

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

EMAIL: OPC_WEBSITE@LEG.STATE.FL.US
WWW.FLORIDAOPC.GOV

ORIGINAL

JOHNNIE BYRD
Speaker



Charles J. Beck
Deputy Public Counsel

November 18, 2004

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-FPSC
NOV 18 PM 1:53
COMMISSION
CLERK

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

Dear Ms. Bayo:

CMP _____ Enclosed for filing, on behalf of the Petitioners, are the original and 15 copies of the
COM 5 Direct Testimony of Richard E. Wiltsey.

CTR 079
ECR _____ Please indicate the time and date of receipt on the enclosed duplicate of this letter
and return it to our office.

GCL 1

OPC _____

MMS _____

RCA _____

SCR _____

SEC 1

OTH _____ cc: All parties of record

Sincerely,

Charles J. Beck
Deputy Public Counsel

CJB:bsr

RECEIVED & FILED
R.V.N.
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
12399 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

RICHARD E. WILTSEY

DOCUMENT NUMBER-DATE

12399 NOV 18 3

FPSC-COMMISSION CLERK

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

RICHARD E. WILTSEY

1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

3 DIRECT TESTIMONY

4 OF

5 RICHARD E. WILTSEY

6
7 **Q. PLEASE STATE YOUR NAME AND ADDRESS**

8 A. My name is Richard E. Wiltsey. I reside at 1242 Arlinbrook Drive, New
9 Port Richey, Florida 34655.

10
11 **Q. WHICH UTILITY SUPPLIES YOUR DRINKING WATER AND FOR**
12 **HOW LONG HAVE YOU BEEN A CUSTOMER OF THAT UTILITY?**

13 A. Aloha Utilities Inc. has been my supplier of water since I moved into my new
14 home in Trinity Oaks, approximately June of 1994.

15
16 **Q. ARE YOU SATISFIED WITH THE QUALITY OF WATER IN YOUR**
17 **DOMESTIC PLUMBING?**

18 A. No.

19
20 **Q. WHY?**

21 A. The water is not clean and clear and has a bad odor when coming out the
22 faucet. The water also has an unpleasant taste. The taste and odor varies from
23 day-to-day and week-to-week but it generally varies from bad to very bad.
24 Upon returning, after being away for a short periods time, 5-7 days, the water
25 will have a much worse odor and has at times turned gray to black in color.

1 Also, my wife has had to continually clean the sides and bottom of the toilet
2 tank because sheets of black residue collect there very quickly. Aloha will
3 claim that the black in the toilet tank comes from the flapper but that is an
4 incorrect assumption on their part. The black is either from their water or
5 caused by their water.

6

7 **Q. DO YOU DRINK ALOHA WATER FROM YOUR TAPS?**

8 A. Neither my wife nor I drink the water directly from our faucets. The only
9 Aloha water we will drink is processed through a point of use Reverse
10 Osmosis system that is installed at our kitchen sink. The RO unit seems to
11 remove all of the bad taste and delivers clear water. Even if I need to take a
12 pill late at night I will not drink the water in the bathroom off our bedroom
13 and I will walk to our kitchen for the RO processed water. Aloha water is that
14 bad.

15

16 **Q. WHAT ELSE DISTRESSES YOU ABOUT THE QUALITY OF**
17 **WATER?**

18 A. There have been so many pinhole leaks in our neighborhood that I fear that I
19 will be next and have to incur the expense of having all of the copper pipes in
20 my home replaced.

21

22 **Q. HOW FREQUENTLY DO YOU EXPERIENCE POOR WATER**
23 **QUALITY?**

24 A. As I have stated earlier, the water is always bad, it just gets worse at certain
25 times. The water is also bad at points where there is less use such as in the

1 guest bathrooms. We do try to use all of the toilets and sinks in the home to
2 minimize the problem.

3

4 **Q. DO YOU EXPERIENCE POOR QUALITY FROM BOTH THE HOT**
5 **WATER AND COLD WATER FAUCETS?**

6 A. When I first moved into my home in 1994, I raised the hot water tank
7 thermostats to well over 150 degrees to get hotter water for our dishwasher. I
8 believe that this is why my hot water is not any worse than my cold water.
9 They both smell the same and both are discolored the same. My cold water is
10 bad and my hot water is bad.

11

12 **Q. UNDER WHAT CIRCUMSTANCES OF USE HAVE YOU**
13 **EXPERIENCED POOR QUALITY?**

14 A. Our water is never good, just bad and worse depending on water use and the
15 particular week or month.

16

17 **Q. WHAT KIND OF PIPES DO YOU HAVE?**

18 A. We have copper pipes and I'm afraid that now, after 10 years of Aloha water,
19 I have less copper than when I moved into this home.

