

STATE OF FLORIDA

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TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

February 28, 2003

Mr. Edward Telson
1082 Gould Place
Oviedo, FL 32765

Re: Docket No. 020408-SU - Application for rate increase in Seminole County by Alafaya Utilities, Inc.

Dear Mr. Telson:

Thank you for your letter dated February 14, 2003, (copy attached) regarding the opposition to the rate increase requested by Alafaya Utilities, Inc. (Alafaya) until the utility can resolve certain issues with its wastewater plant. Customer comments are an integral part of our investigation. Your comments as well as all others will be considered when staff prepares its recommendation on Alafaya's proposed rates.

Your number one concern was odor at Alafaya's wastewater plant. The utility uses Actamine, a deodorant, that is misted into the air to control the odor. According to Mr. Randy Merchant, Environmental Administrator at the Florida Department of Health, who can be reached at (850) 245-4219, if Actamine is being properly used outdoors by being sprayed into the air, it is not likely to cause any illness. Each of the treatment tanks at the wastewater facility has a mister that sprays Actamine into the air. The Actamine has a slight bubble gum smell. On Thursday, February 20, 2003, staff performed a plant inspection and no offensive odor was noticed. We have asked Mr. Scotty Haws, Assistant Operations Manager for Alafaya, at (407)869-8588, ext 234, to contact you about the odor concern, and requested that he follow up with a letter. If you notice an odor problem or need more specific information about Actamine, feel free to contact Mr. Haws at the number above, or Mr. David Smicherko, inspector of the Alafaya's wastewater facility for the Florida Department of Environmental Protection (DEP), at (407) 893-3313.

Another of your concerns was the security at Alafaya's wastewater plant. There is a large dirt berm about 12 feet tall that surrounds the Alafaya facility along with a 10 foot chain link fence with barb wire that is inside the berm. Staff observed that the gate was locked on February 20, 2003, and Mr. Haws indicated that the gate is kept locked at all times. We contacted Mr. Gary Miller, Program Manager of Wastewater Compliance and Enforcement at the DEP, at (407) 893-3313, and he indicated that for wastewater systems there is no special terrorism rule or requirements at this

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time. You may contact Mr. Haws, Mr. Smicherko or Mr. Miller at the above numbers to discuss the security issues.

Another of your concerns was the capacity of the wastewater plant as it relates to the number of trucks used to remove the waste. According to the utility, the wastewater treatment plant has a capacity of 2.4 million gallons per day (mgd); however, flows are limited to 1.535 mgd, the total capacity of the disposal system. Current flows are about .96 mgd. The trucks operated by Shelley's Environmental are removing the concentrated solids that are a normal byproduct of the treated wastewater. This is not a result of the plant being "over capacity".

Another of your concerns was contacting the utility by calling from the gate at Alafaya. I believe that it may be difficult for an operator to hear you from the gate. Mr. Haws indicated that if you want to contact Alafaya about the plant operations or would like a plant tour, please contact him at the phone number above or Mr. David Orr, Regional Manager, at (407)869-8588, ext 227.

Another of your concerns was the need for proper vegetation, trees and landscaping in the front of the Alafaya plant. During my inspection, the utility indicated that they could add some additional landscaping. Please contact Mr. Haws, or Mr. Orr if you wish to discuss the landscaping.

You also had a concern that a deodorizer was broken down. Staff asked Mr. Haws about the deodorizer being broken, and he was not aware of an occasion when the deodorizer was broken.

The Commission staff has scheduled a customer meeting to receive comments from customers regarding Alafaya's proposed rate increase and the quality of service. All customers of Alafaya are invited to attend the meeting which will be held at the following time and location:

Wednesday, March 12, 2003, 6:00 p.m.
Seminole County Services Building
Board Chambers, Room 1028
1101 East First Street
Sanford, Florida

When all relevant information has been analyzed, staff prepares a written recommendation, which is presented to the Commission for action at an Agenda Conference which will be open to the public. The staff recommendation for Alafaya is scheduled to be submitted on May 22, 2003, and the Agenda Conference is scheduled for June 3, 2003, in Tallahassee. Once the Commissioners vote on staff's recommendation at Agenda, a Proposed Agency Action (PAA) Order will be prepared and issued within 20 days. Any customer or person that is substantially affected by the decision may protest this PAA Order within a 21 day protest period after the Order is issued. If there is no protest of the PAA Order, the Order becomes final.

