

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060368-WS

In the Matter of:

APPLICATION FOR INCREASE IN WATER AND
WASTEWATER RATES IN ALACHUA, BREVARD,
HIGHLANDS, LAKE, LEE, MARION, ORANGE,
PALM BEACH, PASCO, POLK, PUTNAM,
SEMINOLE, SUMTER, VOLUSIA, AND WASHINGTON
COUNTIES BY AQUA UTILITIES FLORIDA, INC.



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PROCEEDINGS: GREEN ACRES SERVICE HEARING
BEFORE: COMMISSIONER MATTHEW M. CARTER, II
COMMISSIONER NATHAN A. SKOP
DATE: Friday, May 11, 2007
TIME: Commenced at 10:30 a.m.
Concluded at 12:01 a.m.
PLACE: Palm Beach County Library System
Green Acres Branch
3750 Jog Road
Green Acres, Florida
REPORTED BY: LINDA BOLES, RPR, CRR
Official FPSC Reporter
(850) 413-6734

DOCUMENT NUMBER - DATE

04170 MAY 23 5

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5 the State of Florida.

6 KENNETH A. HOFFMAN, ESQUIRE, Rutledge Law Firm, Post
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8 Aqua Utilities Florida, Inc.

9 ROSANNE GERVASI, ESQUIRE, FPSC General Counsel's
10 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida
11 32399-0850, representing the Florida Public Service Commission
12 Staff.

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1
2 COMMISSIONER CARTER: Good morning. I'd like to call
3 this service hearing to order. My name is Matthew Carter,
4 Public Service Commissioner. Joining me also is Commissioner
5 Nathan Skop. I just wanted to call the hearing to order. And,
6 staff counsel, would you please read the notice.

7 MS. GERVASI: Yes, sir. Pursuant to notice, this
8 time and place has been set for a customer service hearing in
9 Docket Number 060368-WS, In Re: Application by Aqua Utilities
10 Florida, Inc., for a rate increase in Alachua, Brevard,
11 Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk,
12 Putnam, Seminole, Sumter, Volusia and Washington Counties.

13 COMMISSIONER CARTER: Okay. Thank you very much.
14 Now let us take appearances of counsel.

15 MR. REILLY: Steve Reilly with the Office of Public
16 Counsel, 111 West Madison Street, on behalf of the ratepayers.

17 MR. HOFFMAN: Good morning, Commissioner. My name is
18 Ken Hoffman. I'm with Rutledge, Ecenia, Purnell & Hoffman.
19 Our address is 215 South Monroe Street, Tallahassee, Florida.
20 I'm here this morning on behalf of Aqua Utilities, Florida.

21 MS. GERVASI: And Rosanne Gervasi appearing on behalf
22 of the Commission.

23 COMMISSIONER CARTER: Thank you. We have, as a
24 preliminary matter we have two documents here. Have you seen
25 those, Mr. Reilly?

1 MR. REILLY: Yes. Uh-huh.

2 COMMISSIONER CARTER: Any objections?

3 MR. REILLY: None.

4 COMMISSIONER CARTER: Enter them in sequential order
5 pursuant to --

6 MR. HOFFMAN: For the record, if I may, Commissioner.

7 COMMISSIONER CARTER: Yes, sir. You're recognized.

8 MR. HOFFMAN: Thank you. I would ask that the notice
9 of the Green Acres Customer Service Hearing be marked and
10 admitted as Exhibit 3, and that the copy of the newspaper
11 notice of the Green Acres Customer Service Hearing and the
12 Proof of Publication be marked for identification and admitted
13 as Exhibit 4.

14 COMMISSIONER CARTER: Show it done.

15 MR. HOFFMAN: Thank you.

16 (Exhibits 3 and 4 marked for identification and
17 admitted into the record.)

18 COMMISSIONER CARTER: Thank you. Thank you.

19 Now let me begin by welcoming all of you, and thank
20 you for joining us here this morning. We appreciate your
21 interest in the petition that's been filed by Aqua Utilities
22 Florida. We're here because we want to hear from you. We're
23 very interested in your concerns and comments related to the
24 company's request. We also have company representatives and
25 PSC staff available to discuss billing issues.

1 Now this is an official hearing that will be
2 transcribed. Our court reporter is over here. It will become
3 part of our official record. As such, you'll need to be sworn
4 in before you present your comments, and we'll take care of
5 that in a few minutes. Please note that your comments will
6 also be subject to cross-examination. That is to say that you
7 may be asked questions by either of the party's attorney or by
8 one of the Commissioners.

9 You may have noticed the speaker sign-up forms, we
10 have them out front there, when you arrived. If you plan to
11 speak today, please make sure that you've signed the forms, if
12 you haven't done so already. And what we're doing is to have
13 that for the record, to have that for our official record.

14 The Office of Public Counsel will be calling those of
15 you that want to speak at the appropriate time to present your
16 comments. If you do not want to provide verbal comments but
17 you want to provide written comments later on, we also have a
18 form that you can -- it will be the last page of the blue form
19 here that you can leave those comments for us.

20 Before we hear from you today, we'll first go off the
21 record for a few moments in order for our staff to present a
22 brief overview of the company's petition to kind of help inform
23 you about the process and all. And at this point in time we
24 will go off the record and recognize Mr. Rendell.

25 (Presentation given off the record.)

1 Thank you, Mr. Rendell. We are now back on the
2 record officially. And I just wanted to take -- I hope the
3 presentation has been helpful to you informationally.

4 In order to speak, make sure that you've signed one
5 of the forms, if you haven't already. As I mentioned, your
6 name will be called by Mr. Reilly, Office of Public Counsel,
7 when it's your turn to speak. And what we're going to be doing
8 is that we're going to be swearing you all in at the same time.
9 Now obviously as other people come that are not here now, we'll
10 take care of those. So those of you that are willing to, that
11 are willing to speak this morning, would you please stand and
12 raise your right hand and repeat after me?

13 (Witnesses collectively sworn.)

14 All right. You may be seated. Thank you. Thank
15 you. Remember when you come to the microphone to state your
16 name and address and telephone number and the name of the
17 company that provides your service. And we have a court
18 reporter here who is going to transcribe your verbal comments
19 so we can put that into the record.

20 All right. So at this point in time, Mr. Reilly,
21 you're recognized.

22 MR. REILLY: Yes, sir. We have Gerald Lindsey to
23 speak first.

24 MS. GERVASI: Commissioner, if I may, and I'm sorry
25 to interrupt.

1 COMMISSIONER CARTER: Yes, ma'am.

2 MS. GERVASI: Often the parties' attorneys have brief
3 opening remarks that they would, they may care to make before
4 the customers come up.

5 COMMISSIONER CARTER: You know, why don't we do that
6 in light of the fact that we did have the presentation that
7 kind of generically laid everything out. So why don't we do
8 this -- and I think what, I think we agreed to what, is it five
9 minutes or ten minutes, did we say?

10 MS. GERVASI: Yes, sir, that would be fine, five or
11 ten.

12 COMMISSIONER CARTER: Okay. Mr. Hoffman, you're
13 recognized.

14 MR. HOFFMAN: Thank you, Mr. Chairman.

15 Good morning. My name is Ken Hoffman. I introduced
16 myself earlier. I represent Aqua Utilities Florida. I want to
17 thank the staff for giving you some, some of the procedural
18 background on the case, so I won't repeat all that.

19 What I'd like to just inform you is that we have
20 80 systems that are included in this case that have not sought
21 rate relief through a formal rate case for over a decade.
22 Since the date rate relief was last provided by the Public
23 Service Commission or by a county regulator for the various
24 systems that are included in this case the company has made
25 significant capital investments, and operating and maintenance

1 expenses have increased as a result of new rules and standards,
2 as well as ordinances and other requirements of federal, state
3 and local regulators.

4 The company is seeking a rate increase in this
5 proceeding to recover the costs of these investments and these
6 increased operating and maintenance expenses that are required
7 to maintain and enhance the service that we provide to our
8 customers.

9 As Mr. Rendell mentioned, we're also asking the
10 Commission to establish a county-wide rate structure where the
11 rates would be the same for the water or wastewater systems in
12 each county.

13 Since Aqua America's acquisition of the AquaSource
14 properties in 2003 and the Florida Water properties in 2004,
15 Aqua Utilities Florida will have invested almost \$22 million in
16 capital investments for the systems included in this rate case
17 through December 31 of 2007. If you just look at 2005, 2006
18 and 2007, Aqua Utilities will have invested approximately
19 \$6.5 million in our water facilities, \$10.7 million in our
20 wastewater facilities and \$1.4 million in general plant
21 facilities.

22 Here in Palm Beach County we have made capital
23 improvements that include water treatment plant upgrades, tank
24 rehabilitation and the replacement of undersized and
25 deteriorating pipe to address water quality, water pressure and

1 service reliability issues. So from our, from our standpoint,
2 a rate increase is necessary so that we can be given an
3 opportunity to recover those additional investments.

4 As we laid out in our application that we filed with
5 the PSC, without rate relief and utilizing the 2007 test year,
6 which is the year that we have asked for and received approval
7 for to use to calculate our proposal, our proposed rates, our
8 overall rate of return using a 2007 test year is a negative
9 6.74 percent for our water systems and it's a negative
10 6.26 percent for our wastewater systems. So from our
11 standpoint, we think it's fairly intuitive that such returns
12 will not allow Aqua Utilities to remain viable, much less to
13 continue to attract capital to finance investments and operate
14 our systems in Florida. And ultimately it's these deficient
15 returns and the investments that I mentioned and the increased
16 operating expenses that I mentioned that have caused us to seek
17 rate relief from the PSC.

18 So let me wrap up, Commissioner Carter. Our purpose
19 obviously this morning is to hear from you. Just speaking on
20 behalf of the company, I want to emphasize that I and we
21 appreciate the fact that you took the time to come out here
22 this morning and we will listen attentively to your comments.

23 I also want to note, Commissioners, that Jack
24 Lihvarcik, who is the President and the Chief Operating Officer
25 of Aqua Utilities in Florida, is seated here in the dark green

1 jacket on that side of the room. If you'd hold up your hand,
2 Jack, together with Nance Guth, our Assistant Controller. They
3 are here, if anyone after they have testified or even if they
4 have not testified, if they have any additional discussions,
5 concerns, questions, these folks are available, and they can go
6 to the back of the room and take up additional discussions, if
7 they'd like. Thank you.

8 COMMISSIONER CARTER: Mr. Reilly.

9 MR. REILLY: As I said, my name is Steve Reilly. I'm
10 with the Office of Public Counsel. The Florida -- we are under
11 the Florida Legislature. We are funded, provided with general
12 revenue to provide free legal representation to the ratepayers
13 to hire consultants to scrutinize these types of cases. This
14 particular case, as was said to you, is 80 something systems
15 statewide. We have hired what we think is one of the best
16 regulatory analysts in the business. She goes all over the
17 nation scrutinizing these types of cases, and she's been
18 brought in to do the regulatory accounting issues to try to
19 particularly look -- this is a big holding company, one of the
20 largest in America, and some of this case is a matter of
21 allocating all of these company costs down to the individual
22 systems. So you want to look at the reasonableness of those
23 allocation factors and the reasonableness of the salaries and
24 the overheads and all of that. So she's adept at trying to
25 scrutinize that, and so that's almost being done on a

1 systemwide basis. And as those issues get played out, they'll
2 trickle down to a small system like this.

3 We have hired and brought in one of the biggest and
4 best engineering firms in the world really, Tetra Tech. And we
5 brought in a young engineer who has a lot of experience in
6 water and wastewater cases, and he is going to personally
7 inspect each and every one of the Aqua systems, including this
8 one. Obviously there's not as much to inspect in this system
9 because I believe you just, you purchase water and basically
10 it's just a little distribution system. But he will physically
11 come here, verify, you know, the used and useful, whether the
12 system is, you know, fully built out. And also I would like
13 when he comes -- I think he's scheduled for May 30 so he can
14 meet with customers and just, again, get any follow-up comments
15 you might have, issues, quality of service and all those. So,
16 so these will be the technical experts that will offer
17 testimony and provide schedules that will be critiquing the
18 company's request statewide.

19 I very much appreciate you coming here. I think
20 that's the way the Commission can appreciate the level of
21 concern. Obviously in this case, as well as many of the other
22 cases, there's some very, very substantial rate increases. So
23 we want to make sure, as I'm sure you do, that they are
24 absolutely necessary and that really quality service at the
25 least possible cost is provided. I've given my card to the

1 was called as a witness on behalf of the Citizens of the State
2 of Florida and, having been duly sworn, testified as follows:

3 DIRECT STATEMENT

4 MR. LINDSEY: Thank you. My name is Gerald Lindsey.
5 I live at 1401 Lake Bass Drive. I'm a homeowner, service buyer
6 for utilities. I've lived there for about the last seven
7 years. Basically the -- everyone understands that everybody
8 needs to make money, but this rate increase is absolutely
9 asinine. I think I heard a 6 percent deficit you were working
10 at on both your water and your sewer wastewater, and you're
11 asking for a 79 percent increase on the water and 105 on the
12 sewer, the wastewater. I also understand that the Lake Worth
13 is serviced by -- I think the employees that service our system
14 work for Lake Worth Utilities, and they do most of that work in
15 the evenings and the weekends. I don't think they have regular
16 daily service people available for our area, do they? No, I
17 didn't think so.

18 I understand a rate increase 4 percent a year
19 possibly for the last few years, but there's no way that you
20 can justify a 79 percent increase in our water rates. I mean,
21 we've been hit by the hurricanes, the insurance, taxes. You're
22 running more people out of, out of Florida, and that's what's
23 going to happen. I mean, you're going to make it -- I'm lucky
24 I still work. We have a lot of people on fixed incomes that do
25 not and cannot afford a rate increase like this for water.

1 Water is a precious commodity here in Florida these days, but
2 it has to be affordable also. Thank you.

3 COMMISSIONER CARTER: One moment, please,
4 Mr. Lindsey.

5 MR. LINDSEY: Yes.

6 COMMISSIONER CARTER: Do either of the parties have
7 any questions? Commissioner?

8 Thank you so kindly.

9 Mr. Reilly.

10 MR. REILLY: Okay. Judith Adamski.

11 COMMISSIONER CARTER: When you get up here, please
12 help us spell that, okay, your last name.

13 Whereupon,

14 JUDITH ADAMSKI

15 was called as a witness on behalf of the Citizens of the State
16 of Florida and, having been duly sworn, testified as follows:

17 DIRECT STATEMENT

18 MS. ADAMSKI: It's A-D-A-M-S-K-I.

19 COMMISSIONER CARTER: Thank you.

20 MS. ADAMSKI: I married a Pollock.

21 I've lived in Lake Osborne Estates for 20 years, and
22 I moved to the other side of High Ridge Road when I was five
23 years old and lived there for 30, 30 something years with my
24 father and mother. And when I got married, I liked the area so
25 much that I moved close by and, and have stayed there.

1 Anyway, our quality of life is changing so rapidly in
2 South Florida due to the hurricanes and the insurance increase
3 and everything else, and this is just one more thing that is
4 driving people out of Florida.

5 And these are good people that live in Lake Osborne.
6 You know, they're law-abiding citizens and they take care of
7 their homes. And, you know, it's just sad to me that y'all are
8 doing this. It's too much. It's excessive. Thank you.

9 COMMISSIONER CARTER: Thank you so kindly. Any
10 questions? Commissioner?

11 Thank you so much, Ms. Adamski. Did I --

12 MS. ADAMSKI: Adamski.

13 COMMISSIONER CARTER: Adamski. Okay. Thank you.
14 Mr. Reilly.

15 MR. REILLY: Raymond Thomsen.

16 Whereupon,

17 RAYMOND THOMSEN

18 was called as a witness on behalf of the Citizens of the State
19 of Florida and, having been duly sworn, testified as follows:

20 DIRECT STATEMENT

21 MR. THOMSEN: Raymond Thomsen, 5438 Lake Osborne
22 Drive, (561)586-1223. I've lived in the area about 50 years
23 and we like it here. Yesterday at this time I was eating smoke
24 coming through Gainesville, and I wanted to make sure I got
25 here.

1 Now my meter has not been read in over two years.
2 There's grass growing over it. And the last -- and it may have
3 been before then because I had to shut the water off myself and
4 dig up a lot of turf to get at the meter. And, well, I know
5 there's probably a rate increase due, but I think it's a little
6 exorbitant to increase it as much as what they're asking for.
7 And that's about it. We like the area, plan on staying here.
8 Thank you.

9 COMMISSIONER CARTER: Thank you so kindly. Okay.

10 MR. REILLY: Ken Berg.

11 Whereupon,

12 KEN BERG

13 was called as a witness on behalf of the Citizens of the State
14 of Florida and, having been duly sworn, testified as follows:

15 DIRECT STATEMENT

16 MR. BERG: My name is Ken Berg. I live at 1515
17 Shirley Court. That's in Lake Osborne Estates. My phone
18 number is (561)588-8815. I can't be brief with this matter.
19 I'd like to admit this to the clerk. What I'm giving the clerk
20 is a petition signed by 370 of the 450 residents in Lake
21 Osborne Estates severely objecting to any and all rate
22 increases proposed by Aqua Utilities.

23 MR. CONRAD: I'd like to sign that. I didn't get a
24 chance to sign that yet. If I can before you submit that.

25 COMMISSIONER CARTER: That's not a problem. Not a

1 problem at all.

2 (Applause.)

3 If you want to, Mr. Berg -- excuse me. Let me
4 interrupt you for a moment.

5 MR. BERG: Sure.

6 COMMISSIONER CARTER: If you want to, if you have
7 some more of your neighbors who have not had an opportunity, we
8 could wait until the end of the day to admit that, if you'd
9 like, if that would be more reasonable.

10 MR. BERG: I think what we would do, if it's, if it's
11 allowed, is to at the October meeting present any additional
12 petitions we might have. Is that -- can that be done?

13 MR. REILLY: I think we can arrange -- I mean, I
14 think even at the technical hearing there may be a time for
15 public comment. But obviously given the distances -- the
16 hearing is in Tallahassee. But I will confirm that.

17 COMMISSIONER CARTER: Okay. We'll admit this as
18 public comment from today.

19 MR. REILLY: Thank you.

20 MS. GERVASI: That was my suggestion is you could
21 always supplement it with another petition if there are more
22 names that are signed between now and then.

23 COMMISSIONER CARTER: Mr. Berg, I would just suggest
24 to you, as Mr. Reilly has said, they'll be having a person
25 coming down at that point in time. If you'll just coordinate

1 with his office, he can get the information to us.

