New England Avenue, Suite 240, Winter Park, FL 32789; Matthew Guy Minter, Esquire, Assistant County Attorney, 123 West Indiana Avenue, DeLand, FL 32720-4613; Frank B. Gummey, III, Esquire, Assistant County Attorney, 123 West Indiana Avenue, DeLand, FL 32720-4613; and Patricia A. Christensen, Esquire, State of Florida, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, this 7 day of FEBRUARY, 2002.

D



Attorney

**FOR YOUR INFORMATION  
C. Allen Watts**

**IN RE: ENTERPRISE UTILITIES, INC.,**

IN THE CIRCUIT COURT, SEVENTH  
JUDICIAL CIRCUIT, IN AND FOR  
VOLUSIA COUNTY, FLORIDA

CASE NO. 81-5258-CA-01  
DIVISION B

**FINAL REPORT OF ATTORNEY AD LITEM**

C. Allen Watts, the duly appointed Attorney ad Litem for ratepayers of Enterprise Utilities, makes his final report to the Court upon the Receiver's petition for discharge, as follows:

1. The undersigned was duly appointed by Order of the Court on April 15, 1999, and filed his oath on April 20, 1999.

2. On February 14, the Court entered its Order allowing withdrawal of the Receiver, now known as Florida Water Services Corporation, to withdraw as receiver and appointing the County of Volusia as successor Receiver, reserving any jurisdiction of the Court over matters of final accounting.

3. The undersigned has carefully reviewed the accountings previously filed under oath by the Receiver in this cause. He has further compared them with the annual reports filed by the Receiver with the Florida Public Service Commission and found them substantially in accord. Based on those accountings, it appeared that there are or may be substantial funds remaining in the hands of the Receiver in respect of contributions in aid of construction, deductions from earnings on account of depreciation, and cumulative retained earnings.

4. The Receiver has disputed that any funds are or should remain on hand, and has provided the undersigned with an additional accounting styled an "Income Statement Cash Basis". A true copy of said Statement is attached as Exhibit A. The undersigned has concluded that the additional cash accounting, assuming its veracity, is the most reliable record upon which to determine whether there are or may be any substantial funds remaining in the hands of the Receiver.

Subject to the matters as to which no proof has been submitted by the Receiver as more particularly set forth below, the undersigned reports:

a. For each year of the receivership by Deltona Utilities Corporation, now known as Florida Water Services, he has computed the sum of all cash received by Enterprise Utilities, including revenues from residential and multifamily customers, service charges, sale of property, and contributions in aid of construction.

b. From that sum, he has deducted the expenses of operations and maintenance, taxes other than income taxes, the cost of water purchased by the Receiver from itself, the cost of interest and other miscellaneous expenses. He has not deducted as an expense the sums claimed by the Receiver as "capital expenditures" because these sums represent investment of capital rather than an expense.

c. The surplus of cash revenues over cash expenses from 1982 to the time of turnover of the insolvent Utility to Volusia County is \$316,398. From that surplus, the Receiver has made cumulative capital reinvestments of \$65,210, leaving a cash balance of \$251,188.

d. The undersigned has not included, in his calculation of capital investments, any adjustment for income of \$166,859 claimed by the Receiver on account of contributions in aid of construction in 1986, and capital expenditures of \$300,066 claimed by the Receiver in that year, because:

(1) The accountings filed by the Receiver with the Public Service Commission are in conflict, in that the 1986 filing shows a cumulative total of contributions received in aid of construction (net), at the end of 1986, in the amount of \$32,419. However, the 1987 filing shows that at the end of 1986, the Receiver held a cumulative total of contributions in aid of construction in the amount of \$181,864.

(2) The accountings filed by the Receiver with the Public Service Commission are in conflict, in that the 1986 filing shows a cumulative total of utility plant in service (without allowance for depreciation), at the end of 1986, in the amount of \$15,333. However, the 1987 filing shows that

at the end of 1986, the Receiver held a cumulative total of utility plant in service (without allowance for depreciation) of \$314,297. Copies of the accountings for 1986 and 1987 are attached to this Report as Exhibits B and C, respectively, and the respective entries are at page F-4 of each such Exhibit.

(3) Marshall Willis is Bureau Chief of the Division of Water and Wastewater, Economic Regulation, of the Florida Public Service Commission. He testified by deposition in this cause on January 24, 2000. Therein he stated, at page 22, line 14ff., that in 1982 the Receiver filed for a "staff assisted rate case" which was completed by Order of the Commission issued on May 19, 1986; and that the changes in capital of the utility did not, in any substantial part, represent actual capital invested by the receiver but rather a reconstruction of the value of the utility plant in the hands of its former proprietor, in order to support a rate increase. A copy of the deposition of Mr. Willis is attached to this report as Exhibit D.

e. The undersigned has not included as a cash expense any "provision" for state or Federal income taxes. The Receiver has failed to report, on its "Income Statement Cash Basis", the actual expenses of the insolvent Utility for state or Federal income taxes, but has claimed a "provision" of \$18,292. The Receiver has failed to report the existence or nonexistence of a net operating loss carryforward of the insolvent Utility at the time the Receivership commenced. In addition, from 1992 the Receiver states that it accounted for the insolvent Utility on a consolidated basis with those other utilities actually owned by the Receiver. The undersigned is therefore unable to identify, from the provided records and accountings of the Receiver, the actual income tax liability, if any, of the insolvent Utility, and recommends that the same be disallowed for want of proof.

f. The undersigned has not computed any expense or allowance for overhead or profit of the Receiver. The Receiver has claimed, on its "Income Statement Cash Basis", an allowance for "Overhead and Profit" consisting of 10% of the gross revenues of the insolvent Utility, or \$165,992.

(1) No such compensation has been sought by the Receiver or allowed by the Court.

(2) Ordinarily, the compensation of a regulated Utility is based upon a reasonable rate of return on its invested capital. It appears from the cash accounting supplied by the Receiver that it has invested no capital of its own in the insolvent Utility.

(3) It further appears that as a major part of the revenue upon which the Receiver has computed its "overhead and profit", the Receiver purchased from itself, on behalf of the insolvent Utility, water at an aggregate value of \$396,626 at its approved rate, inclusive of a reasonable rate of return under its approved tariff. The allowance of a second recovery of overhead and profit based on revenue from resale of the same water is duplicative.

(4) It further appears that the Receiver has purchased contractual services from itself at prices the fairness of which cannot be determined, but which presumably included adequate provision for overhead and profit.

(5) The Receiver has from 1992, inextricably merged the insolvent utility's accounts with its own and exercised dominion as if the insolvent utility were the Receiver's property, with the result that the undersigned is unable to determine the extent to which the Receiver has already compensated itself. The undersigned is further unable to determine whether, either before or after the Receiver's consolidation of the insolvent Utility's accounts with its own, any of the expenses of the insolvent Utility were combined with the expenses of the Receiver for purposes of supporting its rates and charges in the adjoining Deltona service area..

4. The attorney ad litem, having completed his assigned tasks, respectfully requests that the Court order the Receiver to pay over to the County of Volusia, for credit to the ratepayers of Enterprise Utilities only, the sums found to be the property of Enterprise Utilities upon the law and the evidence.

5. The attorney ad litem further prays that reasonable compensation be awarded from the assets or from the compensation, if any, of the Receiver for the time and expenses incurred by the attorney ad litem in investigating and correcting the Receiver's accounting on behalf of the

ratepayers. In the alternative, the attorney ad litem prays that reasonable compensation be awarded from the Utility for the benefits procured on its behalf.

**COBB COLE & BELL**

By: C. Allen Watts

**C. Allen Watts**  
FLA. BAR NO. 139759  
150 Magnolia Avenue  
Post Office Box 2491  
Daytona Beach, FL 32115-2491  
Telephone: (904) 255-8171  
Facsimile: (904) 238-7003

STATE OF FLORIDA  
COUNTY OF VOLUSIA

Sworn to and subscribed before me this 11<sup>th</sup> day of February, 2002, by C. ALLEN WATTS, who is personally known to me, ~~or has produced~~ as identification.

NOTARY PUBLIC:  
Sign: Patricia T. Smith  
Print: \_\_\_\_\_  
State of Florida At Large

My Commission Expires:  
Title/Rank: \_\_\_\_\_  
Commission Number: \_\_\_\_\_

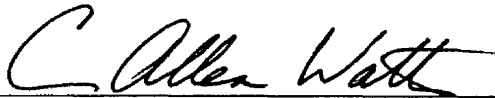


Patricia T. Smith  
MY COMMISSION # CC741118 EXPIRES  
May 30, 2002  
BONDED THRU TROY FAIN INSURANCE, INC.



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail to M. Bradley Luzack, Esquire, Sobering, White & Luzack, P.A., 558 West New England Avenue, Suite 240, Winter Park, FL 32789; Matthew Guy Minter, Esquire, Assistant County Attorney, 123 West Indiana Avenue, DeLand, FL 32720-4613; Frank B. Gummey, III, Esquire, Assistant County Attorney, 123 West Indiana Avenue, DeLand, FL 32720-4613; and Patricia A. Christensen, Esquire, State of Florida, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, this 11 day of FEBRUARY, 2002.

  
\_\_\_\_\_

Attorney

**SOBERING, WHITE & LUCZAK, P.A.**

ATTORNEYS AT LAW

201 SOUTH ORANGE AVENUE  
SUITE 1000

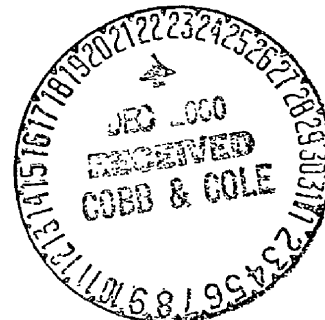
ORLANDO, FLORIDA 32801

TELEPHONE (407) 425-4305  
TELECOPIER (407) 425-4304

M. BRADLEY LUCZAK  
ROBERT B. WHITE, JR.

BARRY J. SOBERING  
OF COUNSEL

December 19, 2000



C. Allen Watts  
Cobb Cole & Bell  
150 Magnolia Avenue  
P.O. Box 2491  
Daytona Beach, Florida 32115-2491

RE: Enterprise Utilities

Dear Allen:

Reference is made to my letter to you dated August 9, 1999, a copy of which is enclosed for your reference. In this regard:

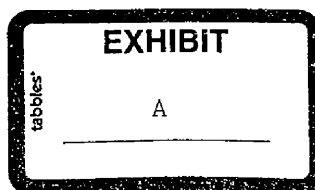
1. Attached please find a cash basis report for the fiscal year 1999 and the period consisting of January and February of 2000.
2. The attached report supplements the report that was attached to my August 9, 1999 letter.
3. Please note that the attached report does not include outside professional fees (legal, engineering and accounting) incurred by Florida Water with respect to Enterprise.

If you should have any questions regarding the foregoing, please call me.

Sincerely yours,

  
M. Bradley Luczak

cc: Carlyn Kowalsky  
Jim Perry



Enterprise Utilities, Inc.  
 Water & Wastewater 1998, 1999, Feb. 2000 & Cumulative  
 Income Statement Cash Basis with Income Tax Provision

	<u>1998</u>	<u>1998</u> <u>Pt. Total</u>	<u>1999</u>	<u>2 Months</u> <u>Feb-00</u>	<u>Cumulative</u>
<b>Revenues</b>					
Residential	\$138,516	\$1,479,865	\$134,612	\$29,611	\$1,644,088
MultiFamily		1,648	1,638	368	3,650
Service Chgs.		11,552	540	90	12,182
	<u>138,516</u>	<u>1,493,065</u>	<u>136,788</u>	<u>30,067</u>	<u>1,659,920</u>
<b>Expenses</b>					
Operation & Maint.	64,534	787,917	55,685	31,815	875,417
Taxes other than Income	11,259	103,870	11,074	2,767	117,711
Purchased Water	32,227	360,637	31,275	4,714	396,625
Capital Expenditures	3,121	362,082	3,188		365,278
	<u>111,141</u>	<u>1,614,516</u>	<u>101,220</u>	<u>39,296</u>	<u>1,755,032</u>
<b>Total Operating Income (Loss)</b>	27,375	(121,451)	35,568	(9,229)	(95,112)
<b>Other Income (Expense)</b>					
CIAC	1,680	214,940	633		215,573
Sale of lift station		2,800			2,800
Interest Expense		(4,808)			(4,606)
Other Misc.		(43)			(43)
Overhead@10% of Revenues	(13,852)	(149,307)	(13,679)	(3,007)	(165,993)
	<u>(12,172)</u>	<u>63,784</u>	<u>(13,048)</u>	<u>(3,007)</u>	<u>47,731</u>
<b>Net Income before Taxes</b>	15,203	(57,667)	22,522	(12,236)	(47,381)
<b>Income Tax Provision</b>	5,868	(22,260)	8,689	(4,721)	(18,292)
<b>Net Income</b>	<u>\$9,335</u>	<u>(\$35,407)</u>	<u>\$13,833</u>	<u>(\$7,515)</u>	<u>(\$29,089)</u>

"Privileged as prepared under direction of Attorney"

Prepared by: B. Bilinski  
 5-Jul-00

SOBERING, WHITE & LUCZAK, P.A.

ATTORNEYS AT LAW

201 SOUTH ORANGE AVENUE  
SUITE 1000

ORLANDO, FLORIDA 32801

TELEPHONE (407) 425-4305  
TELECOPIER (407) 425-4304

CURTIS N. FLAJOLE  
PATRICIA A. LADAN  
SALLY R. MURRAY

M. BRADLEY LUCZAK  
ROBERT B. WHITE, JR.

BARRY J. SOBERING  
OF COUNSEL

August 9, 1999

C. Allen Watts  
Cobb Cole & Bell  
150 Magnolia Avenue  
P.O. Box 2491  
Daytona Beach, Florida 32115-2491

RE: Enterprise Utilities

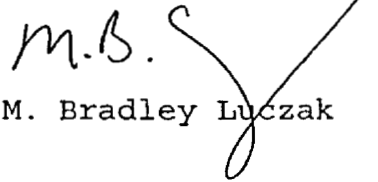
Dear Allen:

With regard to the receivership accounting, please note the following:

1. As we previously discussed, the reports filed with the Court were derived from those filed with the FPSC for the Enterprise system. The reports filed with the FPSC were prepared for regulatory purposes, in accordance with "NARUC".
2. Based upon our previous discussions, the reports probably should have been prepared on a cash basis for the purposes of the receivership.
3. In order to give you, the Court and the customers of Enterprise Utilities a better picture of the finances of Enterprise Utilities, Florida Water has revised the reports into a cash basis accounting.
4. Attached please find the cash basis reports.
5. We look forward to meeting with you on August 25 to discuss the methodology used by Florida Water to convert the prior regulatory basis accountings into a cash basis and to answer any questions that you may have regarding any of the revenue or expense items.

If you should have any questions regarding the foregoing, please call me.

Sincerely yours,



M. Bradley Luczak

cc: Carlyn Kowalsky  
Jim Perry

Enterprise Utilities, Inc. --- Water & Wastewater 1997 - 5/31/99 & Cumulative  
Income Statement Cash Basis With Income Tax Provision

	1997	1998	5/31/1999	Totals	Prior Years Totals	Cumulative Totals
<b>Revenues</b>						
Residential	\$139,291	\$138,510	\$59,982	\$337,783	\$1,202,058	\$1,539,847
Multi-Family / Comm.	0	0	0	0	1,848	1,848
Service Charges	0	0	0	0	11,552	11,552
	<u>\$139,291</u>	<u>\$138,510</u>	<u>\$59,982</u>	<u>\$337,783</u>	<u>\$1,215,258</u>	<u>\$1,553,047</u>
<b>Expenses</b>						
Operation & Maint. Exp.	\$84,773	\$84,634	\$20,234	\$149,641	\$658,810	\$808,151
Taxes Other than Income	14,813	11,259	0	25,872	77,988	103,870
Purchased Water	38,802	32,227	14,868	83,367	291,808	375,205
Capital Expenditures	3,834	3,121	0	6,765	356,337	362,092
	<u>\$118,022</u>	<u>\$111,441</u>	<u>\$34,802</u>	<u>\$285,565</u>	<u>\$1,383,763</u>	<u>\$1,849,318</u>
Total Operating Income (Loss)	<u>\$19,069</u>	<u>\$27,375</u>	<u>\$25,180</u>	<u>\$72,224</u>	<u>(\$168,495)</u>	<u>(\$66,271)</u>
<b>Other Income (Expense)</b>						
CIAC	\$1,449	\$1,680	\$0	\$3,129	\$211,811	\$214,940
Sale of lift station	0	0	0	0	2,800	2,800
Interest Expense	0	0	0	0	(4,606)	(4,606)
Other - misc.	0	0	0	0	(49)	(43)
Overhead/Profit @ 10% of Revenues	(13,924)	(13,862)	(8,608)	(33,779)	(121,526)	(166,305)
Total Other Income (Expense)	<u>(\$12,480)</u>	<u>(\$12,172)</u>	<u>(\$5,998)</u>	<u>(\$30,050)</u>	<u>\$88,438</u>	<u>\$57,788</u>
Net Income ( Loss ) before Taxes	<u>\$7,189</u>	<u>\$16,203</u>	<u>\$19,182</u>	<u>\$41,674</u>	<u>(\$80,057)</u>	<u>(\$38,485)</u>
Income Tax Provision	\$2,775	\$5,869	\$7,404	\$16,048	(\$30,903)	(\$14,856)
Net Income	<u>\$4,414</u>	<u>\$9,335</u>	<u>\$11,778</u>	<u>\$25,526</u>	<u>(\$49,158)</u>	<u>(\$23,630)</u>
Cumulative (\$49,158 carryforward)	(\$44,742)	(\$35,407)	(\$23,630)			

File Name: enterprise Util 97 summary.xls.  
Created By: J.Herry  
Date Created: 3/99

Note: 97 purchased water based upon usage from annual report.  
Provision for charge not recorded in annual report.

\* Information in process from engineering.

Enterpris Utilities  
Expenses thru 5/31/99

<u>Description</u>	<u>Water</u>	<u>Description</u>	<u>Waste Water</u>
<u>Plant Operation &amp; Maintenance</u>		<u>Sewer O &amp; M</u>	
salaries and wages	\$409	Salaries and wages	\$3,318
purchased water	0	contractual services	4,435
chemicals	0	power purchased	2,147
supplies and expenses	0	chemicals	33
repairs of water plant	0	misc. supplies & exp.	126
transportation expenses	0		
Total Plant O&M	<u>\$409</u>	Total Operation Expenses	<u>\$10,059</u>
<u>General Expenses</u>		<u>Maintenance Expenses</u>	
a&g salaries	\$1,655	supervision and engineering	\$0
office supplies and exp.	414	maintenance of treatment plant	0
insurance expense	217	maintenance of collecting	0
misc. general exp.	1,920	maintenance of other plant	0
contractual services	2,000		
Total General Expense	<u>\$6,206</u>	Total Plant Maintenance	<u>\$0</u>
Total O & M Expense - Water	<u><u>\$6,615</u></u>	<u>Customer Account Expenses</u>	
		accounting and collection	\$620
		uncollectible accounts	162
		Total Customer Account Expenses	<u>\$782</u>
		<u>Administrative and General Expenses</u>	
		a & g salaries	5592
		office supplies and other exp.	169
		contractual services	1,148
		misc.	745
		insurance	124
		Total A & G Expenses	<u>\$2,778</u>
		Total Sewer O & M Expense	<u><u>\$13,619</u></u>

**Total Water & Sewer Expenses:**

**\$20,234**

Created By: J.Perry  
Date : 3/99  
File Name: enterprise

Source of Data: FPSC filed reports

Enterprise Utilities, Inc. --- Wastewater 1987 - 1988 & Cumulative  
Income Statement Cash Basis With Income Tax Provision

	1987	1988	Totals	Prior Years Totals	Cumulative Totals
<b>Revenues</b>					
Residential	\$139,291	\$138,518	\$277,807	\$1,202,050	\$1,479,885
Multi-Family / Comm.	0	0	0	1,848	1,848
Service Charges	0	0	0	11,552	11,552
	<u>\$139,291</u>	<u>\$138,518</u>	<u>277,807</u>	<u>\$1,216,250</u>	<u>\$1,493,065</u>
<b>Expenses</b>					
Operation & Maint. Exp.	\$84,773	\$84,834	\$169,607	\$658,810	\$787,917
Taxes Other than Income	14,813	11,259	25,872	77,998	103,870
Purchased Water	38,802	32,227	71,029	291,808	360,837
Capital Expenditures	3,834	3,121	6,955	356,337	362,092
	<u>\$119,622</u>	<u>\$111,441</u>	<u>\$230,763</u>	<u>\$1,383,753</u>	<u>\$1,814,518</u>
Total Operating Income (loss)	<u>\$19,669</u>	<u>\$27,376</u>	<u>\$47,044</u>	<u>(\$167,485)</u>	<u>(\$121,461)</u>
<b>Other Income (Expense)</b>					
GIAC	\$1,449	\$1,680	\$3,129	\$211,811	\$214,940
Sale of lift station	0	0	0	2,800	2,800
Interest Expense	0	0	0	(4,008)	(4,008)
Other - misc.	0	0	0	(43)	(43)
Overhead/Profit @ 10% of Revenues	(13,829)	(13,852)	(27,781)	(121,528)	(149,307)
Total Other Income (Expense)	<u>(\$12,480)</u>	<u>(\$12,172)</u>	<u>(\$24,652)</u>	<u>\$88,438</u>	<u>\$83,784</u>
Net Income (Loss) before Taxes	<u>\$7,189</u>	<u>\$15,203</u>	<u>\$22,392</u>	<u>(\$80,050)</u>	<u>(\$57,667)</u>
Income Tax Provision	\$2,775	\$5,869	\$8,643	(\$30,003)	(\$22,250)
Net Income	<u>\$4,414</u>	<u>\$9,335</u>	<u>\$13,749</u>	<u>(\$49,166)</u>	<u>(\$35,407)</u>
Cumulative (\$49,158 carryforward)	(\$44,742)	(\$35,407)			

File Name: enterprise Util 87 summary.xls.  
Created By: J.Perry  
Date Created: 3/99

Note: 87 purchased water based upon usage from annual report.  
Provision for charge not recorded in annual report.

\* Information in process from engineering.

Enterprise Utilities, Inc. — Water and Wastewater 1992 - 1996  
Income Statement Cash Basis With Income Tax Provision

	1992	1993	1994	1995	1996	Totals
<b>Revenues</b>						
Residential	\$103,869	\$112,004	\$121,608	\$122,866	\$133,085	\$594,351
Multi-Family	477	0	0	0	0	477
Service Charges	803	0	0	0	0	803
	<u>\$105,229</u>	<u>\$112,904</u>	<u>\$121,608</u>	<u>\$122,866</u>	<u>\$133,085</u>	<u>\$595,711</u>
<b>Expenses</b>						
Operation & Maint. Exp.	\$63,916	\$48,048	\$91,122	\$67,865	\$71,076	\$342,027
Taxes Other than Income	9,980	9,529	13,303	11,952	12,336	57,080
Purchased Water	21,198	33,998	24,365	26,371	27,388	133,320
Capital expenditures	34,827	(29,655)	19,334	(1,882)	189	22,803
	<u>\$129,901</u>	<u>\$61,910</u>	<u>\$148,124</u>	<u>\$104,306</u>	<u>\$110,989</u>	<u>\$555,230</u>
Total Operating Income ( loss )	<u>(\$24,672)</u>	<u>\$50,994</u>	<u>(\$26,510)</u>	<u>\$18,579</u>	<u>\$22,096</u>	<u>\$40,481</u>
<b>Other Income (Expense)</b>						
CIAC	\$2,063	\$1,699	\$1,650	\$0	\$4,316	\$10,028
Sale of lift station	0	0	0	0	0	0
Interest Expense	(461)	0	0	0	0	(461)
Other - misc.	(17)	0	0	0	0	(17)
Overhead/Profit @ 10% of Revenues	(10,523)	(11,290)	(12,161)	(12,289)	(13,309)	(59,571)
Total Other Income (Expense)	<u>(8,030)</u>	<u>(9,591)</u>	<u>(10,511)</u>	<u>(12,289)</u>	<u>(8,993)</u>	<u>(49,421)</u>
Net Income ( Loss ) before Taxes	<u>(\$32,710)</u>	<u>\$41,403</u>	<u>(\$37,027)</u>	<u>\$8,291</u>	<u>\$13,104</u>	<u>(\$8,940)</u>
Income Tax Provision	(\$12,626)	\$15,981	(\$14,292)	\$2,428	\$5,058	(\$3,451)
Net Income	<u>(\$20,084)</u>	<u>\$25,421</u>	<u>(\$22,734)</u>	<u>\$3,862</u>	<u>\$8,046</u>	<u>(\$5,489)</u>
Cumulative (-\$43,667 carryforward)	(\$83,751)	(\$38,330)	(\$81,064)	(\$57,202)	(\$49,156)	

File Name: enterprise utilities 92 96

Created By: J.Perry

Date: 3/90

Note : 94,96 purchased water based upon usage from annual report.  
Provision for charge not recorded in annual report.



