

ORIGINAL

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President

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Speaker



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Charles J. Beck
Deputy Public Counsel

November 18, 2004

Blanca S. Bayo, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-FPSC
04 NOV 18 PM 1:46
COMMISSION
CLERK

Re: Docket Nos. 020896-WS & 010503-WU

Dear Ms. Bayo:

Enclosed for filing, on behalf of the Petitioners, are the original and 15 copies of the Direct Testimony of James S. (Sandy) Mitchell.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

- CMP _____
- COM 5
- CTR 03
- ~~ECR~~ _____
- GCL 1
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- MMS _____
- RCA _____
- SCR _____
- SEC 1 CJB:bsr
- OTH _____ Enclosure

Sincerely,

Charles J. Beck
Deputy Public Counsel

RECEIVED & FILED
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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

12394 NOV 18 04

FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by customers of Aloha)
Utilities, Inc. for deletion of portion)
of territory in Seven Springs area in)
Pasco County)

Docket No. 020896-WS

In re: Application for Increase in)
Water Rates for Seven Springs)
System in Pasco County by Aloha)
Utilities, Inc.)

Docket No. 010503-WU

Filed: November 18, 2004

DIRECT TESTIMONY

OF

JAMES S. (SANDY) MITCHELL

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OF

JAMES S. (SANDY) MITCHELL

1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2 **Docket Nos. 020896-WS & 010503-WU**

3 **DIRECT TESTIMONY**

4 **OF**

5 **JAMES S. (SANDY) MITCHELL, JR.**

6
7 **Q. STATE YOUR NAME AND ADDRESS AND THE NAME OF THE**
8 **WATER UTILITY YOU USE.**

9 A. James S. (Sandy) Mitchell, Jr., 5957 Riviera Lane, Trinity, FL 34655. Water
10 from Aloha.

11
12 **Q. HOW LONG HAVE YOU BEEN A CUSTOMER OF ALOHA WATER?**

13 A. Since April, 1998.

14
15 **Q. DID YOU SUBMIT A PETITION IN THIS CASE ON BEHALF OF**
16 **THE HOMEWONERS LOCATED IN RIVIERA ESTATES?**

17 A. Yes.

18
19 **Q. WOULD YOU PLEASE INDICATE WHERE RIVIERA ESTATES IS**
20 **LOCATED?**

21 A. I have attached exhibit JSM-1 showing the the location of Riviera Estates.

22
23 **Q. ARE YOU SATISFIED WITH THE QUALITY OF ALOHA WATER?**

24 A. No. Water smells, comes out black and brown.

1 **Q. DO YOU DRINK WATER FROM YOUR TAPS?**

2 A. Absolutely not, my dogs will not even drink it.

3

4 **Q. HOW FREQUENTLY DO YOU EXPERIENCE POOR QUALITY?**

5 A. Several times a week.

6

7 **Q. DO YOU EXPERIENCE POOR QUALITY FROM BOTH THE HOT**
8 **AND COLD WATER TAPS?**

9 A. Yes.

10

11 **Q. HAVE YOU EXPERIENCED POOR QUALITY EVEN WHILE YOU**
12 **ARE USING THE WATER ON A DAILY BASIS?**

13 A. Yes. I am a full time resident and use water daily. Black water comes out in
14 the water closets and bathtubs.

15

16 **Q. DO YOU HAVE WATER CONDITIONING APPLIANCES?**

17 A. Yes. Water softener that uses salt.

18

19 **Q. DO YOU USE ANY KIND OF FILTERS?**

20 A. No.

21

22 **Q. HOW DOES THE POOR QUALITY OF WATER AFFECT YOU AND**
23 **YOUR FAMILY?**

1 A. After taking a shower my wife and I itch all over. Friends who come over for
2 a cocktail will not mix a scotch and water from the taps.

3

4 **Q. WHAT KIND OF WATER PIPES DO YOU HAVE?**

5 A. Copper. I have been in the wholesale plumbing supply business my entire
6 working career and know for a fact that copper water piping is the standard of
7 the industry. I have sold hundreds of truckloads of copper pipe from the
8 leading manufactures of copper pipe and never had a single piece returned for
9 being defective. i.e. , Black water or pinholes.

10

11 **Q. HAVE YOU SOUGHT THE HELP OF ALOHA UTILITY IN
12 UNDERSTANDING WHY THE WATER QUALITY IS POOR IN
13 YOUR HOUSE?**

14 A. Yes. I have explained to their technician that where we live is on a dead end
15 and they should loop their supply pipes to keep an even water chemistry
16 throughout the whole system.

17

18 **Q. WHAT HAS BEEN YOUR EXPERIENCE OF THE QUALITY OF
19 WATER IN OTHER PARTS OF THE STATE?**

20 A. I have owned a house at the Silver Dollar Golf and Trap Club, Odessa, Florida
21 33556 since 1986. They have their own water treatment plant for all the
22 domestic water and I did not have any trouble at all.

1 **Q. HAVE YOU MADE ANY SUGGESTIONS TO ALOHA TO IMPROVE**
2 **YOUR WATER QUALITY?**

3 A. Yes. Make a loop in the supply lines and have a central water distribution
4 plant that would treat their water from all wells just like a real water utility
5 does. I have serviced other water and waste treatment plants with pipe, valves
6 and fittings since 1960 and know of none that supply water from different
7 parts of their service area.

