

1 BEFORE THE
2 FLORIDA PUBLIC SERVICE COMMISSION

3 In the Matter of: DOCKET NO. 100330-WS

4
5 APPLICATION FOR INCREASE IN WATER/
6 WASTEWATER RATES IN ALACHUA,
7 BREVARD, DESOTO, HARDEE, HIGHLANDS,
8 LAKE, LEE, MARION, ORANGE, PALM
9 BEACH, PASCO, POLK, PUTNAM, SEMINOLE,
10 SUMTER, VOLUSIA, AND WASHINGTON
11 COUNTIES BY AQUA UTILITIES
12 FLORIDA, INC.

13 PROCEEDINGS: GAINESVILLE SERVICE HEARING

14 COMMISSIONERS
15 PARTICIPATING: CHAIRMAN ART GRAHAM
16 COMMISSIONER RONALD A. BRISÉ
17 COMMISSIONER EDUARDO E. BALBIS

18 DATE: Monday, September 12, 2011

19 TIME: Commenced at 1:07 p.m.
20 Concluded at 5:27 p.m.

21 PLACE: Alachua County Health Department
22 224 SE 24th Street
23 Gainesville, Florida 32641

24 REPORTED BY: LINDA BOLES, RPR, CRR
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10 Florida.

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22 Service Commission Staff.

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P R O C E E D I N G S

1
2 **CHAIRMAN GRAHAM:** Good afternoon, everybody.
3 I want to welcome you all here today. This is the
4 service hearing for Aqua Utilities Florida, Inc. It's
5 Docket Number 100330.

6 My name is Art Graham, and I am the Chair,
7 currently the Chair of the Public Service Commission. I
8 am being joined by Ronald Brisé, who is a fellow
9 Commissioner on the Public Service Commission. Staff
10 with us is Ralph Jaeger, Marshall Willis, and Andrew
11 Maurey. We are waiting on one other Commissioner to
12 arrive, Eduardo Balbis. He's actually just parking his
13 car, so he should just be here in a minute. But I want
14 to welcome you all here and thank you all for coming and
15 giving up your time. I know there's a lot of things
16 that we could all be doing at 1:00 on Monday afternoon.
17 So I appreciate you coming down and giving your time and
18 giving your testimony.

19 This gives us the opportunity to actually add
20 your comments, your testimony to the official record.
21 So at due time, we'll be, anybody that wants to speak,
22 we'll be swearing everybody in and you'll actually be
23 part of the record. And you may be asked questions by
24 the Aqua Utilities attorneys, and more than likely those
25 questions will be for you to clarify one or two of your

1 statements that you've made.

2 I want to make sure that when you come up
3 here, that you give your name and address, and if you
4 would please spell your last name. I just want to make
5 sure that we've got the correct spelling of your name.
6 And if there is anybody that wants to, to speak that has
7 not already filled out -- that has not already filled
8 out a speaker card, please make sure you've filled out a
9 speaker card. And that reminds me, if you have a cell
10 phone, please turn it on vibrate or off.

11 **UNIDENTIFIED SPEAKER:** Speak up, please.

12 **CHAIRMAN GRAHAM:** I think this mike is about
13 as loud as I can get it.

14 All right. Is that better?

15 **UNIDENTIFIED SPEAKER:** That's better.

16 **CHAIRMAN GRAHAM:** All right. Well, since
17 we're continuing to wait, any preliminary matters,
18 Staff?

19 **MR. JAEGER:** None that I know of, Chairman.

20 **CHAIRMAN GRAHAM:** All right. Let's take
21 appearances. Let's start over here with Aqua Utilities.

22 **MR. MAY:** Good afternoon, Commissioners. I'm
23 Bruce May with the law firm of Holland & Knight. We
24 represent Aqua Utilities, Florida. To my right is
25 Mr. Rick Fox. Mr. Fox is the President of Aqua

1 Utilities Florida, and at the appropriate time he would
2 like to make some very brief opening remarks.

3 Also, Mr. Chairman, at the appropriate time I
4 have a preliminary procedural matter to discuss.

5 **CHAIRMAN GRAHAM:** Okay.