Enterprise Utilities, Inc. --- Water and Wastewater 1987 - 1991  
Income Statement Cash Basis With Income Tax Provision

	1987	1988	1989	1990	1991	Totals
<b>Revenues</b>						
Residential	\$60,445	\$67,236	\$78,715	\$90,831	\$95,510	\$392,737
Multi-Family	0	0	0	776	395	1,171
Service Charges	555	735	3,642	802	1,085	6,799
	<u>\$61,000</u>	<u>\$67,971</u>	<u>\$82,357</u>	<u>\$92,409</u>	<u>\$96,970</u>	<u>\$400,707</u>
<b>Expenses</b>						
Operation & Maint. Exp.	\$39,671	\$28,182	\$42,357	\$28,275	\$20,150	\$167,635
Taxes Other than Income	1,642	1,890	2,414	3,798	4,832	14,576
Purchased Water	14,981	12,978	20,564	21,946	19,711	90,180
Capital expenditures	2,100	2,432	17,478	(336)	(2,316)	19,356
	<u>\$58,394</u>	<u>\$45,482</u>	<u>\$82,811</u>	<u>\$53,683</u>	<u>\$51,377</u>	<u>\$291,747</u>
Total Operating Income ( loss )	<u>\$2,606</u>	<u>\$22,489</u>	<u>(\$454)</u>	<u>\$38,726</u>	<u>\$45,593</u>	<u>\$108,860</u>
<b>Other Income (Expense)</b>						
CIAC	(\$1,791)	\$1,268	\$6,210	\$6,700	\$5,938	\$18,331
Sale of lift station	0	0	0	0	0	0
Interest Expense	(160)	(634)	(552)	(1,009)	(1,044)	(3,399)
Other - misc.	(34)	48	28	(16)	3	27
Overhead/Profit @ 10% of Revenues	(9,100)	(6,797)	(8,238)	(9,241)	(9,697)	(40,071)
	<u>(8,085)</u>	<u>(6,117)</u>	<u>(2,544)</u>	<u>(3,566)</u>	<u>(4,800)</u>	<u>(25,112)</u>
Total Other Income (Expense)	<u>(8,085)</u>	<u>(6,117)</u>	<u>(2,544)</u>	<u>(3,566)</u>	<u>(4,800)</u>	<u>(25,112)</u>
Net Income ( Loss ) before Taxes	<u>(\$5,479)</u>	<u>\$16,372</u>	<u>(\$2,998)</u>	<u>\$35,160</u>	<u>\$40,793</u>	<u>\$83,848</u>
Income Tax Provision	(\$2,115)	\$6,320	(\$1,157)	\$13,572	\$15,748	\$32,365
Net Income	<u>(\$3,364)</u>	<u>\$10,052</u>	<u>(\$1,841)</u>	<u>\$21,588</u>	<u>\$25,047</u>	<u>\$51,483</u>
Cumulative (-\$95,150 carryforward)	(\$98,514)	(\$88,462)	(\$90,302)	(\$68,714)	(\$43,667)	

File Name: enterprise utilities 87 81  
Created By: J.Perry  
Date: 3/99

Enterprise Utilities, Inc. — Water and Wastewater 1982 - 1988  
Income Statement Cash Basis With Income Tax Provision

	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>Totals</u>
<b>Revenues</b>						
Residential	\$28,282	\$40,804	\$44,071	\$46,757	\$55,256	\$214,970
Multi-Family	0	0	0	0	0	0
Service Charges	664	598	483	995	1,130	3,870
	<u>\$28,946</u>	<u>\$41,202</u>	<u>\$44,554</u>	<u>\$47,752</u>	<u>\$56,386</u>	<u>\$218,840</u>
<b>Expenses</b>						
Operation & Maint. Exp.	\$23,832	\$27,554	\$24,956	\$33,224	\$39,382	\$148,948
Taxes Other than Income	901	1,030	1,072	1,951	1,388	6,342
Purchased Water	13,947	10,028	15,505	12,258	16,572	68,308
Capital expenditures	8,388	731	184	3,809	300,088	313,178
	<u>\$47,068</u>	<u>\$39,343</u>	<u>\$41,717</u>	<u>\$51,240</u>	<u>\$357,410</u>	<u>\$536,776</u>
<b>Total Operating Income ( loss )</b>	<u>(\$18,120)</u>	<u>\$1,859</u>	<u>\$2,837</u>	<u>(\$3,488)</u>	<u>(\$301,024)</u>	<u>(\$317,936)</u>
<b>Other Income (Expense)</b>						
CIAC	\$1,350	\$1,050	\$7,540	\$8,044	\$166,859	\$182,852
Sale of lift station	2,800	0	0	0	0	2,800
Interest Expense	0	(54)	(161)	(230)	(293)	(746)
Other - misc.	0	0	(53)	0	0	(53)
Overhead/Profit @ 10% of Revenues	(2,895)	(4,120)	(4,455)	(4,775)	(5,839)	(21,884)
<b>Total Other Income (Expense)</b>	<u>\$1,255</u>	<u>(\$3,124)</u>	<u>\$2,880</u>	<u>\$1,031</u>	<u>\$160,927</u>	<u>\$162,989</u>
<b>Net Income ( Loss ) before Taxes</b>	<u>(\$16,865)</u>	<u>(\$1,265)</u>	<u>\$5,717</u>	<u>(\$2,457)</u>	<u>(\$140,097)</u>	<u>(\$154,967)</u>
<b>Income Tax Provision</b>	<u>(\$6,510)</u>	<u>(\$488)</u>	<u>\$2,207</u>	<u>(\$948)</u>	<u>(\$54,077)</u>	<u>(\$59,817)</u>
<b>Net Income</b>	<u>(\$10,355)</u>	<u>(\$777)</u>	<u>\$3,510</u>	<u>(\$1,509)</u>	<u>(\$86,018)</u>	<u>(\$95,150)</u>
<b>Cumulative</b>	<u>(\$10,355)</u>	<u>(\$11,132)</u>	<u>(\$7,622)</u>	<u>(\$9,130)</u>	<u>(\$95,150)</u>	

File Name: enterprise utilities 02 88  
Created By: J.Perry  
Date: 3/89

Enterprise Utilities  
Expenses 1998

<u>Description</u>	<u>Water</u>	<u>Description</u>	<u>Waste Water</u>
<b><u>Plant Operation &amp; Maintenance</u></b>		<b><u>Sewer O &amp; M</u></b>	
salaries and wages	\$5,416	salaries and wages	\$7,142
purchased water	0	contractual services	14,966
chemicals	0	power purchased/sludge removal	7,845
supplies and expenses	757	chemicals	1,552
contractual services	-84	misc. supplies & exp.	2,203
insurance	70	insurance	113
misc.	1,408	misc. supplies & exp.	1,007
<b>Total Plant O&amp;M</b>	<b><u>\$7,567</u></b>	<b>Total Operation Expenses</b>	<b><u>\$34,828</u></b>
<b><u>General Expenses</u></b>		<b><u>Maintenance Expenses</u></b>	
a&g salaries	\$3,346	supervision and engineering	\$0
office supplies and exp.	880	maintenance of treatment plant	0
insurance expense	482	maintenance of collecting	0
misc. general exp.	2,810	maintenance of other plant	0
contractual services	5,174		
<b>Total General Expense</b>	<b><u>\$12,692</u></b>	<b>Total Plant Maintenance</b>	<b><u>\$0</u></b>
<b>Total O &amp; M Expense - Water</b>	<b><u>\$20,259</u></b>	<b><u>Customer Account Expenses</u></b>	
		accounting and collection	\$1,887
		uncollectible accounts	310
		<b>Total Customer Account Expenses</b>	<b><u>\$2,197</u></b>
		<b><u>Administrative and General Expenses</u></b>	
		a & g salaries	\$1,919
		office supplies and other exp.	473
		contractual services	2,969
		misc.	1,613
		insurance	276
		<b>Total A &amp; G Expenses</b>	<b><u>\$7,250</u></b>
		<b>Total Sewer O &amp; M Expense</b>	<b><u>\$44,275</u></b>
<b>Total Water &amp; Sewer Expenses:</b>			
	<b>\$64,534</b>		

Created By: J.Perry  
Date : 3/99  
File Name: enterprise

Source of Data: FPSC filed reports

Enterprise Utilities  
Expenses 1997

<u>Description</u>	<u>Water</u>	<u>Description</u>	<u>Waste Water</u>
<u>Plant Operation &amp; Maintenance</u>		<u>Sewer O &amp; M</u>	
salaries and wages	\$6,542	salaries and wages employees	\$10,235
purchased water	0	contractual services	12,256
chemicals	0	power purchased / sludge removal	6,110
supplies and expenses	1,913	chemicals	227
contractual services	3,677	misc. supplies & exp.	3,115
insurance	141	insurance	263
misc.	1,682	misc.	3
<b>Total Plant O&amp;M</b>	<b>\$13,955</b>	<b>Total Operation Expenses</b>	<b>\$32,209</b>
<u>General Expenses</u>		<u>Maintenance Expenses</u>	
a&g salaries	\$4,583	supervision and engineering	\$0
office supplies and exp.	794	maintenance of treatment plant	0
insurance expense	581	maintenance of collecting	0
misc. general exp.	3,114	maintenance of other plant	0
contractual services	1,355		
<b>Total General Expense</b>	<b>\$10,427</b>	<b>Total Plant Maintenance</b>	<b>\$0</b>
<b>Total O &amp; M Expense - Water</b>	<b>\$24,382</b>	<u>Customer Account Expenses</u>	
		accounting and collection	\$1,722
		uncollectible accounts	523
		<b>Total Customer Account Expenses</b>	<b>\$2,245</b>
		<u>Administrative and General Expenses</u>	
		a & g salaries	\$2,622
		office supplies and other exp.	427
		outside services employed	775
		misc.	1,781
		insurance	332
		<b>Total A &amp; G Expenses</b>	<b>\$5,937</b>
		<b>Total Sewer O &amp; M Expense</b>	<b>\$40,391</b>

**Total Water & Sewer Expenses:**

**\$64,773**

Created By: J.Perry  
Date : 3/99  
File Name: enterprise

Source of Data: FPSC filed reports

Sobering,White and Luczak,PA

Legal Fees for Enterprise

<u>Date</u>	<u>Check#</u>	<u>Amount</u>	<u>Account Number</u>
5/19/1999	28948	\$148.50	9001.591.99.6338.0000.152
3/3/1999	24216	544.50	
4/14/1999	26878	16.50	
2/17/1999	23438	<u>1,068.29</u>	
			\$1,777.79
12/31/1998	21003	5,546.50	
11/11/1998	18246	735.62	
9/23/1998	15688	2,576.00	
8/19/1998	13803	745.08	
6/17/1998	10351	2,198.50	
5/28/1998	9343	<u>873.61</u>	
			\$12,675.31
		<b>Total</b>	<b><u><u>\$14,453.10</u></u></b>

File Name: Legal  
Created:5/26/99  
Created By: J.Perry

# CLASS "C"

## WATER and/or SEWER UTILITIES

(Gross Revenue of Less Than \$150,000 Each)

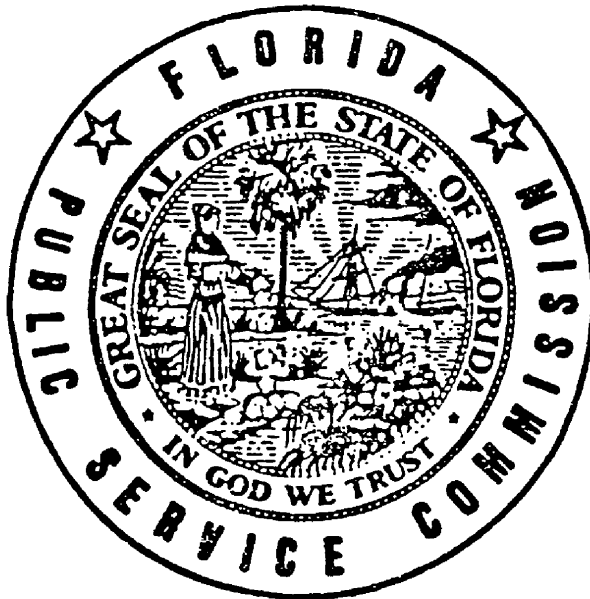
# ANNUAL REPORT

OF

---

Enterprise Utilities Corporation  
P. O. Box 309  
Deltona, FL 32725

316 264



VOID

FOR THE  
YEAR ENDED DECEMBER 31, 19<sup>86</sup>

Form PSC/WAS 6 (Rev. 12/22/86)

EXHIBIT

B

## General Instructions

1. Prepare this report in conformity with the 1984 National Association of Regulatory Utility Commissioners Uniform System of Accounts for Water and/or Sewer Utilities.
2. Interpret all accounting words and phrases in accordance with the USOA.
3. Complete each question fully and accurately, even if it has been answered in a previous annual report. Enter the word "None" where it truly and completely states the fact.
4. For any question, section, or page which is not applicable to the respondent enter the words "Not Applicable". Do not omit any pages.
5. Where dates are called for, the month and day should be stated as well as the year.
6. All schedules requiring dollar entries should be rounded to the nearest dollar.
7. Complete this report by means which result in a permanent record, such as by typewriter.
8. If there is not enough room on any schedule, an additional page or pages may be added provided the format of the added schedule matches the format of the schedule with not enough room. Such a schedule should reference the appropriate schedules, state the name of the utility, and state the year of the report.
9. If it is necessary or desirable to insert additional statements for the purpose of further explanation of schedules, such statements should be made at the bottom of the page or on an additional page. Any additional pages should state the name of the utility and the year of the report, and reference the appropriate schedule.
10. The report should be filled out in quadruplicate and the original and two copies returned by March 31 of the year following the date of the report. The report should be returned to:

Florida Public Service Commission  
Division of Water and Sewer  
101 East Gaines Street  
Tallahassee, Florida 32399-0873

VOID

REPORT OF

Enterprise Utilities Corporation

(Exact name of utility)

c/o Deltona Utilities, Inc., Receivers

3250 S.W. 3rd Avenue, Miami, Florida 33129  
(Address)

Dade  
(County)

Telephone Number (305) 854-1111

Date Utility First Organized: Unknown

Check the business entity of the utility as filed with the Internal Revenue Service:

Individual  Partnership  Sub Chapter S Corporation  1120 Corporation

Location where books and records are located: 3250 S.W. 3rd Avenue, Miami, Florida 33129

CONTACTS:

Name	Title	Principal Business Address	Salary Charged Utility
Person to send correspondence: <u>Arsenio Milian</u>	President	3250 S.W. 3rd Avenue Miami, Florida 33129	XXXXXXXXXX
Person who prepared this report: <u>Deborah Swain</u>	Controller	3250 S.W. 3rd Avenue Miami, Florida 33129	XXXXXXXXXX
Officers and Managers: <u>Arsenio Milian</u>	President	3250 S.W. 3rd Ave. Miami FL	\$ 838
<u>Doug Lovell</u>	General Manager	10 Deltona Plaza, Deltona FL	\$ N/A
<u>Bill Kelley</u>	Billing Office Manager	10 Deltona Plaza, Deltona FL	\$ N/A

Report every corporation or person owning or holding directly or indirectly 5 percent or more of the voting securities of the reporting utility:

Name	Percent Ownership In Utility	Principal Business Address	Salary Charged Utility
N/A			\$
			\$
			\$
			\$
			\$
			\$
			\$

VOID



UTILITY NAME: Enterprise Utilities Corporation  
Deltona Utilities, Inc., Receivers

*Att. - Christened #0*

YEAR OF REPORT  
 DECEMBER 31, 19 86

COMPARATIVE BALANCE SHEET

*Result of Commission 1/1/86*

Account Name	Reference Page	Current Year	Previous Year
<b>Assets:</b>			
Utility Plant In Service (101-105)	F-5,W-1,S-1	\$ 15,333	\$ 13,110
Accumulated Depreciation and Amortization (108)	F-5,W-2,S-3	2,147	1,438
Net Utility Plant		\$ 13,186	\$ 11,672
Cash		9,443	11,683
Customer Accounts Receivable (141)		8,579	8,194
Other Assets (Specify)			
Deferred Debits		1,121	1,151
Deposits - Utilities		90	90
Total Assets		\$ 32,419	\$ 32,790
<b>Liabilities And Capital:</b>			
Common Stock Issued (201)	F-6	\$	\$
Preferred Stock Issued (204)	F-6		
Other Paid In Capital (211)			
Retained Earnings (215)	F-6	(11,926)	(10,638)
Proprietary Capital (Proprietary and partnership only) (218)	F-6		
Total Capital		\$ (11,926)	\$ (10,638)
Long-Term Debt (224)	F-6	\$	\$
Accounts Payable (231)		15,610	18,725
Notes Payable (232)			
Customer Deposits (235)		3,850	3,565
Accrued Taxes (236)		704	578
Other Liabilities (Specify)			
Misc. Current & Accrued Liabilities		1,704	4,167
Customer Deposits - Interest		348	400
Advances For Construction			
Contributions In Aid Of Construction - Net (271-272)	F-7 8	22,129	15,993
Total Liabilities And Capital		\$ 32,419	\$ 32,790

VOID

UTILITY NAME: Enterprise Utilities, Corporation  
Deltona Utilities, Inc., - Receivers

YEAR OF REPORT DECEMBER 31, 19 <u>86</u>
---

CAPITAL STOCK ( 201 - 204 )

	Common Stock	Preferred Stock
Par or stated value per share	NONE	NONE
Shares authorized		
Shares issued and outstanding		
Total par value of stock issued		
Dividends declared per share for year		

RETAINED EARNINGS ( 215 )

	Appropriated	Un-Appropriated
Balance first of year	\$ NONE	\$ (10,638)
Changes during the year (specify):		(1,288)
Balance end of year	\$ <u>NONE</u>	\$ <u>(11,926)</u>

PROPRIETARY CAPITAL ( 218 )

	Proprietor Or Partner	Partner
Balance first of year	\$	\$
Changes during the year (specify):		
Balance end of year	\$ <u>NONE</u>	\$ <u>NONE</u>

LONG TERM DEBT ( 224 )

Description of Obligation ( Including Nominal Date of Issue and Date of Maturity )	Interest		Principal Per Balance Sheet Date
	Rate	Pymts	
Total			\$ <u>NONE</u>

**VOID**

UTILITY NAME: Enterprise Utilities, Corporation  
Deltona Utilities, Inc., - Receivers

YEAR OF REPORT DECEMBER 31, 19 <u>86</u>
---

CONTRIBUTIONS IN AID OF CONSTRUCTION ( 271 )

(a)	Water (b)	Sewer (c)	Total (d)
Balance first of year	\$ 12,249	\$ 4,750	\$ 16,999
Add credits during year			
Total	\$ 4,300	\$ 2,500	\$ 6,800
Deduct charges during year			
Balance end of year	16,549	7,250	23,799
Less Accumulated Amortization	1,210	460	1,670
Net CIAC	\$ 15,339	\$ 6,790	\$ 22,129

ADDITIONS TO CONTRIBUTIONS IN AID OF CONSTRUCTION DURING YEAR (CREDITS)

Report below all developers or contractors agreements from which cash or property was received during the year.	Indicate "Cash" or "Property"	Water	Sewer
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
Sub-total		\$ -----	\$ -----
Report below all capacity charges, main extension charges and customer connections charges recieved during the year.			
Description of Charge	Number of Connections	Charge per Connection	
Capacity Impact Fees		\$ -----	\$ 2,050
Capacity Impact Fees			\$ 1,500
Tap fees & Meter Installation	13	150	1,950
Tap fees & Meter installation			1,000
Main Extension			300
Total Credits During Year		\$ 4,300	\$ 2,500

VOID

\*\* COMPLETION OF SCHEDULE ONLY REQUIRED IF AFUDC WAS CHARGED DURING YEAR \*\*

UTILITY NAME: Enterprise Utilities Corporation  
Deltona Utilities, Inc., - Receivers

YEAR OF REPORT DECEMBER 31, 19 <u>86</u>
---

SCHEDULE 'B'

SCHEDULE OF CAPITAL STRUCTURE ADJUSTMENTS

Class of Capital (a)	Per Book Balance (b)	Non-utility Adjustments (c)	Non-juris. Adjustments (d)	Other (1) Adjustments (e)	Capital Structure Used for AFUDC Calculation (f)
Common Equity	\$	\$	\$	\$	\$
Preferred Stock					
Long Term Debt					
Customer Deposits					
Tax Credits - Zero Cost					
Tax Credits - Weighted Cost of Capital					
Deferred Income Taxes					
Other (Explain)					
<b>Total</b>	\$ N/A	\$	\$	\$	\$ N/A

(1) Explain below all adjustments made in Column (e):

VOID

UTILITY NAME: Enterprise Utilities, Corporation  
Deltona Utilities, Inc., - Receivers

YEAR OF REPORT  
 DECEMBER 31, 1986

ANALYSIS OF ACCUMULATED DEPRECIATION BY PRIMARY ACCOUNT - WATER

Acct. No. (a)	Account (b)	Average Service Life in Years (c)	Average Salvage In Percent (d)	Depr. Rate Applied (e)	Accumulated Depreciation Balance Previous Year (f)	Debits (g)	Credits (h)	Accumulated Depreciation Balance End of Year (i)
304	Structures & Improvements	---	%	%	\$ ---	\$ ---	\$ ---	\$ ---
305	Collecting & Impounding Reservoirs	---	%	%	---	---	---	---
306	Lake River & Other Intakes	---	%	%	---	---	---	---
307	Well & Springs	---	%	%	---	---	---	---
308	Infiltration Galleries & Tunnels	---	%	%	---	---	---	---
309	Supply Mains	---	%	%	---	---	---	---
310	Power Generating Equipment	---	%	%	---	---	---	---
311	Pumping Equipment	---	%	%	---	---	---	---
320	Water Treatment Equipment	---	%	%	---	---	---	---
330	Distribution Reservoirs & Standpipes	---	%	%	---	---	---	---
331	Trans. & Dist. Mains	38	%	2.63	223	---	76	299
333	Services	35	%	2.86	54	---	53	107
334	Meter & Meter Installations	17	%	5.88	53	---	82	135
335	Hydrants	---	%	%	---	---	---	---
339	Other Plant and Miscellaneous Equipment	---	%	%	---	---	---	---
340	Office Furniture and Equipment	---	%	%	---	---	---	---
341	Transportation Equipment	---	%	%	---	---	---	---
342	Stores Equipment	---	%	%	---	---	---	---
393	Tools, Shop and Garage Equipment	---	%	%	---	---	---	---
344	Laboratory Equipment	---	%	%	---	---	---	---
345	Power Operated Equipment	---	%	%	---	---	---	---
346	Communication Equipment	---	%	%	---	---	---	---
347	Miscellaneous Equipment	---	%	%	---	---	---	---
348	Other Tangible Plant	---	%	%	---	---	---	---
	Totals			N/A	\$ 330	\$ ---	\$ 211	\$ 541

UTILITY NAME: Enterpr Utilities

YEAR OF REPORT  
DECEMBER 31, 19 86

SYSTEM NAME: Enterprise Water System

PUMPING AND PURCHASED WATER STATISTICS

(a)	WATER PURCHASED FOR RESALE (Omit 000's) Treated (b)	FINISHED WATER FROM WELLS (Omit 000's) (c)	ACCOUNTED FOR LOSS THROUGH LINE FLUSHING ETC. (OMIT 000'S) (d)	TOTAL WATER PUMPED AND PURCHASED (Omit 000's) [(b)+(c)-(d)] (e)	WATER SOLD TO CUSTOMERS (Omit 000's) (f)
January	785		Not Available	785	667
February	2,136			2,136	705
March	1,070			1,070	698
April	1,040			1,040	947
May	1,070			1,070	1,116
June	1,397			1,397	1,182
July	1,288			1,288	966
August	1,178			1,178	956
September	1,275			1,275	808
October	903			903	1,027
November	1,129			1,129	758
December	1,040			1,040	723
Total for year	14,311			14,311	10,553*

\* Not adjusted for cancelled bills

If water is purchased for resale, indicate the following:

Vendor Deltona Utilities

Point of delivery \_\_\_\_\_

If water is sold to other water utilities for redistribution, list names of such utilities below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Not Available MAINS (Feet)

Kind of Pipe (Cast iron, coated steel, etc.)	Diameter of Pipe	First of Year	Added	Removed or Abandoned	End of Year
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----

VOID

Utility Name Enterprise Utilities

YEAR OF REPORT  
DECEMBER 31, 19 86

SOURCE OF SUPPLY. Not Applicable

List for each source of supply:

Gals. per day of source	-----	-----	-----
Type of source	-----	-----	-----

WATER TREATMENT FACILITIES Not Applicable

List for each water treatment facility:

Type	-----	-----	-----
Make	-----	-----	-----
Gals. per day capacity	-----	-----	-----
Method of measurement	-----	-----	-----

OTHER WATER SYSTEM INFORMATION

Furnish information below for each system not physically connected with another facility. A separate page should be supplied where necessary.

1. Present ERC's \* now being served 83
2. Present ERC's \* that system can efficiently serve Not Available
3. Estimated annual increase in ERC's \* "
4. List fire fighting facilities and capacities There are three (3) Fire Hydrants throughout the S/D Assume 500 GPM with a duration of four hours.
5. List percent of certificated area where service connections are installed (total for each county) -----
6. What is the current need for system upgrading and/or expansion? None Needed
7. What are plans for future system upgrading and/or expansion? System is expanded as community grows.
8. Have questions 6 and 7 been discussed with an engineer (if so, state name and address) -----
9. Have questions 6 and 7 been discussed with appropriate state sanitary engineering office -----

\* ERC = (Total Gallons Sold / 365 days) / 350 Gallons Per Day

VOID

UTILITY NAME: Enterprise Utilities Corporation  
Deltona Utilities, Inc., - Receiver

YEAR OF REPORT  
 DECEMBER 31, 1986

ANALYSIS OF ACCUMULATED DEPRECIATION BY PRIMARY ACCOUNT - SEWER

Acct. No. (a)	Account (b)	Average Service Life in Years (c)	Average Salvage In Percent (d)	Depr. Rate Applied (e)	Accumulated Depreciation Balance Previous Year (f)	Debits (g)	Credits (h)	Accumulated Depreciation Balance End of Year (i)
354	Structures and Improvements	25	%	4.00 %	\$ 85	\$	\$ 27	\$ 112
360	Collection Sewers - Force		%					
361	Collection Sewers - Gravity		%					
2	Special Collecting Structures		%					
363	Services to Customers	35	%	2.86 %	1		5	6
364	Flow Measuring Devices		%					
365	Flow Measuring Installations		%					
370	Receiving Wells		%					
371	Pumping Equipment	15	%	6.67 %	966		307	1,273
380	Treatment and Disposal Equipment	15	%	6.67 %	44		159	203
381	Plant Sewers		%					
382	Outfall Sewer Lines		%					
389	Other Plant and Miscellaneous Equipment		%					
390	Office Furniture and Equipment		%					
391	Transportation Equipment		%					
392	Stores Equipment		%					
393	Tools, Shop and Garage Equipment		%					
394	Laboratory Equipment		%					
395	Power Operated Equipment		%					
396	Communication Equipment		%					
397	Miscellaneous Equipment		%					
398	Other Tangible Plant		%		12			12
	Totals			N/A	\$ 1,108	\$	\$ 498	\$ 1,606



UTILITY NAME: Enterprise Utilities

YEAR OF REPORT  
DECEMBER 31, 19 86

PUMPING EQUIPMENT See Exhibit # 1

Lift station number	---	---	---	---	---	---
Make or type and nameplate data of pump	---	---	---	---	---	---
Year installed	---	---	---	---	---	---
Rated capacity	---	---	---	---	---	---
Size	---	---	---	---	---	---
Power:	---	---	---	---	---	---
Electric	---	---	---	---	---	---
Mechanical	---	---	---	---	---	---
Nameplate data of motor	---	---	---	---	---	---

SERVICE CONNECTIONS

Size (inches)	4	---	---	---	---	---
Type (PVC, VCP, etc.)	PVC	---	---	---	---	---
Average length	30 Ft.	---	---	---	---	---
Number of active service connections	75	---	---	---	---	---
Beginning of year	63	---	---	---	---	---
Added during year	---	---	---	---	---	---
Retired during year	---	---	---	---	---	---
End of year	75	---	---	---	---	---
Give full particulars concerning inactive connections	---	---	---	---	---	---

COLLECTING AND FORCE MAINS AND MANHOLES

Size (inches)	Collecting Mains			Force Mains		
	8	2	3	4	---	---
Type of main	PVC	PVC	PVC	PVC	---	---
Length of main (nearest foot):	---	---	---	---	---	---
Beginning of year	12,584	1,040	1,530	2,496	---	---
Added during year	---	---	---	---	---	---
Retired during year	---	---	---	---	---	---
End of year	12,584	1,040	1,530	2,496	---	---

Manholes

Size	Inch	48	---	---	---
Type	---	Brick & Precast	---	---	---
Number:	---	---	---	---	---
Beginning of year	---	43	---	---	---
Added during year	---	---	---	---	---
Retired during year	---	---	---	---	---
End of year	---	43	---	---	---

VOID

EXHIBIT #1

PUMPING EQUIPMENT

Location	Arrowhead Trail	Stone Trail	Kettledrum Trail	Warrior Road	Horseshoe Road
Lift Station No.	1	2	3	4	5
<u>Pump</u> Make or Type and Nameplate Data of Pump	1-ABS Piranha 2W	1-ABS Piranha 2W	1 Peabody SE-54	1 Peabody SE-54	2-Gorman Rupp
Year Installed					
Rate Capacity GPM	40	40			
Size					
Power	2 H.P.	2 H.P.	0.5 H.P.	0.5 H.P.	

