Ruth Nettles

From: DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]
Sent: Wednesday, January 09, 2008 12:43 PM
To: Filings@psc.state.fl.us
Cc: REILLY.STEVE; Ken Hoffman; John Guestella; Martin S. Freidman; Ralph Jeager
Attachments: Citizens' Motion to File Revised Recommended Rule 25-30.4325, F.A.C..pdf

Electronic Filing

a. Person responsible for this electronic filing:

Stephen C. Reilly, Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
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b. Docket No. 070183-WS

In re: Proposed adoption of Rule 25-30.4325, F.A.C., Water Treatment Plant Used and Useful Calculations.

c. Document being filed on behalf of Office of Public Counsel.

d. There are a total of sixteen (16) pages.

e. The document attached for electronic filing is Citizens' Motion to File Revised recommended Rule 25-30.4325,F.A.C.

Thank you for your attention and cooperation to this request.

Phyllis W. Philip-Guide
Secretary to Stephen C. Reilly
Office of Public Counsel
Telephone: (850) 488-9330
Fax: (850) 488-4491

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed adoption of Rule 25-30.4325, F.A.C., Water Treatment Plant Used and Useful Calculations.
_____/

DOCKET NO. 070183-WU

FILED: January 9, 2008

CITIZENS' MOTION TO FILE REVISED RECOMMENDED RULE 25-30.4325, F.A.C.

The Citizens of the State of Florida, by and through the Office of Public Counsel (OPC), hereby file this motion for leave to file its Revised Recommended Rule 25-30.4325, F.A.C., and state:

1. Citizens' witness Andrew T. Woodcock filed Exhibit ATW-2, titled Recommended Rule, which provided all of the recommendations he had with regard to the Commission's proposed rule at the time he filed his prefiled direct testimony.

2. Witness Woodcock has revised some of his recommendations and relocated within the rule other recommendations after reviewing the testimony of the other witnesses and consideration of several changes in positions taken by the other Parties.

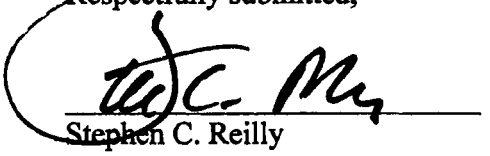
3. OPC believes it will assist the Commission in its deliberations and aid the Parties' conduct at the hearing to have a single reference document that incorporates all of OPC's updated recommendations with regard to the Commission's proposed rule.

4. Two copies of the Revised ATW-2 are attached to this motion. The first is a strike and add version which identifies each specific change made to the

original ATW-2. The second is a clean version of Revised ATW-2, which is the version OPC proposes to file with the Commission.

WHEREFORE, for the forgoing reasons, the Citizens request the Commission to provide OPC with leave to file its Revised ATW-2, titled Recommended Rule, which will provide all of OPC's revised recommendations with regard to the Commission's Rule 25-30.4325, F.A.C.

Respectfully submitted,



Stephen C. Reilly
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CERTIFICATE OF SERVICE
DOCKET NO. 070183-WS

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail and U.S. Mail to the following parties on this 9th day of January, 2008, to the following:

Ralph Jaeger, Esquire
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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Stephen C. Reilly
Associate Public Counsel

25-30.4325 Water Treatment, Storage and High Service Pumping Used and Useful Calculations

(1) Definitions.

(a) A water treatment system includes all facilities, such as wells and treatment facilities, excluding storage and high service pumping, necessary to pump and treat potable water .

(b) Storage facilities include ground or elevated storage tanks.

(c) High service pumping includes those pumps after storage that deliver potable water to a transmission and distribution system.

(d) Peak demand for a water treatment system includes:

1. For utilities without storage, the greater of:

(i) the utility's maximum hour demand, excluding excessive unaccounted for water, plus a growth allowance based on the requirements in Rule 25-30.431, ~~FAC~~F.A.C., or

(ii) the utility's maximum day demand, excluding excessive unaccounted for water plus a growth allowance based on the requirements in Rule 25-30.431, ~~FAC~~F.A.C., and where ~~if~~ provided, a minimum of either the fire flow required by local government authority or 2 hours at 500 gpm.

2. For utilities with storage, the utility's maximum day demand, excluding excessive unaccounted for water plus a growth allowance based on the requirements in Rule 25-30.431, ~~FAC~~F.A.C., and where provided, a minimum of either the fire flow required by local governmental authority or 2 hours at 500 gpm. Fire flow shall be

considered to the extent the treatment facilities can replenish fire flow volume over a 24 hour period."