2 MR. BERG: That would be great.

3 MS. GERVASI: And pardon me one more time.

4 MR. BERG: Sure.

5 MS. GERVASI: And that is a suggestion to have it
6 marked as Exhibit 5.

7 COMMISSIONER CARTER: Exhibit 5. Show it done. And
8 the title would be -- Mr. Reilly, a suggestion.

9 MR. REILLY: Petition in Opposition to Rate Increase.

10 COMMISSIONER CARTER: Okay. Exhibit 5.

11 (Exhibit 5 marked for identification.)

12 MR. BERG: Just a side comment, the reason you don't
13 see a lot of other neighbors here, this happens to be Friday,
14 it's payday, it's 10:30. Anybody that's here had to take off
15 work. So please don't interpret the lack of participation here
16 as a sign that we don't care. I think the petition that we're
17 presenting really says it all. And I just want to briefly go
18 through that. It's -- I'll cover the major points. But the
19 complete petition that we have and the reason for it are listed
20 there.

21 We're a small community of about 450 homes. It's
22 made up of working-class people and retirees. Basically we're
23 all of modest income. This Lake Osborne community was
24 constructed in the late 1950s, early '60s. And historically
25 the Lake Osborne Estates area had its own water service plant,

1 but in subsequent years the water service was sold to what I'd
2 just call a water distributor. Before Aqua we had Crystal
3 River Utilities back for numerous years. What's important to
4 realize is that during that whole time no improvement have been
5 made to the water system, so they cannot justify rate increases
6 by saying they've done improvements. They have done none. We
7 don't have a water treatment plant, or they don't. They buy
8 water from the City of Lake Worth, pass it on to us through a
9 commercial account. Lake Worth has the well field, the water
10 treatment plant, the water storage plant. They are permitted
11 by the Department of Environmental Protection with a water
12 distribution general permit. All that Aqua Utilities has is a
13 DEP-issued connectivity permit, which means they're just
14 connected to the City of Lake Worth water supply system. They,
15 in turn, transfer the water to us. The only structure they
16 have are the pipes in the ground that lead from that point
17 source, that connection to Lake Worth Utilities, and our
18 meters. That's all they have.

19 They also have fire hydrants, which another member is
20 going to address. The community has been cited for not having
21 sufficient water pressure to fight fires. So they have not
22 done any improvement in that regard either.

23 On March 12th a letter was sent to Palm Beach County
24 Commissioner Warren Newell by the Chief Operating Officer of
25 Aqua, and he basically said that they've spent \$22 million

1 capital investments to improve water and wastewater service.
2 That's not to Lake Osborne Utilities. We received nothing,
3 zero.

4 We're the only entity, as you're well aware, that
5 receives water from Aqua Utilities in Palm Beach County. I
6 cannot for the life of me figure out how they plan to equalize
7 water and wastewater rates in Palm Beach County when we're
8 their only customer. To me that seems ludicrous.

9 As you have in your support documentation that you
10 provided to the general public, Aqua does not have any
11 wastewater treatment facilities nor wastewater collection lines
12 nor stormwater lines in Lake Osborne Estates. They do not have
13 to maintain any of that. So, there again, us being lumped into
14 a large group -- and we're going to receive no benefit at all
15 from these improvements.

16 I also checked on the Internet, thank God, it's a
17 wonderful tool to use, and found out, yes, there are proposed
18 improvements in other areas of Florida. We're aware that Aqua
19 appears to have gone on a buying binge from 2003 to the present
20 time, bought 60 some water and wastewater facilities, and
21 there's a large portion of them they bought at economic risk.
22 They're in very, very poor condition, they're going to need
23 upgrades. Are they connected to the water system that supplies
24 Lake Osborne with water? No, they are not. We're isolated
25 here. We're not part of the West Coast. You don't see pipes

1 running from Lake Worth or Lake Osborne over to Sarasota, for
2 example. We should not be strapped with the financial burden
3 of having to support all these other improvements to all these
4 other systems and nothing done for Lake Osborne Estates through
5 Aqua Utilities.

6 I've grown up in the area, as many people in the
7 neighborhood have, and I will verify there have been no
8 attempts to upgrade or improve any of the water service on
9 behalf of Aqua to the residents.

10 As recently as several weeks ago I had a complaint
11 and issue not directly related to this but somewhat related to
12 this, and this relates to their service. I called their
13 complaint line, basically said, "I have this issue." The
14 person at the other end said, "Well, you're not going to get
15 anything like that." I said, "Well, explain what I am going to
16 receive." "Well, I might send somebody out there and, if I do,
17 I'll let you know what happens." What is that? So service, I
18 would say in my respect, is poor to nonexistent. They may need
19 to get some new customer service people.

20 (Applause.)

21 In terms of their -- it was brought up about Aqua's
22 environmental compliance records. I sincerely believe that the
23 Public Service Commission of Florida needs to look into their
24 environmental compliance records. I included just a brief
25 series of bullets that kind of indicate that they need to

1 address several environmental issues they have. They've
2 written consent agreements with the Florida Department of
3 Environmental Protection in 2007 in both Washington and
4 Seminole Counties. Sarasota County on their website lists
5 numerous, and I'll underline that, numerous Aqua health and
6 monitoring violations. It appears to me they're not doing a
7 good job over there either.

8 One of their parent companies, Aqua America or one of
9 their subsidiaries, in 2004 they were found in violation for
10 their wastewater treatment plant expansion because they did not
11 expand it within sufficient time lines or agreed upon time
12 lines.

13 What were they required to do with regards to the
14 wastewater plant? They had exceedences in several chemical
15 elements that released into the water. In order to take care
16 of those exceedences, they were supposed to expand the plant's
17 capacity and therefore treat the water to a standard which
18 allowed it to be discharged. They didn't do that, so they got
19 two violations. And that was in Tennessee. No, excuse me,
20 that was Virginia. Tennessee, they had problems getting a loan
21 and the Tennessee Regulatory Authority denied their petition
22 for approval of debt. It appeared that they had a problem with
23 Tennessee, that is, who was issuing the money for the loan.

24 I didn't see whether or not there were any violations
25 for the FDEP local permit. For the City of Lake Worth there

1 were none, nor for Aqua in their connectivity permit.

2 Based on these factors primarily, I, and I think I
3 can speak on behalf of everybody's name that's on that
4 signature, wish and hope and pray that the Public Service
5 Commission denies any and all requested rate increases from
6 Aqua Utilities. Thank you.

7 COMMISSIONER CARTER: Thank you very much, Mr. Berg.
8 (Applause.)

9 MS. GERVASI: Commissioner, I believe that with
10 respect to that exhibit it has been marked for identification.
11 I don't believe it's been moved into the record. It probably
12 should reflect that it is a petition of the Lake Osborne
13 customers so that the record is clear.

14 MR. REILLY: That would be fine, and I do move that
15 into the record.

16 COMMISSIONER CARTER: Okay.

17 MR. REILLY: Lake Osborne.

18 COMMISSIONER CARTER: Okay. Show it done.

19 Mr. Berg, have you got a moment, please? Could you
20 just come back up for a few seconds? Commissioner Skop had a
21 couple of questions for you.

22 COMMISSIONER SKOP: Thank you, Mr. Berg, for
23 appearing before the service hearing this morning. We
24 appreciate you taking the time out of your busy schedule to do
25 so.

1 With respect to the -- notwithstanding the other
2 concerns that you mentioned with respect to the issues that you
3 raised with respect to environmental compliance issues, as a
4 ratepayer who do you feel should bear the burden of complying
5 with such regulations? And do you feel that that should be
6 absorbed into the rate base and is the cost of providing
7 services?

8 MR. BERG: Well, I work for the association in Palm
9 Beach County that collects and disposes of all the waste,
10 generated solid waste. We do not budget for, nor do we pass on
11 to taxpayers fees that result in environmental compliance
12 problems. They should not be able -- they're publicly traded,
13 we know that. Publicly traded means we want money, we want
14 profit. Now if a city or a municipality owned this water
15 system, ha, it would be a little bit different. And that's
16 what I -- I would also ask you guys to make sure that they're
17 not passing on penalties that they're getting in other states
18 or the State of Florida for their opportunities, I'll use that
19 term, in their wastewater and water treatment and water
20 distribution systems.

21 COMMISSIONER SKOP: Thank you, sir.

22 And I have a question for counsel, Mr. Hoffman. With
23 respect to Mr. Berg's allegations, does -- excuse me -- do you
24 as counsel have any rebuttal to those remarks?

25 MR. HOFFMAN: Commissioner, I don't. I mean, that's

1 the first I've heard of them this morning. Typically, at least
2 in the customer service hearings that I've participated in, if
3 there's any follow-up from the company when something is first
4 raised at the service hearing, we're typically allowed some
5 time to research an issue and provide a response. And if you'd
6 like that, we'd be happy to do that.

7 COMMISSIONER SKOP: Thank you.

8 COMMISSIONER CARTER: Thank you so kindly.

9 Show the document moved in as Exhibit -- are we on 5,
10 is that our number now, Exhibit Number 5?

11 MS. GERVASI: Yes, sir.

12 COMMISSIONER CARTER: And the title, Mr. Reilly, once
13 again was the Petition of --

14 MR. REILLY: The Lake Osborne Estates Petition in
15 Opposition to the Rate Increase.

16 COMMISSIONER CARTER: Okay. Show it done.

17 (Exhibit 5 admitted into the record.)

18 MR. REILLY: And just a number of customers have
19 spoken of the 79 percent increase in the water rates. I think
20 that was a generic statewide figure. I think the one that's
21 more appropriate for this on a revenue is more about
22 141 percent, I believe. So I just -- just to --

23 MR. BERG: Could I come back to the podium, please?

24 COMMISSIONER CARTER: Hold on. I want to give
25 everybody an opportunity.

1 MR. BERG: This will just take a second.

2 (Applause.)

3 COMMISSIONER CARTER: Okay. But I do want, I do
4 want, in all fairness --

5 UNIDENTIFIED SPEAKER: We've got plenty of time.
6 We've got it covered.

7 COMMISSIONER CARTER: Well, wait. I know you may
8 have time, but we want to give everybody ample opportunity to
9 be heard.

10 UNIDENTIFIED SPEAKER: We'll all wait it out. We'll
11 wait it out.

12 UNIDENTIFIED SPEAKER: He's our spokesperson.

13 UNIDENTIFIED SPEAKER: He's our spokesperson.

14 UNIDENTIFIED SPEAKER: We'll wait it out.

15 COMMISSIONER CARTER: You're recognized.

16 MR. BERG: The notice that was sent to us, which you,
17 I'm sure, have a copy of, indicates an interim rate of, I'm
18 just using round numbers for the sake of argument, we go from
19 \$4 to roughly \$8. That's, okay, where you may get almost --
20 that's 96.6 percent. We figured it out. The final water rate
21 increase is 600 percent. They want to go from four dollars and
22 change to twenty-four dollars and change. So the generic
23 79 percent increase, no, no. Us in specific, it would go
24 double. And then if the final rate is proposed, 600 percent.
25 That's where -- that's why I wanted to address that.

1 COMMISSIONER CARTER: Thank you. That makes sense.
2 We appreciate that. That breaks it down to where everybody can
3 understand it. Thank you so kindly, Mr. Berg. You guys have a
4 very ample spokesperson. Thank you for the good information.

5 (Applause.)

6 COMMISSIONER CARTER: Mr. Reilly.

7 MR. REILLY: I hope these numbers are correct and
8 they're numbers given to me by a consultant. But when I used
9 the figure 141 percent increase, that is a revenue impact, not
10 rate design. So what happens is in this case the base facility
11 charge may go up 400, 500 percent, but that's a one-time fixed
12 amount of money you pay, and then the gallonage is on top of
13 that. And so I believe there's a little bit of rate design
14 going on here where they have, where they're at least proposing
15 a more significant base facility charge increase but the
16 gallonage charge goes up but not as much. So you have to look
17 at your usages to see, you know, how the rate impact affects
18 various customer groups. But the only, I think, fairly fair
19 way to look at the percent of increase is to just do it on a,
20 on a broad revenue standpoint. So that's where these numbers
21 get thrown around, 200 percent, 300 percent.

22 But, anyway, so moving -- did you want to say
23 something further? Go ahead.

24 COMMISSIONER CARTER: You're recognized, Mr. Hoffman.

25 MR. HOFFMAN: Commissioner Skop, one thing that

1 Mr. Berg did raise generally that I can respond to just based
2 on my prior experience before the Commission is that in terms
3 of environmental compliance costs, those costs are typically
4 recovered by utilities if they're prudently incurred. What is
5 not recoverable is if, for example, a utility is fined by DEP.
6 Those would not typically be allowed to be factored into the
7 calculation of the rates.

8 COMMISSIONER CARTER: Mr. Reilly.

9 MR. REILLY: And the last comment on that, the
10 numbers I'm looking at is supposedly the test year revenues
11 were around \$116,620 and the proposed final revenue is
12 \$281,438. So that -- you can do a percentage on that basis.

13 Our next witness --

14 COMMISSIONER CARTER: I think, I think, as I said to
15 Mr. Berg, I appreciate him coming up because I think what most
16 people want to know is how much is that in dollars and cents on
17 a monthly basis.

18 Mr. Reilly, you're recognized.

19 MR. REILLY: Linda Berg.

20 Whereupon,

21 LINDA BERG

22 was called as a witness on behalf of the Citizens of the State
23 of Florida and, having been duly sworn, testified as follows:

24 DIRECT STATEMENT

25 MS. BERG: Hi. I'm Linda Berg. I live at 1515

1 Shirley Court, Lake Worth, Florida 33461, 588-8815. And I'm
2 here about, to complain about the service that I received when
3 I called about my water usage.

4 I have the bills outlined here for four years, and
5 since November of 2006 we had a new billing company called Aqua
6 Water. The first bill we got from them was 17,000 gallons. We
7 are three adults in our house. My husband has always been an
8 environmentalist and is very conservative with water. When the
9 water restrictions went in, I have on the cabinet in the
10 kitchen and in the bathroom how many gallons is used per minute
11 from the dishwasher, the faucet, the hose outside. So I'm
12 constantly reminded not to use water.

13 The water restrictions went into effect on March the
14 27th. We just received our bill yesterday and it was 19,000
15 gallons. Now we have a sprinkler that's on a well. So that
16 has never been in the four years, in the four years, and I have
17 gallons per month, every month it's been between eight, six,
18 seven, eight and ten up until November when they started
19 billing. So I called to see why the increase. November was
20 17; the next month was eight; the next month was 15, that's
21 January; the next month was ten, February; March was ten and
22 April is 19,000 gallons. There's three adults in our
23 household, when we've been there four years and I've seen the
24 amount of gallons. So I called the customer service line and
25 the guy just said, "That's what your meter says, that's what it

1 is, that's what you have to pay." The bill that came in
2 yesterday was \$59. If you are allowed the increase that you're
3 expecting, that bill would be \$300. We are just the average
4 working family, and most of the people in Lake Osborne Estates
5 are average working people, are retirees. There's no way --
6 Lake Worth Utilities is the highest utility in the state, the
7 electric company, and this would be more than our electric
8 bill. Our electric bill is not that high. And we don't have
9 sewers. We just have -- everybody in Lake Osborne Estates has
10 septic tanks, so how can just water be that expensive? Thank
11 you.

12 COMMISSIONER CARTER: Ms. Berg, one moment, please.
13 Do you have another copy of your -- you said it's four years of
14 your --

15 MS. BERG: Yes.

16 COMMISSIONER CARTER: Do you have another copy of
17 that?

18 MR. BERG: Yes.

19 COMMISSIONER CARTER: Thank you.

20 MR. REILLY: We could go ahead and identify that as
21 the --

22 COMMISSIONER CARTER: Yes. Why don't we do this.

23 MR. REILLY: Call it the Berg Family Water Bills.

24 COMMISSIONER CARTER: That would be Exhibit Number 6.

25 MR. REILLY: Number 6.

1 COMMISSIONER CARTER: And the title?

2 MR. REILLY: The Berg Family Water Bills.

3 COMMISSIONER CARTER: Commissioner, do you have any
4 questions?

5 COMMISSIONER SKOP: No, not with this witness. Thank
6 you.

7 COMMISSIONER CARTER: Thank you so kindly. We
8 appreciate that.

9 MR. REILLY: And without objection, move that into
10 the record.

11 COMMISSIONER CARTER: Okay. Exhibit 6 will also be
12 moved into the record. Thank you so kindly. Thank you so
13 kindly. That will be moved in without objections.

14 (Exhibit 6 marked for identification and admitted
15 into the record.)

16 Mr. Reilly, you're recognized.

17 MR. REILLY: We have Bob Pouncey, who's the President
18 of the Lake Osborne Estates Civic Association.

19 (Applause.)

20 Whereupon,

21 BOB POUNCEY

22 was called as a witness on behalf of the Citizens of the State
23 of Florida and, having been duly sworn, testified as follows:

24 DIRECT STATEMENT

25 MR. POUNCEY: Good morning, Commissioner Carter and

1 PSC staff and legal matters. My name is Bob Pouncey and I
2 reside at 1513 Shirley Court. My telephone number is
3 (561)582-0189. My neighbor is Ken Berg and Linda. I cannot
4 compete with the evidence that they've submitted so far.

5 I am also the President of Lake Osborne Estates Civic
6 Association, Incorporated, and have been so for over a year,
7 and I'd like to give some documentation this morning contesting
8 some of the inadequacies that we've been getting support with
9 our water system.

10 I've got a copy of a document from the health
11 department, Steven Garcia, of some violations that were sent to
12 me in March the 14th certified mail which I'd like to read to
13 you, as well as Warren Newell's office, our Commissioner in
14 this area, as well faxed over on May 1st to the President of
15 Aqua Florida a request which reads, "I have been notified by
16 the Palm Beach County Water Utilities Department, WUD, and the
17 Lake Osborne Civic Association that you are requesting an
18 increase in water monthly service rates. I have also been
19 advised that there is a public hearing on the matter scheduled
20 for," of course, this morning. "It is not appropriate to hold
21 a public hearing for affected residents at 10:30 in the morning
22 when most of the residents are at work. I urge you to
23 immediately contact Lake Osborne Estates Civic Association to
24 discuss the matter and reschedule the public hearing to
25 accommodate the largest portion of the residents in the

1 community." As you can see, there's not a lot of
2 representation here. We were able to get a lot of signatures
3 representing probably, with the one gentleman today, more than
4 75 percent of our homeowners. We've tried to do so in a short
5 period of time since our first notification a month ago. It's
6 been very difficult. I really want to thank Ken Berg for
7 taking on the project as chairman, and he's done a wonderful
8 job.