VOID

# CLASS "C"

## WATER and/or SEWER UTILITIES

(Gross Revenue of Less Than \$150,000 Each)

# ANNUAL REPORT

OF

WS067

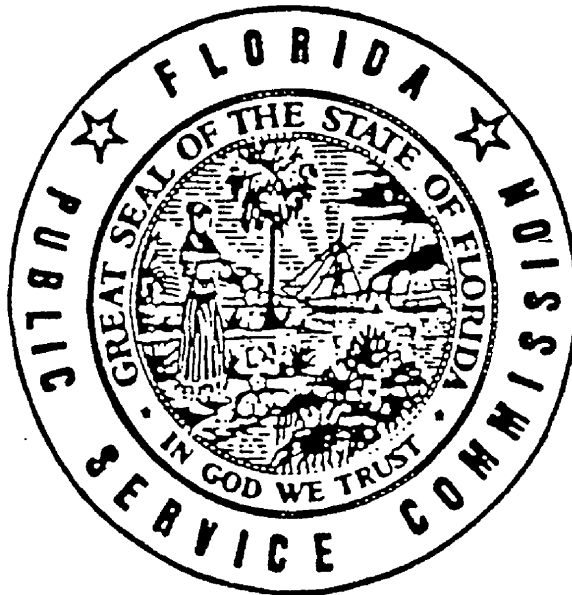
W 64

ENTERPRISE UTILITIES CORPORATION (DELTONA)  
3250 S.W. THIRD AVENUE  
MIAMI, FL 33129

316W

264S

Certificate Number(s)



FOR THE

YEAR ENDED DECEMBER 31, 19 87

Form PSC/WAS 6 (Rev. 12/22/86)

EXHIBIT

C

## General Instructions

1. Prepare this report in conformity with the 1984 National Association of Regulatory Utility Commissioners Uniform System of Accounts for Water and/or Sewer Utilities.
2. Interpret all accounting words and phrases in accordance with the USOA.
3. Complete each question fully and accurately, even if it has been answered in a previous annual report. Enter the word "None" where it truly and completely states the fact.
4. For any question, section, or page which is not applicable to the respondent enter the words "Not Applicable". Do not omit any pages.
5. Where dates are called for, the month and day should be stated as well as the year.
6. All schedules requiring dollar entries should be rounded to the nearest dollar.
7. Complete this report by means which result in a permanent record, such as by typewriter.
8. If there is not enough room on any schedule, an additional page or pages may be added provided the format of the added schedule matches the format of the schedule with not enough room. Such a schedule should reference the appropriate schedules, state the name of the utility, and state the year of the report.
9. If it is necessary or desirable to insert additional statements for the purpose of further explanation of schedules, such statements should be made at the bottom of the page or on an additional page. Any additional pages should state the name of the utility and the year of the report, and reference the appropriate schedule.
10. The report should be filled out in quadruplicate and the original and two copies returned by March 31 of the year following the date of the report. The report should be returned to:

Florida Public Service Commission  
Division of Water and Sewer  
101 East Gaines Street  
Tallahassee, Florida 32399-0873

REPORT OF

ENTERPRISE UTILITIES CORPORATION  
(Exact name of utility)

C/O DELTONA UTILITIES, INC., RECEIVERS

3250 S.W. THIRD AVENUE, MIAMI, FLORIDA 33129 DADE  
(Address) (County)

Telephone Number (305) 854-1111

Date Utility First Organized: UNKNOWN

Check the business entity of the utility as filed with the Internal Revenue Service:

Individual  Partnership  Sub Chapter S Corporation  1120 Corporation

Location where books and records are located: 3250 S.W. 3RD AVENUE, MIAMI, FLORIDA 33129

Names of subdivisions where service is provided: STONE ISLAND

CONTACTS:

Name	Title	Principal Business Address	Salary Charged Utility
Person to send correspondence: ARSENIO MILIAN	PRESIDENT	3250 S.W. 3RD AVENUE MIAMI, FLORIDA 33129	XXXXXXXXXXXX
Person who prepared this report: DEBORAH SWAIN	VICE-PRESIDENT CONTROLLER	3250 S.W. 3RD AVENUE MIAMI, FLORIDA 33129	XXXXXXXXXXXX
Officers and Managers: ARSENIO MILIAN	PRESIDENT	3250 S.W. 3RD AVE. MIAMI, FL	\$ 59
DEBORAH SWAIN	VICE-PRES/CONTROLLER	SAME AS ABOVE ADDRESS	\$ 291
DOUGLAS LOVELL	GENERAL MANAGER	10 DELTONA PLAZA, DELTONA, FL	\$ 1,212
BILL KELLEY	BILLING OFF. MANAGER	10 DELTONA PLAZA, DELTONA, FL	\$ NONE

Report every corporation or person owning or holding directly or indirectly 5 percent or more of the voting securities of the reporting utility:

Name	Percent Ownership In Utility	Principal Business Address	Salary Charged Utility
N/A			\$
			\$
			\$
			\$
			\$
			\$
			\$

COMPARATIVE BALANCE SHEET

Account Name	Reference Page	Current Year	Previous Year
<b>Assets:</b>			
Utility Plant In Service (101-105) _____	F-5,W-1,S-1	\$ <u>316,185</u>	\$ <u>314,297</u>
Accumulated Depreciation and Amortization (108) _____	F-5,W-2,S-3	<u>101,473</u>	<u>90,649</u>
Net Utility Plant _____		\$ <u>214,712</u>	\$ <u>223,648</u>
Cash _____		<u>11,611</u>	<u>9,443</u>
Customer Accounts Receivable (141) _____		<u>8,948</u>	<u>8,579</u>
Other Assets (Specify) _____			
<u>DEPOSITS - UTILITIES</u> _____		<u>745</u>	<u>90</u>
<u>DEFERRED DEBITS</u> _____		<u>755</u>	<u>909</u>
Total Assets _____		\$ <u>236,771</u>	\$ <u>242,669</u>
<b>Liabilities And Capital:</b>			
Common Stock Issued (201) _____	F-6	\$ _____	\$ _____
Preferred Stock Issed (204) _____	F-6	_____	_____
Other Paid In Capital (211) _____		<u>54,391</u>	<u>54,391</u>
Retained Earnings (215) _____	F-6	<u>(14,693)</u>	<u>(15,802)</u>
Proprietary Capital (Proprietary and partnership only) (218) _____	F-6	_____	_____
Total Capital _____		\$ <u>39,698</u>	\$ <u>38,589</u>
Long-Term Debt (224) _____	F-6	\$ _____	\$ _____
Accounts Payable (231) _____		<u>8,805</u>	<u>15,610</u>
Notes Payable (232) _____		_____	_____
Customer Deposits (235) _____		<u>5,030</u>	<u>3,850</u>
Accrued Taxes (236) _____		<u>804</u>	<u>704</u>
Other Liabilities (Specify) _____			
<u>MISC. CURRENT AND ACCRUED LIABILITIES</u> _____		<u>1,628</u>	<u>1,704</u>
<u>CUSTOMER DEPOSITS - INTEREST</u> _____		<u>111</u>	<u>348</u>
<u>DEFERRED CREDITS</u> _____		<u>656</u>	_____
Advances For Construction _____		_____	_____
Contributions In Aid Of Construction - Net (271-272) _____	F-8	<u>180,039</u>	<u>181,864</u>
Total Liabilities And Capital _____		\$ <u>236,771</u>	\$ <u>242,669</u>

ENTERPRISE UTILITIES CORPORATION  
1987 ANNUAL REPORT

EXHIBIT A - ATTACHED TO PAGE F-5  
ACCUMULATED DEPRECIATION AND AMORTIZATION OF UTILITY PLANT

	<u>WATER</u>	<u>SEWER</u>
Credits to Accrued Depreciation and Amortization	\$6,578	\$4,246
Less Amortization of Contributions in Aid of Construction (1)	<u>(6,162)</u>	<u>(1,213)</u>
Depreciation and Amortization expense Schedule F-3	416 =====	3,033 (2) =====

NOTES:

	<u>WATER</u>	<u>SEWER</u>
(1) Accumulated Amortization per Schedule F-8, 1987	\$53,888	\$22,495
Less: Accumulated Amortization per Schedule F-8, 1986	<u>47,726</u>	<u>21,282</u>
Amortization for 1987	<u>\$ 6,162</u>	<u>\$ 1,213</u>
(2) Difference of \$2 from Schedule F-3 Due to rounding		

UTILITY NAME: ENTERPRISE UTILITIES CORPORATION  
 DELTONA UTILITIES, INC., RECEIVERS

YEAR OF REPORT  
 DECEMBER 31, 1987

CAPITAL STOCK ( 201 - 204 )

	Common Stock	Preferred Stock
Par or stated value per share -----	NONE	NONE
Shares authorized -----		
Shares issued and outstanding -----		
Total par value of stock issued -----		
Dividends declared per share for year -----		

RETAINED EARNINGS ( 215 )

	Appropriated	Un-Appropriated
Balance first of year -----	\$ NONE	\$ (15,802)
Changes during the year (specify):		
NET INCOME (1/1/87 - 12/31/87) -----		1,109
-----		
Balance end of year -----	\$	\$ (14,693)

PROPRIETARY CAPITAL ( 218 )

	Proprietor Or Partner	Partner
Balance first of year -----	\$	\$
Changes during the year (specify):		
-----		
-----		
Balance end of year -----	\$ NONE	\$ NONE

LONG TERM DEBT ( 224 )

Description of Obligation (Including Nominal Date of Issue and Date of Maturity):	Interest		Principal Per Balance Sheet Date
	Rate	Pymts	
-----			
-----			
-----			
Total -----			\$ NONE



ENTERPRISE UTILITIES CORPORATION  
1987 ANNUAL REPORT

EXHIBIT B - ATTACHED TO PAGE F-7  
TAXES ACCRUED

	<u>WATER</u>	<u>SEWER</u>
Total Taxes Accrued	\$1,049	\$748
Out of Period Adjustment	<u>\$ (87)</u>	<u>(68)</u>
Taxes Other Than Income per Schedule F-3	<u>\$ 962</u>	<u>\$680</u>

CONTRIBUTIONS IN AID OF CONSTRUCTION ( 271 )

(a)	Water (b)	Sewer (c)	Total (d)
Balance first of year	\$ 187,761	\$ 63,111	\$ 250,872
Add credits during year			
Total	\$ 4,300	\$ 1,250	\$ 5,550
Deduct charges during year			
Balance end of year	192,061	64,361	256,422
Less Accumulated Amortization	53,888	22,495	76,383
Net CIAC	\$ 138,173	\$ 41,866	\$ 180,039

ADDITIONS TO CONTRIBUTIONS IN AID OF CONSTRUCTION DURING YEAR (CREDITS)

Report below all developers or contractors agreements from which cash or property was received during the year.	Indicate "Cash" or "Property"	Water	Sewer
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
Sub-total		\$	\$
Report below all capacity charges, main extension charges and customer connections charges recieved during the year.			
Description of Charge	Number of Connections	Charge per Connection	
INTERCONNECTION CHARGE	11	\$ 150	\$ 1,650
TAP FEES		VARIOUS	2,150
METER INSTALLATION FEE	5	100	500
TAP FEES	5	250	1,250
Total Credits During Year			\$ 4,300      \$ 1,250

\*\* COMPLETION OF SCHEDULE ONLY REQUIRED IF AFUDC WAS CHARGED DURING YEAR \*\*

UTILITY NAME: ENTERPRISE UTILITIES CORPORATION  
DELTONA UTILITIES, INC., RECEIVERS

YEAR OF REPORT DECEMBER 31, 1987
-------------------------------------

SCHEDULE 'B'

SCHEDULE OF CAPITAL STRUCTURE ADJUSTMENTS

Class of Capital (a)	Per Book Balance (b)	Non-utility Adjustments (c)	Non-juris. Adjustments (d)	Other (1) Adjustments (e)	Capital Structure Used for AFUDC Calculation (f)
Common Equity	\$	\$	\$	\$	\$
Preferred Stock					
Long Term Debt					
Customer Deposits					
Tax Credits - Zero Cost					
Tax Credits - Weighted Cost of Capital					
Deferred Income Taxes					
Other (Explain)					
Total	\$	\$	\$	\$	\$

(1) Explain below all adjustments made in Column (e):

NOTE: NO AFUDC CHARGED DURING THE YEAR.

ANALYSIS OF ACCUMULATED DEPRECIATION BY PRIMARY ACCOUNT - WATER

Acct. No. (a)	Account (b)	Average Service Life in Years (c)	Average Salvage In Percent (d)	Depr. Rate Applied (e)	Accumulated Depreciation Balance Previous Year (f)	Debits (g)	Credits (h)	Accumulated Depreciation Balance End of Year (i)
	<b>INTANGIBLES</b>	10		10.00%	\$ 203	\$ (57)	\$ 11	\$ 271
304	Structures & Improvements		%	%				
305	Collecting & Impounding Reservoirs		%	%				
306	Lake River & Other Intakes		%	%				
307	Well & Springs		%	%				
308	Infiltration Galleries & Tunnels		%	%				
309	Supply Mains	32		3.125%	10,584		2,073	12,657
310	Power Generating Equipment		%	%				
311	Pumping Equipment		%	%				
320	Water Treatment Equipment		%	%				
330	Distribution Reservoirs & Standpipes		%	%				
331	Trans. & Dist. Mains	38		2.63%	45,479		3,768	49,247
333	Services	35		2.86%	1,283		223	1,506
334	Meter & Meter Installations	17		5.88%	3,677		501	4,178
335	Hydrants		%	%			2	2
339	Other Plant and Miscellaneous Equipment		%	%				
340	Office Furniture and Equipment		%	%				
341	Transportation Equipment		%	%				
342	Stores Equipment		%	%				
393	Tools, Shop and Garage Equipment		%	%				
344	Laboratory Equipment		%	%				
345	Power Operated Equipment		%	%				
346	Communication Equipment		%	%				
347	Miscellaneous Equipment		%	%				
348	Other Tangible Plant	10		10.00%	57	57		
	<b>Totals</b>				\$ 61,283	\$ (70)	\$ (1) 6,578	\$ 67,861

W-2

UTILITY NAME: ENTERPRISE UTILITIES

YEAR OF REPORT  
DECEMBER 31, 19 87

SYSTEM NAME: ENTERPRISE WATER SYSTEM

PUMPING AND PURCHASED WATER STATISTICS

(a)	WATER PURCHASED FOR RESALE (Omit 000's) (b)	FINISHED WATER FROM WELLS (Omit 000's) (c)	ACCOUNTED FOR LOSS THROUGH LINE FLUSHING ETC. (OMIT 000'S) (d)	TOTAL WATER PUMPED AND PURCHASED (Omit 000's) [(b)+(c)-(d)] (e)	WATER SOLD TO CUSTOMERS (Omit 000's) (f)
January	768		Not Available	768	727
February	1,180			1,180	697
March	1,159			1,159	607
April	1,141			1,141	723
May	1,479			1,479	972
June					1,036
July	2,861*			2,861	1,100
August	1,691			1,691	1,142
September	1,195			1,195	896
October	1,287			1,287	755
November	1,182			1,182	864
December	1,377			1,377	821
Total for year	15,320			15,320	10,340

\* Two (2) months bill.

If water is purchased for resale, indicate the following:

Vendor

Point of delivery

If water is sold to other water utilities for redistribution, list names of such utilities below: Not Applicable

MAINS (Feet)

Kind of Pipe (Cast iron, coated steel, etc.)	Diameter of Pipe	First of Year	Added	Removed or Abandoned	End of Year

Utility Name ENTERPRISE UTILITIES

YEAR OF REPORT  
DECEMBER 31, 1987

SOURCE OF SUPPLY

List for each source of supply:

Gals. per day of source	-----	-----	-----
Type of source	-----	-----	-----

WATER TREATMENT FACILITIES

List for each water treatment facility:

Type	-----	-----	-----
Make	-----	-----	-----
Gals. per day capacity	-----	-----	-----
Method of measurement	-----	-----	-----

OTHER WATER SYSTEM INFORMATION

Furnish information below for each system not physically connected with another facility. A separate page should be supplied where necessary.

1. Present ERC's \* now being served 81
2. Present ERC's \* that system can efficiently serve Not Available
3. Estimated annual increase in ERC's \* " "
4. List fire fighting facilities and capacities There are three (3) Fire Hydrants throughout the S/D Assume 500 GPM With a duration of four hours.
5. List percent of certificated area where service connections are installed (total for each county) -----
6. What is the current need for system upgrading and/or expansion? None Needed
7. What are plans for future system upgrading and/or expansion? System is expanded as community grows.
8. Have questions 6 and 7 been discussed with an engineer (if so, state name and address)? -----
9. Have questions 6 and 7 been discussed with appropriate state sanitary engineering office? -----

\* ERC = (Total Gallons Sold / 365 days) / 350 Gallons Per Day

ANALYSIS OF ACCUMULATED DEPRECIATION BY PRIMARY ACCOUNT - SEWER

Acct. No. (a)	Account (b)	Average Service Life in Years (c)	Average Salvage In Percent (d)	Depr. Rate Applied (e)	Accumulated Depreciation Balance Previous Year (f)	Debits (g)	Credits (h)	Accumulated Depreciation Balance End of Year (i)
	INTANGIBLES	10		10.00%	481		22	503
354	Structures and Improvements	27		3.70%	112		26	138
360	Collection Sewers - Force							
361	Collection Sewers - Gravity							
362	Special Collecting Structures							
363	Services to Customers	35		2.86%	6		22	28
364	Flow Measuring Devices							
365	Flow Measuring Installations							
370	Receiving Wells	25		4.00%	27,222		3,703	30,925
371	Pumping Equipment	15		6.67%	1,273		307	1,580
380	Treatment and Disposal Equipment	15		6.67%	203		165	368
381	Plant Sewers							
382	Outfall Sewer Lines							
389	Other Plant and Miscellaneous Equipment							
390	Office Furniture and Equipment							
391	Transportation Equipment							
392	Stores Equipment							
393	Tools, Shop and Garage Equipment							
394	Laboratory Equipment							
395	Power Operated Equipment							
396	Communication Equipment							
397	Miscellaneous Equipment							
398	Other Tangible Plant	10		10.00%	69		1	70
	Totals				\$ 29,366	\$	\$(1) 4,246	\$ 33,612

(1) SEE EXHIBIT A ATTACHED T PAGE F-5

S-2

PUMPING EQUIPMENT

Lift station number	---	---	---	---	---	---
Make or type and nameplate data of pump	---	---	---	---	---	---
Year installed	---	---	---	---	---	---
Rated capacity	---	---	---	---	---	---
Size	---	---	---	---	---	---
Power:	---	---	---	---	---	---
Electric	---	---	---	---	---	---
Mechanical	---	---	---	---	---	---
Nameplate data of motor	---	---	---	---	---	---

SERVICE CONNECTIONS

Size (inches)	<u>4</u>	---	---	---	---	---
Type (PVC, VCP, etc.)	<u>PVC</u>	---	---	---	---	---
Average length	<u>30 FL.</u>	---	---	---	---	---
Number of active service connections	<u>80</u>	---	---	---	---	---
Beginning of year	<u>75</u>	---	---	---	---	---
Added during year	<u>5</u>	---	---	---	---	---
Retired during year	---	---	---	---	---	---
End of year	<u>80</u>	---	---	---	---	---
Give full particulars concerning inactive connections	---	---	---	---	---	---

COLLECTING AND FORCE MAINS AND MANHOLES

	Collecting Mains				Force Mains		
Size (inches)	<u>8</u>	---	---	---	<u>2</u>	<u>3</u>	<u>4</u>
Type of main	<u>PVC</u>	---	---	---	<u>PVC</u>	<u>PVC</u>	<u>PVC</u>
Length of main (nearest foot):	---	---	---	---	---	---	---
Beginning of year	<u>12,584</u>	---	---	---	<u>1,040</u>	<u>1,530</u>	<u>2,496</u>
Added during year	<u>150</u>	---	---	---	---	---	---
Retired during year	---	---	---	---	---	---	---
End of year	<u>12,734</u>	---	---	---	<u>1,040</u>	<u>1,530</u>	<u>2,496</u>
Manholes							
Size	<u>48</u>	---	---	---	---	---	---
Type	<u>Brick &amp; Precast</u>	---	---	---	---	---	---
Number:	---	---	---	---	---	---	---
Beginning of year	<u>43</u>	---	---	---	---	---	---
Added during year	---	---	---	---	---	---	---
Retired during year	---	---	---	---	---	---	---
End of year	<u>43</u>	---	---	---	---	---	---



CERTIFICATION OF ANNUAL REPORT

I HEREBY CERTIFY, to the best of my knowledge and belief:

- YES NO  
( X ) ( ) 1. The utility is in substantial compliance with the Uniform System of Accounts prescribed by the Florida Public Service Commission.
- YES NO  
( X ) ( ) 2. The utility is in substantial compliance with all applicable rules and orders of the Florida Public Service Commission.
- YES NO  
( X ) ( ) 3. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices that could have a material effect on the financial statement of the utility.
- YES NO  
( X ) ( ) 4. The annual report fairly represents the financial condition and results of operations of the respondent for the period presented and other information and statements presented in the report as to the business affairs of the respondent are true, correct and complete for the period for which it represents.

Items Certified

1. 2. 3. 4.  
( ) ( ) ( ) ( )

\_\_\_\_\_  
(signature of chief executive officer of the utility)

1. 2. 3. 4.  
(X) (X) (X) (X)

*Michael D. Swan*  
\_\_\_\_\_  
(signature of chief financial officer of the utility)

\* Each of the four items must be certified YES or NO. Each item need not be certified by both officers. The items being certified by the officer should be indicated in the appropriate area to the left of the signature.

NOTICE: Section 837.06, Florida Statutes, provides that any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his duty shall be guilty of a misdemeanor of the second degree.

IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR VOLUSIA COUNTY, FLORIDA

CASE NO. 81-5258-CA-01 DIVISION 01

IN RE: ENTERPRISE UTILITIES, INC.

DEPOSITION OF: MARSHALL W. WILLIS
TAKEN AT THE INSTANCE OF: The Attorney Ad Litem
DATE: January 24, 2000
TIME: Commenced at 10:02 a.m. Concluded at 12:05 p.m.
LOCATION: Gunter Building, Room 362 2540 Shumard Oak Boulevard Tallahassee, Florida
REPORTED BY: MARY ALLEN NEEL, RPR Notary Public, State of Florida at Large

ACCURATE STENOTYPE REPORTERS, INC. 100 SALEM COURT TALLAHASSEE, FLORIDA 32301 (850) 878-2221

PROCEEDINGS

The following deposition was taken on oral examination, pursuant to notice, for purposes of discovery, for use as evidence, and for such other uses and purposes as may be permitted by the applicable and governing rules. Reading and signing of the deposition transcript by the witness is not waived.

\* \* \*

Thereupon,

MARSHALL W. WILLIS

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

DIRECT EXAMINATION

BY MR. WATTS:

Q Would you give me your full name, please, sir?

A Sure. My name is Marshall W. Willis. My address is 2540 Shumard Oak Boulevard, Tallahassee, Florida. The zip code is 32399-0850, I think.

MS. CHRISTENSEN: Close enough.

BY MR. WATTS:

Q And what's your occupation?

A I am a bureau chief in the Division of Water and Wastewater over the Bureau of Economic

APPEARANCES:

REPRESENTING FLORIDA WATER SERVICES:

M. BRADLEY LUCZAK, ESQUIRE Sobering, White & Luczak 201 South Orange Avenue, Suite 1000 Orlando, Florida 32801

REPRESENTING THE ATTORNEY AD LITEM:

C. ALLEN WATTS, ESQUIRE Cobb, Cole & Bell 150 Magnolia Avenue Daytona Beach, Florida 32114

REPRESENTING THE WITNESS:

PATRICIA A. CHRISTENSEN, ESQUIRE Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399

ALSO PRESENT: BRIAN BILINSKI JUDY KIMBALL CARLYN H. KOWALSKY RALPH YEAGER

INDEX

Table with 2 columns: WITNESS, PAGE. Includes MARSHALL W. WILLIS, Direct Examination by Mr. Watts (3), Cross Examination by Mr. Luczak (57), Redirect Examination by Mr. Watts (70).

CERTIFICATE OF REPORTER

EXHIBIT

D

Regulation.

Q What's your educational background, Mr. Willis?

A I got my four-year Bachelor of Arts degree from the University of West Florida in Pensacola, and I majored in accounting, with a minor in finance.

Q Do you have any postgraduate training?

A I've attended courses here and there, but, no, I haven't.

Q Do you hold any professional certifications?

A Yes, I do. I'm a certified public accountant in the State of Florida.

Q When were you first certified as a public accountant?

A In 1981.

Q How long have you been employed by the Public Service Commission?

A Since June of -- I'll have to go back on this one. '76. Yes, June of 1976.

Q So you were employed here prior to your certification as a public accountant?

A Yes.

Q What did you do when you first were employed by the Commission?

5

1 A I was an auditor.

2 **Q All right, sir. When did you graduate from**  
3 **the University of West Florida?**

4 A 1976.

5 **Q And you've been here ever since?**

6 A Yes.

7 **Q You stated, I think, that you've attended**  
8 **some additional courses and so forth over the years.**  
9 **Have those largely dealt in the field of regulated**  
10 **utilities?**

11 A Yes.

12 **Q How long have you been the bureau chief of**  
13 **the Division of Water and Wastewater, Economic**  
14 **Regulation?**

15 A Since 1981, basically. I'll have to go  
16 back and modify that a bit, because the Commission has  
17 gone through reorganizations. The Commission, when I  
18 first became what is currently a bureau chief, didn't  
19 have bureau chief positions. They had supervisor  
20 positions. Since that time, they reorganized and put  
21 me into a bureau chief spot and put certain  
22 supervisors who I worked with underneath me.

23 **Q I understand.**

24 A So we've basically been reorganized. When  
25 I first started out in that spot, I was supervisor of

7

1 Currently they're designed according to the Uniform  
2 System of Accounts that the State has adopted, which  
3 is the NARUC, which stands for National Association of  
4 Regulatory Utility Commissioners. The Uniform System  
5 of Accounts was just readopted. The modification  
6 portion of it was adopted in 1996. And it has  
7 different classifications.

8 Class A is anything above \$1 million in  
9 revenue a year, and that distinction is distinguished  
10 separately between water and wastewater. Class B is  
11 distinguished as any utility having revenue between  
12 \$1 million and \$500,000, basically. I'm sorry, \$1  
13 million and \$200,000. And a Class C would be anything  
14 less than \$200,000.

15 **Q And you said that's calculated separately**  
16 **for water and wastewater?**

17 A Yes. And you usually use the highest  
18 categorization. If you have a utility that has a  
19 water system that has revenues in excess of 200,000,  
20 but their wastewater system has revenues of less than  
21 200,000, you would use the higher classification.

22 **Q Mr. Willis, are you familiar with a water**  
23 **and wastewater utility in Volusia County known as**  
24 **Enterprise Utilities?**

25 A Yes.

6

1 accounting. And since then when I became bureau  
2 chief, they put three sections underneath me. One is  
3 an engineering section which houses basically  
4 engineers. The other is my old accounting section  
5 which I used to be supervisor of, and they deal mainly  
6 with Class A and B companies. And the third section  
7 is what we call our staff-assisted section. They deal  
8 with small Class Cs, such as Enterprise.

9 **Q Well, you've probably just given me a**  
10 **general outline, but can you give me a general**  
11 **description of the function of the Bureau of Economic**  
12 **Regulation?**

13 A Sure. Our main function deals with  
14 processing rate applications that are filed by water  
15 and wastewater companies. And by rate applications,  
16 we can get more specific. There are .081 rate case  
17 filings for the large companies, what we call our  
18 staff-assisted rate applications, or SARCs for short,  
19 S-A-R-C. We have limited proceedings that are filed.  
20 And we also do reverse-and-make-whole proceedings,  
21 which are overearnings proceedings. And along with  
22 that, you have your tariff filings.

23 **Q What is the distinction between Classes A,**  
24 **B, and C?**

25 A It's a distinction based upon revenue.

8

1 **Q When did you first become aware of**  
2 **Enterprise Utilities?**

3 A Way back in -- probably close to '81, '82.

4 **Q And how did you first become aware of the**  
5 **existence of that utility?**

6 A Well, because they are a utility that we  
7 actually regulate. I became aware of them because  
8 there was a receivership at that point going on, I  
9 believe in 1981, where I believe Mr. Dean Deakyne was  
10 the receiver at that point. And there were  
11 proceedings going on in the Commission to have him  
12 removed as receiver because there were problems in  
13 following our rules and regulations.

