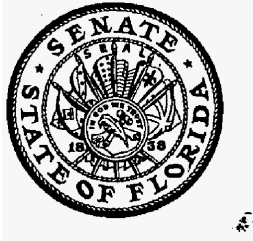


ORIGINAL

JAMES E. "JIM" KING, JR.  
President

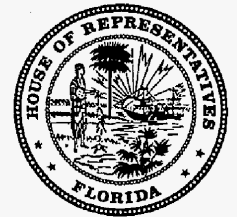


Harold McLean  
Public Counsel

STATE OF FLORIDA  
OFFICE OF PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE  
111 WEST MADISON ST.  
ROOM 812  
TALLAHASSEE, FLORIDA 32399-1400  
850-488-9330

JOHNNIE BYRD  
Speaker



Stephen C. Burgess  
Deputy Public Counsel

June 16, 2004

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

RECEIVED FPSC  
JUN 16 PM 4:06  
COMMISSION  
CLERK

RE: Docket No. 010503-WU

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of Citizens' Answer to Aloha's Motion to Modify Requirements of Order Number PSC-02-0593-FOF-WU for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Stephen C. Burgess  
Deputy Public Counsel

- CMP \_\_\_\_\_
- COM 5
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL SCB/dsb
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC 1
- OTH \_\_\_\_\_

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DAT

06679 JUN 16 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase )  
in water rates for Seven Springs )  
System in Pasco County by Aloha )  
Utilities, Inc. )

---

DOCKET NO. 010503-WU  
DATED: June 16, 2004

**CITIZENS' ANSWER TO ALOHA'S MOTION TO MODIFY  
REQUIREMENTS OF ORDER NUMBER PSC-02-0593-FOF-WU**

The Citizens of the State of Florida, through their attorney, the Public Counsel, hereby file this answer to Aloha's Motion to Modify Requirements of Order Number PSC-02-0593-FOF-WU. The Citizens submit:

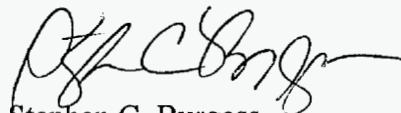
1. On June 9, 2004, Aloha filed a motion in Docket No. 010503-WU, but has re-titled the docket Aloha Utilities, Inc. v. Florida Public Service Commission. The Citizens are of the understanding that the Commission definitively ruled that the rate case docket would remain the same. The Citizens do not understand why Aloha continues to disregard the Commission's authority.

2. The Public Counsel has received a response to Aloha's motion from representatives of the Citizens Advisory Committee (CAC), which was established pursuant to the PSC rate order. A copy of this response is attached and is adopted by reference to be considered as OPC's answer to Aloha's motion.

DOCUMENT NUMBER-DATE  
06679 JUN 16 2004  
FPSC-COMMISSION CLERK

WHEREFORE, the Citizens of the State of Florida respectfully file this Answer to Aloha's Motion to Modify Requirements of Order Number PSC-02-0593-FOF-WU.

Respectfully submitted,



Stephen C. Burgess  
Deputy Public Counsel

Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400

(850) 488-9330

Attorneys for the Citizens of the  
State of Florida

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 010503-WU**

I HEREBY CERTIFY that a true and correct copy of the foregoing Citizens Answer to Aloha's Motion to Modify Requirements of Order Number PSC-02-0593-FOF-WU has been furnished by <sup>f</sup>hand-delivery(\*) or U.S. Mail to the following parties on the 16th day of June, 2004

Marshall Deterding, Esquire  
Rose Law Firm  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301

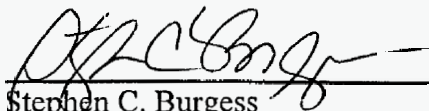
Ralph Jaeger, Esquire\*  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Edward O. Wood  
1043 Daleside Lane  
New Port Richey, FL 34655-4293

Margaret Lytle, Esquire  
SWFWMD  
2379 Broad Street  
Brooksville, FL 34604

Charles J. Crist, Jr., Attorney General  
Jack Shreve, Senior Special Counsel  
for Consumer Affairs  
Office of the Attorney General  
PL-01 The Capitol  
Tallahassee, Florida 32399-1050

Senator Mike Fasano  
8217 Massachusetts Avenue  
New Port Richey, FL 34653-3111

  
\_\_\_\_\_  
Stephen C. Burgess  
Deputy Public Counsel

V. Abraham Kurien, M.D.  
1822 Orchardgrove Avenue,  
NEW PORT RICHEY, FL 34655

Atty. Steve Burgess,  
Office of Public Counsel,  
111 West Madison Street, Room 812  
TALLAHASSEE, FL 32399-1400

June 13, 2004

Dear Atty. Burgess,

Thanking you for sending me a copy of the request of Aloha Utilities Inc., to the PSC, "The motion to modify requirements of Order No. PSC02-0593-FOF-WU".

I have reviewed it carefully and discussed its content with other members of the CAC, who had previously sent you a NO OBJECTION STATEMENT concerning this matter.

In view of pertinent findings and discussions arising from the audit reports, we need to add some qualifiers to our previous statement, to ensure that any modification made to the order does not negatively affect the ability of Aloha Utilities to improve water quality as demanded by the Corporations' customers.

**1. The reference to sulfide levels in "finished water" should be stated as a maximum contaminant level for total sulfides of 0.1mg per liter of delivered water at the point of its entry into the domestic system at the domestic meter.** (This change is necessary because of recognition during Phase II of the audit that sulfides may be generated within the transmission and distribution system of the Aloha Utility due to conditions over which the customers have no control. This also reflects the standard of the Tampa Bay Water, which meets this level at the point of connection for "the water it supplies to its member governments". The water Aloha supplies to its customers begins at the domestic side of the meter. The wording as proposed by Aloha states "to meet a goal of 0.1mg/l of sulfides in its finished water as that water leaves the treatment facilities of the Utility", is not satisfactory)

**2. The improvements should be such that sulfide present as  $S^{2-}$ ,  $HS^-$  or  $H_2S$  in raw water or generated during treatment and transmission will be removed (not converted) to a level not to exceed 0.1 mg/l in "finished water" delivered at the point of entry into the domestic system.** (The method Aloha Utilities now proposes to remove hydrogen sulfide from water involves only a reversible oxidation of the hydrogen sulfide in raw underground water into sulfur and sulfate and there is no elimination from raw water of the byproducts that have not been converted fully into sulfate).

**3. Compliance with such requirements shall be determined based upon samples taken at least once a month at a minimum of two sites at domestic meters**

**most distant from each of the multiple treatment facilities. Such sites shall be rotated to provide the greatest likelihood of detecting any departure from the maximum levels permitted.** (This addition is necessary because of the enormous variation in hydrogen sulfide levels among the wells).

V. Abraham Kurien, M.D  
On behalf of the CAC of Aloha