

**BEFORE THE FLORIDA  
PUBLIC SERVICE COMMISSION**

IN RE: Application of )  
LAKE UTILITY SERVICES, INC. )  
for extension of water and )  
wastewater service in )  
Lake County, Florida. )  
\_\_\_\_\_ )

Docket No. 020907-WS

**PREHEARING STATEMENT  
OF THE CITY OF CLERMONT**

The CITY OF CLERMONT (hereafter the "City"), by and through its below signed counsel and pursuant to the Order Establishing Procedures, dated January 15, 2003, provides the following:

A. NAMES OF WITNESSES

1. Tamara Richards  
City Engineer - City of Clermont

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion and areas for which it has provided for future expansion, and investments made to provide such service.

2. Preston Davis  
Utility Director - City of Clermont

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion and areas for which it has provided for future expansion, and investments made to provide such service.

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3. Wayne Saunders  
City Manager - City of Clermont

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion and areas for which it has provided for future expansion, and investments made to provide such service.

4. John Springstead, P.E.  
Clermont, Florida

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion and areas for which it has provided for future expansion, and investments made to provide such service.

5. Michael Springstead, P.E.  
Clermont, Florida

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion and areas for which it has provided for future expansion, and investments made to provide such service.

6. Victor Godlewski, P.E.  
Boyle Engineering  
320 East South Street  
Orlando, Florida 32801  
(407) 425-1100

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion, and areas for

which it has provided for future expansion, and investments made to provide such service.

7. Chuck Drake, P.G.  
Hartman & Associates  
201 E. Pine Street, Suite 1000  
Orlando, Florida 32801  
(407) 839-5955

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion and areas for which it has provided for future expansion, and investments made to provide such service.

8. Valerie Davis  
Hartman & Associates  
201 E. Pine Street, Suite 1000  
Orlando, Florida 32801  
(407) 839-5955

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion and areas for which it has provided for future expansion, and investments made to provide such service.

9. Duane Booth, P.E.  
Farnar, Barley  
Tavares, Florida

SUBJECT: The witness may testify as to the City of Clermont Utility System, its present service area, its capacity for expansion and areas for which it has provided for future expansion, and investments made to provide such service.

B. EXHIBITS

1. Maps of City service area - Richards
2. Maps showing utility infrastructure of City - Richards
3. Maps showing service area of Lake Utility Services, Inc. (hereafter, "Lake Utility") - Richards
4. Maps showing utility infrastructure of Lake Utility - Richards
5. Composite - documentation re: capacity of City of Clermont Utility system - Richards
6. Composite - documentation re: capacity of Lake Utility system - Richards
7. Composite - financial records of the City - Saunders

C. STATEMENT OF BASIC POSITION

The City has an established system which is available to service much of the area which is sought to be included within Lake Utility's service area by the amendment. The granting of the amendment will lead to a duplication of services and an inefficient use of available infrastructure. Further, Lake Utility does not have the capacity to serve this area as it develops.

D. STATEMENT OF FACTS AT ISSUE

1. Is there a need for service in the proposed territory, and if so, when will service be required?

CITY'S POSITION:

There is a need for service in the area but such need would not be fully required for a substantial period of time.

2. Does the applicant have the financial ability to serve the proposed territory?

CITY'S POSITION:

Lake Utility does not have the financial ability to serve the proposed territory.

3. Does the applicant have the technical ability to serve the proposed territory?

CITY'S POSITION:

Lake Utility does not have the technical ability to serve the proposed territory.

4. Does the applicant have sufficient plant capacity to serve the proposed territory?

CITY'S POSITION:

Lake Utility does not have sufficient plant capacity to serve the proposed territory.

5. Is the proposed amendment consistent with the local comprehensive plan?

CITY'S POSITION:

The proposed amendment is inconsistent with the local comprehensive plan.

6. Will the proposed amendment to the applicant's territory duplicate or compete with any other system?

CITY'S POSITION:

The proposed amendment will duplicate or compete with the City's system.

7. If the proposed amendment would result in an extension of a system which would be in competition with, or a duplication of another system, is that system inadequate to meet the reasonable needs of the public or is the owner of the system unable, unwilling or neglecting to provide reasonably adequate service to the proposed territory?

CITY'S POSITION:

The City system is adequate to meet the needs and the City is willing to provide such service.

8. Does the entity objecting have the financial ability to serve the proposed territory?

CITY'S POSITION:

The City has the financial ability to provide service to the proposed territory.

9. Does the entity objecting have the technical ability to serve the proposed territory?

CITY'S POSITION:

The City has the technical ability to provide service to the proposed territory.

10. Does the entity objecting have sufficient plant capacity to serve the proposed territory?

CITY'S POSITION:

The City has sufficient capacity to serve the proposed territory.

11. Is the objecting entity's proposal to serve the area consistent with the local comprehensive plan?

CITY'S POSITION:

The City contends the provision of its service is consistent with the local comprehensive plan.

12. Is it in the public interest for the applicant to be granted an amendment to Certificate Nos. 496-W and 465-S for the territory proposed in its

application?

CITY'S POSITION:

The City contends that it is not in the public interest to grant the amendment.

As to all the above issues, all of the above witnesses will provide information.

E. STATEMENT OF QUESTIONS OF LAW AT ISSUE

The City contends there are no questions of law at issue.

F. STATEMENT OF POLICY QUESTIONS AT ISSUE

The City contends there are no policy questions at issue.

G. STATEMENT OF STIPULATED FACTS

No facts have been stipulated to by the parties.

H. STATEMENT OF ALL PENDING MOTIONS

The City has no pending motions.

I. STATEMENT OF PARTIES' PENDING REQUESTS FOR CONFIDENTIALITY

There are no pending requests by the City for confidentiality.

J. STATEMENT REGARDING REQUIREMENTS OF THE ORDER THAT CANNOT BE COMPLIED WITH

There are no requirements of the Order that the City is unable to comply with.

K. OBJECTIONS TO QUALIFICATIONS OF EXPERT WITNESSES

No Experts have yet been identified by Lake Utility. All objections the City may have upon disclosure of experts are reserved at this time.

Respectfully submitted,

*for* Harry F. Chiles  
GREGORY T. STEWART  
Florida Bar No. 203718  
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Tallahassee, Florida 32308  
(850) 224-4070  
(850) 224-4073 (facsimile)

ATTORNEY FOR CITY OF CLERMONT,  
PETITIONER

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to MARTIN S. FRIEDMAN, ESQUIRE, Rose Sundstrom & Bentley, LLP, 650 N. Lake Boulevard, Suite 420, Altamonte Springs, Florida 32701; U.S. Mail to DONNA STINSON, ESQUIRE, Broad and Cassel, 215 S. Monroe Street, Suite 400, Post Office Drawer 11300, Tallahassee, Florida 32302; and U.S. Mail to ADRIENNE VINING, ESQUIRE, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 on this 4<sup>th</sup> day of August, 2003.

*for* Harry F. Chiles  
GREGORY T. STEWART