14 I wasn't the actual section doing that.  
15 There was another section within our division at that  
16 point doing it, but I became aware of it at that  
17 point.

18 **Q When you say your section was not actually**  
19 **involved in the removal of the former receiver, what**  
20 **section was involved?**

21 A Well, that would have been under our old  
22 staff-assisted section, which wasn't under my control  
23 at that time.

24 **Q It was a parallel section?**

25 A Yes.

1 **Q What was the nature of the former**  
2 **receiver's departure from the rules and regulations,**  
3 **if you know?**

4 A I do not know that well enough at this  
5 point to even address it.

6 **Q Describe for me the role of the Commission**  
7 **in assigning or removing receivers.**

8 MR. LUCZAK: Object to the form of the  
9 question insofar as it calls for an expert  
10 opinion on the part of the witness.

11 BY MR. WATTS:

12 **Q Is there anyone about this Commission**  
13 **that's more expert than you are in that area?**

14 A As far as the removal of a receiver?

15 **Q The assignment or removal of receivers and**  
16 **the conduct of receivers.**

17 A There are others who are familiar with it,  
18 but probably no one who knows more. I'm probably as  
19 familiar as they are.

20 **Q And do the others work under your**  
21 **supervision?**

22 A No.

23 **Q In what division would they be located?**

24 A That would be in the Bureau of  
25 Certification, which is Mr. John Williams, who is the

1 Reporting, the Division of Records and Reporting.

2 **Q Are you aware of the appointment of a**  
3 **successor receiver to Enterprise Utilities?**

4 A Yes.

5 **Q Do you know who that successor receiver**  
6 **was?**

7 A It was Deltona Utilities, which was a  
8 subsidiary of Deltona Corporation at the time.

9 **Q Do you have any personal knowledge as to**  
10 **why Deltona Utilities was selected as the successor**  
11 **receiver?**

12 A I do not.

13 **Q Do you have any idea what the basis is for**  
14 **choosing receivers?**

15 MR. LUCZAK: Object to the form of the  
16 question.

17 BY MR. WATTS:

18 **Q You can go ahead. He has preserved his**  
19 **objection.**

20 A My understanding is that I have to answer  
21 anyway.

22 **Q Yes. I'll let your counsel do that, but --**

23 MS. CHRISTENSEN: If you know, go ahead and  
24 answer.

25 THE WITNESS: Do you want to ask the

1 bureau chief. And Mr. Lowe, who is our assistant  
2 director, has handled receiverships too.

3 **Q Describe for us, please, the basis for your**  
4 **own familiarity with the process of appointment and**  
5 **removal of receivers.**

6 A Well, I've worked in the past with people  
7 who have done that within the Commission staff, and  
8 I've had people underneath me who I'm charged with  
9 supervising who have worked with receiverships and the  
10 appointment or removal.

11 It's not very often we have a receiver  
12 removed.

13 **Q So the events of 1981-82 were unusual?**

14 A They were, yes.

15 **Q And you don't have any recollection,**  
16 **whether it be hearsay or otherwise, of the basis for**  
17 **the removal?**

18 A No. I could go back and look for it, but  
19 not offhand. 1982 was a while back. My memory is not  
20 that good.

21 **Q Are there existing files of the Commission**  
22 **that would reflect those proceedings?**

23 A There might be, yes.

24 **Q In whose custody would those files be?**

25 A They would be in the custody of Records and

1 question again?

2 MR. WATTS: Could you read back the  
3 question, please?

4 (Question at page 11, line 13, was read by  
5 the reporter.)

6 A Yes. The receiver is usually chosen, at  
7 least in the past, to the best of my knowledge, as  
8 someone who the county is willing to accept as a  
9 receiver, because the county has the responsibility of  
10 actually getting the receiver, not the Commission. We  
11 try and work jointly with the county involved. But  
12 the county, according to our statutes, has the  
13 responsibility of actually getting the receiver. So  
14 it would have to be somebody that the county is  
15 willing to work with or has worked with in the past, I  
16 imagine. So to truly find that out, you would have to  
17 ask somebody with the county.

18 **Q Who was there in 1982?**

19 A Who was there in 1982. I can tell you that  
20 Mr. Jim Collier probably worked in conjunction with  
21 the county at that time, who is no longer employed by  
22 the Commission. He has since been retired, probably  
23 about seven or eight years by now, from the  
24 Commission.

25 **Q Does he still live in the area?**

1 A No, he does not. I think he lives in  
2 Arkansas.

3 **Q You wouldn't happen to know where?**

4 A I surely don't. I haven't had any contact  
5 with him in about eight years, since he retired.

6 **Q Mr. Willis, what is the responsibility of a  
7 receiver, once appointed, with respect to the Public  
8 Service Commission?**

9 A The responsibility is basically to operate  
10 the company as if it was their own company, to make  
11 sure the operation and maintenance of the system is  
12 kept up and make sure service is continued, basically.

13 **Q In terms of the operational performance of  
14 the system, are there any different requirements of  
15 the Commission than there are from other regulatory  
16 agencies, for example, the Department of Environmental  
17 Protection or the Department of Health?**

18 MR. LUCZAK: Object to the form of the  
19 question.

20 BY MR. WATTS:

21 **Q If you know.**

22 A Their requirements are going to be  
23 different. As you may be aware, the Department of  
24 Environmental Protection handles the environmental end  
25 of it. We only handle the financial end. And, of

1 annual report based upon a calendar year with the  
2 Commission for each calendar year.

3 **Q Are there any substantial differences in  
4 the reporting requirements for utilities under  
5 receivership as opposed to utilities that are not  
6 under receivership?**

7 A No.

8 MR. LUCZAK: Object to the form of the  
9 question again.

10 THE WITNESS: There would be not. I would  
11 state that there might be some leniency towards  
12 the receivership during the first year normally  
13 as they're taking it over.

14 BY MR. WATTS:

15 **Q Mr. Willis, I asked you to bring with you  
16 today copies of the reports that have been filed from  
17 time to time during the receivership of Enterprise  
18 Utilities by Deltona Utilities and its successor.  
19 Have you brought those reports with you?**

20 A I brought all of the reports that we could  
21 find. I will let you know what I do have.

22 **Q All right, sir.**

23 A There were some years that we could not lay  
24 our hands on. I had staff trying the best we could on  
25 Friday once I got your notice of deposition to gather

1 course, we try and work in conjunction with the  
2 Environmental Protection Agency as well as the  
3 Department of Environmental Protection in dealing with  
4 what they need done. But our requirements may be  
5 different.

6 **Q If I understand your answer, then the  
7 responsibility of the receiver to the Commission to  
8 operate the system is to operate it on a financially  
9 sound basis, presupposing compliance with all the  
10 regulatory requirements of other agencies?**

11 MR. LUCZAK: Object to the form of the  
12 question.

13 A As much as possible, yes.

14 **Q All right, sir. Are the requirements --  
15 first of all, what are the requirements for reporting  
16 of a receiver?**

17 A For a receiver?

18 **Q Yes, sir.**

19 MR. LUCZAK: Is that PSC requirements?

20 MR. WATTS: Yes, PSC requirements for  
21 reporting.

22 A That's what I was going to ask. The  
23 requirements for filing with the Public Service  
24 Commission for a receiver would be just like it would  
25 be for any company. They're required to file an

1 this stuff up.

2 I do have copies of the Enterprise annual  
3 reports for the years 1983, '84, '85, and '86. And I  
4 also have -- let's see. 1989, '90, '91, and '92. And  
5 I have all the Florida Water Services annual reports  
6 containing Enterprise up through 1998, I believe. I  
7 say 1998. I was supposed to have some copies, and I  
8 don't see those, for the current annual report. They  
9 may be down in my office. So if you want to look at  
10 those, we'll have to take a recess and let me run down  
11 and get those.

12 **Q Certainly. Let's see how far we can go.**

13 **I take it then you did not have readily  
14 accessible to you a copy of the report for 1982.**

15 A That's correct.

16 **Q Were you present by telephone during the  
17 deposition of Florida Water Services last week?**

18 A You mean Mr. Jim Perry?

19 **Q Yes.**

20 A Yes.

21 **Q And you heard Mr. Perry's testimony that  
22 the accountings which have been filed with the Court  
23 in this case are substantially the portions -- excuse  
24 me. Strike the word "substantially." That's a  
25 characterization by me. That the reports filed with**

1 **the Court contained portions of the reports also filed**  
2 **with the Public Service Commission for each year.**

3 A Well, that's not quite how I heard it.

4 **Q All right, sir. Then tell me --**

5 A The way I heard it was that they were  
6 prepared from the annual reports. I believe that's  
7 the way I understood it to be. I don't remember  
8 hearing the part about them containing portions.

9 **Q Let me show you a copy of a report filed**  
10 **with the Court for the year 1982, or actually I**  
11 **believe for part of a year, from the time of**  
12 **appointment until the end of the calendar year.**

13 A Yes.

14 **Q And, Mr. Willis, you'll find attached to**  
15 **that report to the Court some schedules. I think**  
16 **they're described as Schedule A attached for detail.**

17 A Yes, I've got those.

18 **Q Do you have any way of determining whether**  
19 **Schedule A is a part of a report that was filed with**  
20 **the Public Service Commission for that year or is**  
21 **based on data from that report?**

22 A Well, let me answer this way. The form  
23 itself is an annual report form, but I have no way of  
24 verifying that this is what was filed with the  
25 Commission.

1 MR. LUCZAK: Object to the form of the  
2 question.

3 THE WITNESS: It's based upon the utility's  
4 investment, as well as their expenses. And the  
5 utility is allowed a rate of return on their  
6 investment as well as their expenses.

7 There are many occasions where, especially  
8 for our staff-assisted companies, books have  
9 been lost, records have been lost, verifications  
10 have been lost.

11 And it's not unusual for this Commission to  
12 go into small companies like Enterprise and do  
13 what's called an original cost study. And in a  
14 original cost study, we actually go out and  
15 determine what we believe to be the original  
16 cost when that system went into service. And we  
17 do that year by year, depending on when our  
18 knowledge goes back as to when the assets were  
19 put in the ground. And basically we look at  
20 that as being within 10 percent either way of  
21 the original cost of the system. And after that  
22 we make a determination on whether or not there  
23 should be any contributions from customers  
24 involved in that amount.

25 BY MR. WATTS:

1 **Q I understand, sir. I ask you to refer to**  
2 **Note 4 in the report that was filed with the Court.**

3 A Yes.

4 **Q And apparently in Note 4 the utility**  
5 **reported to the Court that it was unable to determine**  
6 **any beginning balances for the utility. If that is**  
7 **the case, is that an unusual circumstance for the**  
8 **initial report of a utility under receivership?**

9 A No, it's not. It's not unusual at all,  
10 and one of the reasons being that the owners who  
11 abandoned these facilities, back then we didn't have  
12 very tight statutory control over what we could get  
13 from those old owners and get turned over to the  
14 receiver. So a lot of times the books went with the  
15 old owners, and they could not be found and we could  
16 not obtain those under the powers of the Commission.

17 **Q How is the permissible rate for services**  
18 **for a utility under receivership determined?**

19 A As all rates are, through rate base  
20 regulation. This Commission has adopted rate base  
21 regulation as far as determining rate structure and  
22 rates.

23 **Q Is that rate based on the plant in service,**  
24 **the value of the plant that's in service?**

25 A Yes, it is.

1 **Q In the original cost?**

2 A Well, basically not in the original cost,  
3 but as a reduction of the original cost in the rate  
4 base. We look at both sides of it, in other words.

5 **Q All right, sir. Can you explain that just**  
6 **a bit more in case someone is reading this? I think I**  
7 **understand what you mean, but for the benefit of**  
8 **anyone else who may need to read this later, what do**  
9 **you mean by contributions from customers?**

10 A The Commission has an account we call  
11 contributions in aid of construction. It contains  
12 contributions which may be in the form of cash or  
13 property made to a utility company by customers or  
14 developers of homes in the area.

15 The contributions are a direct offset when  
16 you calculate rate base. They are a reduction of  
17 plant in service, which would bring down the value.  
18 In other words, a company has no investment in  
19 contributions in aid of construction. When those are  
20 determined, they become a direct reduction to come up  
21 with the utility's investment that they're allowed to  
22 earn a return on.

23 **Q You also referred to the fact that a**  
24 **utility is allowed its expenses in addition to a rate**  
25 **of return on its capital. I'll use that as a**

1 **shorthand word for the plant.**

2 A That's correct.

3 **Q Are those expenses reviewed at all by the**  
4 **Commission to determine whether or not they are**  
5 **reasonable and customary and justified?**

6 A At what point in time are you referring  
7 to?

8 **Q Ever.**

9 A Ever? Yes. They're reviewed when the  
10 company comes in for a change in rates, or if the  
11 Commission opens up a new earnings investigation.

12 **Q In the case of a utility such as Enterprise**  
13 **Utilities, what would the receiver be entitled to**  
14 **charge as the initial rate upon commencement of the**  
15 **receivership?**

16 A They should have charged the rate that was  
17 there prior, the prior rate.

18 **Q I take it that the Public Service**  
19 **Commission from time to time approves a tariff for**  
20 **sewer service and water service for each regulated**  
21 **utility?**

22 A Yes. Every regulated utility that operates  
23 under our jurisdiction must have a tariff on file, and  
24 they can only charge what's in their tariff, their  
25 officially approved tariff.

1 A Yes, a staff-assisted rate case. And I can  
2 tell you it ended -- the final order for that docket  
3 was Order No. 16126, which was issued in May,  
4 actually, on May 19, 1986.

5 **Q And what was the substantive effect of that**  
6 **final order?**

7 A I believe it was a rate increase.

8 **Q Do you know whether in that staff-assisted**  
9 **rate case there was a reconstruction of the value of**  
10 **the plant?**

11 A Yes, there was. The Commission performed  
12 an original cost study, which is documented by the  
13 order.

14 **Q Mr. Willis, do you have the annual reports**  
15 **for 1985 and 1986?**

16 MR. LUCZAK: Which annual report, the court  
17 filed or the PSC?

18 MR. WATTS: The PSC. That's what we asked  
19 him to bring today. He gave me a list of years,  
20 and I didn't jot them down fast enough.

21 A Yes, I do.

22 **Q In reviewing the balance sheet for 1985 and**  
23 **comparing it with the balance sheet for 1986 --**

24 A I've got them.

25 **Q According to the reports on file with the**

1 **Q Would the receiver then be entitled to**  
2 **charge the tariff previously on file either by the**  
3 **predecessor receiver or the original operator?**

4 A Yes.

5 **Q Under what circumstances would the receiver**  
6 **be entitled to amend that tariff?**

7 A If they filed with the Commission to change  
8 the tariff.

9 **Q Can you tell from your records whether the**  
10 **receiver in this case has ever applied for an**  
11 **amendment of the tariff for the water?**

12 A Yes, they have.

13 **Q And can you tell me when?**

14 A They filed for a staff-assisted rate case  
15 in -- I think I wrote that down the other day. I  
16 can't tell you the exact date, but it was docketed  
17 before the Commission in 1982, and the docket number  
18 was Docket 820060-WS, and it ended with a final --

19 **Q I'm sorry. Can you give me that number**  
20 **again?**

21 A Yes. It's 820060-WS. That's the official  
22 docket number that the Commission uses to process  
23 cases. In this case, that was the docket number  
24 assigned.

25 **Q And that was a staff-assisted rate case?**

1 **Commission, what was the utility plant balance at the**  
2 **end of 1985, according to the 1985 report?**

3 A At the end of the year, it was \$13,110.

4 **Q And what was the value of the utility plant**  
5 **in service at the beginning of 1996?**

6 A Excuse me. '96?

7 **Q '86. I'm sorry.**

8 A 1986, it was \$314,297.

9 **Q And the previous year, which would have**  
10 **been 1985?**

11 A 13,110.

12 **Q May I see the report? This is the 19 --**

13 A 1985 and 1986.

14 **Q And what you have shown me I'll ask you to**  
15 **you compare to this. What you have shown me from the**  
16 **Public Service Commission in each case appears to be a**  
17 **copy of the balance sheet filed with the Court in the**  
18 **court accountings for those years?**

19 A Yes, it does in 1985.

20 **Q That's 1985, and here's 1986.**

21 A Yes, it does.

22 **Q All right, sir. Now --**

23 A You have better copies than I came up with  
24 on microfiche.

25 **Q Just so we make it clear -- I think you've**

1 already given us some insight into this. What is the  
2 basis for the difference in the 1985 report, which  
3 shows a balance end of year of \$13,110, and the basis  
4 for the 1986 report that shows plant in service for  
5 the previous year of \$311,862?

6 A That would be the Commission's  
7 staff-assisted rate case that was processed here.

8 **Q Thank you, sir.**

9 That's not actually capital invested by the  
10 receiver, but it's sort of reconstructed from the  
11 prior proprietor?

12 A Yes, it's --

13 MR. LUCZAK: Object to the form of the  
14 question.

15 THE WITNESS: Yes.

16 BY MR. WATTS:

17 **Q Thank you, sir.**

18 Based on the reconstructed rate base in the  
19 final order that was entered in 1986, was there a rate  
20 increase?

21 A In 1986, I believe from reading the order  
22 that there was.

23 I would also like to go back to that last  
24 question. I believe if you go back and look at the  
25 1983 and 1984, there was investment of the receiver in

1 MR. LUCZAK: Object to the form of the  
2 question.

3 A That could have been the source of part of  
4 it, yes.

5 **Q Do you have the annual report for 1984?**

6 A Yes.

7 **Q Let me go back to your answer that you just  
8 gave. You said that it could have been a source.**

9 A Yes.

10 **Q The operating income could have been a  
11 source of the increase in capital. Might there be  
12 other sources?**

13 A Yes, there could be.

14 **Q Such as?**

15 A The receiver could have taken money out of  
16 their own pocket and put it into the receivership, put  
17 in its assets.

18 **Q If the receiver did that, is there a  
19 standard methodology for reporting such an  
20 investment?**

21 MR. LUCZAK: Object to the form of the  
22 question.

23 A Normally there is. That would be reported  
24 through an accounting transaction where you would have  
25 -- where the transaction or the flow of funds from one

1 there, so that amount would include some investment.  
2 You know, there was 13,000 the year before, and that  
3 was the actual investment of Deltona. The remaining  
4 portion of that would have been prior, when it was  
5 actually dedicated to public service.

6 **Q Okay. In 1984 --**

7 A There appeared to be a \$13,000 balance at  
8 the end of '85 and a beginning balance of 9,301. That  
9 would probably reflect investment by Deltona at that  
10 point.

11 **Q Do you have the '83 report?**

12 A Yes, I do.

13 **Q Does it show whether there was a net income  
14 for the system during the year 1983?**

15 MR. LUCZAK: Object to the form of the  
16 question. The document speaks for itself.

17 A The annual report shows on page F-6 that  
18 there was an operating income of -- these copies are  
19 bad here -- \$3,337 for water and an operating loss of  
20 \$1,215 for wastewater.

21 **Q For a net operating income of \$2,122?**

22 A That's correct.

23 **Q Is it possible then that part of the  
24 increase in capital for the year 1983 could have been  
25 a result of a net operating income?**

1 corporation to another, one company to another would  
2 be recorded.

3 **Q For example, would that show as a loan from  
4 one company to the other?**

5 A It could be in the form of a loan. It  
6 could be in the form of advances from associated  
7 companies.

8 I'm looking at the 1983 annual report. It  
9 appears that on page F-7, which is the balance sheet,  
10 there is an amount recorded as short-term advances  
11 from associated companies at the end of the year,  
12 which was \$10,152, which would reflect that there was  
13 an advance from an associated company.

14 **Q Mr. Willis, I see that item on the copy of  
15 the balance sheet that was filed with the court  
16 accounting for 1983, but it's on a line that's  
17 numbered 232.**

18 A I'm sorry. It is accounts payable, 232. I  
19 wasn't following the line all the way across.  
20 Accounts payable could be from an associated company  
21 also.

22 **Q So it could permissibly be on either line  
23 and still represent an advance by the receiver?**

24 A It could, yes. It could be an accounts  
25 payable to Deltona Corporation at that point.



1 **Q Is it appropriate for the receiver to**  
2 **advance its own funds to a utility under receivership?**

3 A Yes.

4 **Q Is that common?**

5 A Yes, it is. Many times it's necessary for  
6 the service to be continued. If there isn't enough  
7 money within the receivership corporation, the one  
8 that's being abandoned, for the company to maintain  
9 proper operation and maintenance or to put in plant  
10 that's needed, many times it's necessary.

11 **Q What is the entitlement of the receiver to**  
12 **repayment of such an investment?**

13 MR. LUCZAK: Object to the form of the  
14 question.

15 A I'm not sure that I could answer that. I  
16 think that would be up to the Court. If you're  
17 looking at payment for any monies that they put into  
18 it towards the end of the -- when the receivership is  
19 dropped?

20 **Q Yes, sir.**

21 A I think that's up to the Court at that  
22 point to decide that, not the Commission.

23 **Q All right. There's no particular rule of**  
24 **the Commission by which the receiver would be entitled**  
25 **to a particular return or rate of return on monies**

1 A That's what I have here.

2 **Q I note the second line in that report is**  
3 **accumulated depreciation and amortization.**

4 A Yes.

5 **Q Would you compare the amount reported for**  
6 **accumulated depreciation and amortization on the 1986**  
7 **report to that same amount on the 1985 report, please?**

8 A Sure. Okay. For the 1985, it would show  
9 an ending balance of \$1,438. And for 1986, it shows  
10 an ending balancing of \$80,699.

11 **Q Can you tell me the reason for the**  
12 **difference in those two numbers?**

13 A Yes. That would be as a result of the  
14 staff-assisted rate case.

15 **Q Can you explain to me how the two numbers**  
16 **for utility plant in service in 1986 and the**  
17 **accumulated depreciation on the 1986 report work**  
18 **together in a rate proceeding?**

19 A In a rate proceeding, the accumulated  
20 depreciation is a reduction to the company's  
21 investment, because it has already been recouped  
22 through depreciation at that point. As a result, it  
23 lowers the utility's investment.

24 **Q I think I asked you previously -- let's see**  
25 **which particular report I was referring to.**

1 **loaned to --**

2 A Well, while -- go ahead.

3 **Q No, you --**

4 A While a company is operating a company that  
5 has been abandoned and they're the receiver, they're  
6 naturally entitled to a return on investment just like  
7 the company would be. Now, that return is used to  
8 operate the company and would allow them a return on  
9 any asset that they've had to put in place during that  
10 time period.

11 If the receiver abandoned that role at some  
12 point in time and they had not recouped the cost of  
13 the money that they had put into the abandoned  
14 facility, I imagine it would be up to the Court to  
15 decide if there were any monies owed at that point.  
16 And I imagine at that point it would also be listed as  
17 a debt requirement from the utility such as Enterprise  
18 to the receivership corporation or receivership  
19 company.

20 **Q Let me ask you to go back to the annual**  
21 **report filed for the year 1986, if I might.**

22 A I've got it.

23 **Q And the comparative balance sheet, which on**  
24 **my copy is taken from the court file accounting, is**  
25 **page F-4.**

1 **I think I had asked you with reference to**  
2 **the 1983 report a question about the net operating**  
3 **income for that year, and I refer you back to that**  
4 **report.**

5 A Do you want me to look at this paper or the  
6 annual report?

7 **Q I think you've previously identified that**  
8 **as being a copy of -- oh, you have the 1983 report**  
9 **that's filed with the Commission?**

10 A Yes, I do.

11 **Q That's better. That's preferable. We had**  
12 **identified a net operating income number of \$2,122 for**  
13 **both systems there. And I note that there is a**  
14 **depreciation expense shown on that report in reaching**  
15 **-- or explain to me how the depreciation expense would**  
16 **factor into reaching the operating income number.**

17 A It's an expense which is subtracted from  
18 the gross revenue of the company, which ultimately  
19 arrives at the operating income.

20 **Q What I would like you to explain -- in case**  
21 **we're able to avoid the necessity of your appearing in**  
22 **the court proceeding, then the Court will read your**  
23 **testimony. Can you explain the effect of the**  
24 **depreciation that was assigned in the staff-assisted**  
25 **rate case beginning in 1986 as compared to the**

1 depreciation that was being carried on prior reports  
2 prior to 1986? And I think what I want you to explain  
3 is whether or not there is actual cash income from  
4 which the depreciation was deducted prior to 1986 as  
5 contrasted with 1986 and later years.

6 MR. LUCZAK: Object to the form of the  
7 question.

8 A That's a difficult question.

9 **Q Well, one of the points that I think the  
10 receiver wishes to make --**

11 MR. LUCZAK: Well, hold on. We're not  
12 making any points here. Just ask questions.

13 MS. CHRISTENSEN: Can you simplify the  
14 question or maybe break it down into a couple so  
15 it may be more answerable?

16 MR. WATTS: I'm trying to.

17 BY MR. WATTS:

18 **Q I'm not an accountant, but as I understand  
19 it, depreciation is normally allowed as a deduction  
20 from revenue, representing the obsolescence of plant  
21 and the ultimate need to replace it, a deduction from  
22 revenue allowed or required in order to reach the net  
23 income. And that's only one of a number of expenses,  
24 but that's one of the expenses. Is that anywhere near  
25 an accurate description of what --**

1 I go by for depreciation expense.

2 **Q When the plant was assigned in the  
3 staff-assisted rate case effective with the 1986 and  
4 subsequent reports, and depreciation was also  
5 assigned, what is the effect of those two adjustments  
6 on the capital of this utility?**

7 A Well, that's going to have to be answered  
8 through an analysis of the records and the annual  
9 reports, because whether or not -- depreciation  
10 expense is an expense item, and the effect upon the  
11 company's capital would be how it flowed through to  
12 retained earnings at some point. In other words, if  
13 the company was recovering its depreciation expense,  
14 there would be capital there, because it's a noncash  
15 item. If they weren't recovering their depreciation  
16 expense because of operating losses, there would not  
17 be.

18 Does that answer your question?

19 **Q Yes, sir. Is it a cumulative adjustment?**

20 MR. LUCZAK: Object to the form of the  
21 question.

22 A What do you mean by cumulative?

23 **Q In other words, if there is a loss  
24 carry-forward from one year to another and you're  
25 unable to take a depreciation expense in one year**

1 A It's close.

2 MR. LUCZAK: Hold on. Object to the form  
3 of the question before you start answering.

4 BY MR. WATTS:

5 **Q Could you improve on my description?**

6 A It's close. I don't quite agree with your  
7 definition of the depreciation expense. It's  
8 basically --

9 MR. LUCZAK: Let me stop you for just a  
10 second. I'm objecting also to the "can you  
11 improve upon my," and then fill in the blank,  
12 whatever you said.

13 Please continue. I'm sorry to interrupt,  
14 but I have to do this.

15 BY MR. WATTS:

16 **Q Can you explain to me what depreciation  
17 means on these reports?**

18 A Depreciation basically is the recovery of  
19 the cost of a plant item over a period of time,  
20 normally reflected upon when its expected life is to  
21 expire. In other words, you look at the life  
22 expectancy of the system, whether it's for  
23 technological reasons or when will it wear out, and  
24 you try and recovery that cost over that period of  
25 time. That's basically the accounting definition that

1 **because there is already a loss, do you make it up in  
2 a subsequent year in these reports?**

3 MR. LUCZAK: Object to the form of the  
4 question.

5 A No, you don't make it up. The Commission  
6 doesn't allow you to recover past losses. It would be  
7 difficult to make it up if you can't recover past  
8 losses.