6 **MR. KELLY:** Good afternoon. Is this on?

7 Okay. Hi. Good afternoon. My name is
8 J. R. Kelly. I'm with the Office of Public Counsel.
9 I'm here with Mr. Steve Reilly, and we represent you,
10 the ratepayers, in this matter.

11 And, Mr. Chair, I'd also like to make some
12 brief remarks at the appropriate time.

13 **CHAIRMAN GRAHAM:** Sure thing.

14 **MR. JAEGER:** Good afternoon. I'm Ralph
15 Jaeger, Staff counsel, appearing on behalf of Staff.

16 **MR. BERNSTEIN:** Good afternoon, Commissioners.
17 I'm David Bernstein from Adams & Reese representing the
18 Intervenor YES Companies, LLC, doing business as
19 Arredondo Farms. To my left is Andrew McBride, one of
20 our attorneys.

21 And we also have three management personnel to
22 my left who would like to speak at the appropriate time
23 to make some comments: Jeremy Gray, who is the District
24 Manager for YES; Mallory Starling, who is the Community
25 Manager for YES; and also Michael Green, who is the

1 on-site Maintenance Supervisor. All three would like to
2 speak at the appropriate time.

3 **CHAIRMAN GRAHAM:** Okay.

4 **MS. BRADLEY:** If I can get close enough to
5 this. I'm Cecilia Bradley, and I'm here for Attorney
6 General Pam Bondi. And actually we assist Public
7 Counsel in representing all of you. So I would like a
8 few comments, Your Honor, Mr. Chairman.

9 **CHAIRMAN GRAHAM:** Thank you.

10 All right. What else do we have here? All
11 right. We'll start with the preliminary matter that
12 Mr. May has, and then we'll hold off and wait for
13 Commissioner Balbis.

14 **MR. MAY:** Thank you, Mr. Chairman.

15 Notice of the four hearings that will occur
16 this week, today in Gainesville, tomorrow in Palatka,
17 tomorrow evening in Eustis, and then on Friday in
18 Chipley, has been made. And in keeping with the
19 procedure that we used a week and a half ago, week
20 before last, we would propose to submit a composite
21 exhibit which provides that notice has been properly
22 published and properly mailed to the customers at the
23 customer hearing in Chipley at the end of the week.
24 We're still waiting on the actual document back from a
25 couple of the newspapers. So that would -- I've talked

1 to your Staff about it and they thought that might be
2 the most efficient way to handle that.

3 **CHAIRMAN GRAHAM:** Okay. So are we going to
4 give that an identification number now or wait until we
5 get that documentation back?

6 **MR. JAEGER:** I think it would be easier to
7 just wait until we do it in Chipley.

8 **CHAIRMAN GRAHAM:** Okay.

9 **MR. JAEGER:** And, Chairman, we never read the
10 notice. I don't know if you want to go ahead and get
11 that out of the way or not.

12 **CHAIRMAN GRAHAM:** Yes, please.

13 **MR. JAEGER:** By notice, this time and place
14 has been set for a Customer Service Hearing in Docket
15 Number 100330-WS, application for increase in water and
16 wastewater rates in Alachua, Brevard, DeSoto, Hardee,
17 Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco,
18 Polk, Putnam, Seminole, Sumter, Volusia, and Washington
19 Counties by Aqua Utilities Florida, Inc., which we
20 normally refer to as AUF in most of our documents.

21 **CHAIRMAN GRAHAM:** One last housekeeping thing.
22 We have quite a few people here that want to speak, so
23 we're going to limit everybody to five minutes. After
24 everybody has spoken, if there's still something you
25 want to add, we'll allow you to speak again at the end.

