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February 17, 2005
VIA HAND DELIVERY

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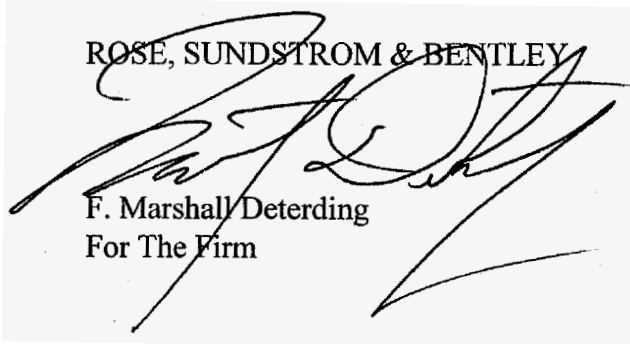
Re: Aloha Utilities, Inc.; PSC Docket No. 010503-WU
Our File No. 26038.35

Dear Ms. Bayo:

Attached please find the original and 15 copies of the Rebuttal Testimony of David Porter, P.E. filed on behalf of Aloha Utilities, Inc. in the above-referenced case.

Sincerely,

ROSE, SUNDSTROM & BENTLEY



F. Marshall Deterding
For The Firm

CMP _____
COM 5 + 1 transcript
CTR _____
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GCL 2
OPC _____ FMD/tms
cc: Ralph Jaeger, Esquire
MMS _____ Edward Wood
RCA _____ Harry Hawcroft
SCR _____ Charles Beck, Esq.
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FPSC-COMMISSION CLERK

1 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

2 ALOHA UTILITIES, INC.

3 DOCKET NO. 010503-WU

4 REBUTTAL TESTIMONY OF DAVID W. PORTER, P.E.

5 Q. Are you the same David W. Porter, P.E. that provided
6 direct testimony in this case?

7 A. Yes.

8 Q. Have you read the direct testimony of John R. Sowerby,
9 P.E. filed in this case?

10 A. Yes.

11 Q. Do you have any comments regarding the testimony of
12 John R. Sowerby, P.E.?

13 A. Yes as provided below:

14 Q. Mr. Sowerby states that the Department would have no
15 problem if the Utility chose to extract water quality
16 samples for analysis at locations other than those
17 prescribed by FDEP Rule so long as the Utility also
18 tested at the sites required by FDEP Rule. In your
19 opinion, by his making this statement, did you believe
20 the FDEP encourages sampling at other locations?

21 A. In my opinion, they do not. As far as Mr. Sowerby went
22 with his answer I agree with him, however, based on my
23 many years of working with the FDEP and its rules, it
24 is my experience that their rules do not prevent a
25 utility from taking whatever samples they choose. In

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FPSC-COMMISSION CLERK

1 fact, if the utility chose to sample and test for any
2 parameter what-so-ever, no matter how meaningless that
3 sampling and testing may be, the Department would not
4 object. However, just because the Department would not
5 object to a utility taking non-required samples and
6 conducting non-required analysis, that does not mean
7 that they encourage or endorse this practice.

8 Q. Mr. Sowerby states that the Department would have no
9 problem if the Utility chose to extract water quality
10 samples for analysis at intervals more frequent than
11 those prescribed by FDEP Rule. In your opinion, by
12 making his statement, do you believe FDEP encourages
13 sampling and testing at frequencies greater than those
14 prescribed by FDEP Rules?

15 A. In my opinion, they do not. Again, as far as his
16 answer to this question went, I agree with him.
17 However, based on my experience working for many years
18 with the FDEP and its rules, I think that Mr. Sowerby
19 could have added that the FDEP rules do not prevent a
20 utility from taking samples more frequently than
21 required by FDEP Rule if they choose. In fact, if the
22 utility chose to sample and test at any frequency
23 greater than that required by FDEP rule, no matter how
24 meaningless that sampling and testing may be, the
25 Department would not object. However, just because the

1 Department would not object to a utility taking more
2 frequent samples than required by FDEP rule, that does
3 not mean that they encourage or endorse this practice.

4 Q. Mr. Sowerby states that the Department would allow
5 Aloha to modify its facilities to enhance sulfide
6 removal capabilities. In your opinion, by his making
7 this statement, do you believe FDEP endorses or
8 encourages the construction of such modifications?

9 A. In my opinion, they do not. Again as far as he went, I
10 agree with Mr. Sowerby, however, I believe that his
11 response would have been more complete if he had stated
12 that the current FDEP Rules do not require Aloha to
13 undertake such modifications (as he did elsewhere in
14 his testimony). However, based on my many years of
15 experience working with the FDEP and its rules the FDEP
16 rules do not prevent a utility from adding additional
17 treatment processes to their facilities beyond those
18 required by FDEP Rule if they choose; so long as the
19 modifications are permissible by the Department. In
20 fact, if the utility chose to add any treatment process
21 to their facilities, no matter how meaningless those
22 new facilities may be, so long as they were
23 permissible, the Department would not object. However,
24 just because the Department would not object to a
25 utility adding treatment processes in excess to those

1 required by their rules, that does not mean that they
2 encourage or endorse this practice.

3 Q. Mr. Sowerby stated in his testimony that Aloha
4 consistently maintains throughout its distribution
5 system a free chlorine residual equal to, or greater
6 than, the minimum 0.2 mg/L required by FDEP rule. In
7 your opinion, does this statement indicate anything
8 that can be assumed about the hydrogen sulfide
9 concentration of the water in the distribution system?

10 A. Yes. While I agree with what Mr. Sowerby stated, I
11 think this answer could have provided additional
12 important information, especially in the context of the
13 issues surrounding this docket. The presence of a free
14 chlorine residual at the extremities of a utility's
15 water distribution system is measured to determine a
16 number of important things, not only about what is in
17 the water flowing through the distribution system, but
18 at least as importantly what is not in that water.
19 When a free chlorine residual is present, it is
20 generally understood that substances that are oxidized
21 by the chlorine (such as hydrogen sulfide) are not
22 present in the water. This is especially true when the
23 free chlorine residual is present at the extremities of
24 the water distribution system. Also, the presence of
25 the free chlorine at these points, along with the

1 proper coliform bacteria testing results, indicates
2 that the water has been provided proper disinfection.

3 Q. Do you have anything further to offer?

4 A. No.

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