20

21 **Q. DO YOU USE ANY OTHER FORM OF WATER CONDITIONING**
22 **OR FILTERS?**

23 A. I have a whole house water softener installed and as I stated earlier, a point of
24 use RO at the kitchen sink.

1 **Q. HOW DOES POOR WATER QUALITY AFFECT YOU AND YOUR**
2 **FAMILY?**

3 A. The poor quality of the Aloha water has my wife constantly complaining
4 about the problem and asking me what I am going to do about it. She
5 obviously knows that I am involved in trying to get our water improved over
6 the last 8 to 10 years but she still sees no improvement and no progress toward
7 a solution. She has suggested that I spend thousands of dollars on a home
8 treatment system but my hopes are on the PSC to remove us from this utility.
9 Our bad water situation is also embarrassing when we have guests and we
10 have to recommend to them that they do not drink the water and that the water
11 will not be clear when they fill the bathtub.

12 My wife and I have seriously considered moving. The reason we have
13 considered moving from our retirement home is to get to a place where there
14 is better water. We may still move yet. We are not happy with the situation
15 and should not have to put up with these conditions.

16
17 **Q. HAVE YOU SOUGHT THE HELP OF ALOHA UTILITY IN**
18 **UNDERSTANDING WHY THE WATER QUALITY IS**
19 **INTERMITTANTLY POOR IN YOUR HOME AND IN**
20 **IMPROVING IT?**

21 A. I had Aloha's consultant, David Porter, in my home several years ago to
22 discuss the poor quality problem. He stated that there was nothing wrong
23 with the water Aloha was delivering and that their water came from the same
24 underground aquifers as other utilities in Florida. He said the solution to my
25 water problem was to replace my copper pipes with CPVC, get rid of my

1 water softener and to try removing the anode from my hot water tank. I have
2 read in the published Aloha literature that this is the Aloha solution for all
3 customers.

4

5 **Q. DO YOU FEEL THAT THE UTILITY GAVE YOU A**
6 **SATISFACTORY EXPLANATION?**

7 A. No. I was not going to follow any of Mr. Porter's recommendations. I knew
8 the black water problem was worse in some areas than others and the problem
9 had to be related to a water chemistry difference in the Aloha wells rather than
10 the copper pipes or the softener. I felt that the water delivered from wells 8
11 and 9 were more to blame because they were the closest to the worst water
12 problems. My conclusion was that they had inadequate processing methods
13 for conversion or removal of hydrogen sulfide, especially with the water from
14 wells 8 and 9. Recent testing of the water from these wells indicates this to
15 be true. These wells have the highest levels of hydrogen sulfide in the Aloha
16 Utility system.

17

18 **Q. WHAT DID YOU DO THEN?**

19 A. Aloha's solution for our water problem is the same and remains unchanged. I
20 felt that there was no reason why I would report any more water quality
21 problems to Aloha because it would be a waste of my time and energy.

22

23 **Q. WAS THE CUSTOMERS' ADVISORY COMMITTEE FORMED BY**
24 **ALOHA?**

1 A. Not immediately. Although Aloha at first said they would agree to be
2 involved if a committee were to be formed, they later fought the idea and
3 delayed the formation until March of 2003.
4

5 **Q. WHAT DID YOU DO IN THE INTERIM?**

6 A. I tried to stay active and informed on the progress to solve the water problem.
7 I followed the activities of the PSC, Aloha and our local water committees. I
8 supported the petition that was signed by approximately 1500 homeowners in
9 the Trinity area. I was active in circulating the petition in Trinity Oaks and
10 received 100% participation from the homeowners I visited. Everyone I
11 approached was happy and eager to sign. Not one had anything good to say
12 about Aloha and they all supported the deletion.
13

14 **Q. WHAT WAS YOUR NEXT STEP?**

15 A. I will support and assist other members of my community in our ultimate goal
16 of being removed from the Aloha service area.
17

18 **Q. CONFRONTED BY ALOHA'S UNCOMPRAMISING STANCE**
19 **WHAT DID YOU DO?**

20 A. I have written two letters to the PSC requesting to be deleted from the Aloha
21 service area. In these letters I stated why I felt that deletion was a reasonable
22 and appropriate action to be taken by the PSC.
23

24 **Q. DID THE TECHNICAL AUDIT TAKE PLACE?**

1 A. Dr. Kurien has closely followed the audit process and can provide detailed
2 audit information.

3

4 **Q. WHAT DID YOU DO WHEN THE CAC WAS FINALLY FORMED?**

5 A. The CAC was finally formed but it was impossible to accomplish its intended
6 mission because Aloha refused to meaningfully participate in a majority of the
7 meetings. I am a member of the CAC and I deplore Aloha's attitude and lack
8 of participation. Their arrogant "the problem is not our water, it's your
9 plumbing" attitude has brought them to the point that the customers are asking
10 for deletion. The lack of interest they have displayed toward finding a
11 solution over the past 10 years has been inexcusable. I participated in all of
12 the CAC meetings as a member and attempted, along with other members, to
13 work toward a solution even without Aloha's participation.