9 (Applause.)

10 I can submit this letter from Warren Newell as
11 evidence, if it's requested. It should be public knowledge.

12 COMMISSIONER CARTER: Mr. Reilly.

13 MR. REILLY: I was going to propose maybe a composite
14 exhibit from the association, if that's okay. We'll see how
15 many items.

16 COMMISSIONER CARTER: Okay. If you'll just give that
17 to Mr. Reilly. What we'll try and do, this will be -- for now
18 let's just call it Exhibit 7.

19 MR. REILLY: Composite Exhibit 7.

20 COMMISSIONER CARTER: And a title.

21 MR. REILLY: Sponsored by the Lake Osborne Civic
22 Association, composite exhibit.

23 COMMISSIONER CARTER: Okay. Show it done.

24 (Exhibit 7 marked for identification.)

25 Commissioner, do you have anything?

1 Were you done, sir?

2 MR. POUNCEY: No, sir.

3 COMMISSIONER CARTER: Okay. You're recognized.

4 MR. POUNCEY: Although reasonable allocations for
5 Aqua Florida should determine that the --

6 COMMISSIONER CARTER: Excuse me, Mr. Pouncey, for
7 interrupting.

8 MR. POUNCEY: Yes.

9 COMMISSIONER CARTER: Do you have any more documents
10 that you want -- so that we can go ahead on and just mark
11 those.

12 MR. POUNCEY: Okay. Let's do this document here.

13 COMMISSIONER CARTER: Okay.

14 MR. POUNCEY: This is a copy of emails sent to myself
15 from Mr. Bob Dovey, which works for Warren Newell's office.
16 I've been copied from Nina Whatley, which works for Aqua
17 Florida Utilities. It may have some information here from
18 other individuals. Carolyn McFalls, which I think also works
19 with Florida Aqua. That's all the appropriate people in here.

20 This starts back on November the 4th where I wrote to
21 Bob Dovey and I was having a problem with a breach in our water
22 system concerning boil water notification. I believe the boil
23 water notification occurred on November the 3rd. I wrote to
24 Mr. Dovey. It says, are you aware the community is under a
25 boil water notification? I saw a handwritten notification on

1 the northwest corner of High Ridge Road and Lantana. The next
2 day on Saturday that sign had blown down. I could only find
3 one other sign in the entire community. I'm also on the
4 C.O.P., which is the Palm Beach County Sheriff's Office, so I
5 know the community very well. And I did drive the entire area
6 and there were only two signs. One had blown down. It was a
7 very windy day that day. Later on I contacted, tried to
8 contact our customer service with our water company, Aqua
9 Florida, which I did not receive a live person, just a
10 recording. This is a serious matter. I then called
11 Channel 5 news in our area to find out if they'd been advised
12 of any boil water notifications. They were not willing to give
13 that information up right away until I explained who I was and
14 why I was calling and that it was a public health concern.
15 Then they did come back and say that they had not received any
16 notifications. There were no notifications in the Palm Beach
17 Post of that Saturday, although I think one of the officers on
18 my board did see something in the Palm Beach Post on Sunday.

19 I did get ahold of Bob Dovey on that matter and he
20 did -- there's a lot of response here. He immediately fired
21 off an email to Nina Whatley, which is our local representative
22 for Aqua Florida Utilities.

23 And Bob says, "Here we go again. What gives? Can't
24 we get reasonable notice for such things? After all, you do
25 have our, our email addresses. Handwritten poster boards are

1 just not getting the job done. I was at the intersection
2 mentioned several times over the weekend and never saw any boil
3 water notification signs; never saw any door hangers or no
4 other notices of any kind. The attached email is the first
5 I've heard of this." This comes from Bob Dovey who works for
6 Warren Newell. Bob Dovey is also a resident of our
7 association, and I try and copy him to keep Warren Newell
8 advised of matters in the area.

9 Other emails that I've got in here -- and you can
10 have this as a copy. This one is from Bob Dovey sent to
11 Carolyn McFalls. This is actually DOH, State of Florida. Last
12 Thursday the community experienced a water main break due to
13 collision with a truck, large tractor-trailer and a fire
14 hydrant. This was the reason for the breach. During the day
15 on Friday the water system was shut down for repairs. On
16 Friday evening I attempted to contact Crystal River Utilities,
17 AquaSource, to get information on the status of water service,
18 if there was a boil water order and until when. I reached the
19 answering service and was told that a door hanger should have
20 been placed on my door. None was found. Someone would be
21 paged to return the call. The call was not returned. Saturday
22 morning I again attempted to contact the company and again
23 reached the answering service, who informed me there was no
24 record of my previous call. I later received a call from a
25 local representative of AquaSource, who verified the water

1 shutdown and boil water order. I questioned her on why proper
2 notification of same was not accomplished. She responded that
3 electronic medium and local newspapers were advised and signs
4 were placed at entrances to the community.

5 I have since spoken with Don Maule, which is a
6 chairman of the board of my association, and who indicated that
7 he observed the notice on two television stations. So he did
8 see that. However, there were no notifications in the
9 newspaper for any day of the boil water order. I'm not still
10 sure which television stations had that. I don't think it was
11 Channel 5. I'm not sure about radio, but the radio station I
12 listen to did not have a notice.

13 Regarding the signs, I responded to the
14 representative that I did not see any signs. Upon her
15 insistence of their placement, I took the attached photos. At
16 least two things will be immediately clear: The signs cannot
17 be read and understood in a moving vehicle, and to the general
18 public the signs appear to be on the order of a garage sale
19 sign created by youthful people. They do not lend themselves
20 to the attention of the average person and certainly do not
21 indicate that there is an alert of conditions important,
22 information regarding the life, health, safety and welfare to
23 members of the community. And he goes on and tries to get some
24 compliance there.

25 Ultimately, the main issue here is there was a lack

1 of notification from the representatives that work for our
2 water company in our area. I've addressed that personally and
3 I got rather emotional. Nina Whatley did not like my remarks.
4 I referred to them as criminal and that someone should have
5 been fired. We have a lot of elderly people that live in our
6 area and they could have gotten real sick. The water color had
7 actually changed and that was my immediate response is the low
8 water pressure, the color of the water and the fact that there
9 were no signs properly placed until I started researching and
10 found two. One had blown down. So this is really inadequate.

11 Mr. Dovey and Commissioner Newell quickly got hold of
12 Aqua Florida through Nina Whatley and wrote them a very nice
13 letter asking them to please comply with proper boil water
14 notification, and your company did a fine job. They supplied
15 us with an example of a boil water notification sign that is
16 very brightly done, professionally done, and should work just
17 fine. I've also received an email explaining what the lifting
18 of the boil water notification sign would look like, and I'm
19 sure that would be acceptable as well. So they're very --
20 they're trying hard to work with us on that matter, but still
21 some issues need to be resolved.

22 Steven Garcia with the health department --

23 COMMISSIONER CARTER: Excuse me. That last document
24 that you had with the emails, could we just --

25 MR. POUNCEY: You can have that. I have them on

1 file.

2 MR. REILLY: I would hope to just make it part of
3 that composite exhibit, if there's not an objection.

4 COMMISSIONER CARTER: Okay. So you've got some other
5 documents and we'll just put it all at one time then.

6 MR. POUNCEY: Yes, I do.

7 COMMISSIONER CARTER: Okay. You're recognized.

8 MR. POUNCEY: I have these, these on file.

9 COMMISSIONER CARTER: Thank you very kindly. Our
10 procedure is a little awkward.

11 MR. POUNCEY: That's okay. This is my first time
12 speaking.

13 COMMISSIONER CARTER: That's okay. You're doing a
14 great job. And what we're trying to do is obviously in these
15 service hearings we want to hear from the customers.

16 MR. POUNCEY: Well, I think I can give a good --

17 COMMISSIONER CARTER: You're a customer.

18 MR. POUNCEY: I can give a good reference as far as
19 how the association, the corporation is being dealt with, and
20 it's being dealt with on an as-needed basis.

21 COMMISSIONER CARTER: Okay. Thank you very much.

22 MR. POUNCEY: The last document that I have here is
23 one that I received in certified mail dated March the 14th. I
24 think I got it shortly thereafter. I think I got it March 15th
25 this year.

1 This letter was written to me from Mr. Steven Garcia,
2 Environmental Specialist, Division of Environmental Health and
3 Engineering, Palm Beach County Health Department.

4 And my immediate response was to contact him and get
5 clarification of this, and we've done so. But let me read you
6 this and you can see the, how severe this is. This is in
7 reference to private fire hydrant inspection report.

8 "Dear Mr. Pouncey, the purpose of this letter is to
9 advise you of certain items of non-compliance for which you may
10 be responsible, and to seek cooperation in resolving the
11 matter. As per our investigation and your submitted inspection
12 report," which I never submitted anything, "it was established
13 that there was an issue in violation of the following
14 regulations." And they've got four, four boxes checked. The
15 first one is, "Fire hydrant shall be maintained in accordance
16 with standards established by the American Water Works
17 Association." The second one is, "The hydrant/s is/are not in
18 working order." The third is, "In case of an interruption in
19 service or loss of pressure, the Fire Marshall or other
20 appropriate fire department official shall be notified." And
21 the last one is, "The fire hydrants on your property are not in
22 proper operating condition. The fire hydrant located at 1129
23 Lake Geneva Drive is inoperable and requires immediate repair.
24 All other fire hydrants with flow p.s.i. lower than 20 p.s.i.
25 must be repaired to increase pressure to at least 20 p.s.i.

1 After repairs have been made, please submit new flow test data
2 of the repaired hydrants." Once again, this was sent by Mr.
3 Steven Garcia. This is the first one that I received and this
4 was certified mail. So if I could submit this.

5 COMMISSIONER CARTER: Yes, sir. Yes, sir.

6 MR. POUNCEY: That's the last of the documents that I
7 have, but I can give you a synopsis of what happened
8 afterwards.

9 COMMISSIONER CARTER: Okay.

10 MR. POUNCEY: I've been in contact with Mr. Steven
11 Garcia and a representative with the local fire department that
12 would respond in case we had a water -- a fire in our area.
13 It's very important that they understand which fire hydrants
14 are inoperable or lower than p.s.i. of 20 pounds because they
15 need to tap into that for fire hazard.

16 It's been my understanding that in addition to this
17 one inoperable fire hydrant there were ten others that were
18 below 20 p.s.i. I don't have that documentation with me, I
19 failed to print it out, but I can get it for you if it's
20 needed. It's my impression at this time as of this date that
21 this particular fire hydrant has been repaired. I have not
22 seen any documentation stating that, but I understand through
23 Steven Garcia that he's got notification that it has been
24 repaired. He's requested new statistics on the p.s.i. for that
25 and the other fire hydrants, and I believe all fire hydrants

1 are being worked on at this time. I saw a notification you
2 gave to Nina Whatley asking her please color, repaint the fire
3 hydrants specific to our area so that it can coordinate as for
4 the p.s.i. pressures on those particular fire hydrants. Thank
5 you very much.

6 MR. LIHVARIK: We're painting the bonnets on there
7 as requested.

8 MR. POUNCEY: Yes, sir. Painting the bonnets. Yes,
9 sir. Thank you very much.

10 So they're trying very hard to comply with the health
11 department in this area, but they've taken on a big task, you
12 know, all the different areas that they've purchased. And Lake
13 Osborne Estates is a 50-plus-year-old community and our water
14 pipes are old and there are issues.

15 In the past with the previous water company there
16 have also been issues with fire hydrant colors, and even our
17 association has gone out and painted those because the previous
18 water company wouldn't take any responsibility. This has been
19 an ongoing problem for a long, long time, and not until up
20 until recently when we got notification that they're going to
21 be raising our rates have we really gotten compliance to get
22 anything repaired. So in one way it's a blessing, in another
23 it's going to cost us.

24 So with that, I'd like to conclude my, my speech this
25 morning and ask if anybody has any cross references, questions?

1 COMMISSIONER CARTER: Questions?

2 COMMISSIONER SKOP: No questions.

3 COMMISSIONER CARTER: Let me thank you, Mr. Pouncey,
4 for the documentation, and we will put that as an exhibit. It
5 will be entered into the official record. So thank you so
6 kindly.

7 And as for your colleagues, I think one of the
8 letters referenced about a good time of day. We've been having
9 these hearings around the state and, you know, what's good in
10 one area of the state is a bad time in the next area of the
11 state. But we do -- it's important to us to get to all of the
12 areas of the state where, the areas that are impacted by this.
13 So as much as possible, we're doing our best job to get out
14 there to listen to the citizens and, most importantly, to
15 listen to the customers to hear what their concerns are.

16 MR. POUNCEY: Thank you, Commissioner Carter.

17 MR. HOFFMAN: Commissioner Carter, if I might.

18 Mr. Pouncey --

19 MR. POUNCEY: Yes.

20 MR. HOFFMAN: -- just very briefly.

21 CROSS EXAMINATION

22 BY MR. HOFFMAN:

23 Q Thank you for your testimony. It's my understanding
24 that the company has complied as of today, as you were
25 suggesting, may have been suggesting with each of the items

1 that are outlined in this letter dated March 14th of '07. I
2 just wanted to --

3 A Yeah. They're definitely trying. Unfortunately, I
4 think there was maybe a breach of communication due to their
5 representative in this area, Nina Whatley. I've had some
6 issues with that woman. But because of email -- email is a
7 wonderful thing. Every time you copy it to somebody else
8 things just straighten out. It's magic, I'm telling you, but
9 it's not in the mirrors.

10 MR. HOFFMAN: Thank you, sir.

11 COMMISSIONER CARTER: Thank you, Mr. Pouncey.

12 (Applause.)

13 What we'll do is make that one composite exhibit of
14 --

15 MR. REILLY: Just to be Lake Osborne Estates Civic
16 Association Composite Exhibit Number 7.

17 COMMISSIONER CARTER: Show it done.

18 (Exhibit 7 admitted into the record.)

19 You're recognized, Mr. Reilly.

20 MR. REILLY: All right. We have Jason Conrad.

21 MR. CONRAD: Hi. How are you doing?

22 COMMISSIONER CARTER: Good morning.

23 MR. CONRAD: I'm not -- I missed the beginning of the
24 hearing, so I'm not really sure --

25 COMMISSIONER CARTER: Excuse me. Mr. Conrad, have

1 you been sworn in?

2 MR. CONRAD: No.

3 MR. REILLY: And we also have a Maureen Carl, if she
4 has also not been sworn in. And you might swear those who came
5 in a little bit later.

6 MR. McCORMICK: B. J. McCormick hasn't been sworn in.

7 MR. REILLY: And we have B. J. McCormick, and also a
8 Benjamin John.

9 MR. McCORMICK: That's me, B. J., Benjamin John.

10 MR. REILLY: Okay.

11 COMMISSIONER CARTER: Any other person that is in
12 here that wishes to speak this morning and has not been sworn,
13 would you please stand and raise your right hand and repeat
14 after me?

15 (Witnesses collectively sworn.)

16 You are recognized, sir.

17 Whereupon,

18 JASON CONRAD

19 was called as a witness on behalf of the Citizens of the State
20 of Florida and, having been duly sworn, testified as follows:

21 DIRECT STATEMENT

22 MR. CONRAD: Okay. I just want to find out who is
23 here -- I believe it's you that's representing Aqua.

24 MR. HOFFMAN: Yes.

25 MR. CONRAD: Okay. I have a couple of problems.

1 One, I want to thank these gentlemen for doing a lot of the
2 research. I apologize. I'm going to be kind of vague. I'm a
3 disabled cancer patient. It's difficult for me to get here and
4 do these kind of things. It's hard for me to come out in
5 settings like this. I get sick very easily, which also makes
6 me upset and want to -- I may jump around. I have some mental
7 disabilities due to some of the treatments that I've had, so I
8 may be a little unclear, a little fuzzy here.

9 One of the problems I want to address, along with
10 this gentleman, is the boil water notices. I've lived there --
11 I bought the home from my grandfather. I'm a homeowner and I
12 live at 1712 Katherine Court, and I bought the home in 2005,
13 March of 2005. Never once have I received a boil water notice
14 since I've lived there, seen a sign, anything. Never once have
15 I known that there's been any kind of problem with the water,
16 except that later down the road I found out that there was one
17 but now it's been lifted, and it's been way too late for me or
18 anyone in my household that's staying with me or my animals I'm
19 giving that water to to do anything about. And as a cancer
20 patient I've become very obsessive compulsive.

21 I am aggravated. I'm going to be the angry voice up
22 here today because I have a problem with you and your company
23 and that you guys come in and take over and just, you want to
24 monopolize on this. I don't understand how you cannot -- you
25 know, the customer service along with the boil water notices --

1 I called and tried to discuss this type of stuff with them.
2 They, you know, I'm like, why don't you guys have a telephone
3 program or, you know, an automated system like Terminex or, you
4 know, FP&L where they call a day ahead, a day ahead of when
5 there's a problem? They leave you a message if you don't
6 answer the phone saying there's a boil water notice in your
7 neighborhood. please da, da, da, da, da, you know. I just
8 don't understand how you guys expect to get all this return
9 revenue back from us out of our pockets. You can't even notify
10 us that there's a boil water notice in a timely manner, we can
11 do something about it. If I end up in the hospital because you
12 guys didn't notify me, that's going to be a problem. Okay?

13 So I, you know, I don't, I don't really have
14 specifics. I'm too sick to get on the Internet and do the
15 research and pull numbers. And really when I was told that I
16 don't have -- you know, I have to do this kind of treatments in
17 order to still be here, still be alive today. I don't really
18 care about figures, I don't care about numbers. I care about
19 people doing their job, people being respectful of their
20 customers and saying, hey, you know, there's a problem. We're
21 not -- you know, I don't, I just don't understand how you guys
22 can't notify. There's so many other companies that can notify
23 when there's a problem or something going on. You guys don't
24 have an automated system.

25 You supposedly put up signs. I've never seen any. I

1 bought this home from my grandfather, who bought the home in
2 1958 and has lived there since '58. Okay? So I grew up in
3 this neighborhood and I now live there as a homeowner, and
4 never have we ever had anything like this. And I just don't
5 understand how, how this can go on and you guys can sit there
6 in your nice suits, probably drive a nicer car than all of us,
7 you know what I mean, and expect us to come up with this extra
8 notice when -- if you don't get notice, you don't get notice.
9 Sorry.

