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July 29, 2004

Dear Commissioners,

REQUEST FOR RECONSIDERATION OF PAA
ORDER NO PSC-04-0712-PAA-WS
MOTION TO MODIFY ORDER NO
PSC-02-0593-FOF-WU

We are customers of Aloha Utilities in the Seven Springs Area of West Pasco County. Order No. PSC-02-0593-FOF-WU was issued in April 2002 for the specific purpose of significantly reducing the incidence of "black water" and related complaints. That Order required removal of 98% of hydrogen sulfide from raw water in Aloha's wells from which underground water is pumped and processed using chlorination as the sole method.

On October 18, 2002 Aloha requested modification of the Order, because it was felt " that achieving the 98% removal standard was at best very expensive and at worst impossible". On July 23, 2003 OPC submitted a letter stating that the "Citizens agree that the 98% removal standard should be replaced with other standards". The letter suggested the use of the regional standard that the Tampa Bay Water Authority (TBW) uses of a total sulfide level of 0.1mg/L . The same letter noted, "Additional standards may also be appropriate depending on the final audit report findings".

On June 9, 2004 Aloha requested that the "fourth ordering paragraph of Order No PSC-02-0593-FOF-WU should be revised to read as follows:

"Ordered that Aloha Utilities, Inc. shall make improvements to its wells 8 and 9 and then to all of its wells as needed to meet a goal of 0.1mg/l of sulfides in its finished water as that water leaves the treatment facilities of the utility. Compliance with such requirement shall be determined based

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upon samples taken at least annually from a point of connection just after all treatment systems and before entry of such water into the transmission and distribution system of the Utility. Aloha should implement this standard no later than February 12, 2005”.

Dr Kurien in a letter submitted through the OPC requested three amendments to this modification, two of which were initially included in the PSC Staff recommendations submitted on June 17, 2004.

On June 24, Attorney for Aloha submitted a letter to Atty. Rosanne Gervasi of the PSC objecting to these amendments, which were considered *reasonable* by the PSC staff. Dr Kurien replied on June 27 and explained in great detail why these changes were appropriate in view of the Tampa Bay Water Authority’s definition of its own standard and were scientifically necessary in view of audit findings as well as the fact that Aloha will soon start receiving water from a source other than its own wells.

On June 29, the PSC Staff withdrew its recommendations of June 17 and presented a new version, which accepted Aloha’s modification, but with the proviso that “Aloha shall be required to submit within 60 days from the date of the Commission’s vote on this item regarding the feasibility of collecting and testing monthly samples at the domestic meters as proposed by Dr Kurien”.

Since it seems likely that the Commissioners may have had very little time, just like the customers, to understand the implications of the PSC staff revision of its own recommendations at the last minute before the Agenda conference, the undersigned customers of Aloha wish to present once more the reasons why the Commissioners should reconsider their vote on issue 4 of the Agenda Conference on June 29, 2004 issued as a PAA order.

(1). The language of the Aloha modification of the PSC Order 02-0593-FOF-WU is a distortion of the Tampa Bay Water Standard as presented by TBW in its EXHIBIT D (submitted as Exhibit B with Aloha’s request dated June 9, 2004).

TBW standard states “ Water supplied from the Authority’s System shall be sampled annually at a minimum at the Point(s) of Connection for the following parameters”.

TBW supplies water to its member customers and the water is sampled at the point of connection into the customer’s pipes.

Instead, Aloha wants the sampling to be done "after all treatment systems and before entry of such water into the transmission and distribution system of the Utility", which is well before (in some cases miles away) it reaches the point of connection with its customer's pipes.

This is a major departure from the TBW standard that the citizens agreed to on July 23, 2003. Dr Kurien's correspondence with Mr. Devlin shows that Mr. Devlin concedes that TBW maintains its standard to the point of connection with its customer's pipes and not at its treatment facility.