8
9 **Q. DO YOU FEEL THAT THE UTILITY HAS GIVEN YOU A**
10 **SATISFACTORY EXPLANATION OF WHY THE WATER QUALITY**
11 **IN YOUR HOME PLUMBING IS INTERMITTENTLY**
12 **UNSATISFACTORY?**

13 A. No. They tell me it is because of the copper pipes, not draining the hot water
14 heater and the black rubber flappers in the water closets cause the problem.
15 By being in the wholesale plumbing supply business all my working career I
16 have sold thousands of hot water heaters, thousands of feet of copper pipe and
17 thousands of black rubber "Korkeys" for water closets. Never had any
18 problem with all these Standard of the Industry Products.

19
20 **Q. WHAT HAS BEEN YOUR EXPERIENCE OF THE CUSTOMER**
21 **SERVICE OF ALOHA UTILITY?**

22 A. They give me all the same excuses for my bad water and I know better. They
23 tell me my Delta faucets have brass and copper but yet they use a brass water
24 meter and a copper meter yoke at their street connections.

1 **Q. IS THERE ANY OTHER COMMENT THAT YOU WANT TO MAKE**
2 **ABOUT ALOHA, YOU MONOPOLY DRINKING WATER**
3 **COMPANY?**

4 A. Yes. If I had know n of this disgusting water problem I would have never
5 invested in a gated community for a \$500,000 house that you can't even drink
6 the water. Now if I try to sell this house it is worth less than \$250,000, not a
7 very good investment on my part for a problem that I have no control over.
8 I am the President of the Riviera Home Owners Association with only 37
9 home sites but no one is satisfied with Aloha Water. That is why we have a
10 petition for deletion from Aloha and changing to Pasco County water.

11

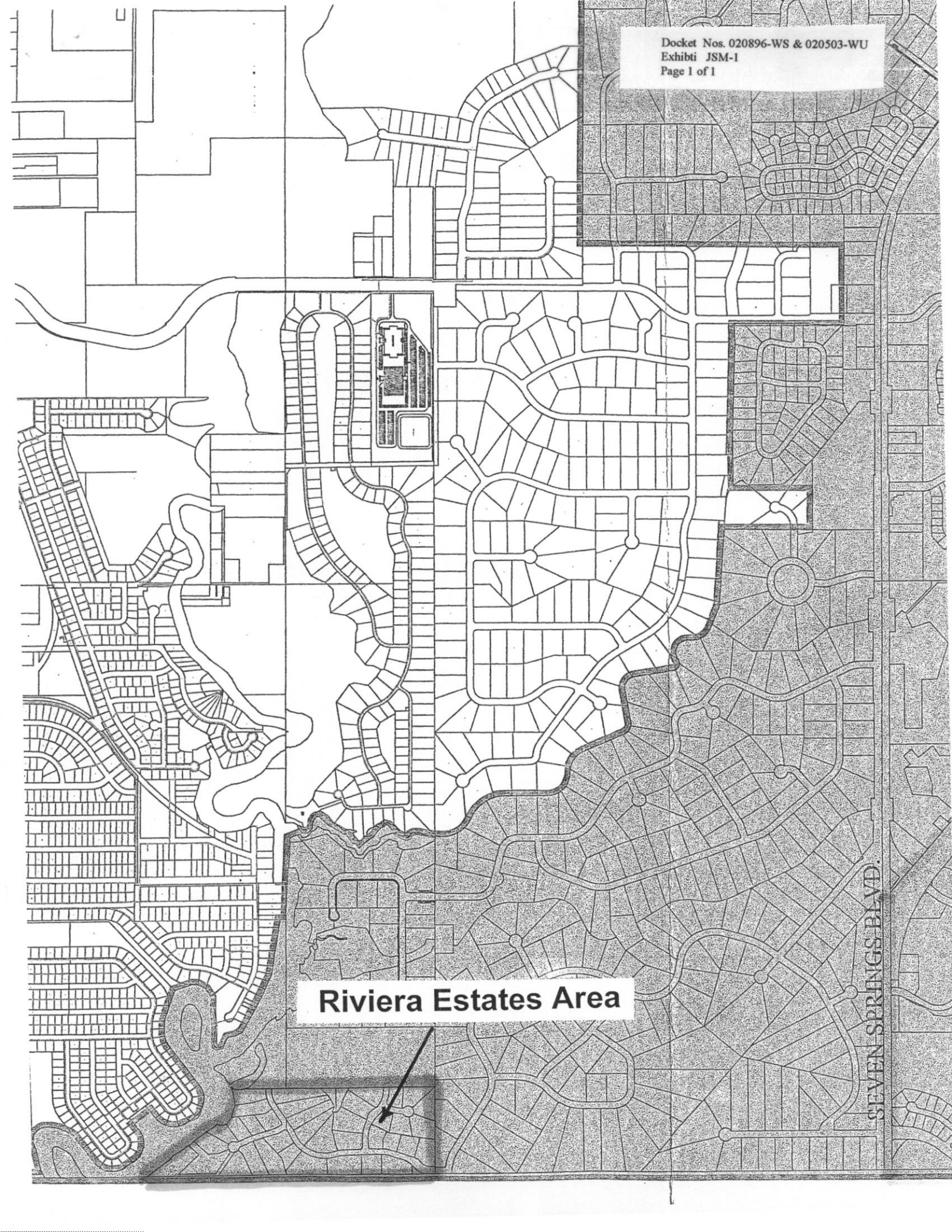
12 **Q. DOES THAT COMPLETE YOUR TESTIMONIAL?**

13 A. Yes.

EXHIBIT

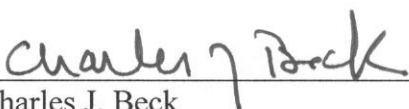
Riviera Estates Area

SEVEN SPRINGS BLVD.



**DOCKET NOS. 001503-TP and 020896-WU
CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail
or hand-delivery to the following parties on this 18th day of November, 2004.


Charles J. Beck

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