

DOCKET NO.: 060368-WS - 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.

WITNESS: Direct Testimony of Keith Kleinmann,
Appearing on Behalf of the Staff of the Florida Public Service Commission.

DATE FILED: August 21, 2007

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FLORIDA PUBLIC SERVICE COMMISSION CLEARING

DIRECT TESTIMONY OF KEITH KLEINMANN

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2 Q. Please state your name and business address.

3 A. Keith Kleinmann, Florida Department of Environmental Protection, 2295 Victoria
4 Avenue, Suite 364, Fort Myers, Florida 33902.

5 Q. Please state a brief description of your educational background and experience.

6 A. I have a Bachelor of Science Degree from the Florida Southern College and have been
7 an employee of the Department of Environmental Protection for over 13 years; the vast
8 majority of that time was in the Wastewater Section.

9 Q. By whom are you presently employed?

10 A. Florida Department of Environmental Protection (FDEP)

11 Q. How long have you been employed with the FDEP and in what capacity?

12 A. I have been an employee of the Department of Environmental Protection for 13 years;
13 the vast majority of that time was in the Wastewater Section. Duties include
14 enforcement coordinator for all wastewater related enforcement activities in the South
15 District. I oversee the compliance section of the Wastewater Section. We conduct
16 inspections, review all compliance data related to wastewater quality and ensure that
17 all violations are corrected in a timely manner.

18 Q. What are your general responsibilities at the FDEP?

19 A. I am the Environmental Manager of five employees of the compliance enforcement
20 section of the Wastewater Section.

21 Q. Are you familiar with Aqua Utilities Florida, Inc.'s (utility) wastewater systems in
22 Highlands and Lee Counties, particularly the wastewater treatment system in
23 Highlands County, including Leisure Lakes, and the wastewater treatment system in
24 Lee County, including South Seas?

25 A. Yes.

1 Q. Does the utility have appropriate current permits from the FDEP?
2 A. Yes.
3 Q. Do all the systems have a valid operating permit?
4 A. Yes.
5 Q. Please state the issuance date and the expiration date of any construction permits.
6 A. Leisure Lakes has a current Permit No. FLA014388 that was issued on July 28, 2004
7 and expires on July 27 2009.
8 South Seas has a current Permit No. FLA014686 that was issued on June 22, 2005,
9 revised on March 28 2007, and expires June 21, 2010.
10 Q. Is the utility in compliance with its permits?
11 A. Leisure Lakes is in compliance with its permit. South Sea is not in compliance with
12 the Department. The Department currently has a Consent Order against them. From
13 June 22, 2005 to October 13, 2005, South Seas discharged to two golf course ponds
14 that are not authorized discharge sites.
15 Q. Are the wastewater collection, treatment and disposal facilities adequate to serve
16 present customers based on permitted capacity?
17 A. Yes.
18 Q. Has FDEP required the utility to take any action so as to minimize possible adverse
19 effects resulting from odors, noise, aerosol drift or lighting?
20 A. No.
21 Q. Do pump stations and lift stations meet FDEP requirements with respect to location,
22 reliability and safety?
23 A. Yes.
24 Q. Does the utility have certified operators as required by Chapter 62-602, Florida
25 Administrative Code?

1 A. Yes.

2 Q. Is the overall maintenance of the treatment, collection, and disposal facilities
3 satisfactory?

4 A. Yes

5 Q. Does the utility meet all applicable technology based effluent limitations (TBELS) and
6 water quality based effluent limitations (WQBELS)?

7 A. Yes.

8 Q. Does the facility meet the effluent disposal requirements of Rules 62-611 and 62-
9 600.530, Florida Administrative Code?

10 A. Yes.

11 Q. Are the collection, treatment and disposal facilities in compliance with all other
12 provisions of Chapter 62, Florida Administrative Code, not previously mentioned?

13 A. Yes.

14 Q. Has the utility been the subject of any FDEP enforcement action within the past two
15 years?

16 A. Yes. The Department has a Consent Order with South Seas, as I explained earlier in
17 my testimony.

18 Q. Do you have anything further to add?

19 A. No, I do not.

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BEFORE THE PUBLIC SERVICE COMMISSION

In re: 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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DATED: AUGUST 21, 2007

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the DIRECT TESTIMONY OF KEITH KLEINMANN has been served by U.S. Mail to Kenneth A. Hoffman and Marsha E. Rule, Esquires, Rutledge, Ecenia, Purnell & Hoffman, P. A., P.O. Box 551, Tallahassee, FL 32302-0551, on behalf of AQUA UTILITIES FLORIDA, INC., and that a true and correct copy thereof has been furnished to the following by U. S. Mail, this 21st day of August, 2007:

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