If the intent of the Commission is to ensure that Aloha adopts the same standard as the TBWA, which the Citizens agreed to on July 23, 2003, then the language of the modification must be different from that suggested by Aloha and adopted by the Commission in its vote on June 29, 2004.

(2). Major conclusion (2) in Phase II Report of Audit (page iv) submitted in February 2004 was:

"A trace amount of hydrogen sulfide was detected in the influent to the main plant (0.12mg/L) during the November sampling".

The main plant receives its influent from treated water from wells 1,2, 3 and 4 . On November 12, 2003 the samples that were taken after the treatment facilities from these wells showed the levels of hydrogen sulfide to be less than 0.01 mg/L at all wells. Yet the hydrogen sulfide level in the influent into the main plant had risen to 0.12 mg/L during the transmission from the wells into the main plant reservoir. This strongly indicates re-formation of hydrogen sulfide is occurring within Aloha's distribution system, before the water reaches the customer's pipes. This will cause black water.

Therefore, a standard of 0.1mg/L maintained at "treatment systems and before entry of such water into the transmission and distribution system of the Utility", the modification of TBW standard recommended by Aloha and voted upon by the Commission is no guarantee to the customers that such low levels will be maintained to the point of connection with the customer's pipes. Aloha Utility must be held responsible for the quality of its water throughout its transmission and distribution system to the point of connection with its customer's pipes, the domestic side of the meter, as TBW holds itself responsible.

Since re-formation of hydrogen sulfide is considered to be the major reason for corrosion of pipes and formation of black water, the standard should be maintained to the point of connection with the customer's pipes - the domestic meter.

(3). Since Aloha does not have a central treatment plant and water from different wells are pumped into the distribution manifold there is a possibility that hydrogen sulfide levels are variable in different parts of Aloha's transmission and distribution system. Therefore it is important to check hydrogen sulfide levels at different sites, at the domestic meter on a rotational basis. Since hydrogen sulfide levels fluctuate seasonally, monthly tests are also necessary for ensuring compliance to the standard. Once a year sampling is not adequate for process control.

(4). Aloha will soon receive water from Pasco County Water utility. Since Pasco County has not agreed to ensure that the water delivered to Aloha will meet the TBW standard, there is a possibility that such water may contain higher concentrations of hydrogen sulfide than the TBW standard. Mixing of water from Pasco County Utility and water from the Aloha wells will take place; without careful blending and further treatment, the mixed water may contain more hydrogen sulfide levels than the TBW water standard. This lack of uniformity of hydrogen sulfide levels in Aloha's distribution system may result in persistence of the pattern of black water distribution now seen in the Seven Springs area.

(5). Since Aloha does not undertake monitoring of hydrogen sulfide levels as part of process control and oxidant levels are manually adjusted, there is always the possibility of a mismatch between the two. An adequate chlorine residual is no guarantee of conversion of all hydrogen sulfide to sulfate. Elemental sulfur is almost always a likely intermediate product. In view of the association between elemental sulfur and black water, recently emphasized by the latest FDEP guidelines, it seems unwise not to include elemental sulfur within the standard in any attempt to reduce the incidence of black water.


As these reasons are based on a more accurate interpretation of the TBW standard and on data obtained from the audit, we respectfully request that the suggestions made previously by Dr Kurien in his letter of June 13 and submitted by the OPC to the PSC on June 16 be seriously evaluated for their suitability and included in the modification of Order PSC-02-0593-FOF-WU.

We thank you for your reconsideration of your vote in this matter before the issuance of a final order.

Yours sincerely


V. Abraham Kurien


Harry Hawcroft


Ed Wood

CERTIFICATION OF SERVICE

I HEREBY CERTIFY THAT a true and exact copy of the above and foregoing REQUEST FOR RECONSIDERATION OF PAA ORDER NO PSC 04-0712-PAA-WS MOTION TO MODIFY ORDER NO PSC-02-0593-FOF-WU has been furnished by US Mail or electronic transmission to the following parties of record On July 29, 2004

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