10 I called your representatives. They're crappy. I've
11 had multiple problems. Every service representative I've ever
12 dealt with with your company has been rude. I've been hung up
13 on. I've called back to speak with supervisors. They've
14 misdirected me.

15 I have another problem that's dealing with my water
16 meter in the wrong place that's damaged my driveway I've been
17 trying to get resolved since March of 2005. Okay? I'm going
18 to get into that next.

19 But I just want to let you guys know about the boil
20 water notice stuff. You need to get on the ball. I need a
21 phone call to my message. If I don't watch the news -- what
22 about the people at work. They come home, they drink something
23 out of the water, they're giving it to their animals, whoever.
24 Maybe some, you know, their mother-in-law or father is home
25 sick all day, you know, and he's sitting there drinking the

1 water and he doesn't watch TV, maybe he's sick in bed, doesn't
2 watch TV. You know, what then? You guys did your job? No.
3 You want some more money, then give us some notice when there's
4 a problem with the water. Do your job. Okay?

5 The next thing, my water meter was placed in the
6 wrong spot. I don't know how. It wasn't your fault because
7 you guys acquired this company. But you know what? You
8 acquired this company, you can acquire its problems. Okay?

9 My problem is my meter was placed in the wrong place
10 alongside of my driveway. And the problem was my lid had been
11 broken. I call and complained about that. Bad customer
12 service. I was treated badly and rudely. And I tried to speak
13 with supervisors, had no returned phone calls. And, you know,
14 I don't have specific dates, I don't documentation and stuff,
15 like I said. I get aggravated about it. But you know what,
16 I'm not going to let it control my life because I've had
17 somebody say, hey, you don't do this, you're going to be dead
18 in your sleep. All right? So the figures and me handing you
19 stuff doesn't mean anything to me anymore. I'm angry. And the
20 fact of the matter is you guys aren't doing everything you can,
21 and you can't expect more money for doing less than what you
22 should. Okay?

23 (Applause.)

24 So it's honestly hard for me to get up here and speak
25 like this because I really don't -- I like to try to be a

1 recluse. That's what's happening when I got sick. I lost a
2 lot of my self-esteem. I'm a college graduate. I graduated
3 with two bachelor's degrees. Okay? I just got sick and I lost
4 all myself self-esteem and confidence. But, you know, I
5 dragged myself down here out of bed not feeling well to be
6 obsessive in a room and around people that I'd really like to
7 have some words with over this. And now that you're sitting
8 here in front of me, that's how, this is how I feel about it.

9 So to continue with the problem with my water meter,
10 I have water, whether it's rain, anything come down my driveway
11 and it drains into the water meter with this lid that's been
12 wide open. What's happened is it's undermined the dirt from my
13 driveway. The corner of my driveway and the sidewalk is all
14 cracked and busted and it's sinkholing into this. So for two
15 years now I've been calling to complain. I don't have any
16 documentation with me because, you know what, I've wasted
17 enough of my time except to come down here face to face with
18 you guys. Okay?

19 So the situation is finally after two years somebody
20 came out with a company, I don't even know who, and I got them
21 to move my meter and then that was it. They moved my meter up
22 into my yard. But you know what, I still have the sinkhole, I
23 have my broken driveway and the broken sidewalks. Now it's a
24 battle between the road, the county road and county and you
25 guys. The county is trying to say it was their meter that

1 caused the sidewalk and the driveway to break, so they're the
2 ones that should be responsible for -- you guys keep passing
3 the ball. It's not you directly, but some of the supervisors
4 that work within your company between the people who are
5 supposed to take care of the roads and the sidewalks, they're
6 trying to pass responsibility to you guys because it was your
7 meter placed in the wrong spot that did the damage initially.
8 You just moved your meter and said, hey, it's not our problem.
9 And that's the way you guys deal with stuff, and it aggravates
10 me. And believe you me, it's going to catch up with your
11 company sooner or later, whether it be today or down the road.
12 But if you treat your customers like that, it's going to bite
13 you in the ass.

14 So my problem is I still have a barricade sitting out
15 in front of my meter, I've got broken up sidewalks, I've got a
16 broken driveway, it's still being undermined and dirt being
17 washed out, and it's been nothing but poor customer service,
18 supervisors, whoever first initially answers the phone,
19 feedback, anything on boil water notices. I don't think you
20 guys could do a worse job. And I'm glad that you're sitting
21 here taking responsibility for it.

22 Another thing is these rate increases are ridiculous.
23 They're ridiculous. I mean, there's caps on everything, you
24 know what I mean? They're only allowed to raise your property
25 taxes by a maximum of 3 percent every year. You know why?

1 Because it would be ridiculous if they didn't have laws against
2 it. You guys should only be allowed to raise that, you know,
3 all rates at a certain amount every year or whatever. And
4 what, are you trying to get back whatever you spent? You
5 acquired this company from whoever, and I guess it was Crystal
6 River and then Aqua Soft and now it's Aqua Utility. You know,
7 you just switch around so much. What do I care? I just want
8 some good water and somebody telling me when it's not good on
9 my phone as quick as they can, okay, and then have somebody be
10 responsible for their mistakes. And none of that has occurred.
11 So when you go in and you acquire this company and you, and you
12 know you're going to have to put in all of this money -- I
13 mean, you'd be ignorant not to know that, oh, my gosh, we're
14 going to have to raise all of our customer rates possibly up to
15 600 percent from where they're at right now. You should have
16 anticipated that. If not, then you guys aren't in the right
17 business.

18 And I don't understand how you're going to raise our
19 rates so extremely high. Are you trying to get back all that
20 money you spent in one year? I mean, can't you break it down
21 over a longer period of time and raise our rates just a little
22 bit each year? I mean, this is ridiculous. I mean, honestly,
23 are you guys trying to put some money in your pockets, get a
24 second residence in Aspen or what? Because I just don't
25 understand that kind of rate increase. Why can't you break it

1 over a longer period of time like instead of people doing like
2 a 15-year mortgage, they do a 30 because they can't afford it.
3 Like any of us sitting in here, we can't afford this stuff.
4 All right?

5 I'm a disabled cancer patient. I get a certain
6 amount of money from the government. Okay? I'm mentally
7 unable to work from this point on. I don't know when I'm going
8 to get sick and back in the hospital again and ongoing
9 treatments and doctors that I have. You know what? That's not
10 your problem, it's mine. But the problem is you're creating a
11 whole other issue that's not going to allow me to afford to
12 live where I'm at now because of water prices. So what do you
13 expect me to do when I'm limited with my income from the
14 government? I can't get any more. I'm on disability, Social
15 Security Supplemental income, I'm on food stamps, I'm on
16 Medicare and Medicaid. Okay? I'm getting everything I can and
17 I can't afford my bills now. Are you going to help me pay my
18 water bill or am I going to have shower with my neighbor's
19 hose? Or maybe I'll come to your house and use your hose.

20 Are you living in one of these areas that's getting
21 raised 600 percent or so? Why don't you come sit down with us
22 then. Because it's bullcrap, honestly. Are you being raised
23 600 percent in your neighborhood? Yes or no. Can you answer
24 that? I'm looking at you. You're not --

25 COMMISSIONER CARTER: Mr. Conrad --

1 MR. HOFFMAN: I know who you're looking at. I know
2 who you're looking at.

3 COMMISSIONER CARTER: Mr. Conrad, we're here to take,
4 we're here to take information.

5 MR. CONRAD: No. But I'd like to know. I mean, this
6 gentleman --

7 COMMISSIONER CARTER: Well, I understand --

8 MR. CONRAD: I'd like to know if he's being affected
9 the way we're being affected.

10 (Applause.)

11 And I agree with this gentleman and this whole crowd
12 that there has been no better water pressure, no better clarify
13 and less clean, and there has been multiple boil water notices
14 that I found out about after the fact, I never knew about. And
15 that just goes to show that you guys don't deserve this
16 increase. I mean, let's be honest. If you're trying to get
17 your money back, that's understandable. I want it proven to me
18 and, you know, I want visuals. I don't want you guys to say we
19 spent this many million and this many million. I don't care
20 about that. I want, I want to see what you guys have done.
21 You guys, you guys built some new plants. Why don't you send
22 some photographs to all the customers and say, hey, you know.
23 I don't believe your numbers. I think they're exaggerated. I
24 think you guys are trying to recover too much money and get a
25 certain amount of profits back. I think it's bullcrap. It's

1 unaffordable to me, it's unaffordable to everybody here.

2 I'll be the angry guy. If y'all want me to leave,
3 that's fine. I've got a problem with you and your company. I
4 don't understand. Everybody else that's here -- customer
5 service sucks, boil water notices suck, my meter is still a
6 problem, my driveway is broken. I'm on disability. I can't
7 afford any more money for the water. My bill is already \$30 as
8 it is. For some reason I seem to use thousands more gallons
9 every month since you took over the company. It's funny. Just
10 like that nice young lady said over there that her bill is just
11 out of control, there's no way she uses 19,000 gallons. I
12 believe her because my bill is out of control too. But you
13 know what, the aggravation I have to go through to call and
14 speak to one of your customer service representatives to
15 dispute a few dollars on my bill isn't worth what it internally
16 does to me inside. You don't understand. I'm upset already
17 with the cards I've been dealt in my life. Okay? And the last
18 thing I need to do is get on the phone and get upset with some
19 ignorant person who doesn't know what's going on, doesn't know
20 how to do their job, probably underpaid, and I don't even know
21 if they're in the State of Florida. Okay? So you guys figure
22 out how to do your job, do it quick. You raise my rates and
23 it's going to be a problem with everybody. And if you want to
24 raise rates a little bit, do it to the people that are directly
25 affected because none of us here are seeing any improvements.

1 All right?

2 If you guys have any questions for me -- I doubt
3 anybody really wants to talk to me anymore, but if you guys
4 have some questions --

5 (Applause.)

6 COMMISSIONER CARTER: Thank you. Thank you. We
7 do -- the reason we have service hearings is we want to hear
8 from the customers.

9 MR. CONRAD: Yeah. I'm a homeowner. I have --

10 COMMISSIONER CARTER: That's helps us to make a
11 decision. So I appreciate your comments.

12 MR. CONRAD: I own this home. Yeah. I expected to
13 live here for a period of time. But, I mean, if it's, if it's
14 just going to be out of control and you guys can just kind of
15 do whatever and we have our hands tied, you come and listen and
16 just -- you know, I'm not going to stay in this neighborhood.
17 You know, you're going to run everybody out. I'm not going to
18 put up with it, you know. So thank you guys for listening.

19 COMMISSIONER CARTER: Thank you very much, Mr.
20 Conrad.

21 (Applause.)

22 Mr. Reilly.

23 MR. REILLY: Okay. We have Maureen Carl.

24 COMMISSIONER CARTER: Maureen Carl.

25 MS. CARL: No. Don't worry.

1 COMMISSIONER CARTER: Next.

2 MR. REILLY: We have B. J. McCormick, Benjamin John
3 McCormick.

4 Whereupon,

5 BENJAMIN JOHN McCORMICK

6 was called as a witness on behalf of the Citizens of the State
7 of Florida and, having been duly sworn, testified as follows:

8 DIRECT STATEMENT

9 MR. McCORMICK: Thank you all for coming today. I
10 live at 1413 Shirley Court. Phone number is (561)585-8151.
11 I'm here on behalf of a working-class citizen that lives in
12 Lake Osborne. I was one of the individuals that went around
13 and had the petition signed. I had 105 homes. 85 homes signed
14 my petition. I'd say 15 of those homes are vacant, the other
15 five are people that are seasonal. Pretty good turnout.
16 Everybody was real -- they met us at the door. I mean, we got
17 the word out, they met us at the door, they signed the
18 petition, were happy, and couldn't believe that somebody could
19 ask for a 600 percent increase.

20 I have two children at home, a wife. My water bill
21 is anywhere from \$27 to \$32 a month. With the proposed
22 increase it would be the same cost as my young son's college
23 education, \$180 a month. And I just -- it's ludicrous and you
24 guys really need to rethink what you're doing to the working
25 class. Thank you.

1 (Applause.)

2 MR. REILLY: Thank you. That's all the names I have
3 written down, but I believe there was a lady -- do I have
4 your -- have you signed one of these?

5 MS. DECKER: No.

6 MR. REILLY: Well come on up then --

7 COMMISSIONER CARTER: Come on up.

8 MR. REILLY: -- and sign this and then we'll give you
9 a chance.

10 COMMISSIONER CARTER: Please, ma'am. If there's
11 anyone else that we didn't get a chance to hear from, we would
12 love to hear from you. Please, we have the forms here for you
13 to sign up. And the reason we're asking people to sign up is
14 because for the record, you know, when the decision is made
15 everybody will have to read the record to go through and see
16 what all the facts are, and that's why we want as much as
17 possible to have as much input as possible.

18 Yes, ma'am.

19 UNIDENTIFIED SPEAKER: Yes. This comment form here,
20 are we allowed to make copies of this?

21 COMMISSIONER CARTER: Yes, ma'am.

22 UNIDENTIFIED SPEAKER: And pass them out to people in
23 our neighborhood?

24 COMMISSIONER CARTER: Yes, ma'am. Yes, ma'am.
25 Please do.

1 UNIDENTIFIED SPEAKER: There's a lot of stories.

2 (Inaudible. Not on mike.)

3 COMMISSIONER CARTER: Anybody that didn't, was not
4 here today and had an opportunity, just tell them to fill it
5 out and send it to us.

6 UNIDENTIFIED SPEAKER: Do you have 450 copies of that
7 here?

8 COMMISSIONER CARTER: I don't think we have 450
9 copies, but I'm sure we -- Dick, how many do we have back
10 there?

11 MR. DURBIN: Copies of?

12 COMMISSIONER CARTER: Of the form, the reply form.

13 MR. DURBIN: Oh, I've got hundreds of them.

14 COMMISSIONER CARTER: Okay. Make sure you see Dick
15 on the way out. He can get you some.

16 Again, we want to hear from as many people as
17 possible. And we realize that some people have to work and
18 some people are not available, but we certainly would like to
19 hear from as many people as possible.

20 UNIDENTIFIED SPEAKER: How come not one of these
21 meetings in one of these neighborhoods is on a day where most
22 working citizens could appear? Not one of them is on a
23 Saturday.

24 UNIDENTIFIED SPEAKER: I agree. It really should
25 have been held in the evening or some time.

1 UNIDENTIFIED SPEAKER: I don't understand that. Not
2 one is on Saturday.

3 UNIDENTIFIED SPEAKER: The three of us took off work
4 to be here.

5 UNIDENTIFIED SPEAKER: It is -- this, this should be
6 held in the evening or --

7 COMMISSIONER CARTER: Yeah, you know --

8 UNIDENTIFIED SPEAKER: Especially something like
9 this.

10 COMMISSIONER CARTER: Unfortunately, there's never a
11 good time because we've held them in the evening, we've held
12 them during the day, we've held them -- there's just never --

13 UNIDENTIFIED SPEAKER: Saturday. Saturday.

14 COMMISSIONER CARTER: It's always, it's always an
15 inconvenience for someone. So as much as possible, you know,
16 we just have to work with what we've got. And because we're
17 working on a time frame too. You saw when Mr. Rendell --

18 UNIDENTIFIED SPEAKER: I understand the time frame,
19 but the evenings would be much -- most people -- and I know
20 other people work evenings and nights, I've done all kinds of
21 shift work, but most people work Monday through Friday from
22 8:00 to 5:00 or 9:00 to 5:00. If we could have it after that
23 where more people could attend, the citizens of this country
24 would get a whole lot more done. And that's for all public
25 meetings.

1 COMMISSIONER CARTER: Thank you very much. Thank you
2 very much.

3 UNIDENTIFIED SPEAKER: There's one or two meetings
4 that say at 6:00 that are on there. If we had the availability
5 at 6:00 for Lake Osborne Estates, our meeting, since our rates
6 are being raised 600 percent, there would be a lot more people
7 here if it was a 6:00 p.m. meeting at, you know, a 600 percent
8 rate increase possibly. It doesn't make sense. We have such a
9 large rate increase, we should have definitely had an
10 opportunity to have a 6:00 meeting instead of 10:30.

11 UNIDENTIFIED SPEAKER: Is it possible for us to have
12 another meeting?

13 COMMISSIONER CARTER: No, sir.

14 UNIDENTIFIED SPEAKER: Not at all?

15 COMMISSIONER CARTER: No, sir.

16 (Inaudible. Not on microphone.)

17 COMMISSIONER CARTER: One moment, please. Let's go
18 off the record for a moment.

19 (Discussion held off the record.)

20 Okay. Let's go back on the record.

21 Ma'am, you're recognized. Your name, please.

22 MR. REILLY: Mary Ellen Decker.

23 Whereupon,

24 MARY ELLEN DECKER

25 was called as a witness on behalf of the Citizens of the State

1 of Florida and, having been duly sworn, testified as follows:

2 DIRECT STATEMENT

3 MS. DECKER: Good morning. My name is Mary Ellen
4 Decker. I live at 1441 Crest Drive, Lake Worth, Florida 33461,
5 (561)586-0757. I had no intention of speaking here this
6 morning, but as I sit here listening to my neighbors and some
7 of the people speaking and some of the rates, I am really a
8 little confused.

9 I'm going to give you what my bills were from
10 December to May. My bill in December was \$3.64, and some of
11 these people, I'm sure, will be cringing at this moment. I'm a
12 single woman, I've lived alone up until the last month where
13 there are now two people in my home. My January bill was
14 \$11.48, my February bill was \$6.27, my March bill was \$12.47,
15 my April bill was \$10.32. This month I received a bill that
16 said I had absolutely no water usage for 94 days and I received
17 a credit.

18 UNIDENTIFIED SPEAKER: I'll trade you.

19 MS. DECKER: That's what I said, you'd be cringing.
20 So I should be keeping my mouth shut, I'm sure. But I am a
21 little curious to know why there is such a difference there in
22 my bill and other people's bills and why I had no water usage
23 in 94 days when I've been using water for two people in the
24 past month instead of one person. I have no leakages, I have
25 no, nothing wrong to the best of my knowledge. So if someone

1 could please answer that question, I'd appreciate it.

2 As I say, this is a very minor thing, but I am a
3 customer and I'd like to bring this to your attention.

4 COMMISSIONER CARTER: Thank you.

5 MS. DECKER: And, again, I am appalled at a
6 600 percent rate increase and due to the fact that nothing is
7 really being done for Lake Osborne. We are the only community
8 and, like Bob and Ken were saying, why should we have to pay
9 for other communities to have improvements when we are so
10 deteriorated ourselves?