9 **Q Can you just give me a thumbnail  
10 explanation of how the operating revenues and the  
11 depreciation expense and the retained earnings  
12 interrelate in the reports that we're reviewing?**

13 A The depreciation expense is an expense  
14 which reduces the revenue -- well, it's subtracted  
15 from the revenue to arrive at the operating income,  
16 and from there you have to remove interest expense,  
17 and if you're a corporation, dividends. And the  
18 bottom line, what's left over would be the equity  
19 earnings which would go into retained earnings. It  
20 basically reflects the net income or loss of the  
21 company.

22 **Q Mr. Willis, do you have the report filed by  
23 the receiver for the year 1992?**

24 A Let me look.

25 Yes, I do.

1 **Q Please compare page F-4 of that report to**  
2 **page F-4 of the report filed with the Court for the**  
3 **year 1982.**

4 MS. KOWALSKY: 19 what?

5 MR. WATTS: 1992. I'm sorry.

6 A It appears to be the same.

7 **Q Mr. Willis, I notice under the liabilities**  
8 **and capital section of that page an item labeled**  
9 **retained earnings. Can you tell me what that number**  
10 **represents?**

11 A That number should represent the amount of  
12 money that has basically come from earnings that's  
13 retained within the company. It's their equity  
14 earnings.

15 **Q Under assets in the balance sheet for that**  
16 **year, page F-4 of the report, there is an item labeled**  
17 **A/R associated companies. Can you tell me what that**  
18 **line represents?**

19 A I believe that is accounts receivable from  
20 associated companies.

21 **Q Are you aware of any associated companies,**  
22 **companies that are associated with Enterprise**  
23 **Utilities Corporation?**

24 A At which time?

25 **Q As of 1992.**

1 A It would be -- at that time Southern States  
2 Utilities was the receiver. That would be the only  
3 one you could term as an associated company.

4 **Q And that's based on a listing in the annual**  
5 **report?**

6 A That's based on who is the receiver at the  
7 current time.

8 **Q All right, sir. Is there any detail in the**  
9 **report that's filed with the Commission that would**  
10 **shed any light on what particular accounts make up**  
11 **that line item?**

12 MR. LUCZAK: Object to the form of the  
13 question.

14 BY MR. WATTS:

15 **Q On page F-4.**

16 A None that I can be sure of. I would  
17 imagine that part of it would be found on what's  
18 labeled as page F-7 of the annual report.

19 **Q That's the report filed with the**  
20 **Commission?**

21 A Yes, the report filed with the Commission.  
22 Under a category called payments for services rendered  
23 by other than employees, it does list as a recipient  
24 Southern States Utilities for an amount of \$171,034,  
25 with a description of the service being management,

1 construction, engineering, maintenance, rates, legal,  
2 accounting, and general administration. It comes very  
3 close to equaling the 171,000, or 74,000, I believe.  
4 I can't really tell. My copy is a bad copy. It looks  
5 like 71 to me on the balance sheet. But I couldn't  
6 tell you for sure if that's -- without doing a  
7 complete investigation of the accounting records, I  
8 couldn't tell you for sure.

9 **Q And those accounting records are not, I**  
10 **take it, on file with the Commission?**

11 A No. We don't require that the books and  
12 records on an annual basis be kept here with the  
13 Commission.

14 **Q May I see page F-7, please?**

15 A And the only reason I say it might be is  
16 because the account is accounts receivable from  
17 associated companies, and that's listed as an  
18 associated company there as services being rendered.

19 **Q Mr. Willis, I see the item you're referring**  
20 **to on page F-7 that's listed under payments for**  
21 **services rendered by other than employees, but I'm**  
22 **puzzled by the fact that -- would that item on page**  
23 **F-7 seem to be an expense paid by Enterprise Utilities**  
24 **Corporation?**

25 MR. LUCZAK: Object to the form of the

1 question.

2 A I couldn't tell you whether it was paid or  
3 not. That's the problem here. If it hasn't been  
4 paid, it would come under accounts receivable because  
5 it hasn't been paid. Or actually, I take that back.  
6 Accounts receivable goes the other way around. That  
7 would be a receivable from another company. So if  
8 that was in -- now I think I've messed you up.

9 **Q Well, you understand my confusion.**

10 A I understand your confusion. I think I've  
11 messed you up. Accounts receivable would be something  
12 owed to the company at that point, and I messed you up  
13 by going back here and finding a number. That's why I  
14 said before I'm not sure how it relates, but it  
15 couldn't relate. This would be a payment for services  
16 rendered.

17 I'm not sure at this point how that would  
18 relate to that 171. But the 171 listed on the balance  
19 sheet should be something due from an associated  
20 company.

21 **Q All right, sir.**

22 A Sorry to confuse you.

23 **Q No, I think I know where we are.**

24 **Mr. Willis, do you have the report for the**  
25 **year of 1993?**

1 A No. That's one of the reports I don't  
 2 have. We couldn't lay our hands on that one.  
 3 And I would explain, there was a point in  
 4 time where we had some OPS people in the Commission  
 5 doing some boxing up of annual reports during that  
 6 time period, and they were to be archived, and those  
 7 boxes have disappeared on us. Where they are we don't  
 8 know. At least we couldn't put our hand on them one  
 9 day.

10 **Q Let me show you the accounting that was  
 11 filed with the Court for the year ending 1983 --**

12 MR. LUCZAK: '83 or '93?

13 MR. WATTS: '93. Thank you, everyone, for  
 14 keeping me straight on the years.

15 A Do you want me to go to Schedule A?

16 **Q Well, first let's deal with a footnote to  
 17 that report that's filed with the Court on page 2,  
 18 Footnote 6. And that note speaks for itself, but  
 19 essentially it says that there was a change in  
 20 software by the receiver that year, and that  
 21 subsequently many of the items previously reported on  
 22 a comparative balance sheet were now reported at the  
 23 parent. I think it says parent.**

24 A No, it doesn't say parent.

25 MR. LUCZAK: But you're right, it does

1 earnings would be?

2 **Q Yes, sir.**

3 A No, these do not reflect that. No, they  
 4 would not, not for Enterprise Utilities specifically.

5 **Q You say not for Enterprise Utilities  
 6 specifically?**

7 A Yes, for Enterprise Utilities Corporation  
 8 it does not.

9 **Q Do you have any data at all that is  
 10 specific to Enterprise Utilities? Strike that.**

11 **If we wanted or needed to reconstruct what  
 12 the cumulative retained earnings of Enterprise  
 13 Utilities are as of this moment, what records would we  
 14 need?**

15 MR. LUCZAK: Object to the form of the  
 16 question.

17 A You would need the records from the  
 18 company. If I was going to reconstruct that through  
 19 the present, I would want to have the books and  
 20 records of the company to do that from.

21 **Q Let me ask you again to refer to Note 6 in  
 22 the accounting filed for 1993 with the Court.**

23 A Yes.

24 **Q There is a phrase in there that talks about  
 25 the consolidated company level.**

1 speak for itself.

2 MR. WATTS: It does speak for itself.

3 BY MR. WATTS:

4 **Q As an accountant, can you tell me what you  
 5 take Note 6 to mean?**

6 MR. LUCZAK: Object to the form of the  
 7 question.

8 A I can tell you it appears to be that the  
 9 company switched accounting software from one year to  
 10 the next and that the new software would not allow  
 11 accounting to a point and level that it did in the  
 12 prior accounting system. That's what it appears.

13 **Q Beginning with the 1993 report and  
 14 continuing through the other reports that are filed by  
 15 the receiver with the Commission, do you have any  
 16 records that show what the interim retained earnings  
 17 of Enterprise Utilities might be or what the current  
 18 cumulative retained earnings might be?**

19 MR. LUCZAK: Object to the form of the  
 20 question.

21 A Well, I do not have the '93 and '94 annual  
 22 reports. I told you I don't have the '93. The '94 I  
 23 cannot lay my hands on either. I do have from '95  
 24 forward. And I'll have to look, but I don't believe  
 25 -- you want to know what the cumulative retained

1 A Yes, there is.

2 **Q Now, understanding Mr. Luczak's appropriate  
 3 objection that the report speaks for itself, does the  
 4 phrase "consolidated company level" have any  
 5 particular special meaning to an accountant that would  
 6 be different from --**

7 A Yes -- different from what?

8 **Q Different from the ordinary layman's  
 9 understanding of what those words might mean.**

10 MR. LUCZAK: Object to the form of the  
 11 question insofar as it would require him to know  
 12 what the ordinary layman considered those terms  
 13 to mean.

14 MR. WATTS: All right.

15 THE WITNESS: That's what I was going to  
 16 say.

17 BY MR. WATTS:

18 **Q What does that phrase mean to an  
 19 accountant?**

20 A The consolidated company level to me would  
 21 mean at what level the records have been consolidated  
 22 into one financial tier. They could be consolidated  
 23 at the ultimate parent company. You could have them  
 24 consolidated down the line towards the subsidiary  
 25 level. For instance, with Florida Water Services, you

1 could have Florida Water Services consolidated with  
2 all of its subsidiaries, which in that case really  
3 aren't subsidiaries. They're the operating companies  
4 they have. You could go up the ladder at that point,  
5 which was to FIGA Group, and have a consolidated  
6 financial statement there, and ultimately to Minnesota  
7 Power.

8 **Q Did there come a point at which Florida**  
9 **Water Services reported all of its operating entities**  
10 **for which it had some responsibility in a single**  
11 **report?**

12 A Yes, there was.

13 **Q Do you know from your records when they**  
14 **unified that reporting?**

15 A Well, it would have happened about the time  
16 that the company received a uniform rate from the  
17 Commission. And they started filing one annual report  
18 -- I'll have to go back and look. It may have been  
19 prior to the uniform rate going in or -- I for sure  
20 couldn't tell you that from memory.

21 **Q What records would we need to examine in**  
22 **order to --**

23 A I would have to go back and look at every  
24 annual report.

25 **Q At the annual report?**

1 Southern States Utilities, Inc.

2 **Q So any retained earnings of Enterprise**  
3 **Utilities would be merged?**

4 A Yes, it would.

5 **Q Is such a merger appropriate in the case of**  
6 **a receiver?**

7 MR. LUCZAK: Object to the form of the  
8 question. Are you talking about for PSC  
9 purposes or other reporting purposes?

10 MR. WATTS: For PSC --

11 MR. LUCZAK: DEP, EPA?

12 MR. WATTS: I think Mr. Willis is only  
13 being asked to testify about the Public Service  
14 Commission's reporting.

15 A As far as the Public Service Commission  
16 reporting, there is no guideline as to whether it  
17 needs to be combined or not.

18 **Q In the 1993 report --**

19 A 1993?

20 **Q Yes, sir. There is, I believe --**

21 A You're talking about the court report?

22 **Q Yes, the court version of that report,**  
23 **because I understand you do not have that report**  
24 **readily available here from the Public Service**  
25 **Commission's files.**

1 A Yes, I would have to look at the annual  
2 reports. And I don't have the '94 and '95 annual  
3 reports to tell you if that was the year in which they  
4 consolidated. I mean, I have the '96 in front of me,  
5 and, yes, '96 is. This is the '95. I have the '95 in  
6 front of me, and it's consolidated at that point.  
7 They've reported all of their systems in this one  
8 annual report. We would consider this a consolidated  
9 annual report because it has all of their operating  
10 systems in it, and it does include Enterprise.

11 Now, whether the '94 and the '93 did, I  
12 don't have those in front of me to tell you. But I  
13 can tell you back in 19 -- well, I would have to go  
14 look at the Southern States annual reports, and I  
15 don't have those in front of me either, '91 and '92,  
16 because they were separate, and I didn't bring those.

17 **Q You say they were separate. You mean**  
18 **separate from Enterprise?**

19 A Separate from Enterprise. I have the  
20 separate Enterprise annual reports here, and I don't  
21 have --

22 **Q Looking at the 1995 report, which is**  
23 **consolidated, can you tell me at what level retained**  
24 **earnings is being reported by Southern States?**

25 A It's being reported at the level of

1 **In the 1993 report, are you able to discern**  
2 **whether there's any allocation of expenses to this**  
3 **particular unit on the consolidated company level?**

4 A To Enterprise?

5 **Q Yes, sir.**

6 A You're talking about allocation of  
7 expenses?

8 **Q Yes, sir.**

9 A That would be hard to tell from this.

10 **Q All right, sir. Is it an accepted practice**  
11 **in the case of an enterprise such as Florida Water**  
12 **Services with multiple operating units to have some**  
13 **allocation of expenses to the several operating**  
14 **units?**

15 MR. LUCZAK: Objection to the form of the  
16 question.

17 A Yes.

18 **Q And what's the methodology for doing that?**

19 A Well, it depends on the company itself and  
20 how they choose to allocate costs. Some companies  
21 choose to allocate it the same way they do to their  
22 other operating divisions, because they're providing  
23 the same services as they do. That would probably be  
24 the preferable method.

25 **Q And when you say they allocate it the same**

1 **way they do to other operating divisions, what might**  
 2 **be the same way? What are some typical accepted**  
 3 **methods of allocation?**

4 A Well, depending on the costs, some of the  
 5 typicals are by customers, percentage of customers for  
 6 an operating division; direct labor cost, if it's more  
 7 appropriate, depending on expenses, to do it by direct  
 8 labor costs versus nondirect; or sometimes you  
 9 typically see it by equivalent residential connection.  
 10 If you have systems that have large nonresidential  
 11 customers, you may see what we term ERC, which is  
 12 equivalent residential connection. That is one  
 13 method.

14 **Q When Florida Water Services went through**  
 15 **the rate proceeding -- I think we were talking earlier**  
 16 **about a consolidated rate or a unified rate?**

17 A In 1991, they filed a rate case.

18 **Q Yes, sir.**

19 A Actually, I guess it was 1992, in which  
 20 they received a uniform rate for many of their  
 21 operating systems, for some. There were others that  
 22 were not included.

23 **Q Was Enterprise Utilities included?**

24 A I would have to go back and check on that  
 25 to be sure. I don't believe they were.

1 appeals case. The Commission went to a different rate  
 2 structure at a point in time, probably about 1995,  
 3 '94. I believe the uniform rates were only in effect  
 4 for approximately two years.

5 **Q What effect did the ultimate ruling of the**  
 6 **court have on the rates that had been collected prior**  
 7 **to that ruling?**

8 MR. LUCZAK: Object to the form of the  
 9 question insofar as it calls for a legal  
 10 conclusion on the part of the witness.

11 A At this point in time, the appeal process  
 12 has not been completed in that docket. It's still  
 13 before the appeals court. So I really can't answer  
 14 the question.

15 **Q So far as it appears from the annual report**  
 16 **that was filed, not only on behalf of Enterprise**  
 17 **Utilities, but on behalf of all of the units of**  
 18 **Florida Water Services, what -- strike that. Let me**  
 19 **start over on this question.**

20 **Does the inclusion of Enterprise Utilities**  
 21 **for reporting purposes as one of the operating units**  
 22 **of Florida Water Services have any effect on the**  
 23 **uniform rate that might be determined?**

24 MR. LUCZAK: Is that the end? Object to  
 25 the form of the question.

1 **Q Consistent with your rules and regulations,**  
 2 **can a utility that's being operated as a receivership**  
 3 **be included in a uniform rate proceeding?**

4 MR. LUCZAK: Object to the form of the  
 5 question.

6 A I imagine it could, but in a practical  
 7 sense, the Commission would not like to have that  
 8 done.

9 **Q Why?**

10 A Because at any point in time, the operating  
 11 company, such as Florida Water Services, could not be  
 12 the receiver of that utility company.

13 **Q What was the outcome of the uniform rate**  
 14 **proceeding by Florida Water Services before the**  
 15 **Commission?**

16 MR. LUCZAK: Object to the form of the  
 17 question.

18 A What do you mean by the outcome?

19 **Q Did it remain in effect?**

20 MR. LUCZAK: Object to the form of the  
 21 question.

22 A Did what remain in effect?

23 **Q Was a uniform rate established?**

24 A Yes, a uniform rate was established. The  
 25 uniform rate did not remain in effect due to an

1 MR. WATTS: And I can tell that the witness  
 2 does too.

3 BY MR. WATTS:

4 **Q What I'm trying to find out is, how tangled**  
 5 **is the income, expense, assets, and so forth of**  
 6 **Enterprise Utilities in the data that were submitted**  
 7 **in the unified rate proceeding?**

8 MR. LUCZAK: Object to the form of the  
 9 question.

10 A Let me try to answer it this way. Certain  
 11 expenses are naturally allocated from what is Florida  
 12 Water Services currently. Those expenses are  
 13 allocated out to Enterprise Utilities as a cost of the  
 14 Florida Water operating enterprise, and those expenses  
 15 are not included in any revenue requirement for  
 16 Florida Water Services in one of their rate cases.  
 17 And therefore, I think what you're trying to get at is  
 18 that it has -- I'm not sure what you're trying to get  
 19 at, but it has no effect upon the ultimate rates of  
 20 Florida Water Services.

21 **Q So long as the allocations are accurate?**

22 A That's correct.

23 **Q And if the allocations are inaccurate, is**  
 24 **it possible that the income or expense of the**  
 25 **remaining owned portion of the Florida Water**

1 **operations could be skewed?**

2 MR. LUCZAK: Object to the form of the  
3 question.

4 A If there was any skewing from it, it would  
5 be very immaterial. And the reason I say that is that  
6 Enterprise is a very small, really immaterial portion  
7 of Florida Water Services' operations. And if you  
8 were trying to set rates based on some kind of skewing  
9 in there, there's no way you could set it to the penny  
10 in these rates.

11 **Q Does the retained earnings item have any  
12 effect whatever in the rate proceeding?**

13 MR. LUCZAK: Object to the form of the  
14 question.

15 A Retained earnings is part of the company's  
16 equity, and that is exactly what the company earns its  
17 equity return on, is the company's investment in its  
18 own operations.

19 **Q What effect, if any, does the consolidation  
20 of the retained earnings of Enterprise Utilities at  
21 the consolidated company level have in a rate  
22 proceeding for the consolidated company?**

23 MR. LUCZAK: Object to the form of the  
24 question.

25 A That's pretty general. I'm not sure

1 it may have been '93. I don't mean to misstate it.  
2 But I'm concerned with how do we find out  
3 what the true asset is for Enterprise Utilities as of  
4 the termination of the receivership?

5 A I think your terminology is wrong.

6 MR. LUCZAK: Time out. And don't start  
7 answering that until I've had a chance to  
8 object.

9 And again, Allen, we've gone through this  
10 previously, but please don't preface your  
11 questions with a commentary about your dilemmas  
12 and otherwise. I would be most appreciative if  
13 you would just ask questions.

14 BY MR. WATTS:

15 **Q How do we determine what the asset  
16 classified as retained earnings is for Enterprise  
17 Utilities, assuming that the receivership were to end  
18 in 1999? What records would we need?**

19 A You and I are having a problem with  
20 terminology, because retained earnings is not an  
21 asset.

22 **Q Capital.**

23 A Yes, it's capital.

24 **Q Capital.**

25 A Like I said before, you'll have to -- my

1 specifically what you're getting at. Are you getting  
2 at does the retained earnings from Enterprise  
3 Utilities Corporation have an effect?

4 **Q Yes, sir.**

5 A They should not, and I'll tell you why:  
6 Because when the Commission calculates the capital  
7 structure for a company, which includes equity and  
8 debt, Florida Water Services -- there is a pro rata  
9 reconciliation to the rate base, which is the  
10 investment of the company. And what I mean by  
11 pro rata reconciliation is that the capital structure  
12 of the equity and debt is adjusted down to the level  
13 of the investment that the company is going to earn a  
14 return on. If the company has more equity than is  
15 supportable by rate base, then that portion is  
16 pro rata adjusted out. Likewise, if they have more  
17 debt on their books than is supportable by the rate  
18 base we're looking at, that is adjusted out pro rata.

19 So my answer to that would be that because  
20 of that, I don't believe it's going to have much  
21 effect, if any.

22 **Q Okay. My dilemma is that I am trying to  
23 find out what the retained earnings of Enterprise  
24 Utilities might be post 1992, which I think is the  
25 last year in which they were separately reported. Or**

1 way of determining that would be to go back to the  
2 books and records of the company and trace it  
3 through. You would have to trace it through with a  
4 cash flow analysis, more than likely.

5 But the reason you'll have to go back to  
6 the books and records is that you don't have adjusting  
7 entries. You have no general journal. You have no  
8 books and records with an annual report. If you're  
9 going to do something like that accurately, you've got  
10 to go back to the books and records of the company to  
11 make that determination, and you'll have to calculate  
12 it year by year.

13 **Q So it's not simply a matter of adding the  
14 net earnings for each subsequent year?**

15 A It may not be, because what you're missing  
16 are the general journal entries. You need to do a  
17 trial balance to be able to close your books, and that  
18 encompasses a lot of journal entries, and that's  
19 what's missing. I certainly wouldn't want to do it  
20 that way. I would want all the books and records to  
21 be able to do that.

22 **Q Very well. Does the Commission have any  
23 interest at all in -- strike that.**

24 **What is the responsibility of the receiver  
25 to the Commission upon the receiver's discharge by the**

1 Court?

2 A Once they are discharged by the Court?

3 Q Yes. What's the final responsibility, if  
4 any, to the Commission?

5 A If they haven't turned in the prior year's  
6 annual report, that would be one responsibility that  
7 they have. But upon relinquishing that receivership,  
8 they have no responsibility to us.

9 MR. WATTS: Nothing further.

10 CROSS EXAMINATION

11 BY MR. LUCZAK:

12 Q Good morning, Mr. Willis. My name is Brad  
13 Luczak. I'm the attorney for Florida Water Services  
14 Corporation. Like Mr. Watts, I'm going to ask you a  
15 series of questions. If I ask you a question you fail  
16 to either hear or understand, would you please ask me  
17 to stop and either repeat or rephrase the question?

18 A Yes.

19 Q Do you have any personal knowledge  
20 regarding the revenues of Enterprise Utilities other  
21 than that information gleaned from the annual reports  
22 that have been filed with the PSC?

23 A No, I do not.

24 Q Do you have any personal information  
25 regarding -- or personal knowledge regarding the

1 journal entries, any of the sources of information  
2 that are combined to result in the annual reports.

3 A I don't believe so.

4 Q Have you made any effort to personally  
5 verify any of the revenue items reflected in the  
6 annual reports that have been filed on behalf of  
7 Enterprise Utilities?

8 A What do you mean by personally verify?  
9 Myself?

10 Q Yes, sir.

11 A No.

12 Q Have you made any effort to personally  
13 verify any of the expense items reflected in the  
14 annual reports that have been filed on behalf of  
15 Enterprise Utilities?

16 A No.

17 Q Have you been retained by any person or  
18 entity to render an expert opinion regarding public  
19 utility receivership accounting in the Circuit Courts  
20 of the State of Florida?

21 A No.

22 Q Have you formed any opinions regarding the  
23 proper accounting of public utility receiverships in  
24 the Circuit Courts of the State of Florida?

25 A No.

1 expenses of Enterprise Utilities other than that  
2 information contained in the annual reports?

3 A No. And I would preface that that also we  
4 do have on file the staff-assisted rate case, which  
5 was a review of one year which would encompass the  
6 expenses and revenues of Enterprise Utilities.

7 Q Did you personally participate in that  
8 staff-assisted rate case?

9 A No, I did not.

10 Q So you didn't personally review the books  
11 and records of Enterprise Utilities for that year?

12 A No.

13 Q Did you have any involvement in the  
14 preparation of any of the annual reports that have  
15 been filed with respect to Enterprise Utilities?

16 A No.

17 Q Have you ever audited any of the books and  
18 records of Enterprise Utilities?

19 A No.

20 Q Have you ever personally reviewed the  
21 detail for the annual reports?

22 A Do you mean by detail the work papers  
23 coming up with the annual report, the books and  
24 records?

25 Q Either the general ledger, the adjusting

1 Q Has anybody offered to compensate you for  
2 rendering opinions in this case?

3 A No.

4 Q Do you consider yourself to be an expert in  
5 the field of public utility receivership accounting in  
6 the Circuit Courts of the State of Florida?

7 A No, I do not.

8 Q Earlier today you made reference to NARUC,  
9 which I believe you testified was the National  
10 Association of Regulated Utility Commission?

11 A Regulatory Utility Commissioners.

12 Q Thank you. Does NARUC specify an  
13 accounting methodology to be used?

14 A Does its specify? Let me answer that by  
15 saying this. The National Association of Regulatory  
16 Utility Commissioners have adopted a Uniform System of  
17 Accounts that I wrote. They publish that document for  
18 all 50 states and the provinces of Canada to use if  
19 they so desire. And at this point, I think probably  
20 60 percent of the states have adopted that system of  
21 accounts to use for regulation, and it's also my  
22 understanding that municipals within the State of  
23 Florida also use that system of accounts.

24 Q And Florida has adopted the Uniform System  
25 of Accounts of NARUC; is that correct?



61

- 1 A Yes.
- 2 **Q And in particular, the PSC has adopted the**  
 3 **NARUC Uniform System of Accounts; correct?**
- 4 A Yes. The Florida Public Service Commission  
 5 has by rule adopted that system of accounts.
- 6 **Q And the NARUC Uniform System of Accounts is**  
 7 **not the same thing as GAAP or Generally Accepted**  
 8 **Accounting Principles, is it?**
- 9 A No, it is not.
- 10 **Q Are you aware of any other accounting**  
 11 **methodologies or systems other than the NARUC Uniform**  
 12 **System of Accounts and GAAP?**
- 13 A No.
- 14 **Q Would tax accounting necessarily be one or**  
 15 **the other of those things?**
- 16 A Sure. You do have tax accounting.  
 17 And there are many sets of books that may  
 18 be kept by a company for certain reasons, but some do  
 19 keep a regulatory set of books. Most companies will  
 20 keep a -- the larger companies, that is, will keep a  
 21 regulatory set of books, and some keep a tax set of  
 22 books, and they'll keep an accounting set of books.
- 23 **Q So there may be as many as three different**  
 24 **sets of books for the same operating period; is that**  
 25 **correct?**

62

- 1 A Yes, that's correct.
- 2 **Q And they could all be different, but**  
 3 **correct; is that correct?**
- 4 A That is very correct.
- 5 **Q Do you know what accounting method, if any,**  
 6 **is required by the Circuit Courts of the State of**  
 7 **Florida with respect to public utility receivership**  
 8 **accounting?**
- 9 A No.
- 10 **Q Do the annual reports that were filed on**  
 11 **behalf of Enterprise Utilities that you've been**  
 12 **referring to today reflect or contain an operating**  
 13 **statement on a cash basis?**
- 14 A They should not. They should be on an  
 15 accrual basis.
- 16 **Q They don't simply show what cash was**  
 17 **received during a period and what expenses were**  
 18 **incurred during that same period, do they?**
- 19 A No, they do not. They should be on the  
 20 accrual basis of accounting.
- 21 **Q And the accrual basis of accounting --**  
 22 **well, could you tell me what the accrual basis of**  
 23 **accounting is?**
- 24 A The accrual basis of accounting basically  
 25 means that you have to accrue the cost for the

63

- 1 period. You have to show your costs, whether they're  
 2 paid or not, for the period in which they were  
 3 rendered.
- 4 **Q Would you please tell me what the cash**  
 5 **basis of accounting is?**
- 6 A The cash basis of accounting means that you  
 7 record your costs and expenses as you pay them, which  
 8 may not be for the period in which they're incurred.
- 9 **Q At any time, are you aware of the PSC**  
 10 **objecting to the annual reports that were filed on**  
 11 **behalf of Enterprise Utilities?**
- 12 A There may have been an occasion when there  
 13 may have been some deficiencies as far as the filing  
 14 requirements, and that's strictly nothing more than  
 15 that some page may not have been properly filled out.  
 16 And that would be reflected in the working copies, but  
 17 it has nothing to do with whether or not the ultimate  
 18 report was accepted or not.
- 19 **Q From the PSC's regulatory perspective,**  
 20 **were the annual reports that were filed on behalf of**  
 21 **Enterprise Utilities appropriate?**
- 22 A Yes. They were accepted.
- 23 **Q Is there a formal acceptance with respect**  
 24 **to the reports that are filed with the PSC?**
- 25 A No, there is not, but there is a formal

64

- 1 unacceptance. Judy is quite aware of that.
- 2 **Q So if an annual report is filed with the**  
 3 **PSC and is not rejected, it is then accepted; correct?**
- 4 A That's correct. You will definitely know  
 5 if your report is not accepted.
- 6 MS. KIMBALL: You can't get them to commit  
 7 to anything that's good for you.
- 8 BY MR. LUCZAK:
- 9 **Q Ultimately, there has been an annual report**  
 10 **filed on behalf of Enterprise Utilities for each year**  
 11 **through 1998 that has been accepted by the PSC; is**  
 12 **that correct?**
- 13 A I believe you are correct. I'm not sure --  
 14 and the reason I'm prefacing that, I'm not sure back  
 15 when the receivership was formed under Dean Deakyne  
 16 that an annual report was filed.
- 17 **Q Do you have any information regarding the**  
 18 **accounting, if any, prepared by Dean Deakyne as the**  
 19 **prior receiver for Enterprise Utilities?**
- 20 A Yes.
- 21 **Q And what knowledge do you have in that**  
 22 **regard?**
- 23 A I have -- in reviewing some of the docket  
 24 files on Enterprise, I came across a summary by one of  
 25 our auditors, I believe, of an accounting during Dean

1 Deakayne. It's in the form of a memorandum. That's  
2 the only personal knowledge I have of it. Basically,  
3 what I drew out of it is that he basically reported a  
4 large operating loss during the period he had it.