1 But we just want to make sure that we go through
2 everybody that wants to speak the first time in a pretty
3 timely manner. And if you guys will all -- we're all
4 here to try to get as much information as possible on
5 the record. I know a lot of people are probably pretty
6 excited. If we could keep it so there's no public
7 display, no booing, no clapping, and no cheering, let's
8 just sit back and let them get through whatever, whoever
9 is up here at the mike giving their testimony. And, and
10 that being said, we'll start with opening comments, and
11 we'll start with Mr. May.

12 **MR. MAY:** Mr. Chairman, Mr. Fox, the President
13 of Aqua, would make our opening comments.

14 **MR. FOX:** Commissioners, is it okay if I turn
15 around?

16 **CHAIRMAN GRAHAM:** Sure.

17 **MR. FOX:** Just the mike. All right.
18 Hopefully that works.

19 Good afternoon. My name is Rick Fox, and I'm
20 the President of Aqua Utilities Florida. Before I
21 begin, we have a number of AUF employees here today that
22 will be available to answer any of the questions that
23 you may have.

24 Present today in the back, and I'll ask that
25 they stand and you can turn around and see what they

1 look like: Harry Householder, he's our Manager of
2 Operations statewide; Stacey Barnes, our Customer Field
3 Service Manager; Tricia Williams, our head Environmental
4 Engineer, she's over here to the right, my right; and
5 Paul Thompson, Area Coordinator for this area. Some of
6 these AUF employees who are in the back of the room have
7 computer access and they can go into your account and
8 hopefully address any issues that you may have. So
9 please feel free to contact them at your convenience.

10 Commissioners, I want to thank you for the
11 opportunity to speak briefly to our customers in Alachua
12 and Marion Counties this afternoon, but more importantly
13 thank you for giving us a chance to listen to our
14 customers and to hear what they have to say. At the end
15 of the day we are a service company and we value all
16 customer input on the services we provide.

17 We know that there is never a good time to ask
18 for an increase in rates. No one wants to pay more for
19 water or for electricity or for anything else for that
20 matter. Yet we also know that everybody wants and needs
21 and demands safe and reliable water service. That comes
22 with a cost, and that's why we're here today.

23 I want you to understand that our rate case is
24 fundamentally driven by the cost of the improvements
25 that we've made to our utility systems. I would like to

1 take just a minute to go over some of those
2 improvements.

3 Over the past three years Aqua has spent over
4 \$11 million on capital projects to comply with
5 environmental regulations and to improve water and
6 wastewater quality, service, and reliability for our
7 customers. These projects include things such as
8 rehabilitating and replacing tanks, upgrading electrical
9 systems, and replacing pumps and meters.

10 Specifically at our Arredondo Estates system
11 we've recently replaced a hydropneumatic tank. We've
12 also replaced and repaired water lines and installed new
13 pumps, motors, chemical feed equipment, and water
14 meters.

15 At our Arredondo Farms system we recently
16 completed a major upgrade to our wastewater treatment
17 plant to improve the quality of the treated effluent.
18 As part of this effort, we've upgraded our collection
19 system, rehabilitated percolation ponds, and remediated
20 sinkhole issues.

21 As part of the second phase of our aesthetic
22 water quality improvement program, we're committed to
23 working with our customers in Arredondo Farms and
24 Arredondo Estates to address hard water issues that had
25 been present long before we acquired the systems.

1 Also, since the last customer meeting, we've
2 continued to work cooperatively with Arredondo Farms,
3 YES Communités on a process to address mutual challenges
4 related to customer move in, move out, and meter
5 maintenance. We've also made significant improvements
6 to our water treatment and distribution system in Marion
7 County. This work includes upgrading electric service
8 and replacing distribution system mains, hydropneumatic
9 tanks, pumps, and motors.

10 We understand that you as customers expect the
11 water service to be reliable, reasonably priced, and
12 provided in an environmentally sound manner. I want you
13 to know that we are committed to meeting that
14 expectation.

