

# ORIGINAL

## MEMORANDUM

JULY 28, 2003

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COMMISSION  
CLERK

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (VINING) *AEV*

RE: DOCKET NO. 020907-WS - APPLICATION FOR AMENDMENT OF CERTIFICATE NOS. 496-W AND 465-S TO EXTEND WATER AND WASTEWATER SERVICE AREAS IN LAKE COUNTY BY LAKE UTILITY SERVICES, INC.

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Attached is the Direct Testimony of Marina Pennington, on behalf of Commission Staff to be filed in the above referenced docket.

AEV/jb  
I:020907cos.wpd

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FPSC-COMMISSION CLERK

*DOCKET NO.:* 020907-WS - Application of Lake Utility Services, Inc.  
for amendment of Certificate Nos. 496-W and 465-S to extend water  
and wastewater service areas in Lake County

*WITNESS:* Direct Testimony of Marina Pennington, representing the  
Florida Department of Community Affairs. Appearing on behalf of the  
Staff of the Florida Public Service Commission

*DATE FILED:* July 28, 2003

DOCUMENT NUMBER DATE  
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FPSC-COMMISSION CLERK

1 DIRECT TESTIMONY OF MARINA PENNINGTON

2 Q. Please state your name and business address.

3 A. My name is Marina Pennington. My business address is 2555 Shumard Oak  
4 Boulevard, Tallahassee, Florida, 32399-2100.

5 Q. By whom are you employed?

6 A. I am employed by the Florida Department of Community Affairs (DCA), in  
7 the Bureau of Comprehensive Planning.

8 Q. Could you please summarize your educational background and work  
9 responsibilities?

10 A. At the DCA, I am a Regional Planning Administrator, and have worked  
11 with the DCA since 1985. I have a Masters Degree in Urban and Regional  
12 Planning. In my job, I am responsible for all programatic functions within  
13 the Central Florida Region (Withlacoochee area, Tampa Bay and East Central  
14 regions of the state). In addition, I am responsible for implementation  
15 and administration of Local Government Comprehensive Planning (Chapter 163,  
16 F.S.), the Development of Regional Impact Program (Chapter 380, F.S.),  
17 interagency review coordination and provision of technical assistance to  
18 local governments. I supervise a team of professional planners and play  
19 leadership role in state planning initiatives.

20 Q. What is the purpose of your testimony in this proceeding?

21 A. Pursuant to a Memorandum of Understanding between the DCA and the  
22 Public Service Commission (PSC), the DCA provides information to the PSC  
23 regarding the relationship of amendment applications and the respective  
24 county's comprehensive plan, including information about land use  
25 categories and the densities and intensities of land use. In this

1 proceeding, DCA provided input to the PSC in September, 2002, explaining  
2 that there are apparent inconsistencies and urban sprawl concerns with the  
3 Lake County Comprehensive Plan.

4 Q. Could you be more specific?

5 A. Yes. Approximately two-thirds of the proposed expansion area lies  
6 within regions designated as Rural (one dwelling unit per five acres) on  
7 the County's Future Land Use Map. The proposed service expansion area  
8 therefore seems inconsistent with Future Land Use Element Policy 1-1B.2 of  
9 the Lake County Comprehensive Plan. The plan states, "Central water and  
10 sewer are not intended nor required for areas designated as rural. Lines  
11 should only be extended if...the absence of such facilities would result in  
12 a threat of the public health or safety." The proposed expansion also does  
13 not appear to be consistent with Future Land Use Element Policy 1-7.1,  
14 which states that "allocation of future land use shall occur in a manner  
15 which promotes efficient distribution and provision of public  
16 facilities...." Finally, the proposed service area does not advance  
17 Objective 1-10 to "discourage urban sprawl through a future land use  
18 pattern which promotes orderly, compact development." Policy 1-10.2  
19 further stipulates the county shall "...encourage growth and development in  
20 developed areas where public facilities and services are presently in  
21 place, and in those areas which public facilities can provide the most  
22 efficient service."

23 Q. Does this complete your testimony?

24 A. Yes, it does.

25

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment  
of Certificate Nos. 496-W and  
465-S to extend water and  
wastewater service areas in Lake  
County by Lake Utility Services,  
Inc.

DOCKET NO. 020907-WS

FILED: JULY 28, 2003

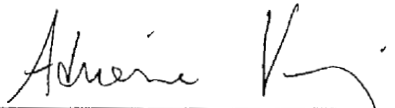
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the DIRECT  
TESTIMONY OF MARINA PENNINGTON, on behalf of The Florida Public  
Service Commission has been furnished by U. S. Mail this 28<sup>th</sup> day  
of July, 2003 to the following:

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