11 COMMISSIONER CARTER: Yes, ma'am. Thank you so
12 kindly.

13 (Applause.)

14 COMMISSIONER CARTER: Ms. Decker, Ms. Decker, would
15 you mind yielding for a question?

16 COMMISSIONER SKOP: Thank you, ma'am, for appearing
17 today.

18 Just a general comment to staff on this issue. Under
19 sworn testimony that we've heard today we've heard comments
20 from three consumers that directly implicate either metering or
21 billing issues, and I would ask that staff either investigate
22 that further or get with the consumers that made those comments
23 to fully investigate those issues because, again, that seems to
24 be a common theme.

25 Thank you, ma'am.

1 MS. DECKER: Thank you.

2 MS. GERVASI: Yes, sir, and we will be glad to do so.

3 COMMISSIONER CARTER: We have a staffer -- Dick,
4 raise your hand. Also, we want any consumers that have some
5 issues that we can kind of work on now, please get with Dick
6 and he can have that information and we can follow up with our
7 staff and the company to try as much as possible. I think that
8 Commissioner Skop is correct, he mentioned metering, and also
9 there was a significant number of customer service issues that
10 I heard raised, and we certainly would like to as much as
11 possible -- I mean, we don't have to wait until the resolution
12 of the case to deal with that. We can get on that right now.
13 So this gentleman right here in the blue shirt is one of our
14 staffers. He'll be more than happy to get that information so
15 we can process that as soon as possible.

16 Mr. Reilly.

17 MR. REILLY: That concludes our customer testimony
18 unless there's anyone further that --

19 COMMISSIONER CARTER: Let me, let me just ask is
20 there anyone that was here today that did not get a chance to
21 speak that would like to speak? Anyone here today that did not
22 get a chance to speak that would like to speak? Anyone at all?
23 We want to make sure that anyone that had an opportunity --
24 Ms. Maureen, I noticed you said you didn't want to comment, but
25 if anyone else --

1 MS. CARL: Well, everybody said what I was going to
2 say.

3 COMMISSIONER CARTER: Okay. So you just say you
4 agree that there shouldn't be a rate increase; right? Yes,
5 ma'am.

6 UNIDENTIFIED SPEAKER: Say it on the record.

7 MS. CARL: Absolutely.

8 COMMISSIONER CARTER: I beg your pardon?

9 MS. CARL: You want me to get up and say it? .

10 (Inaudible. Not on microphone.)

11 UNIDENTIFIED SPEAKER: Just get up there and say I
12 really oppose this increase.

13 (Inaudible. Not on microphone.)

14 COMMISSIONER CARTER: Ms. Maureen Carl, you're
15 recognized.

16 MS. CARL: Do I have to say my name and everything?

17 COMMISSIONER CARTER: Have you been sworn?

18 MS. CARL: Well, I stood at the back when you --

19 COMMISSIONER CARTER: Did you raise your right hand
20 and --

21 MS. CARL: Yeah.

22 COMMISSIONER CARTER: Okay. Then you're recognized.
23 Whereupon,

24 MAUREEN CARL

25 was called as a witness on behalf of the Citizens of the State

1 of Florida and, having been duly sworn, testified as follows:

2 DIRECT STATEMENT

3 MS. CARL: Okay. So -- oh, please state your name.

4 COMMISSIONER CARTER: Yes, ma'am, please state your
5 name again.

6 MS. CARL: Okay. Maureen Carl, 1453 Crest Drive,
7 Lake Osborne Estates.

8 COMMISSIONER CARTER: Yes, ma'am.

9 MS. CARL: I absolutely -- what did you say?

10 UNIDENTIFIED SPEAKER: You're opposing it.

11 (Inaudible. Not on microphone.)

12 MS. CARL: I am against this increase. My bill has
13 gone up 50 percent just this week and I haven't even watered my
14 grass with the, with the restrictions. So I'm just wondering
15 why it went up this week. It's usually around \$11 and it's
16 gone up to \$20.

17 And, secondly, this is the worst time to do this
18 because most of us are still reeling from the increase in --
19 who am I talking to, by the way? Am I talking to you or you?
20 To all of you. Okay.

21 MR. REILLY: I would address your comments to them.

22 MS. CARL: My, my house insurance has gone up,
23 tripled. Most people's have doubled. Mine tripled. And it's
24 the worst time. I won't be able to pay. I'll lose my house
25 and I'll be on the street because I just can't, can't afford

1 it.

2 COMMISSIONER CARTER: Thank you.

3 MS. CARL: And everything everyone else said I was
4 going to say anyway.

5 COMMISSIONER CARTER: Thank you so very much.

6 MR. REILLY: Thank you.

7 (Applause.)

8 COMMISSIONER CARTER: Do we have any, any other, do
9 we have any other exhibits?

10 MR. REILLY: No others at this time.

11 COMMISSIONER CARTER: Do we have all of the exhibits?
12 I want to make sure that we've got all of the exhibits.

13 MR. REILLY: I believe so, yes.

14 COMMISSIONER CARTER: All of the exhibits.

15 Commissioner Skop, you're recognized.

16 COMMISSIONER SKOP: Thank you. Just a general
17 comment in response to Mr. Hoffman. Excuse me. Just a general
18 comment in response to Mr. Hoffman. With respect to your prior
19 comment, I'm duly aware of the provision that provides the
20 basis for the recovery of prudently incurred environmental
21 compliance costs; however, my prior question was merely
22 intended to gauge whether consumers understand the various cost
23 drivers affecting their rates. So that was just a general
24 question that I had asked in that regard because I think as an
25 educational purpose some consumers may not be fully aware of

1 what actually drives the rate. So I am aware of that
2 provision.

3 And then I have one more question general to staff.

4 COMMISSIONER CARTER: You're recognized.

5 COMMISSIONER SKOP: Also too, general comment to
6 staff. Again, I'm not sure if it would be appropriate or
7 feasible, but in the interest of public safety I would ask that
8 staff evaluate the availability and ability of using a reverse
9 911 system to provide consumer notification of consumers that
10 may be affected by boil water alerts on a statewide basis.

11 MS. GERVASI: Yes, sir.

12 COMMISSIONER CARTER: Thank you so kindly,
13 Commissioner. And thank you, staff.

14 Also, let me take a moment to thank you for coming
15 out. I know that people are working, it's a workday, and your
16 time is very important. But we recognize you coming out and
17 standing, standing the gap for your neighbors. We sincerely
18 appreciate the fact that you're -- you know, everybody has
19 something to do and people do pretty much what they want to do.
20 But I appreciate the petitions, that you went and talked to
21 your neighbors to get that, I appreciate the passion, I
22 appreciate the information that you presented to us. That's
23 going to help us make a better decision when we sit down. A
24 lot of times when we're making the decision we have not had the
25 opportunity to go and stand before the people or sit before the

1 people and listen to them. So some of my colleagues, there are
2 five of us on the Commission, we will be going to different
3 areas of the state. We want to get out and hear the people
4 before we make a decision on what customers will have to pay
5 for their rates. So let me just say, you know, how much we
6 sincerely appreciate having you here with us.

7 The other thing is that a lot of the concern that you
8 were answering is that this case involves wastewater and water
9 rates in Alachua County, Brevard County, Highlands County, Lake
10 County, Lee County, Marion County, Orange County, Palm Beach
11 County, Pasco County, Polk County, Putnam County, Seminole
12 County, Sumter County, Volusia County and Washington County.
13 So as you can see, you know, we're, as much as possible we are
14 going to get out and ensure that everyone that's affected by
15 this have an opportunity to be heard. And this helps us to
16 make a better decision, so we're not just looking at numbers,
17 there's a person at the end of this. And I sincerely
18 appreciate the information.

19 By the way, we thank you for, for your eloquence.
20 This is what we're all about as a country is that our
21 neighbors -- you know, we don't have a monarchy in this
22 country, we have our neighbors. We elect, we elect our
23 neighbors to go to the county commission to sit across the
24 table and do things for us. We elect our neighbors to serve
25 for us in government and all. But I want to say to you as your

1 Public Service Commission that we're concerned about every
2 aspect of your life. And I thank you for your time. And, Ms.
3 Gervasi, do we have any further matters before us today?

4 MS. GERVASI: Nothing further that I am aware of.

5 COMMISSIONER CARTER: And before we adjourn the
6 meeting, let me just ask is there anyone that may have walked
7 in that didn't have an opportunity to speak that would like to,
8 anyone whatsoever?

9 Hearing none, this meeting is adjourned.

10 (Customer Service Hearing adjourned at 12:01 p.m.)

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STATE OF FLORIDA)
 : CERTIFICATE OF REPORTER
COUNTY OF LEON)

I, LINDA BOLES, RPR, CRR, Official Commission Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 23rd day of May, 2007.

Linda Boles
LINDA BOLES, RPR, CRR
FPSC Official Commission Reporter
(850) 413-6734

Legal Notice

Notice of Commission Customer Service Hearings

RE: Application by Aqua Utilities Florida, Inc. (Utility) for rate increase in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington counties, Florida. (Docket No. 060368-WS)

Date of Publication: April 20, 2007

Notice is hereby given that the Florida Public Service Commission will hold customer service hearings in the above-referenced docket to consider the Utility's application for an increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington counties, Florida. The purpose of the customer service hearings is to allow customers the opportunity to comment on the Utility's proposed final rates or service. The nearest customer service hearing to you will be conducted at the following time and place:

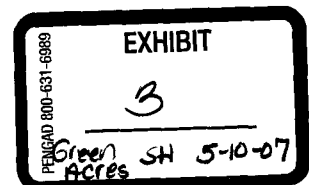
Date and Time: May 11, 2007 at 10:30 a.m.

Place: Palm Beach County Library System - Green Acres Branch
3750 Jog Road
Green Acres, FL 33467

At the hearing, customers will be given opportunity to present testimony and other evidence concerning the Utility's proposed rates or service. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

Any customer comments regarding the Utility's service or the proposed rate increase should be addressed to the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Such comments should identify Docket No. 060368-WS assigned to this proceeding.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Commission's Division of Regulatory Compliance and Consumer Assistance at 800.342.3552 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 800.955.8771 (TDD).

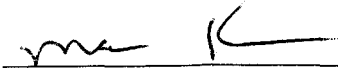


THE PALM BEACH POST
Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

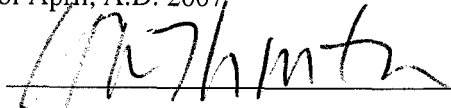
PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH


Before the undersigned authority personally appeared **Marc Kramer**, who on oath says that he is **Inside Sales Supervisor** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a **Notice** in the matter of **Hearings** was published in said newspaper in the issues of **April 20, 2007**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before 20th day of April, A.D. 2007,



Personally known XX or Produced Identification _____
Type of Identification Produced _____


Karen M. McLinton
Commission # DD359566
Expires: NOV. 15, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

APR 23 2007

EXHIBIT
4
Green Acres SH 5-10-07
FENGAD 800-631-6839

NO. 511131

NOTICE OF COMMISSION CUSTOMER SERVICE HEARINGS

RE: Application by Aqua Utilities Florida, Inc. (Utility) for rate increase in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington counties, Florida (Docket No. 060368-WS)

Date of Publication: April 20, 2007

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Date and Time: May 11, 2007 at 10:30 a.m.

Place: Palm Beach County Library System - Green Acres Branch
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Green Acres, FL 33467

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PUBLISH: April 20, 2007

May, 11, 2007

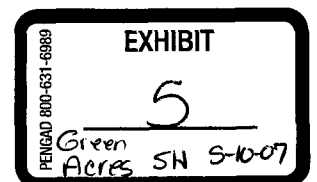
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Subject: PETITION TO DENY water rate increase to Aqua Utilities Florida, Inc.
(AQUA) for water supplied to Lake Osborne Estates, Palm Beach County, FL
PSC Docket No. 060368- WS

The water customers of Aqua Utilities Florida, Inc. (AQUA) living in Lake Osborne Estates do formally protest the approval any and all water rate increases proposed by AQUA as contained in PSC Docket 060368- WS. The citizens of Lake Osborne Estates ask the PSC to review the following information. Based on this information, petitions and comments received by the PSC from other LOE residents, we the residents of Lake Osborne Estates (LOE) beseech the PSC Commission to deny all water rate increases proposed by AQUA.

Lake Osborne Estates is a small residential community comprised on about 450 modest single family homes located in unincorporated Palm Beach County abutting the western boundary of the City of Lake Worth. Constructed between 1954 -1964 this non-gated community is home for retirees on fixed incomes and middle class working families. Originally water was supplied to Lake Osborne Estates by Lake Osborne Utilities, but eventually the water supply, treatment, and distribution was sold to a water service supply company who have, and as AQUA is currently doing, purchase water from the City of Lake Worth Utilities and distribute it to the residents of Lake Osborne Estates.

In a March 12, 2007 letter to Palm Beach Commissioner Warren Newell, John M. Liharcik, the COO for AQUA, stated that AQUA first began operations in Florida in 2003. The letter continues to state that 58 water and wastewater services in Florida will be impacted by the rate increases requested by AQUA. According to Mr. Liharcik, Aqua has spent \$22 million in capital investments to improve water and wastewater service. No money has been spent on improving the Lake Osborne Estates water service infrastructure. Mr. Liharcik also states that another goal of AQUA is to equalize rates among the myriad systems in each county. Lake Osborne Estates is the only residential area in Palm Beach County that receives water from AQUA. AQUA is a middleman purchases water from



Lake Worth Utilities. How AQUA plans to equalize the water and wastewater service rates for all of Palm Beach County water utilities seems to be an unrealistic if not impossible task. How AQUA perceives that by raising the water rates of its sole customer, Lake Osborne Estates, in Palm Beach County by approximately 600%, it will equalize the water/wastewater rates of non-AQUA water users in the county should be a major concern for the PSC.

Aqua does not supply wastewater collection, treatment or disposal services to the residents of Lake Osborne Estates. All residences in the Lake Osborne Estates (LOE) community are on septic tanks. It is impossible for AQUA to have spent or to spend any future monies on capital investments to improve a non-existent LOE - AQUA wastewater collection/treatment/disposal system. The service of each septic tank is the responsibility of each individual LOE property owner, not AQUA. Additionally, the residents of LOE avow that no citizenry should have to bear a financial responsibility to AQUA in it's attempt to repair, upgrade, or improve water or wastewater service systems that are not connected to or a part of the AQUA-LOE water distribution system nor any other out-of-county AQUA water facility at the expense of the residents of LOE.

AQUA does not own any water supply infrastructure that supplies LOE residents with drinking water other than the point connection to the Lake Worth Utilities water distribution line and the distribution lines from the Lake Worth Utilities water distribution point to the fire hydrants and individual water supply lines connected through meters to each individual LOE residence. AQUA has no well field, no water supply wells, no water treatment plant, nor water storage tanks used to supply LOE with water. Lake Worth Utilities is responsible for the maintenance, repair and improvements to the components of the Lake Worth Utilities water distribution system that supplies AQUA with water to distribute water to the residents of LOE. AQUA is a middle man selling water pumped treated and distributed by the City of Lake Worth to the residents of LOE. AQUA cannot justify any proposed LOE water rate increase based on non- existent capital expenditures or planned improvements to the water system components owned and maintained by the City of Lake Worth nor should AQUA be granted any water rate increase using expenditures on other non-LOE interconnected or out-of-county water systems as a rationale for it's proposed 96.6% interim increase nor it's final 600% water rate increase.

Prior to the purchase of the LOE water distribution system by AQUA, the residents of LOE were billed for water service by Crystal River Utilities, Inc., a period dating back 10 years. At no time over the past 20 years, nor since the purchase of the LOE water distribution service by AQUA have any upgrades or improvements been made to the

Lake Osborne Estates water supply lines. There is no justification for the proposed AQUA water rate increase for the residents of LOE based on past improvements on the LOE water supply system.

AQUA is a publicly traded water utility based in the U.S., a for profit corporation. Since 2003 it appears that a main goal of AQUA has been the acquisition of small independent water, wastewater, and water service distribution systems in through Florida. As of April 2007 AQUA had purchased 63 of these systems. Many of these systems are in need of significant repairs and upgrades. In some situations water management districts are providing grants to AQUA for work on water projects. Example SWFWMD has issued a \$161,375 grant to AQUA for the Lakewood Ranch project in Hillsborough County. According to a recent news release, Lake County is scheduled for \$725,000.00 to its water and sewer systems. LOE has no piping connections to either of these out-of county water systems nor is the LOE water supply system benefited by these projects. The residents of LOE should not be required or forced to pay for repairs or improvements made on other AQUA non-LOE-connected or out-of-county water systems nor should LOE residents financially benefit from any other AQUA facility receiving grants or other monies that offset costs for capital expenditures in other Florida counties.

The Florida Public Service Commission may also wish to consider or look into the environmental compliance records of AQUA and its parent company Aqua America, Inc. in Florida and other U.S states as part of the PSC's review of AQUA's request for massive statewide water rate increases.

In February 2007 AQUA entered into Consent Agreements with the Florida Department of Environmental Protection (FDEP) for both Washington and Seminole counties.

Sarasota County lists numerous AQUA health and monitoring violations on their web site.

In 2004 the State Water Control Board found Aqua Utilities, Inc. in violation of State Water Control Law and Regulations. In 2006 this same agency found Aqua Utilities, Inc. in violation of by not completing expansion of a STP wastewater plant expansion project designed to address previous plant wastewater exceedence violations noted in 2004.

In 2002 the Tennessee Regulatory Authority denied a Petition for Approval of Debt Issuance from Aqua Utilities Company, Inc. because the purpose of the loans did not meet with the Authority's approval. There was a problem involving persons involved in the loan.

No violations of FDEP Water System Distribution Permit General Permit for the City of Lake Worth nor the FDEP Connectivity General Permit for AQUA servicing LOE with water were discovered.

No fines resulting from failure to comply with environmental laws, rules or regulations or violation of environmental permit conditions should be included as the basis for AQUA's request for rate increases. Additional inquiries by the PSC may lead to determination of whether or not these non-compliance costs are being passed on to the residents of LOE through AQUA's current billing and proposed increase in water rates.

The taxpayers in Lake Osborne Estates and throughout Palm Beach County continue to suffer financially from the damage caused by hurricanes Frances, Jeanne, and Wilma in 2004 and 2005, escalating property taxes, excessive wind storm insurance rates, increasing fuel prices, and surcharges for out-of-city electric service from the City of Lake Worth to LOE residents. The working families and retirees living on fixed incomes again request the State of Florida Public Service Commission to deny any and all AQUA requests for water rates increases in Lake Osborne Estates; not only for the reasons outlined in this document but out of a sense of justice for the all residents of LOE.