15 As I described at the beginning, the costs
16 that drive this rate case are directly related to these
17 infrastructure improvement projects which I've
18 described. I want you to know that our company
19 continuously monitors and takes aggressive measures to
20 control our costs. However, the cost of the system
21 improvements which we've made can no longer be absorbed
22 by our company without an increase.

23 I know a lot of you want to speak and we are
24 here to listen. So I just want to thank you for coming
25 out and taking time out of your day to be here. I look

1 forward to hearing what you have to say, and I'll be
2 available after the meeting to answer any questions that
3 you may have. Thank you.

4 **CHAIRMAN GRAHAM:** Mr. May, does that conclude
5 you?

6 **MR. MAY:** Yes.

7 **CHAIRMAN GRAHAM:** Mr. Kelly.

8 **MR. KELLY:** Mr. Chairman, I'm going to turn
9 around also, if that's okay.

10 Good afternoon. My name is J. R. Kelly, as I
11 mentioned earlier, and I'm with the Office of Public
12 Counsel. I'm here with Steve Reilly, the gentleman over
13 here in the second row.

14 The Office of Public Counsel, just to let you
15 know, we are not part of the Public Service Commission.
16 We're independently funded by the Florida Legislature to
17 represent you, the ratepayers, in front of issues just
18 like this rate case that come in front of the Public
19 Service Commission.

20 Now why are we here today? We're here because
21 our office appealed the \$2.61 million rate increase that
22 the Public Service Commission granted a couple of months
23 ago. Since then, some other Intervenors such as YES
24 Farms [sic] and the Attorney General's Office have also
25 intervened to protest this rate increase.

1 The issues that we're going to raise on your
2 behalf, I'm just going to summarize real quickly some of
3 them. Number one, quality of service. We do not
4 believe, and we believe the evidence will show that
5 Aqua's quality of service is not satisfactory. We
6 believe, more importantly, it's unsatisfactory. As a
7 result of that, we intend to argue that the rate of
8 return that this company is entitled to receive should
9 be lower than normal.

10 We also object to certain pro forma plant
11 additions. That's a fancy way of saying certain assets
12 be included in their rate base that you would end up
13 paying for.

14 Used and useful, that is something you're
15 going to hear during the course of this case. And the
16 bottom line is this, we do not feel that you, the
17 ratepayer, should pay for something that is not
18 100 percent used by or useful for you, the ratepayer.

19 We believe that Aqua has overstated their test
20 year revenues, meaning the amount of money they're
21 trying to argue to the Commission they should be
22 entitled to receive. We believe they've overstated
23 those due to several areas -- several errors such as
24 weather, billing errors, and economic conditions of
25 today's communities and society.

1 One of the big issues we're going to argue in
2 this case is that the affiliate -- the amount of
3 affiliated charges and costs should be disallowed. And
4 by that what I mean is that's where Aqua Utilities
5 Florida is paying money to their affiliate, either a
6 parent or someone else within their corporate family
7 that, once again, they're going to ask you to pay for.
8 We do not believe that they are reasonable, they've
9 increased substantially over the past few years, and
10 we're going to argue that they should not be included.

11 We believe that their rate case expense that
12 they're asking for is very excessive, and we intend to
13 argue against that. And, finally, general affordability
14 of the rates that they're asking for to be generated by
15 the amount of revenues that they're asking for we
16 believe is unreasonable and, therefore, we're going to
17 argue against that.

18 We currently have engaged several topnotch
19 experts from around the nation that are poring through
20 the voluminous documents now and conducting discovery
21 along with our attorneys and putting the case together.

22 How can you help? Well, folks, this is a
23 absolute must for you folks that are here today to come
24 up here and speak. Your voice, your voice is so vitally
25 important for the Commissioners behind me to hear. You

1 need to come up and share your opinion with them.

