

DOCKET NO.: 020071-WS - Application for rate increase in Marion, Orange, Pasco, Pinellas, and Seminole Counties by Utilities, Inc. of Florida.

WITNESS: **Direct Testimony of James H. Berghorn,**
Appearing on Behalf of the Staff of the Florida
Public Service Commission.

DATE FILED: June 16, 2003

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FPSC-COMMISSION CLERK

DIRECT TESTIMONY OF JAMES H. BERGHORN

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- Q. Please state your name and business address.
- A. James H. Berghorn, 3804 Coconut Palm Drive, Tampa, FL 33619.
- Q. Please state a brief description of your educational background and experience.
- A. I have degrees in both Liberal Arts and Biology. A.A. degree in Liberal Arts; B.S. degree in Biology.
- I have worked for the State of Florida from 1978 to present. I worked in Research Lab and field collection of environmental samples, drinking water, domestic water, and restaurant inspector.
- Q. By whom are you presently employed?
- A. Department of Environmental Protection (DEP)
- Q. How long have you been employed with the Department of Environmental Protection and in what capacity?
- A. Ten years.
- Q. What are your general responsibilities at the Department of Environmental Protection?
- A. Inspect water plants for compliance with F.A.C. Chapters 62-550; 62-555; 62-699 and all compliance regulations for the State of Florida.
- Q. Are you familiar with Utilities, Inc. of Florida's water systems in Marion County, particularly the Golden Hills and Crownwood systems?
- A. I am familiar with the water system in Golden Hills that also serves the Crownwood subdivision.
- Q. Does the utility have any current construction permits from the Department of Environmental Protection?

1 | A. No. A construction permit is not required for existing water systems.
2 | Q. Are the utility's treatment facilities and distribution systems
3 | sufficient to serve its present customers?
4 | A. Yes.
5 | Q. Does the utility maintain the required 20 psi minimum pressure
6 | throughout the distribution system?
7 | A. Yes.
8 | Q. Does the utility comply with Section 62-550.515, Florida Administrative
9 | Code for an adequate auxiliary power source in the event of a power
10 | outage?
11 | A. Yes. However, an auxiliary power plan is not on file.
12 | Q. Are the utility's water wells located in compliance with applicable DEP
13 | regulations?
14 | A. Yes.
15 | Q. Does the utility have certified operators as required by Chapter 62-602,
16 | Florida Administrative Code?
17 | A. Yes.
18 | Q. Has the utility established a cross-connection control program in
19 | accordance with Section 62-555.360, Florida Administrative Code?
20 | A. A file review indicated that on 6/30/00, a sanitary survey; a
21 | bacteriological sampling plan; a cross connection control plan; and an
22 | auxiliary power plan were requested. As of this date, I have not seen
23 | or reviewed any of these plans, nor could I find them in the files.
24 | Q. Is the overall maintenance of the treatment plant and distribution
25 | facilities satisfactory?

1 A. Yes.

2 Q. Does the finished water produced by the utility meet the State and
3 Federal maximum contaminant levels for primary and secondary water
4 quality standards?

5 A. Yes.

6 Q. Does this include the lead and copper rule?

7 A. Yes.

8 Q. Has the utility's compliance with the lead and copper rule resulted in
9 a lessening of the monitoring requirements?

10 A. Yes.

11 Q. Does the utility monitor the organic contaminants listed in Section 62-
12 55.410, Florida Administrative Code?

13 A. Yes.

14 Q. Do recent chemical analyses of raw and finished water, when compared to
15 DEP regulations, suggest the need for additional treatment?

16 A. No.

17 Q. Does the utility maintain the required chlorine residual or its
18 equivalent throughout the distribution system?

19 A. Yes.

20 Q. Are the plant and distribution systems in compliance with all the other
21 provisions of Title 62, Florida Administrative Code, not previously
22 mentioned?

23 A. Yes.

24 Q. Has the utility been the subject of any Department of Environmental
25 Protection enforcement action within the past two years?

1 | A. No.

2 | Q. Do you have anything further to add

3 | A. No, I do not.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for rate
increase in Marion, Orange,
Pasco, Pinellas, and Seminole
Counties by Utilities, Inc. of
Florida.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Direct Testimony of James H. Berghorn has been furnished to **Martin S. Friedman, Esquire**, Rose, Sundstrom & Bentley, LLP, 600 S. North Lake Blvd., Ste. 160, Altamonte Springs, Florida 32701, and **Stephen Burgess, Esquire**, Office of Public Counsel, c/o The Florida Legislature, 111 W. Madison St., Room 812, Tallahassee, Florida 32399-1400, by U.S. Mail, this 16th day of June.



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