(e) Peak demand for storage includes 25% of the utility's maximum day demand, excluding excessive unaccounted for water, plus an allowance for fire flow, ~~if~~ where provided, a minimum of either the fire flow required by local governmental authority or 2 hours at 500 gallons per minute, and a growth allowance based on the requirements in Rule 25-30.431, ~~FAC~~F.A.C..

(f) Peak demand for high service pumping includes the greater of:

1. The utility's maximum hour demand, excluding excessive unaccounted for water, plus a growth allowance based on the requirements in Rule 25-30.431, ~~FAC~~F.A.C., or

2. The utility's maximum day demand, excluding excessive unaccounted for water plus a growth allowance based on the requirements in Rule 25-30.431, ~~FAC~~F.A.C., and ~~if~~ where provided, a minimum of either the fire flow required by local government authority or 2 hours at 500 gpm.

(g) Excessive unaccounted for water (EUW) is unaccounted for water in excess of 10 percent of the amount produced. Any water claimed as accounted for that was used for flushing, fire fighting, and water lost through line breaks must be documented by complete records of these flow losses.~~Excessive unaccounted for water (EUW) is potable water produced in excess of 110 percent of the accounted for usage, including water sold, water used for flushing or fire fighting, and water lost through line breaks. Any water claimed as accounted for that was used for flushing, fire fighting and water lost through~~

~~line breaks must be documented by complete records of these flow losses.~~

(2) If any party believes a used and useful calculation should be utilized in a specific case which differs from the provisions of this rule, such calculation may be provided along with supporting documentation. The party proposing the alternative calculation shall have the burden to prove that the alternative calculation is more appropriate for the specific case than application of the calculation provided by this rule. Examples of such specific cases that might warrant the use of alternative used and useful calculations include but are not limited to: economies of scale, service area restrictions, factors involving treatment capacity, well drawdown limitations, changes in flow due to conservation or a reduction in the number of customers, and alternative peaking factors.

In determining an alternative peaking factor for a specific system, consideration shall be given to the size and character of the system service area. For larger systems with a diverse customer base a lower peaking factor shall be used and conversely for smaller systems with a uniform customer base a higher peaking factor shall be used. With regard to service area restrictions, if a system is built out, with no apparent potential for expansion, and is prudently designed, then the system may be considered 100% used and useful.~~The used and usefulness of a water treatment system shall be calculated separately from the storage facilities. If any party believes a used and useful calculation should be utilized in a specific case which differs from the provisions of this rule, such calculation may be provided along with supporting documentation. The party proposing the alternative calculation shall have the burden to prove that the alternative calculation is more appropriate for the specific case than application of the calculation provided by this rule. Examples of such specific cases that might warrant~~

~~the use of alternative U&U calculations include but are not limited to: economies of scale, service area restrictions, factors involving treatment capacity, well drawdown limitations, and changes in flow due to conservation or a reduction in number of customers.~~

(3) The used and usefulness of a water treatment system is determined by dividing the peak demand by the firm reliable capacity of the water treatment system.

(4) The firm reliable capacity of a water treatment system is equivalent to the pumping capacity of the wells, excluding the largest well for those systems with more than one well.

(a) For systems with no storage, the firm reliable capacity shall be expressed in gallons per minute.

(b) For systems with storage, the firm reliable capacity shall be expressed as gallons per day, based upon 24 hours of pumping, unless there is documented restrictions to the hours of pumping as required by the Water Management District or other regulatory body, in which case the restriction shall apply.

(5) Peak demand includes peak hour demand for a water treatment system with no storage capacity and a peak day demand for a water treatment system with storage capacity.

(a) Peak hour demand, expressed in gallons per minute, shall be calculated as follows:

1. The single maximum day (SMD) in the test year where there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water divided by 1440 minutes in a day times a peaking factor ~~ranging between~~of ~~1.5 to~~ 2 [((SMD-

EUW)/1,440) x ~~1.5 to~~ 2], or

2. The average of the 5 highest days (AFD) within the maximum month of the test year less excessive unaccounted for water divided by 1440 minutes in a day times a peaking factor ~~ranging between 1.5 to~~ of 2 [((AFD-EUW)/1,440) x ~~1.5 to~~ 2], ~~or~~

~~3. In determining an appropriate peaking factor in the range for a specific system consideration shall be given to the size and character of the system service area. For larger systems with a diverse customer base a lower peaking factor shall be used and conversely for smaller systems with a uniform customer base a higher peaking factor shall be used.~~

(b) Peak day demand, expressed in gallons per day, shall be calculated as follows:

1. The single maximum day in the test year, if there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water (SMD-EUW), or

2. The average of the 5 highest days within the maximum month of the test year, less excessive unaccounted for water (AFD-EUW).