2 If you don't feel like testifying, the
3 Chairman will talk later about how you can submit
4 comments in writing, but we urge you to come up. You
5 don't have to be an eloquent speaker, just speak from
6 your heart. And the things that I would ask you to do
7 are this. One, be truthful. Be truthful. Number two,
8 speak to the quality of service that you receive from
9 Aqua, good, bad. I don't care what you're going to say,
10 just be truthful and come up here and share what you
11 feel about it; how it's been in the past as well as how
12 it is today.

13 Also, speak to the impact of this rate case to
14 you. How is it going to affect your lifestyle, how
15 you're living today? The affordability aspect of this.

16 And, lastly, the impact of the rate -- excuse
17 me -- the impact of the rate increase to your
18 communities. How has Aqua's service affected the value
19 of your homes, your communities, excuse me, and, more
20 importantly, how this potential increase would affect
21 the value.

22 Thank you again so much for showing up today,
23 and please take the time and the opportunity to come up
24 here and speak to the Commissioners. Thank you.

25 **CHAIRMAN GRAHAM:** Thank you, Mr. Kelly.

1 YES.

2 **MR. BERNSTEIN:** Thank you.

3 **CHAIRMAN GRAHAM:** Back that podium up just a
4 little bit. There you go.

5 **MR. BERNSTEIN:** Good afternoon. Mr. Chairman,
6 Commissioners, Staff counsel, again, I'm David
7 Bernstein. I represent YES Companies, LLC, doing
8 business as Arredondo Farms. We appreciate your
9 attention, we appreciate the opportunity to be here
10 today, and we look forward to the continuation of this
11 process.

12 My client is an affordable housing provider.
13 My client owns and operates affordable housing
14 communities throughout the country, most notably this
15 particular property which is at issue today in Alachua
16 County, the City of Gainesville.

17 This particular type of affordable housing is
18 what is known in the trade as workforce housing. Many
19 of the people would love to be here today to testify
20 before you that reside at this property, but thankfully
21 some of those folks have jobs and are working today and
22 cannot be here. But their neighbors, their
23 constituents, their friends are. You'll be hearing from
24 them today as we go through this proceeding.

25 To put it in perspective, when we talk about

1 affordable housing, rental rates at this property for
2 renting a land lease lot for the placement of a
3 manufactured home run at the average of \$271 per month.
4 \$271 per month to make it affordable. Yet the average
5 water and sewer bill from Aqua Utilities for those same
6 folks averages \$125 per month, or essentially 50% of
7 their monthly housing cost. It is outrageous. It has
8 caused substantial damage to my client in terms of
9 diminution of value to their property, the ability to
10 provide affordable housing to the City of Gainesville in
11 this long-standing community.

12 And one of the things you're going to hear
13 today is testimony about move outs, testimony from
14 people that not only reside there, but people who have
15 literally pulled out and left because they can't afford
16 to live there because what should be affordable, simply
17 by virtue of utilities, has become outrageously
18 unaffordable. The utility prices exceed Gainesville
19 Regional Utility rates and on average substantially.
20 When you couple that with poor water quality and
21 inferior service, testimony of which was brought before
22 the Commission in a prior hearing and which you're going
23 to hear about again today, you can appreciate why the
24 Intervenor takes this matter very seriously and looks to
25 the Public Service Commission for appropriate relief.

1 And toward that relief, the PSC recommended a
2 continuation of the monitoring program which the
3 Commissioners had ordered previously in this case, a
4 continuation of it. And when we hear Mr. Fox talk about
5 having met with YES Communities, it's a result of that
6 mandate. It was not voluntary. It was a result of that
7 order. When we hear about improvements that have to be
8 made, it's a result of having fallen out of compliance
9 with environmental law and legal requirements. It's a
10 result of in effect having to do it, not wanting to do
11 it.

12 Witness testimony that you heard previously in
13 this case, and it leads to the appeal and the process
14 continuing in this matter, include the poor appearance,
15 taste, and odor of the product, water that none of us
16 would want to drink; bottled water requirements at this
17 community; degradation to plumbing and appliances by low
18 quality. All of this is in the record in this case and
19 will be continued today by witness testimony. Sediment,
20 hardness, failure to treat water lines for softening.
21 We heard some testimony today about the possibility of
22 that getting attention, and it is about time.