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Again, thank you for your correspondence and I hope that this letter addresses your concerns. If you have any questions, please contact me at (850) 413-6999.

Sincerely,



Richard P. Redemann, P.E.
Utility Systems/Communications Engineer

cc: Alafaya Utilities, Inc. (Rasmussen, Orr, Haws)
Rose, Sundstrom & Bentley (Friedman)
Florida Department of Environmental Protection (Smicherko, Miller, Williams)
Division of Economic Regulation (Daniel, Fletcher, T. Merchant, Willis)
Office of the General Counsel (Vining)
Division of the Commission Clerk & Administrative Services (Bayó)

ORIGINAL

FEB 14 2003

February 14, 2002

Director, Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumari Oak Boulevard
Tallahassee, Florida 32399-0870

Re: Docket #020408-SU
Alafaya Utilities, Inc.

FEB 14 2003

Dear Sirs:

It is my understanding that Alafaya Utilities is proposing a rate increase. However, my family and I would like to share with you some of our experience. We have lived in the neighborhood for over 11 years now.

The plant sits next to a preserve area and in the middle of a neighborhood of families. Our entire neighborhood is in agreement that the plant is in need of modifications. And we believe that any increase should be predicated upon these improvements. In fact, we believe to have a right to "peaceful" enjoyment of our property and believe the value our properties are being held back due to the management of the plant.

Area of Improvement #1-

The plant has very little control of the odor. At times the odor is so overwhelming that it drifts for over a mile from the plant. Attempts by the plant to control the odor are insufficient as it causes our family to move inside and not be able to enjoy our neighborhood or sidewalks.

The plant appears to shoot a spray in the air however does not disclose the type of spray or what it is doing. We do not know the health risks or hazards at present. On weekends the smell is the worst especially in the evening hours. The plant appears unprotected except for the fence. And on many an occasion we have attempted to call from the gate and no one is present.

In this day and age of terrorism and bio terrorism, it is essential that the plant communicate with the neighborhood and address the security, spray and odor issues and inform those affected daily.

However, priority #1 should address the smell. If the plant is overcapacity as might be surmised by the amount of trucks entering our neighborhood and transporting the waste out, then the plant should know that and either seek another plant to be built elsewhere and not expand as space is limited.

And we have a "right" as a neighborhood to "peaceful enjoyment" of our property. We do not know the health hazards that such smells represent to our children and families and why it cannot be controlled. We have a right to be able to walk our neighborhood at night without it being affected. Certainly, if there are pollution methods to "scrub" coal fired plants then there are certainly methods to take care of the odor issues.

My concern also is if there have been any spills in the plant. And why on the weekends? Why the lack of communication to neighborhoods and Why the lack of presence of personnel ??

Area of Improvement #2.

Effort should be made to make the plant less visible thereby limiting the appearance factor. Berms are not enough as that is what surrounds the front. Instead, there should be proper vegetation, trees and landscaping in the front to visually obscure the plant so that the neighborhood is not devalued.

I would like a response to all of these concerns. Possibly a response line could be set up directly to the plant informing them of the smell issue. Several times I have been told that the deodorizer has failed and is inoperative. Why is that so ?

My neighborhood and I are not willing anymore to put up with this and should this not be addressed we are joining to move on several fronts to solve the problems. These are problems that require attention and I cannot believe that our health is not jeopardized by the smell for certainly the air carries viruses.

We are opposed to any increase until these issues are resolved. My entire neighborhood including my wife and five children are opposed.

This is our opinion.

Sincerely,

FEB 14 2006

Edward Telson
1082 Gould Place
Oviedo, Florida 32765

Representing the neighborhood streets of Mickinnon, Gore, Gould, and Beckstrom