(6) The used and usefulness of storage is determined by dividing the peak demand for storage as defined in this rule by the usable storage of the storage tank. Usable storage capacity less than or equal to the peak demand shall be considered 100 percent used and useful. A hydropneumatic tank is not considered usable storage.

(7) Usable storage determination shall be as follows:

(a) An elevated storage tank shall be considered 100 percent usable.

(b) A ground storage tank shall be considered 90 percent usable if the bottom

of the tank is below the centerline of the pumping unit.

(c) A ground storage tank constructed with a bottom drain shall be considered 100 percent usable, unless there is a documented limiting factor, in which case the limiting factor will be taken into consideration.

(89) The firm reliable capacity of high service pumping is equivalent to the pumping capacity of the high service pumps, excluding the largest high service pump for those systems with more than one high service pump.

(98) The used and usefulness of high service pumping is determined by dividing the peak demand for high service pumping as defined in this rule by the firm reliable capacity of the high service pumps.

(a) Peak hour demand, expressed in gallons per minute, shall be calculated as follows:

1. The single maximum day (SMD) in the test year, where there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water, divided by 1440 minutes in a day times a peaking factor of 2 [((SMD-EUW)/1,440) x 2], or

2. The average of the 5 highest days (AFD) within the maximum month of the test year, less excessive unaccounted for water, divided by 1440 minutes in a day times a peaking factor of 2 [((AFD-EUW)/1,440) x 2].

(b) Maximum day demand, expressed in gallons per day, shall be

calculated as follows:

1. The single maximum day in the test year, if there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water (SMD-EUW), or

2. The average of the 5 highest days (AFD) within the maximum month of the test year, less excessive unaccounted for water (AFD-EUW). (Woodcock)

~~(9) The firm reliable capacity of high service pumping is equivalent to the pumping capacity of the high service pumps, excluding the largest high service pump for those systems with more than one high service pump.~~

Specific Authority: 350.127(2), 367.121(1)(f) FS.

Law Implemented: 367.081(2), (3) FS.

History: New

Rule 25-30-4325.ldh.doc

25-30.4325 Water Treatment, Storage and High Service Pumping Used and Useful Calculations

(1) Definitions.

(a) A water treatment system includes all facilities, such as wells and treatment facilities, excluding storage and high service pumping, necessary to pump and treat potable water .

(b) Storage facilities include ground or elevated storage tanks.

(c) High service pumping includes those pumps after storage that deliver potable water to a transmission and distribution system.

(d) Peak demand for a water treatment system includes:

1. For utilities without storage, the greater of:

(i) the utility's maximum hour demand, excluding excessive unaccounted for water, plus a growth allowance based on the requirements in Rule 25-30.431, F.A.C., or

(ii) the utility's maximum day demand, excluding excessive unaccounted for water plus a growth allowance based on the requirements in Rule 25-30.431, F.A.C., and where provided, a minimum of either the fire flow required by local government authority or 2 hours at 500 gpm.

2. For utilities with storage, the utility's maximum day demand, excluding excessive unaccounted for water plus a growth allowance based on the requirements in Rule 25-30.431, F.A.C., and where provided, a minimum of either the fire flow required by local governmental authority or 2 hours at 500 gpm. Fire flow shall be

considered to the extent the treatment facilities can replenish fire flow volume over a 24 hour period."

(e) Peak demand for storage includes 25% of the utility's maximum day demand, excluding excessive unaccounted for water, plus an allowance for fire flow, where provided, a minimum of either the fire flow required by local governmental authority or 2 hours at 500 gallons per minute, and a growth allowance based on the requirements in Rule 25-30.431, F.A.C..

(f) Peak demand for high service pumping includes the greater of:

1. The utility's maximum hour demand, excluding excessive unaccounted for water, plus a growth allowance based on the requirements in Rule 25-30.431, F.A.C., or

2. The utility's maximum day demand, excluding excessive unaccounted for water plus a growth allowance based on the requirements in Rule 25-30.431, F.A.C., and where provided, a minimum of either the fire flow required by local government authority or 2 hours at 500 gpm.