Very truly yours,

The residents of Lake Osborne Estates

cc: Commissioner Warren Newell – PBC

- : Florida Governor Charlie Crist
- : Lisa Polak Edgar – Chair. FLPSC
- : Matthew M. Carter II – FLPSC
- : Katrina J. McMurrian FLPSC
- : Nancy Argenziano – FLPSC
- : Nathan A. SKOP – FLPSC
- : Ted Deutch – Senator FL Dist 30
- : Mary Brandenburg – Rep. FL Dist 89

PSC Docket No. 060368-WS

Initial service hearing date: May 11th 2007 being held at the Palm Beach County Library System- Greenacres Branch at 3570 Jog Road, Greenacres, FL 33467

Overview concerning **Petition Signatures** from **Lake Osborne Estates** homeowners and residents residing in Palm Beach County Florida to block the proposed water rate increase as outlined in the docket number above.

<u>Numbered Sheets submitted are:</u>	<u>Signatures on page are:</u>
1	6
3	20
4	20
5	20
6	20
10	8
12	8
14	18
15	20
18	17
20	18
23	20
24	1
26	12
26A	1
27	2
28	20
29	20
30	19
31	5
33	2
34	19
36	20
41	5
40	19

Total signatures submitted on pages indicated above are: **340 signatures**

We, the undersigned endorse the following petition:

We, the residents of Lake Osborne Estates petition the State of Florida Public Service Commission (PSC) to deny any and all proposed water rate increases to Aqua Utilities Florida, Inc (AQUA) outlined in PSC docket # 060368WS and to roll-back the Lake Osborne water rates to 2006 levels.

Target: Aqua Utilities Florida, Inc

Mary Ann Giel

***If you have any comments please use the next available line after your name.**

Date	Print Name	Signature	Address
5/5/07	MARY ANN GIEL	<i>Mary Ann Giel</i>	1713 Katherine Ct
5/6/07	JOY J. JASMIN	<i>Joy J. Jasmin</i>	1706 KATHERINE Ct.
5/6/07	DAVID R JASMIN	<i>David R Jasmin</i>	1706 Katherine Ct
5/6/07	Michelle P. BRUZIK	<i>Michelle Bruzik</i>	1715 Katherine Ct
5/6/07	Chris Ford	<i>Chris Ford</i>	1715 Katherine Ct
5-6-07	Peggy W. Bradshaw	Peggy W. Bradshaw	1703 Katherine Ct - Lw

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Target: Aqua Utilities Florida, Inc

***If you have any comments please use the next available line after your name.**

Date	Print Name	Signature	Address
5/4/07	Laura Rios	[Signature]	1501 High Ridge
5/4/07	Jon Rogers	[Signature]	1404 Shmerville
5/4/07	FRANK BARBA	[Signature]	1411 Shirley Ct.
5/4/07	Jeanne S. Wheelihan	Jeanne S. Wheelihan	1415 Crest Dr.
5/4/07	CAROL LINDERSON	[Signature]	1409 CREST DR.
5/4/07	JOHN KRISTJANSEN	[Signature]	1415 CREST DR
5/4/07	Jon Schultz	[Signature]	1417 CREST DR
5/4/07	Jim Prosper	[Signature]	1502 CREST DR
5/4/07	Kandi Nevis	[Signature]	1417 CREST DR
5/4/07	Nathan Quinn	[Signature]	1419 Crest Dr.
5/4/07	TINA Little	[Signature]	1419 Crest Dr
5/5/07	JAMES Celi	[Signature]	1424 CREST DR.
5-5-07	Steve Caw	[Signature]	1421 Crest
5-5-07	Jesse & Rafael Beranilla	[Signature]	1424 Tahoe Ct
5-5-07	MARION FREGA	Marion Frega	1420 Tahoe Ct
5/5/07	RAY PADRON	[Signature]	1416 TAHOE CT
5/5/07	John Brewer	John Brewer	1412 Tahoe Ct
5/5/07	Alana Starosielec	Alana Starosielec	1403 Tahoe Ct.
5/5/07	GENE Limare	[Signature]	1403 High Ridge Rd
5/5/07	ANTONIO SOLIS	[Signature]	315-8702 (cell) 1405 High Ridge

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Target: Aqua Utilities Florida, Inc

*If you have any comments please use the next available line after your name.

Date	Print Name	Signature	Address
5/3/07	Tom Louzoulas	<i>Tom Louzoulas</i>	1408 Michigan Dr
5/4/07	Wynbigah	<i>Wynbigah</i>	1408 Shirley Ct.
5/4/07	George Runko	<i>George Runko</i>	1406 Shirley Ct.
5/4/07	Janet Kent	<i>Janet Kent</i>	1408 Shirley Ct.
5/4/07	JOSE A PEREZ	<i>Jose A Perez</i>	1410 Shirley Ct
5/4/07	MARGARET BROWN	<i>Margaret Brown</i>	1414 SHIRLEY CT
5/4/07	Bill B McCormick	<i>Bill McCormick</i>	1413 Shirley Ct
5/5/07	Tom Chamberlain Jan J. Chamberlain	<i>Tom Chamberlain</i>	1412 SHIRLEY CT
5/5/07	Merja Hynonen	<i>Merja Hynonen</i>	1416 Shirley Ct.
5/5/07	Zaimy Alexander	<i>Zaimy Alexander</i>	1418 Shirley Ct
5/5/07	John Casey	<i>John Casey</i>	1420 Shirley Ct.
05/05/07	Jeff Scott	<i>Jeff Scott</i>	1424 Shirley Ct
5/5/07	Dorothy R Richter	<i>Dorothy R Richter</i>	1403 Crest Dr.
5/5/07	Laura Polle ^{Lauren}	<i>Laura Polle</i>	1408 Crest Dr.
5/5/07	Amy Whitfield	<i>Amy Whitfield</i>	1407 Crest Dr.
5-5-07	Madonna Wylie	<i>Madonna Wylie</i>	1410 Crest Dr.
5/5/07	Aida Rivero	<i>Aida Rivero</i>	1412 Crest Dr.
5/5/07	Mayetta J Lee	<i>MAYETTA LEE</i>	1414 CREST DR.
5/5/07	GLORIA SALMI	<i>Gloria Salmi</i>	1416 CREST DR.
5/5/07	LISA FRANKOW	<i>Lisa Frankow</i>	1418 Crest Dr.

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Target: Aqua Utilities Florida, Inc

*If you have any comments please use the next available line after your name.

Date	Print Name	Signature	Address
5/5/07	BEN TABLE	<i>Ben Table</i>	1420 CREST DR.
5/5/07	Gwen A Simon	<i>Gwen A Simon</i>	1421 Crest Dr
5/5/07	Mark Million	<i>Mark Million</i>	1431 crest Dr.
5/5/07	STEVEN GOLDSTEIN	<i>Steve Goldstein</i>	1423 TAHOE CT.
5/5/07	Jen Verdun	<i>Jen Verdun</i>	1421 Tahoe Court
5/5/07	Jose A. Santiago	<i>Jose A. Santiago</i>	1415 Tahoe
5/5/07	Gisanna Urso	<i>Gisanna Urso</i>	1411 Tahoe Ct.
5/5/07	Crossie Casarez	<i>Crossie Casarez</i>	1407 Tahoe Court.
5/5/07	RANDI Sheppard	<i>Randi Sheppard</i>	1410 TAHOE CT.
5/5/07	Chip Sweet	<i>Chip Sweet</i>	1402 Hi Ridge Rd.
5-5-07	DANN HISCAY	<i>Dann Hiscay</i>	1411 High Ridge Rd
5/5/07	JENNIFER L. TORRENCE	<i>Jennifer L. Torrence</i>	1414 MICHIGAN DRIVE
5/5/07	Rebecca Potter	<i>Rebecca Potter</i>	1417 Mich. DR
5/5/07	David Tamm	<i>David Tamm</i>	1449 Crest Dr.
5-5-07	DANIEL KROK	<i>Dan Krok</i>	1445 CREST DR
5-5-07	Alex Ferrer	<i>Alex Ferrer</i>	1439 Crest Dr.
5/5/07	SHIRLEY M. MAY	<i>Shirley M. May</i>	1448 CREST DR.
5/6/07	Robert Madden	<i>Robert Madden</i>	1417 Shirley Ct.
5/6/07	Bonnie Coleman	<i>Bonnie Coleman</i>	1407 Michigan Dr.
5/6/07	Lillian Southard	<i>Lillian Southard</i>	1410 Michigan Dr.

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Target: Aqua Utilities Florida, Inc

*If you have any comments please use the next available line after your name.

Date	Print Name	Signature	Address
5/5/07	JEFF BONDURICH		1409 HIGH RIDGE RD
5/5/07	MAUREEN CARL	Maureen Carl	1453 CREST DR.
5-5-07	Cheryl Besch	Cheryl Besch	1433 Crest DR.
5-5-07	Mark + Kathy Zeidler	Kathy Zeidler	1442 Crest Dr.
5/5/07	Carolyn Kullmar	Carolyn Kullmar	1423 Shirley Ct
5/5/07	Carolina Toll		1419 Shirley Ct
5/5/07	Matt Letto		1415 Shirley Ct.
5/5/07	Sarah Trombley		1411 Lee Ct.
5/5/07	Gary Seal		1602 West Dr.
5/6/07			1434 CREST DR.
5/6/07	Ramona Davenport		141 Michigan Dr.
5/6/07	Jennyfer DeLeon		1413 Michigan DR
5/6/07	Randy Logan		1416 MICHIGAN DR
5/6/07	Miguel Laum		1418 Michigan Dr
5-6-07	JEFF SUMNER		1402 SHIRLEY CT
5-6-7	JEFF LAMB		1410 TADDE
5-6-7	Rich J Bennie		1423 CREST DRIVE
5/6/07	LYNDA H LEE		1427 CREST DR.
5/6/07	Dan Kinsler		1425 Crest Dr.
5/6/07	Barbara Forsythe	BARBARA FORSYTHE	1417 High Ridge Rd.

We, the undersigned endorse the following petition:

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Target: Aqua Utilities Florida, Inc

***If you have any comments please use the next available line after your name.**

Date	Print Name	Signature	Address
5/6/07	Anne Cartmell	Anne Cartmell	1409 Lake Placid Dr
5/6	Lisa Smyth	Lisa Smyth	1409 Lake Geneva Dr.
5/6	Don Hoyt	Don Hoyt	1410 L K Placid Dr.
5/6	Lynn Guelzau	Lynn Guelzau	1408 Lake Victoria Dr LW
5/6	Nila Bent	Nila Bent	1608 High Ridge Dr LW
5/6	Lidia VARGAS	Lidia Vargas	1323 LAKE VICTORIA DR L.W
5/6	W J Flora	W J FLORA	1408 LAKE PLACIO DR LW
5/6	MB Cooper	MB Cooper	1315 Lake Victoria Dr

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Date	Print Name	Signature	Address
5/6/07	MARY-ELLEN DECKER	Mary Ellen Decker	1441 Crest Dr.
5/6/07	MORGEN JACKSON	Morgen Jackson	1601 HIGH RIDGE ROAD
5/6	Steve MARKS	Steve Marks	505 TOMAHAWK CT
05/06/07	Brian OelBERMANN	Brian OelBermann	14970 ANDREWS RD
5/6/07	Gabriel Luch	Gabriel Luch	1412 Lake Victoria Dr.
5/6/07	Gary Welton	Gary Welton	1410 Lake Victoria Dr.
5/5/07	Juan Pizarro	Juan Pizarro	1328 L. Victoria dr.
5/5/07	Penny Freidank	Penny Freidank	1232 Lake Geneva

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Date	Print Name	Signature	Address
5/6/07	Michael Cantsey		1409 LAKE PLACER DR LW
5/06/07	Miriam H Bacon	MIRIAM H. BACON	1408 LAKE GENEVA DR.
5/6/07	Robert Bacon	ROBERTS. BACON	"
5/6/07	Jay Baker	Jay Baker	1601 Crest Dr.
5/6/07	Laura Burgard	Laura Burgard	1603 Crest Dr
6/6/07	Dawn Malay		1413 Lake Victoria Dr.
5/6/07	DELORES MOORE Delores Moore		1409 LAKE VICTORIA DR
5/6/07	CHRISTOPHER C MOORE		1409 LAKE VICTORIA DR
5/6/07	Linda ARCARO	Linda Arcaro	1407 LAKE VICTORIA DR
5/6/07	Antonio Arcaro	Antonio Arcaro	1407 Lake Victoria Dr
5/6/07	Julie Severin	Julie G. Severin	1329 Lake Victoria Dr
5/6/07	VAUGHN SIMON		1325 LAKE VICTORIA DRIVE
5-6-07	MARGARET SIMON	Margaret Simon	1325 Lake Victoria Dr.
5-6-07	Juan Canturas		1374 Lake Victoria Dr
5-6-07	GLEN E. SMITH JR.		1608 Nanette Ct
5-6-07	Cheryl Lee		1606 LI
5-6-07	ANGELA R. FORD	Angela R. Ford	1002 NANETTE CT
5-6-07	MONIQUE PIERRE	Monique Pierre	1526-Nanette Court

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Date	Print Name	Signature	Address
5-6-07	Thomas Meadows	Thomas Meadows	1317 Lake Erie Dr
5-6-07	LYNDA BAKER	Lynnda Baker	1319 LAKE ERIE DR
5/6/07	BENITO	Benito	1322 LAKE ERIE DR
5-6-07	Jennifer Strickland	J. Strickland	1321 Lake Erie Dr.
5-6-07	M. Costigan	M. Costigan	1323 Lake Erie Dr
5-6-07	Joad ^{TODD OWERS} Owers	Todd Owers	1324 LAKE ERIE DR.
5-6-07	Michelle Shirley	Michelle Shirley	1327 Lake Erie Dr.
5-6-07	Felice Bramarito	Felice Bramarito	1331 LAKE ERIE DR.
5-6-07	Linda Morgan	Linda Morgan	1328 LAKE ERIE DR
5-6-07	Norma S Sicksler	Norma S Sicksler	1320 Lake Erie
5-6-07	Colleen Head	Colleen Head	1316 Lake Erie Dr
5-6-07	Brian Southards	Brian Southards	1720 Katherine Ct.
5-6-07	JEAN CUDDY	Jean Cuddy	1718 KATHERINE CT
5-6-07	Violet Achon	Violet Achon	1710 Katherine Ct
5-6-07	Rosa I Lopez	Rosa I Lopez	1329 Ontario DR. LAKEWATER
5-6-07	Angelica Salinas	Angelica Salinas	1703 Katherine Ct.
5-6-07	MARK KUSCHEL	Mark Kuschel	1707 Katherine Ct.
5-6-07	Phyllis BRANOW	Phyllis Branow	1709 Katherine Ct
5-6-07	Doris Williams	Doris Williams	1717 Katherine Ct.
5-6-07	Nicole Martinez	Nicole Martinez	1315 Lake Erie Dr

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Date	Print Name	Signature	Address
05-04-07	JAMES F. RUPP		1607 CREST DR LAKE WORTH FL 33461
05-6-7	WAYNE F THURSTON		5482 Lake Osborne Dr Lake Worth FL 33461
5/6/07	JANIE L SINCLAIR		1611 CREST DR LW 33461
5/6/07	Eric Hansen		1707 Crest Dr LW 33461
5-6-7	Victor Marchal		1709 Crest Drive
5-6-07	Quida Hornsby		1711 Crest Dr.
5-6-07	DOROTHY E King		1805 Crest Drive.
5-6-7	Marguerite J. Purnell		5768 Lake Osborne Dr.
5-6-7	Marguerite W. McConnell		5716 Lake Osborne Dr.
5-6-7	Vera Mahlen		5682 Lake Osborne Dr.
5-6-7	Marc Pittingston		5806 Lake Osborne Dr.
5/6/7	Kathleen Morrison		1608 Crest Dr.
5-6-7	Dorothy Van Ge ^{PLACID} Iderson		1411 Lake Dr ^{Dr} FL 33461 13
5/7/07	Hazel Garabou		1705 Crest Dr. Lake Worth, FL 33461
5-7-7	Tim Clark		1713 CREST DR
5-7-7	Charles E Palmer	CHARLES E PALMER	1801 CREST DR
5-7-7	Beth Scragg		5700 Lake Osborne Dr.

