

Diamond Williams

From: Linda Strumski [lstrumski@pascocountyfl.net]
Sent: Tuesday, July 26, 2011 3:20 PM
To: Filings@psc.state.fl.us
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'christensen.patty@leg.state.fl.us'; Caroline Klancke
Subject: Aqua Utilities Docket No: 100330-WS
Attachments: Pasco County's Petition to Intervene.pdf

A. Person responsible for this electronic filing:

Linda Strumski on behalf of
Joseph D. Richards, Esquire
Pasco County Attorney's Office
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B. Docket No. 1003300-WS

Title: PASCO COUNTY'S PETITION TO INTERVENE

C. Document being filed on behalf of:

Pasco County Board of County Commissioners

D. There is a total of 4 pages.

The document attached is Pasco County's Petition to Intervene.

Linda Strumski
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DOCUMENT NUMBER-DATE
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CUSA18A7

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

DOCKET NO. 100330-WS

DOCKET NO. 080121-WS
Filed:

Pasco County's Petition to Intervene

Pursuant to sections 120.569, 120.57(1) and 367.091(2), Florida Statutes and Rules 25-22.039 and 28-106.205, Florida Administrative Code, Pasco County, through its undersigned attorney, hereby files a Petition to Intervene in the above-captioned docket. In support thereof, the petitioner, Pasco County, states as follows:

1. Name and address of the affected agency.

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

2. Name and address of the petitioner:

Pasco County Board of County Commissioners
8731 Citizens Drive
New Port Richey, FL 34654

3. Service. All pleadings, motions, orders and other documents directed to

the petitioner should be served on:

Joseph D. Richards, Esquire
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New Port Richey, FL 34654
Telephone: (727) 847-8120
Facsimile: (727) 847-8021
Email: jrichards@pascocountyfl.net

4. Notice of Docket. Pasco County received notice of this docket from reviewing the above-captioned docket on the Florida Public Service Commission website.

5. Disputed Issues of Material Fact. Pasco County, on behalf of its citizens that are customers of Aqua, contends that the rate base, the net operating income (NOI), and the revenue requirement approved in Order No. PSC-11-0256-PAA-WS are overstated. Since the rate base, NOI, and the revenue requirement are overstated, the resulting rates are unjust and unreasonable. Moreover, the PAA Order approved rates are unaffordable. Pasco County protests the portions of the PAA Order relating to rate base, NOI, and revenue requirement areas and quality of service and the other issues listed in the Office of Public Counsel's Petition.

6. Statement of Ultimate Facts. The Commission's finding of marginal quality of service provided by Aqua to its customers in the PAA Order should be set aside. Aqua's quality of service should be found to be unsatisfactory. The Commission should lower Aqua's return on equity (ROE) by 100 basis points based on its less than satisfactory quality of service. Pursuant to Sections 367.081 and 367.121, Florida Statutes, the Commission has the authority and duty to prescribe and fix just and reasonable rates and charges. Adjustment should be made to rate base, NOI, and revenue requirement to make the rates and charges just and reasonable for the customers of Aqua.

7. Standing. Section 367.091(2), Florida Statutes, requires the Commission to grant intervenor status to counties upon the filing of a petition to intervene in water and wastewater cases involving a rate change.

8. Relief Sought. Pasco County hereby request the Commission to grant the Petition to Intervene in the above-captioned docket on the basis set forth in paragraphs 1-7 above.

Wherefore, Pasco County respectfully requests the Commission to enter an order granting the Petition to Intervene in the above-captioned docket.



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Counsel for Pasco County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by regular U.S. mail to the following on this 26th day of July, 2011:

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and Administrative Services
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