23 High frequencies of leaks causing large bills,
24 exorbitant bills, the failure to properly bill, to
25 overcharge, make restitution, but only after turning off

1 service, having cessation of service to families who
2 have children, to families who have medical and
3 disability needs, and to families who can least afford
4 to be without the essential service of water and sewer.
5 This is the real world, guys, when we're talking about
6 Gainesville affordable housing and having your water and
7 sewer turned off because your water bill or sewer bill
8 inexplicably but later remorsefully was shut off.
9 Absolutely outrageous. Customer service agents who hang
10 up or don't answer the phone, all of this is in your
11 record. You're going to hear more testimony about it
12 today.

13 Water and sewer bills at this community alone
14 have increased way beyond what this Commission has
15 afforded in other cases. For example, in the year 2009
16 water rates went up 93%, 93% on the folks who could
17 least afford it. Couple that with a 10% increase in
18 2010, a 10% increase in 2011, and you're beginning to
19 understand why folks are being forced out of their homes
20 because of an essential service they cannot afford. All
21 of us have the right to water and sewer, all of us have
22 the right to affordable utilities, and, in fact, as the
23 Commission knows, it's the mandate of this Commission to
24 be sure they are affordable. This in spite of the
25 Public Service Commission receiving evidence from

1 Arredondo and many other customers either directly or
2 indirectly through the Office of Public Counsel.

3 Today you will hear various witnesses who will
4 once again prove that the quality of service, the water
5 and customer satisfaction attendant to those services is
6 unacceptable, that it doesn't meet even minimum
7 standards, let alone warrant rate increases.

8 Respectfully, when the Commission found that
9 the quality of service and customer satisfaction was,
10 quote, marginal, unquote, it is our position it was
11 being generous.

12 You cannot reward inefficiencies,
13 deficiencies, and deferred maintenance with rate
14 increases. You cannot reward the falling out of legal
15 compliance with rate increases. It's a fundamental
16 error, whether it be water or wastewater.

17 The witnesses you will hear from today include
18 residents, as mentioned, past and present, unfortunately
19 some who no longer have their home. The Property
20 Manager for this particular property, the District
21 Manager who runs over 50 properties in this state, and a
22 Maintenance Supervisor, all of whom are going to present
23 evidence before you, which we appreciate your attention
24 to, which we know you're going to find as compelling as
25 those citizens sitting here who have to live through it

1 day in and day out.

2 I know the PSC takes its charge very, very
3 seriously. We respect and appreciate each and every one
4 of you, Chairman, Commissioners. We appreciate the work
5 you're doing, and we know you're taking this as serious
6 as we do. We're in this to make sure justice is done.
7 And since you are charged to make certain utility
8 charges are affordable, we appreciate that you'll be
9 looking at that today in the context of the disaster
10 that has occurred at Arredondo Farms.

11 I'm going to give you brief, very brief
12 evidence of that in terms of statistics just in the year
13 2011. At Arredondo Farms, a community of 336 occupied
14 home sites, affordable housing home sites, there have
15 already been 71 move outs this year, devastating the
16 investment of the property owner, destroying property
17 rights, and effectively condemning this property.

18 71 move outs. Exit reports indicate 37 of them overtly
19 attributable and due to overbilling or utility issues
20 related to the charges, or inefficiencies, or water
21 quality, or dissatisfaction, or all of the above by Aqua
22 Utilities.

23 52% of the move outs in this community, 52%
24 are documented and there could be more. But since we
25 started documenting them, at suggestion of counsel, 52%

1 are documented as having been attributable to utilities.
2 Exit surveys prove this. It is outrageous. They cite
3 as examples for leaving their water was shut off often
4 because of billing errors, when in fact payment had
5 either been made or was in the process of being made.
6 Or they came to the manager and stated they simply can't
7 afford utility rates that are nearly as expensive as
8 their lot rent.