5 **Q With respect to capital invested in**  
6 **Enterprise Utilities by Florida Water Services**  
7 **Corporation and its predecessors, Southern States**  
8 **Utilities and Deltona Utilities, would the rate order**  
9 **in, I believe you said 1986, better reflect what**  
10 **capital expenditures had been made by Florida Water**  
11 **than your recollection here today?**

12 A My review -- and you're talking about the  
13 order from the rate case that I referred to earlier,  
14 the staff-assisted rate case?

15 **Q Correct.**

16 A My review of that order did not break down  
17 that portion which was invested by the company.

18 Well, I take that back. It did. It did  
19 actually break down that portion invested. I believe  
20 it did as part of the order.

21 **Q You believe that order would be a more**  
22 **accurate source of information than your recollection**  
23 **sitting here today?**

24 A Yes. It's an accurate determination of our  
25 auditors at that point accepted by the Commission.

1 attorney, and what he was looking for.

2 **Q And what did he tell you in that regard as**  
3 **to what he was looking for?**

4 A Well, it's basically as to how much cash  
5 should be turned over to the Enterprise system upon  
6 the discontinuance of the receivership.

7 **Q Did he tell you why he believed that there**  
8 **should be cash to be turned over upon the termination**  
9 **of the receivership?**

10 A Well, we talked about there might be areas  
11 where there were noncash items like depreciation or  
12 profit earned for certain years which might ultimately  
13 lead to retained earnings for the company.

14 **Q Did you form any opinions about whether**  
15 **there should be cash turned over at the termination of**  
16 **the receivership?**

17 A No, I didn't.

18 **Q Do you have any opinions as to the**  
19 **appropriate amount of compensation due to Florida**  
20 **Water and its predecessors, Southern States Utilities**  
21 **and Deltona Utilities, for the services provided as**  
22 **receiver over the past approximately 18 years?**

23 A No, I do not. I think that's something  
24 that's got to be determined by the Court. In my  
25 experience, that has always been determined by the

1 **Q Have you ever testified as an expert**  
2 **witness in state court proceedings regarding public**  
3 **utility receivership accounting?**

4 A No.

5 **Q Prior to today, have you spoken with**  
6 **Mr. Watts regarding Enterprise Utilities?**

7 A Yes.

8 **Q When was that? Have you spoken with him on**  
9 **more than one occasion?**

10 A On one occasion.

11 **Q Was that in person or by telephone?**

12 A I believe I may have spoken with him by  
13 telephone briefly about whether or not I might be the  
14 person to talk to about Enterprise. I indicated I  
15 could talk to him about it, and an arrangement was  
16 made to meet with him with my counsel, Ms. Patty  
17 Christensen, and we did meet.

18 **Q When did that meeting take place?**

19 A I would have to go back and review my  
20 calendar. It was approximately three or four weeks  
21 ago, about a month, maybe even longer.

22 **Q What was the substance of the discussion at**  
23 **that meeting?**

24 A We talked about the receivership being  
25 transferred to the County, his role as the customers'

1 courts.

2 MR. LUCZAK: If we could take a break for a  
3 moment.

4 (Short recess.)

5 BY MR. LUCZAK:

6 **Q Mr. Willis, to your knowledge, have there**  
7 **been other public utility receivers that were public**  
8 **utilities?**

9 A Yes.

10 **Q With regard to any of those public utility**  
11 **receivers who were also public utilities, were those**  
12 **considered affiliated companies for reporting**  
13 **purposes?**

14 A To answer that, I would have to go back and  
15 look at how they reported.

16 **Q You don't know sitting here today whether**  
17 **that has ever occurred in the past with respect to any**  
18 **other receivership?**

19 A Where they filed a consolidated return for  
20 the receivership and their own?

21 **Q Yes, sir.**

22 A I would have to go back and check.

23 **Q Do you know whether, even if they didn't**  
24 **file a consolidated return, in the return filed for**  
25 **the utility and receivership, whether the receiver was**

1 reflected as an affiliated company?

2 A I would have to go back and check the  
3 annual reports.

4 Q Are you familiar with the term "A&G"?

5 A If you're referring to administrative and  
6 general expenses, yes.

7 Q Yes, sir. You got rid of my next question  
8 there.

9 Could you please tell me what  
10 administrative and general expenses are?

11 A They are usually expenses that can't be  
12 directly assignable to a certain operating division.  
13 They usually refer to accounting expenses, expenses  
14 for lawyers, engineering costs, billing costs, those  
15 types of costs, the nature of which you perform for  
16 all operations at the same time. They're usually  
17 allocated. You can't directly assign those to one  
18 separate operation. And because of that, they're  
19 labeled as administrative and general expenses and  
20 normally are allocated out to the operating divisions.

21 Q Does the PSC ever audit A&G?

22 A Yes, in every case.

23 Q Has the PSC ever audited the A&G for  
24 Florida Water and its predecessors?

25 A Yes.

1 Q What are the substantial differences  
2 between the Uniform System of Accounts for utility  
3 regulatory purposes and GAAP? I mean, I'm not looking  
4 for an hour's discourse.

5 MR. BILINSKI: How many days have you got?

6 MS. CHRISTENSEN: Can you be more specific?  
7 Because I have a feeling that that's going to  
8 require a lot more time than everybody has got.

9 BY MR. WATTS:

10 Q Can you direct me to any readings on that  
11 subject that describe what the differences are and  
12 why?

13 A You might want to go to Matthew Bender. I  
14 think that's one of the textbooks produced by Matthew  
15 Bender, which is a publishing company, which covers  
16 regulatory accounting. I can't offhand think of the  
17 actual name of it, but they cover regulatory  
18 accounting.

19 Q Have you published any works, articles?

20 A No.

21 MR. WATTS: Nothing further.

22 MR. LUCZAK: I don't have anything further.  
23 (Deposition concluded at 12:05 p.m.)  
24  
25

1 Q And has the PSC as part of that audit  
2 audited the allocation methodology used by Florida  
3 Water?

4 A In every case, every case.

5 Q Earlier Mr. Watts asked you some questions  
6 about accounts receivable of associated companies.  
7 Is there also an account for accounts payable of  
8 associated companies?

9 A Yes.

10 Q Should those two accounts be offset or  
11 netted?

12 A Well, they're normally combined when you  
13 look at it. There will either be a debit or credit  
14 balance. But, yes, they are offset.

15 MR. LUCZAK: Okay. Thank you. I don't  
16 have any further questions at this time.

17 MR. WATTS: Just a couple.

18 REDIRECT EXAMINATION

19 BY MR. WATTS:

20 Q Mr. Willis, did I understand -- you said  
21 this quickly. Did I understand that you wrote the  
22 Uniform System of Accounts?

23 A Yes, I did. I wrote the 1996 version that  
24 has been adopted by NARUC, and I co-authored the 1984  
25 version which the '96 replaced.

1  
2 CERTIFICATE OF ADMINISTERING OATH  
3

4  
5 STATE OF FLORIDA)  
6 COUNTY OF LEON )  
7

8  
9 I, MARY ALLEN NEEL, Notary Public in and for the  
10 State of Florida at Large:

11 DO HEREBY CERTIFY that on the date and place  
12 indicated on the title page of the foregoing  
13 transcript, an oath was duly administered by me to the  
14 designated witness before testimony was taken.

15 WITNESS my hand and official seal this 8th day  
16 of February, 2000.  
17  
18

19   
20 MARY ALLEN NEEL, RPR  
21 100 Salem Court  
22 Tallahassee, Florida 32301  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF REPORTER

STATE OF FLORIDA)  
COUNTY OF LEON )

I, MARY ALLEN NEEL, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter transcribed under my supervision; and that the foregoing pages numbered 1 through 71 are a true and correct transcription of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, or relative or employee of such attorney or counsel, or financially interested in the action.

DATED THIS 8th day of February, 2000.

*Mary Allen Neel*  
MARY ALLEN NEEL, RPR  
100 Salem Court  
Tallahassee, Florida 32301  
(850) 878-2221

\$

\$1 [3] 7:8,12,12  
 \$1,215 [1] 26:20  
 \$1,438 [1] 31:9  
 \$10,152 [1] 28:12  
 \$13,000 [1] 26:7  
 \$13,110 [2] 24:3 25:3  
 \$171,034 [1] 38:24  
 \$2,122 [2] 26:21 32:12  
 \$200,000 [2] 7:13,14  
 \$3,337 [1] 26:19  
 \$311,862 [1] 25:5  
 \$314,297 [1] 24:8  
 \$500,000 [1] 7:12  
 \$80,699 [1] 31:10

---

0

081 [1] 6:16

---

1

1 [1] 73:11  
 10 [1] 19:20  
 100 [1] 73:23  
 11 [1] 12:4  
 12:05 [1] 71:23  
 13 [1] 12:4  
 13,000 [1] 26:2  
 13,110 [1] 24:11  
 16126 [1] 23:3  
 171 [2] 40:18,18  
 171,000 [1] 39:3  
 18 [1] 67:22  
 19 [4] 23:4 24:12 37:4 46:13  
 1976 [2] 4:20 5:4  
 1981 [3] 4:16 5:15 8:9  
 1981-82 [1] 10:13  
 1982 [7] 10:19 12:18,19 16:14  
 17:10 22:17 37:3  
 1983 [9] 16:3 25:25 26:14,24 28:  
 8,16 32:2,8 41:11  
 1984 [4] 25:25 26:6 27:5 70:24  
 1985 [11] 23:15,22 24:2,2,10,13,  
 19,20 25:2 31:7,8  
 1986 [20] 23:4,15,23 24:8,13,20  
 25:4,19,21 30:21 31:6,9,16,17  
 32:25 33:2,4,5 35:3 65:9  
 1989 [1] 16:4  
 1991 [1] 49:17  
 1992 [5] 36:23 37:5,25 49:19 54:  
 24  
 1993 [6] 40:25 42:13 43:22 47:  
 18,19 48:1  
 1995 [2] 46:22 51:2  
 1996 [3] 7:6 24:5 70:23  
 1998 [3] 16:6,7 64:11  
 1999 [1] 55:18

---

2

2 [1] 41:17  
 200,000 [2] 7:19,21  
 2000 [2] 72:16 73:18  
 232 [2] 28:17,18  
 2540 [1] 3:19

---

3

32301 [1] 72:21  
 32399-0850 [1] 3:20

---

4

4 [2] 18:2,4

---

5

50 [1] 60:18

---

6

6 [3] 41:18 42:5 43:21  
 60 [1] 60:20

---

7

71 [2] 39:5 73:11  
 74,000 [1] 39:3  
 76 [1] 4:20

---

8

81 [1] 8:3  
 82 [1] 8:3  
 820060-WS [2] 22:18,21  
 83 [2] 26:11 41:12  
 84 [1] 16:3  
 85 [2] 16:3 26:8  
 850 [1] 73:24  
 86 [2] 16:3 24:7  
 878-2221 [1] 73:24  
 8th [2] 72:15 73:18

---

9

9,301 [1] 26:8  
 90 [1] 16:4  
 91 [2] 16:4 46:15  
 92 [2] 16:4 46:15  
 93 [6] 41:12,13 42:21,22 46:11  
 55:1  
 94 [5] 42:21,22 46:2,11 51:3  
 95 [4] 42:23 46:2,5,5  
 96 [4] 24:6 46:4,5 70:25

---

A

A&G [3] 69:4,21,23  
 A/R [1] 37:17  
 abandoned [5] 18:11 29:8 30:5,  
 11,13  
 able [4] 32:21 48:1 56:17,21  
 above [1] 7:8  
 accept [1] 12:8  
 acceptance [1] 63:23  
 accepted [9] 48:10 49:2 61:7  
 63:18,22 64:3,5,11 65:25  
 accessible [1] 16:14  
 according [4] 7:1 12:12 23:25  
 24:2  
 account [3] 20:10 39:16 70:7  
 accountant [7] 4:13,15,22 33:  
 18 42:4 44:5,19  
 accounting [38] 4:6 6:1,4 27:24  
 28:16 30:24 34:25 39:2,7,9 41:  
 10 42:9,11,12 43:22 59:19,23 60:  
 5,13 61:8,10,14,16,22 62:5,8,20,  
 21,23,24 63:5,6 64:18,25 66:3  
 69:13 71:16,18  
 accountings [2] 16:22 24:18  
 Accounts [24] 7:2,5 28:18,20,24  
 37:19 38:10 39:16 40:4,6,11 60:  
 17,21,23,25 61:3,5,6,12 70:6,7,  
 10,22 71:2  
 accrual [5] 62:15,20,21,22,24  
 accrue [1] 62:25  
 accumulated [4] 31:3,6,17,19  
 accurate [4] 33:25 52:21 65:22,  
 24

accurately [1] 56:9  
 across [2] 28:19 64:24  
 action [1] 73:17  
 actual [4] 8:14 26:3 33:3 71:17  
 actually [12] 8:7,18 12:10,13 17:  
 10 19:14 23:4 25:9 26:5 40:5  
 49:19 65:19  
 adding [1] 56:13  
 addition [1] 20:24  
 additional [1] 5:8  
 address [2] 3:19 9:5  
 adjusted [3] 54:12,16,18  
 adjusting [2] 56:6 58:25  
 adjustment [1] 35:19  
 adjustments [1] 35:5  
 administered [1] 72:13  
 ADMINISTERING [1] 72:2  
 administration [1] 39:2  
 administrative [3] 69:5,10,19  
 adopted [9] 7:2,6 18:20 60:16,  
 20,24 61:2,5 70:24  
 advance [3] 28:13,23 29:2  
 advances [2] 28:6,10  
 affiliated [2] 68:12 69:1  
 agencies [2] 13:16 14:10  
 Agency [1] 14:2  
 ago [1] 66:21  
 agree [1] 34:6  
 ahead [3] 11:18,23 30:2  
 aid [2] 20:11,19  
 Allen [4] 55:9 72:9,20 73:7  
 allocate [3] 48:20,21,25  
 allocated [4] 52:11,13 69:17,20  
 allocation [5] 48:2,6,13 49:3 70:  
 2  
 allocations [2] 52:21,23  
 allow [3] 30:8 36:6 42:10  
 allowed [5] 19:5 20:21,24 33:19,  
 22  
 already [3] 25:1 31:21 36:1  
 amend [1] 22:6  
 amendment [1] 22:11  
 amortization [2] 31:3,6  
 amount [8] 19:24 26:1 28:10 31:  
 5,7 37:11 38:24 67:19  
 analysis [2] 35:8 56:4  
 annual [46] 15:1 16:2,5,8 17:6,  
 23 23:14,16 26:17 27:5 28:8 30:  
 20 32:6 35:8 38:4,18 39:12 41:5  
 42:21 45:17,24,25 46:1,2,8,9,14,  
 20 51:15 56:8 57:6,21 58:2,14,  
 21,23 59:2,6,14 62:10 63:10,20  
 64:2,9,16 69:3  
 another [5] 8:15 28:1,1 35:24  
 40:7  
 answer [12] 11:20,24 14:6 17:22  
 27:7 29:15 35:18 51:13 52:10  
 54:19 60:14 68:14  
 answerable [1] 33:15  
 answered [1] 35:7  
 answering [2] 34:3 55:7  
 anybody [1] 60:1  
 anyway [1] 11:21  
 apparently [1] 18:4  
 appeal [1] 51:11  
 appeals [2] 51:1,13  
 appeared [1] 26:7  
 appearing [1] 32:21

appears [6] 24:16 28:9 37:6 42:  
 8,12 51:15  
 applicable [1] 3:6  
 applications [3] 6:14,15,18  
 applied [1] 22:10  
 appointed [1] 13:7  
 appointment [4] 10:4,10 11:2  
 17:12  
 appreciative [1] 55:12  
 appropriate [6] 29:1 44:2 47:5  
 49:7 63:21 67:19  
 approved [1] 21:25  
 approves [1] 21:19  
 approximately [3] 51:4 66:20  
 67:22  
 archived [1] 41:6  
 area [3] 9:13 12:25 20:14  
 areas [1] 67:10  
 aren't [1] 45:3  
 Arkansas [1] 13:2  
 around [1] 40:6  
 arrangement [1] 66:15  
 arrive [1] 36:15  
 arrives [1] 32:19  
 articles [1] 71:19  
 Arts [1] 4:4  
 asset [4] 30:9 55:3,15,21  
 assets [4] 19:18 27:17 37:15 52:  
 5  
 assign [1] 69:17  
 assignable [1] 69:12  
 assigned [4] 22:24 32:24 35:2,5  
 assigning [1] 9:7  
 assignment [1] 9:15  
 assistant [1] 10:1  
 associated [14] 28:6,11,13,20  
 37:17,20,21,22 38:3 39:17,18 40:  
 19 70:6,8  
 Association [3] 7:3 60:10,15  
 assuming [1] 55:17  
 attached [2] 17:14,16  
 attended [2] 4:8 5:7  
 attorney [4] 57:13 67:1 73:15,  
 16  
 audit [2] 69:21 70:1  
 audited [3] 58:17 69:23 70:2  
 auditor [1] 5:1  
 auditors [2] 64:25 65:25  
 available [1] 47:24  
 avoid [1] 32:21  
 aware [10] 8:1,4,7,16 11:2 13:23  
 37:21 61:10 63:9 64:1

---

B

Bachelor [1] 4:4  
 back [28] 4:19 5:16 8:3 10:18,19  
 12:2 18:11 19:18 25:23,24 27:7  
 30:20 32:3 40:5,13 45:18,23 46:  
 13 49:24 56:1,5,10 64:14 65:18  
 66:19 68:14,22 69:2  
 background [1] 4:2  
 bad [2] 26:19 39:4  
 balance [17] 23:22,23 24:1,17  
 25:3 26:7,8 28:9,15 30:23 31:9  
 37:15 39:5 40:18 41:22 56:17  
 70:14  
 balances [1] 18:6  
 balancing [1] 31:10

base [8] 18:19,20 20:4,16 25:18  
54:9,15,18  
based [9] 6:25 15:1 17:21 18:23  
19:3 25:18 38:4,6 53:8  
basically [17] 5:15,24 6:3 7:12  
13:9,12 19:19 20:2 34:8,18,25  
36:20 37:12 62:24 65:2,3 67:4  
basis [15] 10:3,16 11:13 14:9 25:  
2,3 39:12 62:13,15,20,21,22,24  
63:5,6  
became [4] 5:18 6:1 8:7,16  
become [9] 8:1,4 20:20  
beginning [5] 18:6 24:5 26:8  
32:25 42:13  
behalf [8] 51:16,17 59:6,14 62:  
11 63:11,20 64:10  
believe [24] 8:9,9 16:6 17:6,11  
19:15 23:7 25:21,24 37:19 39:3  
42:24 47:20 49:25 51:3 54:20  
59:3 60:9 64:13,25 65:9,19,21  
66:12  
believed [1] 67:7  
Bender [2] 71:13,15  
benefit [1] 20:7  
best [2] 12:7 15:24  
better [3] 24:23 32:11 65:9  
between [4] 6:23 7:10,11 71:2  
BILINSKI [1] 71:5  
billing [1] 69:14  
bit [2] 5:16 20:6  
blank [1] 34:11  
books [20] 18:14 19:8 39:11 43:  
19 54:17 56:2,6,8,10,17,20 58:10,  
17,23 61:17,19,21,22,22,24  
both [2] 20:4 32:13  
bottom [1] 36:18  
Boulevard [1] 3:19  
boxes [1] 41:7  
boxing [1] 41:5  
Brad [1] 57:12  
break [4] 33:14 65:16,19 68:2  
briefly [1] 66:13  
bring [4] 15:15 20:17 23:19 46:  
16  
brought [2] 15:19,20  
bureau [10] 3:24,25 5:12,18,19,  
21 6:1,11 9:24 10:1

**C**

calculate [2] 20:16 56:11  
calculated [1] 7:15  
calculates [1] 54:6  
calendar [4] 15:1,2 17:12 66:20  
call [9] 6:7,17 20:10  
called [9] 3:12 19:13 38:22  
calls [2] 9:9 51:9  
came [2] 24:23 64:24  
Canada [1] 60:18  
cannot [1] 42:23  
capital [15] 20:25 25:9 26:24 27:  
11 35:6,11,14 37:8 54:6,11 55:  
22,23,24 65:5,10  
carried [1] 33:1  
carry-forward [1] 35:24  
case [30] 6:16 16:23 18:7 20:6  
21:12 22:10,14,23,25 23:1,9 24:  
16 25:7 31:14 32:20,25 35:3 45:  
2 47:5 48:11 49:17 51:1 58:4,8

60:2 65:13,14 69:22 70:4,4  
cases [2] 22:23 52:16  
cash [10] 20:12 33:3 56:4 62:13,  
16 63:4,6 67:4,8,15  
categorization [1] 7:18  
category [1] 38:22  
certain [5] 5:21 52:10 61:18 67:  
12 69:12  
Certainly [2] 16:12 56:19  
CERTIFICATE [2] 72:2 73:2  
certification [2] 4:22 9:25  
certifications [1] 4:11  
certified [2] 4:12,14  
CERTIFY [3] 72:11 73:7,14  
chance [1] 55:7  
change [3] 21:10 22:7 41:19  
characterization [1] 16:25  
charge [3] 21:14,24 22:2  
charged [2] 10:8 21:16  
check [3] 49:24 68:22 69:2  
chief [7] 3:24 5:12,18,19,21 6:2  
10:1  
choose [2] 48:20,21  
choosing [1] 11:14  
chosen [1] 12:6  
CHRISTENSEN [5] 3:21 11:23  
33:13 66:17 71:6  
Circuit [4] 59:19,24 60:6 62:6  
circumstance [1] 18:7  
circumstances [1] 22:5  
Class [9] 6:6,8 7:8,10,13  
Classes [1] 6:23  
classification [1] 7:21  
classifications [1] 7:7  
classified [1] 55:16  
clear [1] 24:25  
Close [6] 3:21 8:3 34:1,6 39:3  
56:17  
co-authored [1] 70:24  
code [1] 3:20  
collected [1] 51:6  
Collier [1] 12:20  
combined [3] 47:17 59:2 70:12  
come [4] 20:20 37:12 40:4 45:8  
comes [2] 21:10 39:2  
coming [1] 58:23  
commencement [1] 21:14  
commentary [1] 55:11  
Commission [56] 4:18,25 5:16,  
17 8:11 9:6,12 10:7,21 12:10,22,  
24 13:8,15 14:7,24 15:2 17:2,20,  
25 18:16,20 19:11 20:10 21:4,11,  
19 22:7,17,22 23:11 24:1,16 29:  
22,24 32:9 36:5 38:9,20,21 39:  
10,13 41:4 42:15 45:17 47:15  
50:7,15 51:1 54:6 56:22,25 57:4  
60:10 61:4 65:25  
Commission's [3] 25:6 47:14,  
25  
Commissioners [3] 7:4 60:11,  
16  
commit [1] 64:6  
common [1] 29:4  
companies [19] 6:6,15,17 19:8,  
12 28:7,11 37:17,20,21,22 39:17  
45:3 48:20 61:19,20 68:12 70:6,  
8  
company [5] 13:10,10 14:25

20:13,18 21:10 28:1,4,13,20 29:  
8 30:4,4,7,8,19 32:18 35:13 36:  
21 37:13 38:3 39:18 40:7,12,20  
42:9 43:18,20,25 44:4,20,23 45:  
16 48:3,19 50:11,12 53:16,21,22  
54:7,10,13,14 56:2,10 61:18 65:  
17 67:13 69:1 71:15  
company's [4] 31:20 35:11 53:  
15,17  
comparative [2] 30:23 41:22  
compare [3] 24:15 31:5 37:1  
compared [1] 32:25  
comparing [1] 23:23  
compensate [1] 60:1  
compensation [1] 67:19  
complete [1] 39:7  
completed [1] 51:12  
compliance [1] 14:9  
concerned [1] 55:2  
concluded [1] 71:23  
conclusion [1] 51:10  
conduct [1] 9:16  
confuse [1] 40:22  
confusion [2] 40:9,10  
conjunction [2] 12:20 14:1  
connection [2] 49:9,12  
consider [2] 46:8 60:4  
considered [2] 44:12 68:12  
Consistent [1] 50:1  
consolidated [18] 43:25 44:4,  
20,21,22,24 45:1,5 46:4,6,8,23  
48:3 49:16 53:21,22 68:19,24  
consolidation [1] 53:19  
construction [3] 20:11,19 39:1  
contact [1] 13:4  
contain [1] 62:12  
contained [2] 17:1 58:2  
containing [2] 16:6 17:8  
contains [1] 20:11  
continue [1] 34:13  
continued [2] 13:12 29:6  
continuing [1] 42:14  
contrasted [1] 33:5  
contributions [6] 19:23 20:9,  
11,12,15,19  
control [2] 8:22 18:12  
copies [6] 15:16 16:2,7 24:23  
26:18 63:16  
copy [8] 16:14 17:9 24:17 28:14  
30:24 32:8 39:4,4  
Corporation [12] 11:8 28:1,25  
29:7 30:18 36:17 37:23 39:24  
43:7 54:3 57:14 65:7  
correct [17] 16:15 21:2 26:22  
52:22 60:25 61:3,25 62:1,3,3,4  
64:3,4,12,13 65:15 73:12  
cost [14] 19:13,14,16,21 20:1,2,3  
23:12 30:12 34:19,24 49:6 52:  
13 62:25  
costs [8] 48:20 49:4,8 63:1,7 69:  
14,14,15  
couldn't [7] 39:5,8 40:2,15 41:2,  
8 45:20  
counsel [4] 11:22 66:16 73:15,  
16  
County [11] 7:23 12:8,9,11,12,14,  
17,21 66:25 72:6 73:5  
couple [2] 33:14 70:17

course [1] 14:1  
courses [2] 4:8 5:8  
Court [29] 16:22 17:1,10,15 18:2,  
5 23:16 24:17,18 28:15 29:16,21  
30:14,24 32:22,22 37:2 41:11,17  
43:22 47:21,22 51:6,13 57:1,2  
66:2 67:24 73:23  
Courts [5] 59:19,24 60:6 62:6  
68:1  
cover [1] 71:17  
covers [1] 71:15  
credit [1] 70:13  
CROSS [1] 57:10  
Cs [1] 6:8  
cumulative [5] 35:19,22 42:18,  
25 43:12  
current [3] 16:8 38:7 42:17  
currently [3] 5:18 7:1 52:12  
custody [2] 10:24,25  
customary [1] 21:5  
customers [6] 19:23 20:9,13  
49:5,5,11  
customers' [1] 66:25