14

15 **Q. HAS ALOHA FOLLOWED UP ON THE RECOMMENDATIONS
16 OF DR.LEVINE?**

17 A. I believe the new process now being proposed by Aloha for the solution to the
18 black water problem was at the recommendation of Dr. Levine.

19

20 **Q. WHY ARE THE CUSTOMERS PRESSING FOR DELETION OF
21 TERRITORY NOW AFTER THE AUDIT IS COMPLETED AND
22 ALOHA HAS OFFERED TO INSTALL A NEW METHOD FOR
23 WATER PROCESSING?**

24 A. Aloha has wasted 10 years where it did nothing to look into a possible
25 problem with the chemistry of its water and a solution. Now it is desperately

1 scrambling for a solution at the eleventh hour that might help. I personally
2 feel that the new treatment process will not solve the problem. Wells 8 and 9
3 are still going to produce very high levels of hydrogen sulfide and their new
4 process does not remove it. The only difference is in the process method of
5 converting the hydrogen sulfide. The method is unproven and will probably
6 not solve the problem and could introduce new problems.

7
8 Water quality is the main issue with Aloha and having them provide better
9 water but there are also customer issues with the Aloha management. The
10 arrogant, customer unfriendly attitude of the management along with their
11 legalistic approach to every problem is something I believe all customers want
12 to be removed from. I feel Pasco County Water would be a welcome
13 transition from what customers have had to put up with as Aloha customers.

14
15 **Q. CAN YOU ELABORATE ON THE DEFICIENCIES OF THE**
16 **CURRENT METHOD OF PROCESSING, AS YOU UNDERSTAND**
17 **THEM?**

18 A. I understood from Dr Levine's presentation to the CAC it is impossible to
19 produce good drinkable water from the Florida Aquifer that contains hydrogen
20 sulfide and no oxygen using only one method of water processing. In my
21 opinion the use of only chlorine to try to convert all of the hydrogen sulfide
22 that is in the water where hydrogen sulfide level is high is not likely to
23 succeed. I believe additional treatment and better process control are required
24 to insure that hydrogen sulfide is not entering or produced in our domestic

1 plumbing. In my opinion removal of hydrogen sulfide, rather than attempts to
2 oxidize it would be the best solution.

3

4 **Q. DO YOU HAVE A FINAL ASSESSMENT OF THE CREDENTIALS OF**
5 **ALOHA TO BE A DRINKING WATER PROVIDER IN THE YEAR**
6 **2004?**

7 A. Based on what I have observed over the last 10 years with their inaction and
8 relationship with their customers they should be out of the water business. If
9 Aloha were not a monopoly and if customers could easily switch to another
10 provider, Aloha would have been out of business years ago. Most customers
11 do not want to be Aloha customers and are only with them because they have
12 no choice.

13

14 **Q. WHAT THEN IS YOUR REQUEST TO THE PSC AT THIS TIME?**

15 A. The PSC gave our area to Aloha many years ago. If the PSC has the
16 authority to assign areas to different utilities, than it should have the authority
17 to take an area away. Due to the fact that Aloha has not met its obligation and
18 responsibility of providing clean and clear water that will remain so in the
19 pipes of its customers, the PSC should remove us from Aloha. We have been
20 patient enough. Deletion seems to be our only solution.

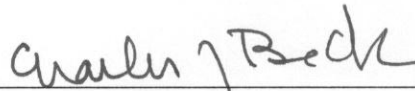
21

22 **Q. IS THAT THE END OF YOUR TESTIMONIAL?**

23 A. Yes.

**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

Rosanne Gervasi, Esquire
Division of Legal Services
Fla. Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

F. Marshall Deterding, Esquire
John Wharton, Esquire
Rose, Sundstrom and Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301

Mr. Harry Hawcrof
1612 Boswell Avenue
New Port Richey, FL 34655

V. Abraham Kurien, M.D.
1822 Orchardgrove Avenue
New Port Richey, FL 34655

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

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

Aloha Utilities, Inc.
Mr. Stephen G. Watford
6915 Perrine Ranch Road
New Port Richey, FL 34655-3904

John H. Gaul, Ph.D.
7633 Albacore Drive
New Port Richey, FL 34655

Wayne T. Forehand, Chairman
Citizens' Advisory Committee
1216 Arlinbrook Drive
Trinity, FL 34655-4556

James Mitchell, Jr.
Riviera Home Owners Association
5957 Riviera Lane
New Port Richey, FL 34655

Ann Winkler
Riverside Village Estates, Unit 4
4417 Harney Court
New Port Richey, FL 34655

John Parese
Riverside Villas
4029 Casa del Sol Way
New Port Richey, FL 34655