(g) Excessive unaccounted for water (EUW) is unaccounted for water in excess of 10 percent of the amount produced. Any water claimed as accounted for that was used for flushing, fire fighting, and water lost through line breaks must be documented by complete records of these flow losses.

(2) If any party believes a used and useful calculation should be utilized in a specific case which differs from the provisions of this rule, such calculation may be provided along with supporting documentation. The party proposing the alternative calculation shall have the burden to prove that the alternative calculation is more appropriate for

the specific case than application of the calculation provided by this rule. Examples of such specific cases that might warrant the use of alternative used and useful calculations include but are not limited to: economies of scale, service area restrictions, factors involving treatment capacity, well drawdown limitations, changes in flow due to conservation or a reduction in the number of customers, and alternative peaking factors.

In determining an alternative peaking factor for a specific system, consideration shall be given to the size and character of the system service area. For larger systems with a diverse customer base a lower peaking factor shall be used and conversely for smaller systems with a uniform customer base a higher peaking factor shall be used. With regard to service area restrictions, if a system is built out, with no apparent potential for expansion, and is prudently designed, then the system may be considered 100% used and useful.

(3) The used and usefulness of a water treatment system is determined by dividing the peak demand by the firm reliable capacity of the water treatment system.

(4) The firm reliable capacity of a water treatment system is equivalent to the pumping capacity of the wells, excluding the largest well for those systems with more than one well.

(a) For systems with no storage, the firm reliable capacity shall be expressed in gallons per minute.

(b) For systems with storage, the firm reliable capacity shall be expressed as gallons per day, based upon 24 hours of pumping, unless there is documented restrictions to the hours of pumping as required by the Water Management District or other regulatory body, in which case the restriction shall apply.

(5) Peak demand includes peak hour demand for a water treatment system with no storage capacity and a peak day demand for a water treatment system with storage capacity.

(a) Peak hour demand, expressed in gallons per minute, shall be calculated as follows:

1. The single maximum day (SMD) in the test year where there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water divided by 1440 minutes in a day times a peaking factor of 2 [((SMD-EUW)/1,440) x 2], or

2. The average of the 5 highest days (AFD) within the maximum month of the test year less excessive unaccounted for water divided by 1440 minutes in a day times a peaking factor of 2 [((AFD-EUW)/1,440) x 2],

(b) Peak day demand, expressed in gallons per day, shall be calculated as follows:

1. The single maximum day in the test year, if there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water (SMD-EUW), or

2. The average of the 5 highest days within the maximum month of the test year, less excessive unaccounted for water (AFD-EUW).

(6) The used and usefulness of storage is determined by dividing the peak demand for storage as defined in this rule by the usable storage of the storage tank. Usable storage capacity less than or equal to the peak demand shall be considered 100 percent used and useful. A hydropneumatic tank is not considered usable storage.

(7) Usable storage determination shall be as follows:

(a) An elevated storage tank shall be considered 100 percent usable.

(b) A ground storage tank shall be considered 90 percent usable if the bottom of the tank is below the centerline of the pumping unit.

(c) A ground storage tank constructed with a bottom drain shall be considered 100 percent usable, unless there is a documented limiting factor, in which case the limiting factor will be taken into consideration.

(8) The firm reliable capacity of high service pumping is equivalent to the pumping capacity of the high service pumps, excluding the largest high service pump for those systems with more than one high service pump.

(9) The used and usefulness of high service pumping is determined by dividing the peak demand for high service pumping as defined in this rule by the firm reliable capacity of the high service pumps.

(a) Peak hour demand, expressed in gallons per minute, shall be calculated as follows:

1. The single maximum day (SMD) in the test year, where there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water, divided by 1440 minutes in a day times a peaking factor of 2 [((SMD-EUW)/1,440) x 2], or

2. The average of the 5 highest days (AFD) within the maximum month of the test year, less excessive unaccounted for

water, divided by 1440 minutes in a day times a peaking factor of 2 [((AFD-EUW)/1,440) x 2].

(b) Maximum day demand, expressed in gallons per day, shall be calculated as follows:

1. The single maximum day in the test year, if there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water (SMD-EUW), or

2. The average of the 5 highest days (AFD) within the maximum month of the test year, less excessive unaccounted for water (AFD-EUW). (Woodcock)

Specific Authority: 350.127(2), 367.121(1)(f) FS.

Law Implemented: 367.081(2), (3) FS.

History: New .

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