**D**

data [3] 17:21 43:9 52:6  
date [2] 22:16 72:11  
DATED [1] 73:18  
day [4] 22:15 41:9 72:15 73:18  
days [1] 71:5  
Deakynne [4] 8:9 64:15,18 65:1  
deal [3] 6:5,7 41:16  
dealing [1] 14:3  
deals [1] 6:13  
dealt [1] 5:9  
Dean [4] 8:9 64:15,18,25  
debit [1] 70:13  
debt [4] 30:17 54:8,12,17  
decide [2] 29:22 30:15  
dedicated [1] 26:5  
deducted [1] 33:4  
deduction [2] 33:19,21  
deficiencies [1] 63:13  
definitely [1] 64:4  
definition [2] 34:7,25  
degree [1] 4:4  
Deltona [9] 11:7,8,10 15:18 26:3,  
9 28:25 65:8 67:21  
DEP [1] 47:11  
Department [4] 13:16,17,23 14:  
3  
departure [1] 9:2  
depending [3] 19:17 49:4,7  
depends [1] 48:19  
deposition [5] 3:2,7 15:25 16:  
17 71:23  
depreciation [29] 31:3,6,17,20,  
22 32:14,15,24 33:1,4,19 34:7,16,  
18 35:1,4,9,13,15,25 36:11,13 67:  
11  
Describe [3] 9:6 10:3 71:11  
described [1] 17:16  
description [4] 6:11 33:25 34:5  
38:25  
designated [2] 72:14 73:9  
designed [1] 7:1  
desire [1] 60:19  
detail [4] 17:16 38:8 58:21,22



<p>determination [3] 19:22 56:11 65:24</p> <p>determine [4] 18:5 19:15 21:4 55:15</p> <p>determined [5] 18:18 20:20 51:23 67:24,25</p> <p>determining [3] 17:18 18:21 56:1</p> <p>developers [1] 20:14</p> <p>difference [2] 25:2 31:12</p> <p>differences [3] 15:3 71:1,11</p> <p>different [10] 7:7 13:14,23 14:5 44:6,7,8 51:1 61:23 62:2</p> <p>difficult [2] 33:8 36:7</p> <p>dilemma [1] 54:22</p> <p>dilemmas [1] 55:11</p> <p>DIRECT [6] 3:14 20:15,20 49:6,7 71:10</p> <p>directly [2] 69:12,17</p> <p>director [1] 10:2</p> <p>disappeared [1] 41:7</p> <p>discern [1] 48:1</p> <p>discharge [1] 56:25</p> <p>discharged [1] 57:2</p> <p>discontinuance [1] 67:6</p> <p>discourse [1] 71:4</p> <p>discovery [1] 3:4</p> <p>discussion [1] 66:22</p> <p>distinction [3] 6:23,25 7:9</p> <p>distinguished [2] 7:9,11</p> <p>dividends [1] 36:17</p> <p>Division [7] 3:24 5:13 8:15 9:23 11:1 49:6 69:12</p> <p>divisions [3] 48:22 49:1 69:20</p> <p>docket [7] 22:17,18,22,23 23:2 51:12 64:23</p> <p>docketed [1] 22:16</p> <p>document [2] 26:16 60:17</p> <p>documented [1] 23:12</p> <p>doing [5] 8:14,16 39:6 41:5 48:18</p> <p>done [3] 10:7 14:4 50:8</p> <p>down [10] 16:9,10 20:17 22:15 23:20 33:14 44:24 54:12 65:16, 19</p> <p>drew [1] 65:3</p> <p>dropped [1] 29:19</p> <p>due [3] 40:19 50:25 67:19</p> <p>duly [2] 3:12 72:13</p> <p>during [10] 15:12,17 16:16 26:14 30:9 41:5 62:17,18 64:25 65:4</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p>each [6] 15:2 17:2 21:20 24:16 56:14 64:10</p> <p>earlier [4] 49:15 60:8 65:13 70:5</p> <p>earn [2] 20:22 54:13</p> <p>earned [1] 67:12</p> <p>earnings [23] 21:11 35:12 36:11, 19,19 37:9,12,14 42:16,18 43:1, 12 46:24 47:2 53:11,15,20 54:2, 23 55:16,20 56:14 67:13</p> <p>earns [1] 53:16</p> <p>Economic [3] 3:25 5:13 6:11</p> <p>educational [1] 4:2</p> <p>effect [15] 23:5 32:23 35:5,10 50:19,22,25 51:3,5,22 52:19 53:12, 19 54:3,21</p>	<p>effective [1] 35:3</p> <p>effort [2] 59:4,12</p> <p>eight [2] 12:23 13:5</p> <p>either [9] 19:20 22:2 28:22 42:23 46:15 57:16,17 58:25 70:13</p> <p>employed [4] 4:17,21,25 12:21</p> <p>employee [2] 73:15,16</p> <p>employees [2] 38:23 39:21</p> <p>encompass [1] 58:5</p> <p>encompasses [1] 56:18</p> <p>end [11] 13:24,25 17:12 24:2,3 25:3 26:8 28:11 29:18 51:24 55:17</p> <p>ended [2] 22:18 23:2</p> <p>ending [3] 31:9,10 41:11</p> <p>engineering [3] 6:3 39:1 69:14</p> <p>engineers [1] 6:4</p> <p>enough [4] 3:21 9:4 23:20 29:6</p> <p>entered [1] 25:19</p> <p>Enterprise [56] 6:8 7:24 8:2 11:3 15:17 16:2,6 19:12 21:12 30:17 37:22 39:23 42:17 43:4,5,7, 10,12 46:10,18,19,20 47:2 48:4, 11 49:23 51:16,20 52:6,13,14 53:6,20 54:2,23 55:3,16 57:20 58:1, 6,11,15,18 59:7,15 62:11 63:11, 21 64:10,19,24 65:6 66:6,14 67:5</p> <p>entities [1] 45:9</p> <p>entitled [5] 21:13 22:1,6 29:24 30:6</p> <p>entitlement [1] 29:11</p> <p>entity [1] 59:18</p> <p>entries [4] 56:7,16,18 59:1</p> <p>Environmental [5] 13:16,24,24 14:2,3</p> <p>EPA [1] 47:11</p> <p>equaling [1] 39:3</p> <p>equity [7] 36:18 37:13 53:16,17 54:7,12,14</p> <p>equivalent [2] 49:9,12</p> <p>ERC [1] 49:11</p> <p>especially [1] 19:7</p> <p>essentially [1] 41:19</p> <p>established [2] 50:23,24</p> <p>even [3] 9:5 66:21 68:23</p> <p>events [1] 10:13</p> <p>everybody [1] 71:8</p> <p>everyone [1] 41:13</p> <p>evidence [1] 3:4</p> <p>exact [1] 22:16</p> <p>exactly [1] 53:16</p> <p>examination [4] 3:3,14 57:10 70:18</p> <p>examine [1] 45:21</p> <p>examined [1] 3:13</p> <p>example [2] 13:16 28:3</p> <p>excess [1] 7:19</p> <p>excuse [2] 16:23 24:6</p> <p>existence [1] 8:5</p> <p>existing [1] 10:21</p> <p>expectancy [1] 34:22</p> <p>expected [1] 34:20</p> <p>expenditures [1] 65:10</p> <p>expense [18] 32:14,15,17 34:7 35:1,10,10,13,16,25 36:11,13,13, 16 39:23 52:5,24 59:13</p> <p>expenses [23] 19:4,6 20:24 21:</p>	<p>3 33:23,24 48:2,7,13 49:7 52:11, 12,14 58:1,6 62:17 63:7 69:6,10, 11,13,13,19</p> <p>experience [1] 67:25</p> <p>expert [5] 9:9,13 59:18 60:4 66:1</p> <p>expire [1] 34:21</p> <p>explain [8] 20:5 31:15 32:15,20, 23 33:2 34:16 41:3</p> <p>explanation [1] 36:10</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p>F-4 [5] 30:25 37:1,2,16 38:15</p> <p>F-6 [1] 26:17</p> <p>F-7 [5] 28:9 38:18 39:14,20,23</p> <p>facilities [1] 18:11</p> <p>facility [1] 30:14</p> <p>fact [2] 20:23 39:22</p> <p>factor [1] 32:16</p> <p>fail [1] 57:15</p> <p>familiar [4] 7:22 9:17,19 69:4</p> <p>familiarity [1] 10:4</p> <p>far [6] 9:14 16:12 18:21 47:15 51:15 63:13</p> <p>fast [1] 23:20</p> <p>February [2] 72:16 73:18</p> <p>feeling [1] 71:7</p> <p>field [2] 5:9 60:5</p> <p>FIGA [1] 45:5</p> <p>file [8] 14:25 21:23 22:2 23:25 30:24 39:10 58:4 68:24</p> <p>filed [4] 6:14,19 15:16 16:22,25 17:1,9,19,24 18:2 22:7,14 23:17 24:17 28:15 30:21 32:9 36:22 37:2 38:9,19,21 41:11,17 42:14 43:22 49:17 51:16 57:22 58:15 59:6,14 62:10 63:10,20,24 64:2, 10,16 68:19,24</p> <p>files [4] 10:21,24 47:25 64:24</p> <p>filing [3] 14:23 45:17 63:13</p> <p>filings [2] 6:17,22</p> <p>fill [1] 34:11</p> <p>filled [1] 63:15</p> <p>final [5] 22:18 23:2,6 25:19 57:3</p> <p>finance [1] 4:6</p> <p>financial [3] 13:25 44:22 45:6</p> <p>financially [2] 14:8 73:17</p> <p>find [6] 12:16 15:21 17:14 52:4 54:23 55:2</p> <p>finding [1] 40:13</p> <p>first [10] 3:12 4:14,24 5:18,25 8:1, 4 14:15 15:12 41:16</p> <p>Florida [39] 3:20 4:5,13 5:3 16:5, 17 44:25 45:1,8 48:11 49:14 50:11,14 51:18,22 52:11,14,16,20,25 53:7 54:8 57:13 59:20,24 60:6, 23,24 61:4 62:7 65:6,10 67:19 69:24 70:2 72:5,10,21 73:4</p> <p>flow [2] 27:25 56:4</p> <p>flowed [1] 35:11</p> <p>following [3] 3:2 8:13 28:19</p> <p>follows [1] 3:13</p> <p>footnote [2] 41:16,18</p> <p>foregoing [3] 72:12 73:8,11</p> <p>form [39] 9:8 11:15 13:18 14:11 15:8 17:22,23 19:1 20:12 25:13 26:15 27:1,21 28:5,6 29:13 33:6 34:2 35:20 36:3 38:12 39:25 42:</p>	<p>6,19 43:15 44:10 47:7 48:15 50:4,16,20 51:8,25 52:8 53:2,13,23 65:1 67:14</p> <p>formal [2] 63:23,25</p> <p>formed [2] 59:22 64:15</p> <p>former [2] 8:19 9:1</p> <p>forth [2] 5:8 52:5</p> <p>forward [1] 42:24</p> <p>found [2] 18:15 38:17</p> <p>four [1] 66:20</p> <p>four-year [1] 4:4</p> <p>Friday [1] 15:25</p> <p>front [4] 46:4,6,12,15</p> <p>full [1] 3:16</p> <p>function [2] 6:11,13</p> <p>funds [2] 27:25 29:2</p> <p>further [5] 57:9 70:16 71:21,22 73:14</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p>GAAP [3] 61:7,12 71:3</p> <p>gather [1] 15:25</p> <p>gave [2] 23:19 27:8</p> <p>general [10] 6:10,10 39:2 53:25 56:7,16 58:25 69:6,10,19</p> <p>Generally [1] 61:7</p> <p>getting [4] 12:10,13 54:1,1</p> <p>give [4] 3:16 6:10 22:19 36:9</p> <p>given [2] 6:9 25:1</p> <p>gleaned [1] 57:21</p> <p>got [10] 4:4 15:25 17:17 23:24 30:22 56:9 67:24 69:7 71:5,8</p> <p>governing [1] 3:6</p> <p>graduate [1] 5:2</p> <p>gross [1] 32:18</p> <p>ground [1] 19:19</p> <p>Group [1] 45:5</p> <p>guess [1] 49:19</p> <p>guideline [1] 47:16</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p>hand [2] 41:8 72:15</p> <p>handle [1] 13:25</p> <p>handled [3] 10:2</p> <p>handles [1] 13:24</p> <p>hands [3] 15:24 41:2 42:23</p> <p>happen [1] 13:3</p> <p>happened [1] 45:15</p> <p>hard [1] 48:9</p> <p>Health [1] 13:17</p> <p>hear [1] 57:16</p> <p>heard [3] 16:21 17:3,5</p> <p>hearing [1] 17:8</p> <p>hearsay [1] 10:16</p> <p>HEREBY [2] 72:11 73:7</p> <p>higher [1] 7:21</p> <p>highest [1] 7:17</p> <p>hold [3] 4:10 33:11 34:2</p> <p>homes [1] 20:14</p> <p>hour's [1] 71:4</p> <p>houses [1] 6:3</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p>idea [1] 11:13</p> <p>identified [2] 32:7,12</p> <p>imagine [5] 12:16 30:14,16 38:17 50:6</p> <p>immaterial [2] 53:5,6</p> <p>improve [2] 34:5,11</p>
--	---	--	---

inaccurate <sup>[1]</sup> 52:23  
 Inc <sup>[1]</sup> 47:1  
 include <sup>[2]</sup> 26:1 46:10  
 included <sup>[4]</sup> 49:22,23 50:3 52:15  
 includes <sup>[1]</sup> 54:7  
 inclusion <sup>[1]</sup> 51:20  
 income <sup>[15]</sup> 26:13,18,21,25 27:10 32:3,12,16,19 33:3,23 36:15,20 52:5,24  
 increase <sup>[4]</sup> 23:7 25:20 26:24 27:11  
 incurred <sup>[2]</sup> 62:18 63:8  
 indicated <sup>[2]</sup> 66:14 72:12  
 information <sup>[6]</sup> 57:21,24 58:2 59:1 64:17 65:22  
 initial <sup>[2]</sup> 18:8 21:14  
 insight <sup>[1]</sup> 25:1  
 insofar <sup>[3]</sup> 9:9 44:11 51:9  
 instance <sup>[1]</sup> 44:25  
 interest <sup>[2]</sup> 36:16 56:23  
 interested <sup>[1]</sup> 73:17  
 interim <sup>[1]</sup> 42:16  
 interrelate <sup>[1]</sup> 36:12  
 interrupt <sup>[1]</sup> 34:13  
 invested <sup>[4]</sup> 25:9 65:5,17,19  
 investigation <sup>[2]</sup> 21:11 39:7  
 investment <sup>[16]</sup> 19:4,6 20:18,21 25:25 26:1,3,9 27:20 29:12 30:6 31:21,23 53:17 54:10,13  
 involved <sup>[4]</sup> 8:19,20 12:11 19:24  
 involvement <sup>[1]</sup> 58:13  
 isn't <sup>[1]</sup> 29:6  
 issued <sup>[1]</sup> 23:3  
 item <sup>[10]</sup> 28:14 34:19 35:10,15 37:8,16 38:11 39:19,22 53:11  
 items <sup>[4]</sup> 41:21 59:5,13 67:11  
 itself <sup>[7]</sup> 17:23 26:16 41:18 42:1,2 44:3 48:19

**J**

Jim <sup>[2]</sup> 12:20 16:18  
 John <sup>[1]</sup> 9:25  
 jointly <sup>[1]</sup> 12:11  
 jot <sup>[1]</sup> 23:20  
 journal <sup>[4]</sup> 56:7,16,18 59:1  
 Judy <sup>[1]</sup> 64:1  
 June <sup>[2]</sup> 4:19,20  
 jurisdiction <sup>[1]</sup> 21:23  
 justified <sup>[1]</sup> 21:5

**K**

keep <sup>[5]</sup> 61:19,20,20,21,22  
 keeping <sup>[1]</sup> 41:14  
 kept <sup>[3]</sup> 13:12 39:12 61:18  
 KIMBALL <sup>[1]</sup> 64:6  
 kind <sup>[1]</sup> 53:8  
 knowledge <sup>[8]</sup> 11:9 12:7 19:18 57:19,25 64:21 65:2 68:6  
 known <sup>[1]</sup> 7:23  
 knows <sup>[1]</sup> 9:18  
 KOWALSKY <sup>[1]</sup> 37:4

**L**

labeled <sup>[4]</sup> 37:8,16 38:18 69:19  
 labor <sup>[2]</sup> 49:6,8  
 ladder <sup>[1]</sup> 45:4  
 large <sup>[4]</sup> 6:17 49:10 65:4 72:10

largely <sup>[1]</sup> 5:9  
 larger <sup>[1]</sup> 61:20  
 last <sup>[3]</sup> 16:17 25:23 54:25  
 later <sup>[2]</sup> 20:8 33:5  
 lawyers <sup>[1]</sup> 69:14  
 lay <sup>[3]</sup> 15:23 41:2 42:23  
 layman <sup>[1]</sup> 44:12  
 layman's <sup>[1]</sup> 44:8  
 lead <sup>[1]</sup> 67:13  
 least <sup>[2]</sup> 12:7 41:8  
 ledger <sup>[1]</sup> 58:25  
 left <sup>[1]</sup> 36:18  
 legal <sup>[2]</sup> 39:1 51:9  
 leniency <sup>[1]</sup> 15:11  
 LEON <sup>[2]</sup> 72:6 73:5  
 less <sup>[2]</sup> 7:14,20  
 level <sup>[11]</sup> 42:11 43:25 44:4,20,21,25 46:23,25 48:3 53:21 54:12  
 liabilities <sup>[1]</sup> 37:7  
 life <sup>[2]</sup> 34:20,21  
 light <sup>[1]</sup> 38:10  
 likely <sup>[1]</sup> 56:4  
 Likewise <sup>[1]</sup> 54:16  
 limited <sup>[1]</sup> 6:19  
 line <sup>[9]</sup> 12:4 28:16,19,22 31:2 36:18 37:18 38:11 44:24  
 list <sup>[2]</sup> 23:19 38:23  
 listed <sup>[4]</sup> 30:16 39:17,20 40:18  
 listing <sup>[1]</sup> 38:4  
 live <sup>[1]</sup> 12:25  
 lives <sup>[1]</sup> 13:1  
 loan <sup>[2]</sup> 28:3,5  
 loaned <sup>[1]</sup> 30:1  
 located <sup>[1]</sup> 9:23  
 long <sup>[3]</sup> 4:17 5:12 52:21  
 longer <sup>[2]</sup> 12:21 66:21  
 look <sup>[15]</sup> 10:18 16:9 19:19 20:4 25:24 32:5 34:21 36:24 42:24 45:18,23 46:1,14 68:15 70:13  
 looking <sup>[7]</sup> 28:8 29:17 46:22 54:18 67:1,3 71:3  
 looks <sup>[1]</sup> 39:4  
 loss <sup>[5]</sup> 26:19 35:23 36:1,20 65:4  
 losses <sup>[3]</sup> 35:16 36:6,8  
 lost <sup>[3]</sup> 19:9,9,10  
 lot <sup>[3]</sup> 18:14 56:18 71:8  
 Lowe <sup>[1]</sup> 10:1  
 lowers <sup>[1]</sup> 31:23  
 LUCZAK <sup>[47]</sup> 9:8 11:15 13:18 14:11,19 15:8 19:1 23:16 25:13 26:15 27:1,21 29:13 33:6,11 34:2,9 35:20 36:3 38:12 39:25 41:12,25 42:6,19 43:15 44:10 47:7,11 48:15 50:4,16,20 51:8,24 52:8 53:2,13,23 55:6 57:11,13 64:8 68:2,5 70:15 71:22  
 Luczak's <sup>[1]</sup> 44:2

**M**

made <sup>[6]</sup> 20:13 59:4,12 60:8 65:10 66:16  
 main <sup>[1]</sup> 6:13  
 mainly <sup>[1]</sup> 6:5  
 maintain <sup>[1]</sup> 29:8  
 maintenance <sup>[3]</sup> 13:11 29:9 39:1  
 majored <sup>[1]</sup> 4:6

management <sup>[1]</sup> 38:25  
 many <sup>[8]</sup> 19:7 29:5,10 41:21 49:20 61:17,23 71:5  
 MARSHALL <sup>[2]</sup> 3:11,18  
 MARY <sup>[3]</sup> 72:9,20 73:7  
 matter <sup>[1]</sup> 56:13  
 Matthew <sup>[2]</sup> 71:13,14  
 mean <sup>[17]</sup> 16:18 20:7,9 35:22 42:5 44:9,13,18,21 46:4,17 50:18 54:10 55:1 58:22 59:8 71:3  
 meaning <sup>[1]</sup> 44:5  
 means <sup>[3]</sup> 34:17 62:25 63:6  
 meet <sup>[2]</sup> 66:16,17  
 meeting <sup>[2]</sup> 66:18,23  
 memorandum <sup>[1]</sup> 65:1  
 memory <sup>[2]</sup> 10:19 45:20  
 merged <sup>[1]</sup> 47:3  
 merger <sup>[1]</sup> 47:5  
 messed <sup>[3]</sup> 40:8,11,12  
 method <sup>[3]</sup> 48:24 49:13 62:5  
 methodologies <sup>[1]</sup> 61:11  
 methodology <sup>[4]</sup> 27:19 48:18 60:13 70:2  
 methods <sup>[1]</sup> 49:3  
 microfiche <sup>[1]</sup> 24:24  
 might <sup>[15]</sup> 10:23 15:11 27:11 30:21 39:15 42:17,18 44:9 49:1 51:23 54:24 66:13 67:10,12 71:13  
 million <sup>[3]</sup> 7:8,12,13  
 Minnesota <sup>[1]</sup> 45:6  
 minor <sup>[1]</sup> 4:6  
 missing <sup>[2]</sup> 56:15,19  
 misstate <sup>[1]</sup> 55:1  
 modification <sup>[1]</sup> 7:5  
 modify <sup>[1]</sup> 5:16  
 moment <sup>[2]</sup> 43:13 68:3  
 money <sup>[4]</sup> 27:15 29:7 30:13 37:12  
 monies <sup>[3]</sup> 29:17,25 30:15  
 month <sup>[1]</sup> 66:21  
 morning <sup>[1]</sup> 57:12  
 most <sup>[2]</sup> 55:12 61:19  
 MS <sup>[7]</sup> 3:21 11:23 33:13 37:4 64:6 66:16 71:6  
 much <sup>[3]</sup> 14:13 54:20 67:4  
 multiple <sup>[1]</sup> 48:12  
 municipals <sup>[1]</sup> 60:22  
 must <sup>[1]</sup> 21:23  
 Myself <sup>[1]</sup> 59:9

**N**

name <sup>[4]</sup> 3:16,18 57:12 71:17  
 NARUC <sup>[8]</sup> 7:3 60:8,12,25 61:3,6,11 70:24  
 National <sup>[3]</sup> 7:3 60:9,15  
 naturally <sup>[2]</sup> 30:6 52:11  
 nature <sup>[2]</sup> 9:1 69:15  
 near <sup>[1]</sup> 33:24  
 necessarily <sup>[1]</sup> 61:14  
 necessary <sup>[2]</sup> 29:5,10  
 necessity <sup>[1]</sup> 32:21  
 need <sup>[8]</sup> 14:4 20:8 33:21 43:14,17 45:21 55:18 56:16  
 needed <sup>[2]</sup> 29:10 43:11  
 needs <sup>[1]</sup> 47:17  
 NEEL <sup>[3]</sup> 72:9,20 73:7  
 net <sup>[8]</sup> 26:13,21,25 32:2,12 33:22 36:20 56:14

netted <sup>[1]</sup> 70:11  
 new <sup>[2]</sup> 21:11 42:10  
 next <sup>[2]</sup> 42:10 69:7  
 noncash <sup>[2]</sup> 35:14 67:11  
 nondirect <sup>[1]</sup> 49:8  
 None <sup>[1]</sup> 38:16  
 nonresidential <sup>[1]</sup> 49:10  
 normally <sup>[6]</sup> 15:12 27:23 33:19 34:20 69:20 70:12  
 Notary <sup>[1]</sup> 72:9  
 Note <sup>[7]</sup> 18:2,4 31:2 32:13 41:18 42:5 43:21  
 notes <sup>[2]</sup> 73:9,13  
 Nothing <sup>[4]</sup> 57:9 63:14,17 71:21  
 notice <sup>[3]</sup> 3:3 15:25 37:7  
 number <sup>[10]</sup> 22:17,19,22,23 32:12,16 33:23 37:9,11 40:13  
 numbered <sup>[2]</sup> 28:17 73:11  
 numbers <sup>[2]</sup> 31:12,15

**O**

Oak <sup>[1]</sup> 3:19  
 OATH <sup>[2]</sup> 72:2,13  
 Object <sup>[32]</sup> 9:8 11:15 13:18 14:11 15:8 19:1 25:13 26:15 27:1,21 29:13 33:6 34:2 35:20 36:3 38:12 39:25 42:6,19 43:15 44:10 47:7 50:4,16,20 51:8,24 52:8 53:2,13,23 55:8  
 objecting <sup>[2]</sup> 34:10 63:10  
 objection <sup>[3]</sup> 11:19 44:3 48:15  
 obsolescence <sup>[1]</sup> 33:20  
 obtain <sup>[1]</sup> 18:16  
 occasion <sup>[3]</sup> 63:12 66:9,10  
 occasions <sup>[1]</sup> 19:7  
 occupation <sup>[1]</sup> 3:23  
 occurred <sup>[1]</sup> 68:17  
 offered <sup>[1]</sup> 60:1  
 offhand <sup>[2]</sup> 10:19 71:16  
 office <sup>[1]</sup> 16:9  
 official <sup>[2]</sup> 22:21 72:15  
 officially <sup>[1]</sup> 21:25  
 offset <sup>[3]</sup> 20:15 70:10,14  
 often <sup>[1]</sup> 10:11  
 Okay <sup>[4]</sup> 26:6 31:8 54:22 70:15  
 old <sup>[4]</sup> 6:4 8:21 18:13,15  
 once <sup>[3]</sup> 13:7 15:25 57:2  
 one <sup>[32]</sup> 4:20 6:2 9:18 18:10 27:25 28:3 41:1,2,8 42:9 44:22 45:17 46:7 49:12 51:21 52:16 57:6 58:5 61:14 64:24 66:9,10 69:17 71:14  
 only <sup>[9]</sup> 13:25 21:24 33:23 38:2 39:15 47:12 51:3,16 65:2  
 opens <sup>[1]</sup> 21:11  
 operate <sup>[4]</sup> 13:9 14:8,8 30:8  
 operated <sup>[1]</sup> 50:2  
 operates <sup>[1]</sup> 21:22  
 operating <sup>[30]</sup> 26:18,19,21,25 27:10 30:4 32:2,12,16,19 35:16 36:10,15 45:3,9 46:9 48:12,13,22 49:1,6,21 50:10 51:21 52:14 61:24 62:12 65:4 69:12,20  
 operation <sup>[3]</sup> 13:11 29:9 69:18  
 operational <sup>[1]</sup> 13:13  
 operators <sup>[4]</sup> 53:1,7,18 69:16  
 operator <sup>[1]</sup> 22:3



opinion [2] 9:10 59:18  
 opinions [4] 59:22 60:2 67:14, 18  
 opposed [1] 15:5  
 OPS [1] 41:4  
 oral [1] 3:2  
 order [13] 23:2,3,6,13 25:19,21 33:22 45:22 65:8,13,16,20,21  
 ordinary [2] 44:8,12  
 original [9] 19:13,14,15,21 20:1, 2,3 22:3 23:12  
 other [26] 3:4 6:4 13:15 14:10 20:4,18 22:15 27:12 28:4 34:21 35:12,23 38:23 39:21 40:6 42: 14 47:9 48:22 49:1 57:20 58:1 61:10,11,15 68:7,18  
 others [3] 9:17,20 49:21  
 otherwise [2] 10:16 55:12  
 out [15] 5:25 12:16 19:14 27:15 34:23 52:4,13 54:16,18,23 55:2, 6 63:15 65:3 69:20  
 outcome [2] 50:13,18  
 outline [1] 6:10  
 over [13] 3:25 5:8 15:13 18:12,13 34:19,24 36:18 51:19 67:5,8,15, 22  
 overearnings [1] 6:21  
 owed [2] 30:15 40:12  
 own [6] 10:4 13:10 27:16 29:2 53:18 68:20  
 owned [1] 52:25  
 owners [3] 18:10,13,15