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Date	Print Name	Signature	Address
5-6-07	Judith Adamski	Judith Adamski	1511 Crest Drive Lake Worth, FL 33461
"	JANET McPHERSON	Janet McPherson	1616 Crest Dr Lake Worth, FL 33461
5-6-07	Lester & Vivian Schmidt	Vivian Schmidt	1617 Crest Dr. Lake Worth
5-6-07	Lester P. Schmidt	Lester P. Schmidt	1617 Crest Dr Lake Worth, FL
5-6-0	MERRIE O'HIGGINS	Memie O'Higgins	5564 Lake Osborne Dr Lake Worth FL 33461
5-6-07	Jesse Adamski	Jesse Adamski	1511 Crest Drive Lake Worth FL 33461
5-6-07	Marie Arnold	Marie Arnold	5556 Lake Osborne Lake Worth, FL 33461
5-6-07	Serhanie Lee	Serhanie Lee	5502 Lake Osborne Dr Lake Worth, FL 33461
5-6-07	Ruth Galligan	Ruth Bulligan	RB 50 Lake Crest Dr Lake Worth, FL
5-6-07	Ruth McCaffrey	Ruth M c Caffrey	1604 Crest Dr Lake Worth FL
5-6-07	Raymond Thomsen	Raymond Thomsen	5438 Lake Osborne Dr. L.W., FL 33461
5-6-07	Ana M. Muth	Ana Muth	5472 Lake Osborne Dr LW FL 33461
5/6/07	Dana Muth	Dana Muth	5472 Lake Osborne Lake Worth FL 33461
5/7/07	Susan Trevino	Susan Trevino	1509 Crest Dr LW.
5/8/07	Edna Bonnell	Edna Bonnell	1615 Crest Dr LW FL
5/7/07	ROMEO BARRI	Romeo Barri	1609 CREST DR L.W. FL. 33461
5/8/07	CHRISTINE GAUTHIER	Christine Gauthier	1503 CREST DR LAKE WORTH 33461
5/8/07	ROSS EVANS	Ross Evans	540 + Lake Osborne Lake Worth FL

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Date	Print Name	Signature	Address
5/5/07	DONALD E. MAULE	Donald Maule	1412 Ontario Dr. L.W.
5/5/07	ZENON TOZELC	Zenon Tozelc	1410 Ontario Dr. L.W.
5/7/07	Jay S. Jeffrey	Jay S. Jeffrey	1409 Ontario Dr.
5/7	John Jones	John Jones	1411 Ontario Dr. L.W.
5/5	CHARLOTTE PROVOST	Charlotte Provost	1413 Ontario Dr. L.W. #3461
5/5	DARA KASHMANIAN	Dara Kashmanian	1415 Ontario Dr. 33461
5/5	Robert McPherson	Robert McPherson	1702 CREST DR
5/5	JOSEPH STERLICONI	Joseph Sterliconi	1704 CREST DR.
5/5	JAMES MILLER	James Miller	1414 LEE COURT
5/5	SERENA MILLER	Serena Miller	1414 LEE CT.
5/5	AL TOMLINSON	Al Tomlinson	1406 LEE CT.
5/5	Thomas J Krupa	Thomas J Krupa	1416 Lake Erie Dr.
5/5	Susan B. Krupa	Susan B. Krupa	1416 Lake Erie Dr.
5/5	Suzanne Lyfe	Suzanne Lyfe	1413 Lk. Erie Dr.
5/5	Ted W. Wright	TED WRIGHT	1412 LAKE ERIE
5/5	Susan Millstone	Susan Millstone	1409 Lake Erie Dr
5/5	ADRIANA GREEN	Adriana Green	1402 LEE COURT
5/5	Matt Green	Matt Green	1402 Lee Court
5/5	CHARLES TYSON	Charles Tyson	1415 LAKE ERIE DR
5/5	LORI TYSON	Lori Tyson	1415 Lake Erie Dr

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Date	Print Name	Signature	Address
5/10/07	Paula Rakaszowski		1325 Lake Erie Dr LK WORTH, FL. 33461

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Date	Print Name	Signature	Address
5/5/07	R.K. & JAWNS KRAMER	Juan Kramer	1514 SHIRLEY CT LAKE WORTH FL 33461
5/5/07	Keith/Karen Andrews	Karen Andrews	1507 Shirley Ct. Lake Worth, FL 33461
5.5.07	MIKE/LISA ASARO	Mike Asaro	1511 SHIRLEY CT. LAKE WORTH FL. 33461
5-5-07	BENSON DANTE S	Dante Benson	1505 Shirley ct/Lake Worth
5-5	Bill Roberson	Bill Roberson	1516 SHIRLEY CT. h. 40
5/5/07	Kenneth Berg	K Berg	1515 Shirley Ct. LW 33461
5/5/07	LINDA BERG Linda Berg	Linda Berg	1515 Shirley Court. LW. 33461
5/6/07	Robert Pouncey	Robert Pouncey	1513 Shirley Ct. LW
5/6/07	Paula Wheeler	Robert Pouncey for Paula Wheeler	" " "
5/6/07	Frieda Proctor	Frieda Proctor	1510 Shirley Ct. LW, FL 33461
5/6/07	Rachel Ware	Rachel Ware	1509 Shirley Ct. LW FL 33461
5/8-07	Agnes Limzuru	Agnes Limzuru	1512 Shirley ct LW.

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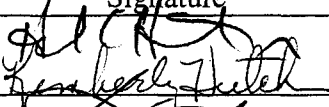
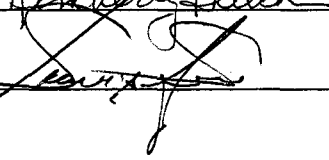
Date	Print Name	Signature	Address
5/5/07	CATHERINE LAIB	<i>Catherine Laib</i>	1443 CREST DR LAKE WORTH, FL 33461

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Date	Print Name	Signature	Address
5/5/07	HAL + Kimberly Hutchins		1427 Tahoe Ct. L.W.
5/5/07	Devils Kathleen Dyer		1438 Coast Dr L.W.

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Date	Print Name	Signature	Address
5/5	Don Long		1720 Lake Bass Dr
5/5	Steven Whitehurst		1418 Lake Bass Dr
5/5	Brenda Whitehurst	Brenda Whitehurst	1418 Lake Bass Dr.
5/5	Elia A Pira	ELIA APIRA	2119 LAKE BASS CIR
5/5	Ruth Bachman	Ruth Bachman	2117 Lake Bass Circle
5/5	John Bachman		" " " "
5-5	REK TENNANT		2106 Lake Bass Cir
5-5	Mary Robles	Mary Robles	2115 lake bass circle
5-5	RICHARD ROBLES		2115 LAKE BASS CIRCLE
5/5	Stephen K. Hill	Stephen K. Hill	1420 Lake Bass Dr
5/5	BARRY S. FREEDMAN	Barry S. Freedman	1425 Lake Bass Drive
5/5	SYLVIA D GRAHAM	Sylvia D Graham	2111 Lake Bass Circle
5/5	RE Blaneett		2105 Lake Bass Cir
5/5	JAIME Johnson	Jaime Johnson	2103 Lake Bass Cir
5/5	Gabriele Charpentier	G. Charpentier	2103 Lake Bass Cir
5/5	Paula Lindsey		1401 LAKE BASS DR
5/5	CERALD Lindsey		1401 LAKE BASS DR
5/5	John Colon	JOHN COLON	1404 LAKE BASS DR.
5/5	Doug McGlone		1407 Lake Bass Dr.
5/5	Mary B. Ray	Mary B. Ray	1409 Lake Bass Dr.

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Date	Print Name	Signature	Address
5/5	Wallace Hewitt	W Hewitt	1410 Lake Bass LW
5/6	Joel Chernekoff	J Chernekoff	5856 Lake Osborne Dr.
5/6	William W. Byster	W W Byster	5950 Lake Osborne Dr.
5/6	Rebecca J. Cable Rebecca J. Cable	Rebecca J. Cable	5950 Lake Osborne Dr.
5/6	Phyllis Majaskie	Phyllis Majaskie	1515 Lee Ct
5/6	Lou DeStout	Lou DeStout	1509 Lee Court
5/6	Tom Consiglio	Tom Consiglio	1505 Lee Court
5/6	Mitchell Gagnon Melinda Coker	Melinda Coker	1503 Lee Court
5/6	Martha A. Morgan	Martha A. Morgan	1501 Lee Ct.
5/6	BARBARA J Barbara J. Palkettier	BARBARA J PALKETTIER	1512 Lee Ct
5/6	Leann Vanderwoude	Leann Vanderwoude	1510 Lee Ct
5/6	Sky Groden	Sky Groden	1712 High Ridge Rd
5/6	JoAnne Lyons	JoAnne Lyons	1813 High Ridge Rd
5/6	Brett Lyons	Brett Lyons	1813 High Ridge Rd
5/6	William F. Kneller	William F. Kneller	1817 High Ridge Rd.
5/6	Madelyn Dovey	Madelyn Dovey	1911 High Ridge Rd.
5/6	DONALD DOVEY	Donald Dovey	1911 High Ridge Rd
5/6	Febronia Figueroa	Febronia Figueroa	1913 High Ridge Rd.
5/6	STEVE MITCHELL	Steve Mitchell	206 Cantara Rd
5/6	PAUL MCCRAWELS	Paul McCrawels	1914 High Ridge Rd

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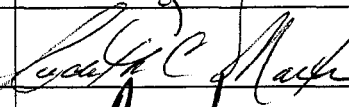
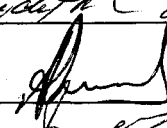

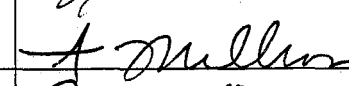
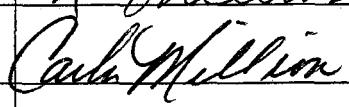
Date	Print Name	Signature	Address
5/6/07	OMER G. EDDS	<i>Omer G Edds</i>	1910 High Ridge Rd Lake Worth FL 33461
5/6/07	John EDDS	<i>John Edds</i>	1910 High Ridge Rd. Lake Worth FL 33461
5/6/07	Lucrecia Garcia	<i>Lucrecia Garcia</i>	1908 High Ridge Rd
5/6	Lucrecia Garcia	"	"
5/6/07	Keith Jones	<i>Keith Jones</i>	1900 High Ridge Rd Lake Worth FL 33461
5/6/07	Susan M. Jones	<i>Susan M Jones</i>	1900 High Ridge Rd Lake Worth, FL 33461
5/6/07	TRACY HICKMAN	<i>Tracy Hickman</i>	1511 LEE CT LW, FL 33461
5/6/07	JAMES C McBRIDE	<i>James C McBride</i>	1513 LEE CT LAKE WORTH
5/6/07	Larry Kopp	<i>Larry Kopp</i>	1407 Ontario dr LW, FL 33461
5/6/07	Roger Manning	<i>Roger Manning</i>	5874 Lake Osborne Dr L.W. FL 33461
5/7	Coakley, Adele	<i>Adele Coakley</i>	5934 Lake Osborne Dr
5/7	KLONIA TAPOLYTI	<i>Klonia Tapolyti</i>	1801 High Ridge Rd Lake Worth FL 33461
5/7	SE. SMITHWICK	<i>SE Smithwick</i>	1807 HIGH RIDGE RD. LAKE WORTH
5/7	Rachelen Hut	<i>R. Hut</i>	1811 High Ridge Rd. Lake Worth, FL 33461
5/7	Bob Hut	<i>Bob Hut</i>	"
5/8	Kiara M	<i>Kiara M</i>	Lake Osborne 137 5154
5/8	ELAINE BALLARD	<i>Elaine Ballard</i>	1610 CREST DR LK. W. FL 33461
5/8	Jerry Ballard	<i>Jerry Ballard</i>	1610 CREST DR
5-10	DAVID C. PAUSZAWISM	<i>David C. Pauszawism</i>	1325 LK. OSBORN DR.

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Date	Print Name	Signature	Address
5-6-07	Judi MARTIN		2007 Lake Bass Circ. ^{Lake worth} FL 33146
5-6-07	Agnelo R. Fernandes		2102 Lake Bass Cir. ^{Lake worth} FL 33461
5/6/07	Shyton. Seixas		— do —
5/7/07	Alyson Million		1504 CREST DR. LW FL 33444
5/7/07	CARLA MILLION		1504 Crest Dr LW 33446

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Date	Print Name	Signature	Address
5/4/7	Debra M. Wolicki	<i>Debra M. Wolicki</i>	5372 Lake Osborne Avail
5/5/07	WYANE E. SCOTT	<i>WYANE E. SCOTT</i>	5372 LAKE OSBORNE DRIVE

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Date	Print Name	Signature	Address
5/1/07	SUSAN N. Parbhoo	Susan N Parbhoo	1206 Lake Geneva Dr. L.W. 33461
5-1-07	Lawrence B. Silver	Lawrence B Silver	5356 Lake Osborne Dr. L.W. 33461
5-7-07	GLENN CERNICKY	Glenn Cernicky	5308 LAKE OSBORNE DR.
5-7-07	MARK GEIGER	Mark Geiger	5292 LAKE OSBORNE DR.
5/7/07	KIRK HOOSAC	Kirk Hoosac	5228 Lake Osborne Dr
5/7/07	Brian Brady	Brian Brady	5212 Lake Osborne Dr
5/7/07	Jim MENOR	Jim Menor	5196 LAKE OSBORNE DR.
5-7-07	Nick Basone	Nick Basone	5180 Lake Osborne Dr.
5-7-07	Jeannette Dietrich	Jeannette Dietrich	5164 Lake Osborne Dr.
5-7-07	KAREN FUGAN	Karen Fugan	5162 Lake Osborne Dr.
5/7/07	Richard Fagan	Richard Fagan	5162 Lake Osborne Dr.
5/7/07	Dellene Kahant	Dellene Kahant	5160 Lake Osborne Dr.
5/7/07	MARK Kiebler	Mark Kiebler	5158 Lake Osborne Dr L.W.
5/7/07	JESUS TALAVERA	Jesus Talavera	5154 LAKE OSBORNE DR.
5/7/07	LEON STROYF	Leon Stroyf	5152 LAKE OSBORNE DR.
5-7-07	Raymond C Murphy Jr	Raymond C Murphy Jr	5146 Lake Osborne Dr.
5-7-07	Kenneth G. Hunt	K. G. Hunt	5144 LAKE OSBORNE DR.
5-7-07	Margaret R. Stau	Margaret R. Stau	5276 Lake Osborne Dr
5/1/07	John M. Linthicum	John M. Linthicum	5390 Lake Osborne Dr.

We, the undersigned endorse the following petition:

We, the residents of Lake Osborne Estates petition the State of Florida Public Service Commission (PSC) to deny any and all proposed water rate increases to Aqua Utilities Florida, Inc (AQUA) outlined in PSC docket # 060368WS and to roll-back the Lake Osborne water rates to 2006 levels.

Target: Aqua Utilities Florida, Inc

*If you have any comments please use the next available line after your name.

Date	Print Name	Signature	Address
5/5/07	Rosemary Oster	Rosemary Oster	1946 Fittin Ct
5/5/07	GILBER Gela	G. Gela	1205 FITTING CT
5-5-07	Debra Bahr	D. Bahr	1947 Fittin Ct-
5-5-07	BEATRICE HOUGH	B. Hough	1857 Fittin Ct.
5.5.07	Janelle Gruthers	Janelle Gruthers	1125 Lake Geneva dr
5-5-07	NORA KEETON	Nora Keeton	1123 LK GENEVA DR
5-5-07	WARVIN ALVAREZ	Warvin Alvarez	1115 LAKE GENEVA DR
05/05/07	DENNIS DEBLARRE	D. DeBlarre	5210 LAKE GENEVA DR
5/5/07	Nigel Randarr	Nigel Randarr	1106 Lake Geneva DR
5/5/07	Maryse BARTHOLEMY	M. Bartholomy	5092 Lake Geneva Dr.
5/5/07	Julia Schief	J. Schief	5676 Lake Geneva Dr.
5/5/07	Manuel Pinho	Manuel Pinho	1120 Lake Geneva Dr
5/5/07	Veronica LaMoureux	Veronica LaMoureux	5558 Lake Geneva Dr.
5/5/07	Robert L Hudson	Robert L Hudson	5544 " "
5/5/07	Tammy Starke	Tammy Starke	1203 Lake Geneva DR.
5/5/07	Roger Vazquez	Roger Vazquez	1204 Lake Geneva DR.
5/05/07	John A. Wade	J. A. Wade	1205 Lake Geneva Dr.
5/8/07	Sandra L. Tessier	Sandra L. Tessier	1415 Michigan Dr.
5/8/07	Harold E. Tessier	Harold E. Tessier	1415 Michigan Dr.
5/8/07	SUSAN PARBHO	Susan Parbho	1206 Lake Geneva DR.

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Target: Aqua Utilities Florida, Inc

*If you have any comments please use the next available line after your name.

Date	Print Name	Signature	Address
5/7	PAT MEIXNER XXXXXXXXXXXX	Pat Meixner	1707 Osborne Circle 1317 Lake Victoria Dr.
5/7/07	Christy Foley XXXXXXXXXXXX	Christy Foley	XXXXXXXXXXXX
5/7	Robert McDewitt	Robert McDewitt	1318 Lakewood Dr.
5/7	Robert Wechs	Robert W. Wechs	1321 Lake Victoria Dr.
5/7	Ernest Parkshoo	Ernest Parkshoo	1206 Lake Geneva Dr

We, the undersigned endorse the following petition:

We, the residents of Lake Osborne Estates petition the State of Florida Public Service Commission (PSC) to deny any and all proposed water rate increases to Aqua Utilities Florida, Inc (AQUA) outlined in PSC docket # 060368WS and to roll-back the Lake Osborne water rates to 2006 levels.

Target! Aqua Utilities Florida, Inc



*If you have any comments please use the next available line after your name.

Date	Print Name	Signature	Address
5-5-07	Mariella Jordan	Mariella Jordan	1328 ONTARIO DR LW FL 33461
5-5-07	Dennis Jordan	Dennis Jordan	1328 ONTARIO Dr. 33461
5-5-07	Diana Howell	Diana Howell	1326 ONTARIO DR 33461
5-5-07	Chad Anderson	Chad Anderson	1315 Ontario Dr. 33461
5/5/07	DANIEL DILLEY		1701 OSBORNE CR 33461
5/5/07	Cynthia O'Neil	Cynthia O'Neil	1618 OSBORNE CIRCLE 33461
5/5	Wm E Patten	Wm E Patten	1616 OSBORNE CIRCLE 33461
5/5	Bill Simms	Wm Simms	1614 OSBORNE CIRCLE 33461
5/5	Marta Vazquez	Marta Vazquez	1605 Osborne Cir 33461
5/5	Lisette Osborne	Lisette Osborne	1610 Osborne Cir 33461
5/5	Michael LeBlanc	Michael LeBlanc	1607 Osborne cir 33461
5/5	Deana Pizzo	Deana Pizzo	1322 Ontario Drive 33461
5/5	Jason Pizzo	Jason Pizzo	1322 Ontario Dr. 33461
5/5	Peggy Stecki	Peggy Stecki	1324 Ontario Dr. 33461
5/5	Leslie Gailey	Leslie Gailey	1319 Ontario Dr. 33461
5/5	Thomas Ellis	Thomas Ellis	1318 Ontario Dr. 33461
5/5	Juan Ellis	Juan Ellis	1318 Ontario Dr. 33461
5/7	Natasha Michener	Natasha Michener	1321 Ontario Dr. 33461
5/7	Roy Selzer	Roy Selzer	1705 OSBORNE CIR 33461
5/11/07	Jason Conrad	Jason Conrad	1712 Katherine Court 33461

Paula Wheeler
1513 Shirley Ct.
Lake Worth, FL
33461

May 5, 2007

To whom it may concern:

I, Paula Wheeler, residing at 1513 Shirley Ct
Lake Worth, FL 33461, hereby agree with the
petition to stop the proposed water increase by
Aqua Florida Utilities (PSC docket # 060368-WS).
Please add this letter ^(signature) to the petition being
submitted for Public Record on May 11, 2007.

Sincerely,

Paula Wheeler

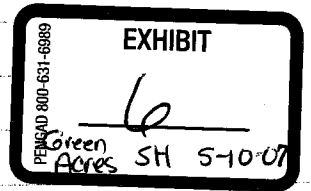
Late Osborne Estates
Water 1515 Shirley Ct.

