

STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



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

# Public Service Commission

April 23, 2003

Mr. John L. O'Brien  
32814 Crooked Oaks Lane, Lot K-45  
Leesburg, FL 34748

**Re: Docket No. 030236-WS - Application for Authority to Transfer the Facilities of Pennbrooke Utilities, Inc. and Certificate Nos. 466-W and 400-S in Lake County Florida to Utilities, Inc. of Pennbrooke.**

Dear Mr. O'Brien:

We have received a response (copy attached) from Mr. Martin S. Friedman, attorney for Utilities, Inc. of Pennbrooke (Pennbrooke or utility), and we have spoken to Ms. Karen Milicic, inspector of the Pennbrooke's water facility for the Florida Department of Environmental Protection (DEP), at (407) 894-7555 Ext 2226. Mr. Friedman explained in his letter that utility hired the Florida Rural Water Association to do a flow test over a 24-hour period and concluded that the water pressure was satisfactory. Also, the utility has installed a new hydropneumatic tank at the water plant, increased the water flow rate and increased the water pressure by 5 pounds per square inch (psi). The utility believes that they are meeting all pressure and flow requirements, including fire flow.

Ms. Milicic has reviewed the DEP files to determine if they had received any low pressure complaints. Your complaint was the only one they have received regarding low pressure for Pennbrooke. No other complaints were on file. In addition, Ms. Milicic indicated during her last water plant inspection that the water pressure at the water treatment plant was sufficient and she had no reason to believe that the utility was providing less than the 20 psi as required by Rule 62-555.320(7), Florida Administrative Code. However, she suggested that if you believe you are receiving low water pressure to document the time of day and frequency, so that she can investigate the pressure concern. Her phone number is listed above.

DOCUMENT NUMBER - DATE

03869 APR 28 03

FPSC - COMMISSION CLERK

Mr. John L. O'Brien  
Page 2  
April 23, 2003

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: Utilities, Inc. of Pennbrooke (Rasmussen, Flynn)  
Rose, Sundstrom & Bentley (Friedman)  
Pennbrooke Utilities, Inc. (Erickson)  
Florida Department of Environmental Protection (Milicic, Ansag)  
Division of Economic Regulation (Daniel, Johnson)  
Office of the General Counsel (Crosby)  
Division of the Commission Clerk & Administrative Services (Bayó)

C:\wp9\030236c2.rpr

# ORIGINAL

LAW OFFICES

## ROSE, SUNDBSTROM & BENTLEY, LLP

2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301

(850) 877-6555

FAX (850) 656-4029

www.rsballorneys.com

CENTRAL FLORIDA OFFICE

600 S. NORTH LAKE BLVD., SUITE 160

ALTAMONTE SPRINGS, FLORIDA 32701

(407) 830-6331

FAX (407) 830-8522

MARTIN S. FRIEDMAN, P.A.

VALERIE L. LORD, OF COUNSEL

(LICENSED IN TEXAS ONLY)

CHRIS H. BENTLEY, P.A.  
ROBERT C. BRANNAN  
DAVID F. CHESTER  
F. MARSHALL DETERDING  
JOHN R. JENKINS, P.A.  
STEVEN T. MINDLIN, P.A.  
DAREN L. SHIPPY  
WILLIAM E. SUNDBSTROM, P.A.  
DIANE D. TREMOR, P.A.  
JOHN L. WHARTON  
ROBERT M. C. ROSE, OF COUNSEL  
WAYNE L. SCHIEFELBEIN, OF COUNSEL

REPLY TO ALTAMONTE SPRINGS

April 18, 2003

Ms. Blanca Bayo  
Commission Clerk and Administrative Services Director  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Re: Docket No. 030236-WS; Utilities, Inc. of Pennbrooke's Application for Authority to Transfer Facilities and Certificate Nos. 466-W and 400-S  
Our File No.: 30057.56

Dear Ms. Bayo:

The PSC Staff has asked that we file a response to the April 7, 2003, letter from John O'Brien to you in the above-referenced docket.

At the outset, I would point out that Mr. O'Brien states that he has suffered a low water pressure problem since as early as 1998. In the Utility's most recent Staff Assisted Rate Case, which concluded in Order No. PSC-01-1248-PAA-WS, the Commission addressed water pressure in its evaluation of quality of service. In doing so, the Commission stated as follows:

*Our Staff engineers noted that the Utility's operator has the plant regulated to maintain average pressure of 55 PSI. Records on file at DEP do not indicate pressure problems and contain no complaints of low pressure reported by customers. By all reports, it appears that the Utility currently supplies water above the 20 PSI minimum required by DEP.*

Mr. O'Brien has complained periodically to the Utility regarding his water pressure, and each time the pressure and flow were checked it has always been above the minimum required by Code and is considered acceptable. The Utility even had the Florida Rural Water Association do a flow test over a 24-hour period and concluded that the pressure was satisfactory.

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
SEC   1    
OTH \_\_\_\_\_

DOCUMENT NUMBER - DATE

03604 APR 21 03

FPSC-COMMISSION CLERK


Ms. Blanca Bayo  
April 18, 2003  
Page 2

---

Mr. O'Brien lives on a cul-de-sac that is served by a 4" deadend water line. While his water pressure and flow does fluctuate depending upon the particular time of day, the pressure always remains above the minimum standard. The Utility has installed a new hydrotank at the water plant and increased the flow rate and pressure by 5 PSI coming out of the plant. Other residents on Mr. O'Brien's cul-de-sac have noticed an improvement, however, apparently, Mr. O'Brien is not satisfied.

The Utility meets all pressure and flow requirements, including those for fire flow. There is no further action which the Utility can take to appease Mr. O'Brien.

Very truly yours,



MARTIN S. FRIEDMAN  
For the Firm

MSF:dmp

cc: Mr. Arthur Erickson  
Mr. Steve Lubertozi  
Mr. Don Rasmussen  
Mr. Patrick Flynn  
Ms. Alice Crosby  
Mr. Richard Redemann

ASO\Utilities\56 Pennbrooke\PSC Clerk 07.ltr