**P**

p.m [1] 71:23  
 page [16] 12:4 26:17 28:9 30:25 37:1,2,8,16 38:15,18 39:14,20,22 41:17 63:15 72:12  
 pages [1] 73:11  
 paid [5] 39:23 40:2,4,5 63:2  
 paper [1] 32:5  
 papers [1] 58:22  
 parallel [1] 8:24  
 parent [4] 41:23,23,24 44:23  
 part [11] 9:10 17:8,11,19 26:23 27:3 38:17 51:10 53:15 65:20 70:1  
 participate [1] 58:7  
 particular [7] 29:23,25 31:25 38: 10 44:5 48:3 61:2  
 parties [1] 73:15  
 past [7] 10:6 12:7,15 36:6,7 67: 22 68:17  
 Patty [1] 66:16  
 pay [1] 63:7  
 payable [4] 28:18,20,25 70:7  
 payment [2] 29:17 40:15  
 payments [2] 38:22 39:20  
 penny [1] 53:9  
 Pensacola [1] 4:5  
 people [3] 10:6,8 41:4  
 percent [2] 19:20 60:20  
 percentage [1] 49:5  
 perform [1] 69:15  
 performance [1] 13:13  
 performed [1] 23:11  
 period [11] 30:10 34:19,24 41:6 61:24 62:17,18 63:1,2,8 65:4

permissible [1] 18:17  
 permissibly [1] 28:22  
 permitted [1] 3:5  
 Perry [1] 16:18  
 Perry's [1] 16:21  
 person [3] 59:17 66:11,14  
 personal [5] 11:9 57:19,24,25 65:2  
 personally [6] 58:7,10,20 59:4, 8,12  
 perspective [1] 63:19  
 phrase [3] 43:24 44:4,18  
 place [4] 30:9 66:18 72:11 73:9  
 plant [13] 18:23,24 20:17 21:1 23:10 24:1,4 25:4 29:9 31:16 33:20 34:19 35:2  
 please [11] 3:16 10:3 12:3 31:7 34:13 37:1 39:14 55:10 57:16 63:4 69:9  
 pocket [1] 27:16  
 point [26] 8:8,10,16,17 9:5 21:6 26:10 28:25 29:22 30:12,15,16 31:22 35:12 40:12,17 41:3 42: 11 45:4,8 46:6 50:10 51:2,11 60: 19 65:25  
 points [2] 33:9,12  
 portion [7] 7:6 26:4 52:25 53:6 54:15 65:17,19  
 portions [3] 16:23 17:1,8  
 positions [2] 5:19,20  
 possible [3] 14:13 26:23 52:24  
 post [1] 54:24  
 postgraduate [1] 4:7  
 Power [1] 45:7  
 powers [1] 18:16  
 practical [1] 50:6  
 practice [1] 48:10  
 predecessor [1] 22:3  
 predecessors [3] 65:7 67:20 69:24  
 preface [2] 55:10 58:3  
 prefacing [1] 64:14  
 preferable [2] 32:11 48:24  
 preparation [1] 58:14  
 prepared [2] 17:6 64:18  
 present [2] 16:16 43:19  
 preserved [1] 11:18  
 presupposing [1] 14:9  
 pretty [1] 53:25  
 previous [2] 24:9 25:5  
 previously [5] 22:2 31:24 32:7 41:21 55:10  
 Principles [1] 61:8  
 prior [14] 4:21 21:17,17 25:11 26: 4 33:1,2,4 42:12 45:19 51:6 57: 5 64:19 66:5  
 pro [4] 54:8,11,16,18  
 probably [10] 6:9 8:3 9:18,18 12:20,22 26:9 48:23 51:2 60:19  
 problem [2] 40:3 55:19  
 problems [1] 8:12  
 proceeding [9] 31:18,19 32:22 49:15 50:3,14 52:7 53:12,22  
 PROCEEDINGS [6] 3:1 6:19, 20,21 8:11 10:22 66:2 73:8  
 process [3] 10:4 22:22 51:11  
 processed [1] 25:7  
 processing [1] 6:14

produced [1] 71:14  
 professional [1] 4:10  
 profit [1] 67:12  
 proper [2] 29:9 59:23  
 properly [1] 63:15  
 property [1] 20:13  
 proprietor [1] 25:11  
 Protection [4] 13:17,24 14:2,3  
 provided [1] 67:21  
 providing [1] 48:22  
 provinces [1] 60:18  
 PSC [15] 14:19,20 23:17,18 47:8, 10 57:22 61:2 63:9,24 64:3,11 69:21,23 70:1  
 PSC's [1] 63:19  
 public [25] 4:12,14,18,22 13:7 14: 23 17:2,20 21:18 24:16 26:5 47: 13,15,24 59:18,23 60:5 61:4 62: 7 66:2 68:7,7,10,11 72:9  
 publish [1] 60:17  
 published [1] 71:19  
 publishing [1] 71:15  
 purposes [7] 3:3,5 47:9,9 51:21 68:13 71:3  
 pursuant [1] 3:3  
 put [11] 5:20,21 6:2 19:19 27:16, 16 29:9,17 30:9,13 41:8  
 puzzled [1] 39:22

**Q**

question [45] 9:9 11:16 12:1,3,4 13:19 14:12 15:9 19:2 25:14,24 26:16 27:2,22 29:14 32:2 33:7,8, 14 34:3 35:18,21 36:4 38:13 40: 1 42:7,20 43:16 44:11 47:8 48: 16 50:5,17,21 51:9,14,19,25 52:9 53:3,14,24 57:15,17 69:7  
 questions [6] 33:12 55:11,13 57:15 70:5,16  
 quickly [1] 70:21  
 quite [3] 17:3 34:6 64:1

**R**

rata [4] 54:8,11,16,18  
 rate [56] 6:14,15,16,18 18:17,19, 20,21,23 19:5 20:3,16,24 21:14, 16,17 22:14,25 23:1,7,9 25:7,18, 19 29:25 31:14,18,19 32:25 35:3 45:16,19 49:15,16,17,20 50:3, 13,23,24,25 51:1,23 52:7,16 53: 12,21 54:9,15,17 58:4,8 65:8,13, 14  
 rates [9] 18:19,22 21:10 39:1 51: 3,6 52:19 53:8,10  
 reach [1] 33:22  
 reaching [2] 32:14,16  
 read [4] 12:2,4 20:8 32:22  
 readily [2] 16:13 47:24  
 Reading [3] 3:6 20:6 25:21  
 readings [1] 71:10  
 readopted [1] 7:5  
 really [4] 39:4 45:2 51:13 53:6 5 64:14  
 reasonable [1] 21:5  
 reasons [3] 18:10 34:23 61:18  
 receivable [7] 37:19 39:16 40:4, 6,7,11 70:6

received [3] 45:16 49:20 62:17  
 receiver [45] 8:10,12,19 9:14 10: 11 11:3,5,11 12:6,9,10,13 13:7 14:7,16,17,24 18:14 21:13 22:1, 3,5,10 25:10,25 27:15,18 28:23 29:1,11,24 30:5,11 33:10 36:23 38:2,6 41:20 42:15 47:6 50:12 56:24 64:19 67:22 68:25  
 receiver's [2] 9:2 56:25  
 receivers [7] 9:7,15,16 10:5 11: 14 68:7,11  
 receivership [30] 8:8 15:5,6,12, 17 18:8,18 21:15 27:16 29:2,7, 18 30:18,18 50:2 55:4,17 57:7 59:19 60:5 62:7 64:15 66:3,24 67:6,9,16 68:18,20,25  
 receiverships [3] 10:2,9 59:23  
 recess [2] 16:10 68:4  
 recipient [1] 38:23  
 recollection [3] 10:15 65:11,22  
 reconciliation [2] 54:9,11  
 reconstruct [2] 43:11,18  
 reconstructed [2] 25:10,18  
 reconstruction [1] 23:9  
 record [1] 63:7  
 recorded [2] 28:2,10  
 Records [24] 10:25 11:1 19:9 22:9 35:8 39:7,9,12 42:16 43:13, 17,20 44:21 45:13,21 55:18 56:2, 6,8,10,20 58:11,18,24  
 recouped [2] 30:12 31:21  
 recover [2] 36:6,7  
 recovering [2] 35:13,15  
 recovery [2] 34:18,24  
 REDIRECT [1] 70:18  
 reduces [1] 36:14  
 reduction [4] 20:3,16,20 31:20  
 refer [4] 18:1 32:3 43:21 69:13  
 reference [2] 32:1 60:8  
 referred [2] 20:23 65:13  
 referring [5] 21:6 31:25 39:19 62:12 69:5  
 reflect [6] 10:22 26:9 28:12 43:3 62:12 65:9  
 reflected [5] 34:20 59:5,13 63: 16 69:1  
 reflects [1] 36:20  
 regard [3] 64:22 67:2 68:10  
 regarding [8] 57:20,25,25 59:18, 22 64:17 66:2,6  
 regulate [1] 8:7  
 regulated [4] 5:9 21:20,22 60: 10  
 Regulation [6] 4:1 5:14 6:12 18: 20,21 60:21  
 regulations [3] 8:13 9:2 50:1  
 Regulatory [11] 7:4 13:15 14: 10 60:11,15 61:19,21 63:19 71:3, 16,17  
 rejected [1] 64:3  
 relate [2] 40:15,18  
 relates [1] 40:14  
 relative [2] 73:14,16  
 relinquishing [1] 57:7  
 remain [3] 50:19,22,25  
 remaining [2] 26:3 52:25  
 remember [1] 17:7  
 removal [6] 8:19 9:14,15 10:5,

10,17  
 remove [1] 36:16  
 removed [2] 8:12 10:12  
 removing [1] 9:7  
 render [1] 59:18  
 rendered [5] 38:22 39:18,21 40:16 63:3  
 rendering [1] 60:2  
 reorganizations [1] 5:17  
 reorganized [2] 5:20,24  
 repayment [1] 29:12  
 repeat [1] 57:17  
 rephrase [1] 57:17  
 replace [1] 33:21  
 replaced [1] 70:25  
 report [64] 15:1 16:8,14 17:9,15,19,21,23 18:2,8 23:16 24:2,12 25:2,4 26:11,17 27:5 28:8 30:21 31:2,7,7,17,25 32:2,4,6,8,14 36:22 37:1,2,16 38:5,9,18,19,21 40:24 41:17 42:13 44:3 45:11,17,24,25 46:8,9,22 47:18,21,22,23 48:1 51:15 56:8 57:6 58:23 63:18 64:2,5,9,16  
 reported [12] 18:5 27:23 31:5 41:21,22 45:9 46:7,24,25 54:25 65:3 68:15  
 reporter [2] 12:5 73:2  
 Reporting [12] 11:1,1 14:15,21 15:4 27:19 45:14 47:9,14,16 51:21 68:12  
 reports [36] 15:16,19,20 16:3,5,25 17:1,6 23:14,25 33:1 34:17 35:4,9 36:2,12 41:1,5 42:14,22 46:2,3,14,20 57:21 58:2,14,21 59:2,6,14 62:10 63:10,20,24 69:3  
 represent [2] 28:23 37:11  
 representing [1] 33:20  
 represents [2] 37:10,18  
 require [3] 39:11 44:11 71:8  
 required [3] 14:25 33:22 62:6  
 requirement [2] 30:17 52:15  
 requirements [11] 13:14,22 14:4,10,14,15,19,20,23 15:4 63:14  
 residential [2] 49:9,12  
 respect [6] 13:7 58:15 62:7 63:23 65:5 68:17  
 responsibility [10] 12:9,13 13:6,9 14:7 45:10 56:24 57:3,6,8  
 result [4] 26:25 31:13,22 59:2  
 retained [20] 35:12 36:11,19 37:9,13 42:16,18,25 43:12 46:23 47:2 53:11,15,20 54:2,23 55:16,20 59:17 67:13  
 retired [2] 12:22 13:5  
 return [13] 19:5 20:22,25 29:25,25 30:6,7,8 53:17 54:14 68:19,24,24  
 revenue [10] 6:25 7:9,11 32:18 33:20,22 36:14,15 52:15 59:5  
 revenues [5] 7:19,20 36:10 57:20 58:6  
 reverse-and-make-whole [1] 6:20  
 review [5] 58:5,10 65:12,16 66:19  
 reviewed [3] 21:3,9 58:20

reviewing [3] 23:22 36:12 64:23  
 rid [1] 69:7  
 role [3] 9:6 30:11 66:25  
 RPR [1] 72:20  
 rule [2] 29:23 61:5  
 rules [4] 3:6 8:13 9:2 50:1  
 ruling [2] 51:5,7  
 run [1] 16:10

**S**

S-A-R-C [1] 6:19  
 Salem [1] 73:23  
 same [10] 31:7 37:6 48:21,23,25 49:2 61:7,24 62:18 69:16  
 SARC's [1] 6:18  
 saying [1] 60:15  
 says [2] 41:19,23  
 Schedule [3] 17:16,19 41:15  
 schedules [1] 17:15  
 seal [1] 72:15  
 second [2] 31:2 34:10  
 section [11] 6:3,4,6,7 8:14,15,18,20,22,24 37:8  
 sections [1] 6:2  
 see [10] 16:4,8,12 24:12 28:14 31:24 39:14,19 49:9,11  
 seem [1] 39:23  
 selected [1] 11:10  
 sense [1] 50:7  
 separate [6] 46:16,17,18,19,20 69:18  
 separately [3] 7:10,15 54:25  
 series [1] 57:15  
 Service [24] 4:18 13:8,12 14:23 17:2,20 18:23,24 19:16 20:17 21:18,20,20 24:5,16 25:4 26:5 29:6 31:16 38:25 47:13,15,24 61:4  
 Services [24] 16:5,17 18:17 38:22 39:18,21 40:15 44:25 45:1,9 48:12,23 49:14 50:11,14 51:18,22 52:12,16,20 54:8 57:13 65:6 67:21  
 Services' [1] 53:7  
 set [6] 53:8,9 61:19,21,21,22  
 sets [2] 61:17,24  
 seven [1] 12:23  
 several [1] 48:13  
 sewer [1] 21:20  
 shed [1] 38:10  
 sheet [10] 23:22,23 24:17 28:9,15 30:23 37:15 39:5 40:19 41:22  
 short [2] 6:18 68:4  
 short-term [1] 28:10  
 shorthand [2] 21:1 73:9  
 show [8] 17:9 26:13 28:3 31:8 41:10 42:16 62:16 63:1  
 shown [3] 24:14,15 32:14  
 shows [4] 25:3,4 26:17 31:9  
 Shumard [1] 3:19  
 sides [1] 20:4  
 signing [1] 3:6  
 simplify [1] 33:13  
 simply [2] 56:13 62:16  
 Since [7] 4:19 5:5,15,20 6:1 12:22 13:5

single [1] 45:10  
 sir [25] 3:17 5:2 14:14,18 15:22 17:4 18:1 20:5 24:22 25:8,17 29:20 35:19 38:8 40:21 43:2 47:20 48:5,8,10 49:18 54:4 59:10 68:21 69:7  
 sitting [2] 65:23 68:16  
 skewed [1] 53:1  
 skewing [2] 53:4,8  
 small [3] 6:8 19:12 53:6  
 software [3] 41:20 42:9,10  
 somebody [2] 12:14,17  
 someone [2] 12:8 20:6  
 sometimes [1] 49:8  
 sorry [7] 7:12 22:19 24:7 28:18 34:13 37:5 40:22  
 sort [1] 25:10  
 sound [1] 14:9  
 source [4] 27:3,8,11 65:22  
 sources [2] 27:12 59:1  
 Southern [7] 38:1,24 46:14,24 47:1 65:7 67:20  
 speaks [3] 26:16 41:18 44:3  
 special [1] 44:5  
 specific [3] 6:16 43:10 71:6  
 specifically [3] 43:4,6 54:1  
 specify [2] 60:12,14  
 spoken [3] 66:5,8,12  
 spot [2] 5:21,25  
 staff [2] 10:7 15:24  
 staff-assisted [15] 6:7,18 8:22 19:8 22:14,25 23:1,8 25:7 31:14 32:24 35:3 58:4,8 65:14  
 standard [1] 27:19  
 stands [1] 7:3  
 start [3] 34:3 51:19 55:6  
 started [2] 5:25 45:17  
 State [12] 4:13 7:2 15:11 59:20,24 60:6,22 62:6 66:2 72:5,10 73:4  
 stated [1] 5:7  
 statement [2] 45:6 62:13  
 States [9] 38:1,24 46:14,24 47:1 60:18,20 65:7 67:20  
 statutes [1] 12:12  
 statutory [1] 18:12  
 stenographic [1] 73:12  
 still [3] 12:25 28:23 51:12  
 stop [2] 34:9 57:17  
 straight [1] 41:14  
 strictly [1] 63:14  
 Strike [4] 16:24 43:10 51:18 56:23  
 structure [4] 18:21 51:2 54:7,11  
 study [3] 19:13,14 23:12  
 stuff [1] 16:1  
 subject [1] 71:11  
 submitted [1] 52:6  
 subsequent [3] 35:4 36:2 56:14  
 subsequently [1] 41:21  
 subsidiaries [2] 45:2,3  
 subsidiary [2] 11:8 44:24  
 substance [1] 66:22  
 substantial [2] 15:3 71:1  
 substantially [2] 16:23,24  
 substantive [1] 23:5  
 subtracted [2] 32:17 36:14

successor [4] 11:3,5,10 15:18  
 summary [1] 64:24  
 supervising [1] 10:9  
 supervision [2] 9:21 73:10  
 supervisor [3] 5:19,25 6:5  
 supervisors [1] 5:22  
 supportable [2] 54:15,17  
 supposed [1] 16:7  
 surely [1] 13:4  
 switched [1] 42:9  
 sworn [1] 3:13  
 System [23] 7:2,4,19,20 13:11,14 14:8 19:16,21 26:14 34:22 42:12 60:16,20,23,24 61:3,5,6,12 67:5 70:22 71:2  
 systems [6] 32:13 46:7,10 49:10,21 61:11

**T**

talked [2] 66:24 67:10  
 talks [1] 43:24  
 Tallahassee [2] 3:19 72:21  
 tangled [1] 52:4  
 tariff [9] 6:22 21:19,23,24,25 22:2,6,8,11  
 tax [3] 61:14,16,21  
 technological [1] 34:23  
 telephone [3] 16:16 66:11,13  
 term [3] 38:3 49:11 69:4  
 termination [3] 55:4 67:8,15  
 terminology [2] 55:5,20  
 terms [2] 13:13 44:12  
 testified [3] 3:13 60:9 66:1  
 testify [1] 47:13  
 testimony [3] 16:21 32:23 72:14  
 textbooks [1] 71:14  
 There's [3] 29:23 48:2 53:9  
 thereafter [1] 73:10  
 therefore [1] 52:17  
 therein [1] 73:9  
 Thereupon [1] 3:10  
 they'll [1] 61:22  
 they've [2] 30:9 46:7  
 third [1] 6:6  
 three [3] 6:2 61:23 66:20  
 thumbnail [1] 36:9  
 tier [1] 44:22  
 tight [1] 18:12  
 title [1] 72:12  
 today [9] 15:16 23:19 60:8 62:12 65:11,23 66:5 68:16  
 together [1] 31:18  
 towards [3] 15:11 29:18 44:24  
 trace [2] 56:2,3  
 training [1] 4:7  
 transaction [2] 27:24,25  
 transcribed [1] 73:10  
 transcript [2] 3:7 72:13  
 transcription [1] 73:12  
 transferred [1] 66:25  
 trial [1] 56:17  
 true [2] 55:3 73:12  
 truly [1] 12:16  
 try [4] 12:11 14:1 34:24 52:10  
 trying [7] 15:24 33:16 52:4,17,18 53:8 54:22  
 turned [5] 18:13 57:5 67:5,8,15

**two** <sup>[5]</sup> 31:12,15 35:5 51:4 70:10  
**types** <sup>[1]</sup> 69:15  
**typical** <sup>[1]</sup> 49:2  
**typically** <sup>[1]</sup> 49:9  
**typicals** <sup>[1]</sup> 49:5

**U**

**ultimate** <sup>[5]</sup> 33:21 44:23 51:5  
52:19 63:17  
**ultimately** <sup>[4]</sup> 32:18 45:6 64:9  
67:12  
**unable** <sup>[2]</sup> 18:5 35:25  
**unacceptance** <sup>[1]</sup> 64:1  
**under** <sup>[18]</sup> 8:21,22 9:20 15:4,6  
18:8,16,18 21:23 22:5 29:2 37:7,  
15 38:22 39:20 40:4 64:15 73:  
10  
**underneath** <sup>[3]</sup> 5:22 6:2 10:8  
**understand** <sup>[11]</sup> 5:23 14:6 18:1  
20:7 33:18 40:9,10 47:23 57:16  
70:20,21  
**understanding** <sup>[4]</sup> 11:20 44:2,  
9 60:22  
**understood** <sup>[1]</sup> 17:7  
**unified** <sup>[3]</sup> 45:14 49:16 52:7  
**Uniform** <sup>[19]</sup> 7:1,4 45:16,19 49:  
20 50:3,13,23,24,25 51:3,23 60:  
16,24 61:3,6,11 70:22 71:2  
**unit** <sup>[1]</sup> 48:3  
**units** <sup>[4]</sup> 48:12,14 51:17,21  
**University** <sup>[2]</sup> 4:5 5:3  
**until** <sup>[2]</sup> 17:12 55:7  
**unusual** <sup>[4]</sup> 10:13 18:7,9 19:11  
**up** <sup>[19]</sup> 13:12 16:1,6 20:20 21:11  
24:23 29:16,21 30:14 36:1,5,7  
38:10 40:8,11,12 41:5 45:4 58:  
23  
**uses** <sup>[2]</sup> 3:5 22:22  
**utilities** <sup>[54]</sup> 5:10 7:24 8:2 11:3,7,  
10 15:4,5,18,18 21:13 37:23 38:  
2,24 39:23 42:17 43:4,5,7,10,13  
47:1,3 49:23 51:17,20 52:6,13  
53:20 54:3,24 55:3,17 57:20 58:  
1,6,11,15,18 59:7,15 62:11 63:11,  
21 64:10,19 65:6,8,8 66:6 67:20,  
21 68:8,11  
**Utility** <sup>[36]</sup> 7:4,11,18,23 8:5,6 18:  
4,6,8,18 19:5 20:13,24 21:12,21,  
22 24:1,4 29:2 30:17 31:16 35:6  
50:2,12 59:19,23 60:5,10,11,16  
62:7 66:3 68:7,10,25 71:2  
**utility's** <sup>[3]</sup> 19:3 20:21 31:23

**V**

**value** <sup>[4]</sup> 18:24 20:17 23:9 24:4  
**verifications** <sup>[1]</sup> 19:9  
**verify** <sup>[3]</sup> 59:5,8,13  
**verifying** <sup>[1]</sup> 17:24  
**version** <sup>[3]</sup> 47:22 70:23,25  
**versus** <sup>[1]</sup> 49:8  
**Volusia** <sup>[1]</sup> 7:23

**W**

**waived** <sup>[1]</sup> 3:8  
**wanted** <sup>[1]</sup> 43:11  
**Wastewater** <sup>[8]</sup> 3:25 5:13 6:15  
7:10,16,20,23 26:20  
**Water** <sup>[34]</sup> 3:25 5:13 6:14 7:10,  
16,19,22 16:5,17 21:20 22:11 26:

19 44:25 45:1,9 48:11 49:14 50:  
11,14 51:18,22 52:12,14,16,20,25  
53:7 54:8 57:13 65:6,10 67:20  
69:24 70:3

**WATTS** <sup>[35]</sup> 3:15,22 9:11 11:17  
12:2 13:20 14:20 15:14 19:25  
23:18 25:16 33:16,17 34:4,15  
37:5 38:14 41:13 42:2,3 44:14,  
17 47:10,12 52:1,3 55:14 57:9,  
14 66:6 70:5,17,19 71:9,21  
**Way** <sup>[16]</sup> 8:3 17:5,7,18,22,23 19:  
20 28:19 40:6 48:21 49:1,2 52:  
10 53:9 56:1,20  
**wear** <sup>[1]</sup> 34:23  
**week** <sup>[1]</sup> 16:17  
**weeks** <sup>[1]</sup> 66:20  
**West** <sup>[2]</sup> 4:5 5:3  
**whatever** <sup>[2]</sup> 34:12 53:12  
**whether** <sup>[21]</sup> 10:16 17:18 19:22  
21:4 22:9 23:8 26:13 33:3 34:  
22 35:9 40:2 46:11 47:16 48:2  
63:1,17 66:13 67:14 68:16,23,25  
**will** <sup>[7]</sup> 15:21 32:22 34:23 61:19,  
20 64:4 70:13  
**Williams** <sup>[1]</sup> 9:25  
**willing** <sup>[2]</sup> 12:8,15  
**WILLIS** <sup>[17]</sup> 3:11,18 4:3 7:22 13:  
6 15:15 17:14 23:14 28:14 36:  
22 37:7 39:19 40:24 47:12 57:  
12 68:6 70:20  
**wishes** <sup>[1]</sup> 33:10  
**within** <sup>[6]</sup> 8:15 10:7 19:20 29:7  
37:13 60:22  
**without** <sup>[1]</sup> 39:6  
**witness** <sup>[19]</sup> 3:7,12 9:10 11:25  
15:10 19:3 25:15 44:15 51:10  
52:1 66:2 72:14,15  
**word** <sup>[2]</sup> 16:24 21:1  
**words** <sup>[6]</sup> 20:4,18 34:21 35:12,  
23 44:9  
**work** <sup>[6]</sup> 9:20 12:11,15 14:1 31:  
17 58:22  
**worked** <sup>[5]</sup> 5:22 10:6,9 12:15,20  
**working** <sup>[1]</sup> 63:16  
**works** <sup>[1]</sup> 71:19  
**wrote** <sup>[4]</sup> 22:15 60:17 70:21,23

**Y**

**year** <sup>[39]</sup> 7:9 15:1,2,12 17:2,10,11,  
12,20 19:17,17 24:3,9 25:3,5 26:  
2,14,24 28:11 30:21 32:3 35:24,  
25 36:2,23 37:3,16 40:25 41:11,  
20 42:9 46:3 54:25 56:12,12,14  
58:5,11 64:10  
**year's** <sup>[1]</sup> 57:5  
**years** <sup>[12]</sup> 5:8 12:23 13:5 15:23  
16:3 23:19 24:18 33:5 41:14 51:  
4 67:12,22  
**yourself** <sup>[1]</sup> 60:4

**Z**

**zip** <sup>[1]</sup> 3:20