Kenn & Linda
Berg

Usage	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
Jan	7	9	11	9	15
Feb	9	7	7	8	10
Mar	6	8	10	8	10
Apr	7	9	8	7	19
May	6	6	9	6	
Jun	8	9	9	8	
Jul	8	12	8	17	
Aug	8	9	13	11	
Sep	5	10	11	7	
Oct	8	12	8	9	
Nov	9	8	7	* 17	
Dec	5	12	10	8	

* Begin Aqua Utilities Florida Inc.

Note: Well water for irrigation



- 1997 → Crystal River Utilities Bryn Mawr Beach FL
- 2002 → 9/03 Crystal River Utilities / Aquasource / DREC Atlanta Ga
- 9/03 → 12/05 " " " Aquasource Phill. PA
- 1/06 → 12/06 " " " DBA Aqua Utilities Inc. FL Newark N.
- 12/06 → Aqua Utilities Florida Inc Bryn Mawr PA



Warren H. Newell
County Commissioner
District III

301 North Olive Avenue
12th Floor
West Palm Beach, FL 33401
(561) 355-2203
FAX: (561) 355-6344

May 1, 2007

John M. Lihvarcik, President
Aqua Utilities Florida, Inc.
P.O. Box 490310
Leesburg, Florida 34748

VIA FAX

Re: AUF/Lake Osborne Estates Water Monthly Service Rates
Public Service Commission Hearing Docket No. 060368-WS

I have been notified by the Palm Beach County Water Utilities Department (WUD) and the Lake Osborne Estates Civic Association (LOECA) that you are requesting an increase in water monthly service rates. I have also been advised that there is a public hearing on the matter scheduled for May 11, 2007 at 10:30 AM.

It is not appropriate to hold a public hearing for affected residents at 10:30AM on a Friday morning when most of the residents are at work. I urge you to immediately contact the Lake Osborne Estates Civic Association to discuss this matter and reschedule the public hearing to accommodate the largest portion of residents in the community.

Sincerely,

Warren H. Newell
Board of County Commissioners

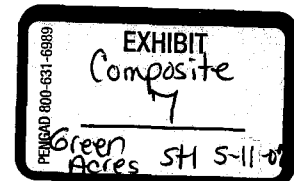
c: Bob Weisman, County Administrator
Nicholas De Benedictis, Chairman, President & CEO, Aqua America, Inc.
Bob Pouncey, President, Lake Osborne Estates Civic Association
Nina Whatley, Aqua Utilities Florida, Inc.

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Affirmative Action Employer"

printed on recycled paper

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060368-WS EXHIBIT 7
COMPANY Aqua Utilities FL Inc
WITNESS Lake Osborne Estates Civic Assoc. Composite
DATE 05/11/07





Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
Secretary of Health

March 14, 2007

CERTIFIED MAIL

70040750000214243243
RETURN RECEIPT REQUESTED

**Robert Pouncey
Resident Agent
Lake Osborne Estates
1513 Shirley Court
Lake Worth, FL 33461**

Re: Private Fire Hydrant Inspection Report

Dear Mr. Pouncey:

The purpose of this letter is to advise you of certain items of non-compliance for which you may be responsible, and to seek cooperation in resolving the matter. As per our investigation and your submitted inspection report, it was established that there was an issue in violation of the following regulation:

Please be aware of the following requirements of ECR II, pertaining to the inspection, maintenance and testing of private fire hydrants **(All Checked Boxes Apply)**:

- The fire hydrant/s shall be maintained in accordance with standards established by the American Water Works Association (Manual M-17).
- Testing to quantify flow and pressure is required to ensure each of the hydrants is functioning properly.
- The hydrant/s is/are not in working order.
- There is insufficient flow and/or pressure as determined by flow test or, in certain circumstances, static test results.
- In case of an interruption in service or loss of pressure, the Fire Marshall or other appropriate Fire Department official shall be notified.
- Additional information is required: After repairs are completed re-submit flow test data on repaired hydrants.
- Other : The fire hydrants on your property are not in proper operating condition. **The Fire Hydrant located at 1129 Lake Geneva Drive is inoperable and requires immediate repair. All other hydrants with flow p.s.i. lower than 20 p.s.i. must be repaired to increase pressure to at least 20 p.s.i. After repairs have been made, please submit new flow test data for the repaired hydrants.**

It is your responsibility to provide adequate fire protection to your residents. Failure to provide these services could potentially leave you liable to civil suits, higher insurance rates, and financial penalties.

You are requested to respond in writing within 15 days explaining a detailed plan of corrective action. The Health Department is interested in receiving any facts you may have that will assist in determining whether proper corrective action is in place. Please keep in mind:



Post Office Box 29 / 826 Evernia Street, West Palm Beach, FL 33402
Jean M. Malecki, MD, MPH, FACPM, Director
www.pbchd.com

Palm Beach County Unified Land Development Code (ULDC) - Ordinance 2003-067, Environmental Control Rule II (ECR II) Article 15, Chapter B, Section 8, Paragraph A.(21)(a), and Section 13, Paragraph I - you are required to maintain the fire hydrants on your property in accordance with approved standards.

If you should fail to comply with the rules and regulations, you WILL be subject to code enforcement under Article 10, Chapter D of the ULDC which includes appearance before the Palm Beach Environmental Control Hearing Board and/or a fine up to \$500.00 per day per violation.

If you have any questions concerning this letter, please contact Steven Garcia at (561) 355-3070 ext.1060.

Sincerely:

A handwritten signature in black ink, appearing to read "S. Garcia", written over a horizontal dashed line.

Steven J. Garcia
Environmental Specialist
Division of Environmental Health & Engineering
Palm Beach County Health Department

Copy to:
Steve Collins, Palm Beach County Fire Rescue

WEST PALM BEACH, FLORIDA



PALM BEACH COUNTY HEALTH AND ENVIRONMENTAL ENGINEERING
7004 0750 0002 1484 3243
901 Evernia Street, First Floor- Centrax
P.O. Box 29 Rm 102
West Palm Beach, Florida 33402-0029



N/C 3/15/07 [Signature]

YAHOO! MAIL

Print - Close Window

Date: Mon, 06 Nov 2006 09:19:55 -0500

From: "Bob Dovey" <Bdovey@co.palm-beach.fl.us>

To: "Nina Whatley" <nina513@bellsouth.net>

CC: CFMcFalls@aquaaamerica.com, "Warren Newell" <WNEWELL@co.palm-beach.fl.us>, "John O'Malley" <john_o'malley@doh.state.fl.us>, "Umesh Asrani" <Umesh_Asrani@doh.state.fl.us>, "Nicole Martinez" <nicole4felt@earthlink.net>, "Don Maule" <tdmaule@juno.com>, "Mike Thew" <mthew@lakeworth.net>, "Bob Pouncey" <bobpouncey@yahoo.com>

Subject: Fwd: Urgent Boil Water Notification?

Nina:

Here we go again... What gives? Can't we get reasonable notice for such things? After all, you do have our e-mail addresses. Hand written poster boards are just not getting the job done. I was at the intersection mentioned several times over the weekend and never saw any boil water signs; never saw any door hangers and no other notices of any kind. The attached e-mail is the first I have heard of this.

Please advise remedial action ASAP. THX! Bob

Bob Dovey, Sr. Administrative Assistant
to Commissioner Warren H. Newell
PBC Board of County Commissioners, District III
Office (561) 355-3279
Fax (561) 355-6344

>>> Bob Pouncey <bobpouncey@yahoo.com> 11/4/2006 6:09 PM >>>

Dear Mr. Bob Dovey,

Did you know that our community is under a boil water notification? As of yesterday (Friday) I saw a hand written "72 hour boil water notification sign" at the northwest corner of High Ridge Road and Lantana Road. Once I got home I noticed that we had a lot of air in the water system as well as slightly colored water for a short while. Apparently, this was a large water interruption or outage. Today, the sign that was previously placed at the above location is now missing. I drove around the Estates this afternoon and found one more sign at the Northeast corner of Lantana Road and Lake Osborne Drive. This is the only other sign that I could find. There was no other type of notification made to any of the homeowners that I have spoken with as of a short while ago. Isn't there supposed to be individual notifications made to each homeowner affected by the boil water notification? As you know, we have over 470 homes here! in our community alone and I believe this problem is larger than just our community.

I called our local water company this afternoon and the person answering the phone replied that she was the answering service. She then confirmed that we were indeed under a boil water notice until Monday at 5:00 Pm. Unfortunately, she also replied that the water company will have to return our call on Monday! Isn't this a bit too late? Although she was very helpful & also was surprised that doorknockers weren't put on doors, apparently she can't communicate with any of the responsible parties involved. I thought this was a public safety issue and an emergency!

Do you have any ideas or suggestions about who we can call to see what can get done to properly warn our residents here in the Lake Osborne Estates area? I know that there are residents who aren't even aware of this problem. It's almost too late to do anything about it now... any ideas? I am tempted to call Channel 5 News and find out if there are any public notifications planned for tonight's news. I did not listen to last night's news as I was driving within our community for C.O.P.

This is a severe problem and a possible public health issue! What happens now if some of our residents get sick?

I would appreciate any help you can give us at this time and I'm very sorry to bother you over the weekend. I don't know who else to ask.

Thank you,
 Bob Pouncey, President
 Lake Osborne Estates Civic Association
 582-0189 home
 267-7840 cell

Want to start your own business? Learn how on Yahoo! Small Business.

Forwarded Message

Subject: RE: Lake Osborne Estates (AquaSource) Boil Water Order
Date: Fri, 30 Jan 2004 09:06:46 -0500
From: "McFalls, Carolyn F." <CFMcFalls@aquaamerica.com>
To: "Bob DOVEY" <Bdovey@co.palm-beach.fl.us>
 Nina513@bellsouth.net, "Warren Newell" <WNEWELL@co.palm-beach.fl.us>, John.moulton@dep.state.fl.us,
CC: Frank_Gargiulo@doh.state.fl.us, J_Hambor@doh.state.fl.us, Tdmaule@Juno.com, mthew@lakeworth.net,
 bbaez@psc.state.fl.us, eplendl@psc.state.fl.us

HTML Attachment

Dear Mr Dovey:

Thank you for recognizing the efforts put forth by the Lake Osborne staff. Both Nina and Phil are dedicated to their profession and work very to do a professional job. We are proud to have them as part of the AquaSource team!

Carolyn McFalls
 AquaSource

-----Original Message-----

From: Bob DOVEY [mailto:Bdovey@co.palm-beach.fl.us]
Sent: Friday, January 30, 2004 8:50 AM
To: McFalls, Carolyn F.
Cc: Nina513@bellsouth.net; Warren Newell; John.moulton@dep.state.fl.us; Frank_Gargiulo@doh.state.fl.us;
 J_Hambor@doh.state.fl.us; Tdmaule@Juno.com; mthew@lakeworth.net; bbaez@psc.state.fl.us;
 eplendl@psc.state.fl.us
Subject: RE: Lake Osborne Estates (AquaSource) Boil Water Order
Importance: High

Dear Ms. McFalls:

Thank you. You obviously care about conducting your business in a professional manner. I have attached the response from the Palm Beach County Health Department. According to Michael Hambor, your company conducted the boil water notices for the Lake Osborne Estates community in an appropriate and legal manner. His response satisfies my request for the information I was seeking.

One thing is for sure, I understand the processes of handling these types of incidences better. I have also learned that Nina Whatley and Phil Donovan worked very hard to accomplish their mission under stressful conditions and further, they conducted themselves in accordance with the Health Department's requirements. I sincerely appreciate their efforts and your rapid response. Again, thank you. Bob

Bob Dovey, Senior Administrative Assistant
 to Commissioner Warren H. Newell
 PBC Board of County Commissioners, District III
 Office (561) 355-3279
 Fax (561) 355-6344
 bdovey@co.palm-beach.fl.us

>>> "McFalls, Carolyn F." <CFMcFalls@aquaamerica.com> 1/29/04 11:44:22 AM >>>
Mr. Dovey,

I just wanted to follow up a bit with you regarding this event. We still have been unable to locate in the phone service records your incoming call on Friday evening. However, we have spoken with the answering service utilized for after hours customer calls and stressed the importance of using proper procedure in documenting and properly notifying AquaSource personnel regarding return call requests, etc. We apologize that your call was not returned on Friday evening as requested.

We have confirmed that the newspapers did in fact receive the notice and that the notice was labeled "*****Important News*****" and went on to discuss the boil water notice. We have been unable to determine why the newspapers editorial staff decided not to print the information.

However, we do have confirmation that the information was broadcast on at least 2 radio stations and at least 2 TV channels. This is not to say that the other radio stations and/or TV channels didn't broadcast the information, only that we have not confirm it by witness.

Thank you for your suggestions regarding improvement of the signage used to provide the precautionary boil water notices. While we hope that situations in which usage of such signs will be few and far between, we are looking into available options to improve the signage to be a more effective tool.

Finally, Thank you for your comments regarding the water service. By nature of the business we too often only hear negative feed back. It is a pleasant event to hear complimentary comments come our way.

Please do not hesitate to contact me if I can be of future assistance.

Thanks again,
Carolyn McFalls
AquaSource

-----Original Message-----

From: Bob DOVEY [mailto:bdovey@co.palm-beach.fl.us]

Sent: Tuesday, January 27, 2004 8:42 AM

To: McFalls, Carolyn F.

Cc: Nina513@bellsouth.net

Subject: RE: Lake Osborne Estates (AquaSource) Boil Water Order

Importance: High

Carolyn:

Thank you for your quick response! I called the same 1-800 Crystal River Customer Service line (listed in my billing), as I did on Saturday morning.

I appreciate your looking into this. May I take the opportunity to make one suggestion? Make some signs, i.e., large political style or smaller real estate signs (maybe inexpensive plastic corrugated signs with the 'stick in the ground' metal legs) that has an "alert" style color and lettering with the appropriate info. A space on the sign can be left blank to fill in the boil water

until.... date, that can be written in by a broad stroke magic marker. The signs can be pre-printed and ready for future events, needing only the applicable date. The largest contention for the homeowners I spoke with in the area, were the signs.

Finally, In all fairness, I am please with the water service and I believe most of the residents are as well. THX! Bob

Bob Dovey, Senior Administrative Assistant
to Commissioner Warren H. Newell
PBC Board of County Commissioners, District III
Office (561) 355-3279
Fax (561) 355-6344
bdovey@co.palm-beach.fl.us

>>> "McFalls, Carolyn F." <CFMcFalls@aquaamerica.com> 1/26/04 5:20:43 PM >>>
Mr. Dovey:

Thank you for bringing your concerns to my attention. While I have not completed my review of the overall situation I wanted to touch base with you and let you know we are looking into your concerns.

I have received a copy of the phone records from our answering service for review. While I have located that you called in on Saturday morning and that your call was paged to our local representative, I have been unable to locate the information from your call on Friday evening. If you could provide the phone number you called on Friday it would be helpful in looking into your Friday evening call.

First please allow me to provide that once we were aware of the interruption in service we immediately contacted the Palm Beach County Health Department regarding the situation and corrective actions necessary to ensure public health and safety. We will continue to work with the Health Department to ensure that the water supply complies with the Safe Drinking Water Act.

The information provided to you by the answering service regarding door hangers was information regarding procedures generally used. However, approximately 490 homes were effected by this unfortunate accident making the use of door hangers less feasible. In situations such as these every effort is made to notify customers by use of the media and other means available such as the use of postings. I appreciate your concerns regarding the quality of the postings and will evaluate alternatives for future use.

While I have not completed by review of the media postings, I have discovered that the Boil Water notice was sent to 5 radio stations, 3 TV stations (Channel 12, Channel 5, and one other (WTVX)). In addition, the boil water notice was sent to 3 newspapers including the Sentinel and Palm Beach Post. I have not yet confirmed which radio stations and/or confirmation of publication from the papers.

We appreciate your patience during our review of the overall situation and apologize for the inconvenience.

Thank You,

Carolyn McFalls
AquaSource

-----Original Message-----

From: Bob DOVEY [mailto:Bdovey@co.palm-beach.fl.us]

Sent: Monday, January 26, 2004 1:26 PM

To: McFalls, Carolyn F.; Frank_Gargiulo@doh.state.fl.us

Cc: Nina513@bellsouth.net; Warren Newell; Tdmaule@Juno.com; Mthrew@lakeworth.net; bbaez@psc.state.fl.us

Subject: Lake Osborne Estates (AquaSource) Boil Water Order

Importance: High

3 P> Last Thursday evening (1/22/04), the Lake Osborne Estates community experienced a water main break due to a collision between a truck (a large tractor-trailer was used in the removal of a twin engine aircraft that had crashed into a residence) and a fire hydrant. During the day on Friday the water system was shut down for repairs. On Friday evening I attempted to contact Crystal River Utilities (AquaSource Utilities) to get information on the status of water service, if there was a boil water order and until when? I reached the answering service and was told that a door hangar should have been placed on my door (none was found) and someone would be paged to return the call. The call was not returned.

On Saturday morning, I again attempted to contact the company and again reached the answering service who informed me that there was no record of my previous call. I later received a call from a local representative of AquaSource who verified the water shutdown and boil water order. I questioned her on why proper notification of same was not accomplished. She responded that electronic medium and local newspapers were advised and signs were placed at the entrances to the community. I have since spoken with Don Maule, Chairman of the Board of Director's for the Lake Osborne Estates Civic Association who indicated that he observed the notice on two television stations. However, there were no notices in the local newspaper (Palm Beach Post) for any day of the boil water order. I am not sure about radio, but the radio station I listen to did not have a notice.

Regarding the signs, I responded to the representative that I did not see any signs. Upon her insistence of their placement, I took the attached photos. At least two things will be immediately clear; the signs can not be read and understood in a moving vehicle; and to the general public, the signs appear to be on the order of garage sale signs created by youthful people. They do not lend themselves to the attention of the average person, and certainly do not indicate that this is an alert or contains important information regarding the life, health, safety and welfare of the members of the community.

The boil water order is still in effect today until 4:00pm (1/26/04) and this morning I spoke with another resident who is not aware of the boil water order.

Here is my question: What is the requirement for proper notification of a boil water order? Was that accomplished in this case? Were door hangers supposed to be used? Why was there no notification in the newspaper.

May I suggest (if not already a requirement) that the issue of alert signs be addressed to call

attention to residents?

I would appreciate a response. THX! Bob

Bob Dovey, Senior Administrative Assistant
to Commissioner Warren H. Newell
PBC Board of County Commissioners, District III
Office (561) 355-3279
Fax (561) 355-6344
bdovey@co.palm-beach.fl.us