9 We all have different housing experiences.
10 Some of us live in communities that are stick built,
11 some of us live in rental communities, some of us own
12 homes and pay mortgages. But I challenge everyone at
13 the podium, everyone here today, Commissioners, Staff,
14 everyone here to think about how much you pay for water
15 and sewer, whether you're billed right for it at 50% of
16 your housing expense. Does your water and sewer get
17 shut off for no reason at all? Quite often have you
18 been forced out of house and home?

19 And, you know, if you're living day to day,
20 week to week, you're working hard, maybe you're not
21 putting on a tie in the morning, maybe your name is on
22 your shirt, maybe you're going down to pump gas, maybe
23 you're going to work at that convenience store, maybe
24 you're teaching school, maybe you're a nurse, a fireman,
25 a police officer, whatever your case may be, you deserve

1 better than that. And we shouldn't have to come before
2 the Public Service Commission, yet alone have to come
3 again and again before the Public Service Commission,
4 and then all of that have to occur before the President
5 of the utility company finally gets up and says "I want
6 to talk to you." We appreciate that. Look forward to
7 it. We've got plenty to talk about. But it shouldn't
8 have to come to today for that to happen. We'd
9 appreciate whatever you can do for these good folks in
10 Alachua County and Arredondo Farms. Thank you very
11 much.

12 **CHAIRMAN GRAHAM:** Thank you, sir.

13 Ms. Bradley.

14 **MS. BRADLEY:** Mr. Chairman, Commissioners, if
15 you'll forgive me, I'll turn this way so I can talk to
16 these folks.

17 I'm Cecilia Bradley, and I'm here for Attorney
18 General Pam Bondi on your behalf. We work with the
19 Public Counsel to represent you, so that's why it is so
20 vital that you speak today and you tell us what your
21 concerns are. They do report after all these hearings
22 and they'll say, well, this many people complained about
23 this and that many people complained about something
24 else. And if you say, well, so and so has already said
25 that, I don't need to say that, you do. Because

1 otherwise it'll only show a small portion of the people
2 that had those concerns.

3 So it's important no matter what your, whether
4 positive or negative, whatever, that you let us hear
5 from you, and we hear everything that you're concerned
6 about or that's causing you problems. Because otherwise
7 it's hard to represent you if we don't know what your
8 concerns are. So this is very important to all of us
9 here today. And it helps the Commission to know whether
10 you have concerns. If so, what those concerns are, and
11 how it affects your life.

12 We understand that water is pretty important
13 to everyone. I was with my father not very long ago and
14 he pointed down a road and said that's where his first
15 church was and said they had a path, not a bath. So he
16 values water services very much in this day and time
17 that everybody has indoor plumbing and water, and
18 sometimes we tend to take it for granted until we see
19 situations where people can't afford their water or
20 people can't get clean water, and then we realize how
21 important it is. That's just a fundamental need.
22 People can't survive without good water. So our, our
23 utilities are very important to us, and it's important
24 that you share whatever your concerns are with us. We
25 appreciate that.

1 We look forward to hearing from you. Thank
2 you for being here. I know some of you have left work
3 or taken time off or you're taking your lunch break, and
4 I know there's a lot of people that would like to be
5 here if it wasn't for work, but we appreciate all of you
6 being here and taking time away from whatever you were
7 doing. Thank you.

8 **CHAIRMAN GRAHAM:** Is that all the attorneys of
9 record?

10 **MR. BERNSTEIN:** Yes, sir.

11 **CHAIRMAN GRAHAM:** All right. The Public
12 Counsel is going to be calling everybody up here one at
13 a time to speak. Once again, you'll be limited to five
14 minutes at least the first time through. And if you
15 want to speak more after that, just please give us some
16 time because we want to make sure that we can get
17 through everybody before people have to start leaving.

18 When you're up here, you're up here to give
19 testimony, not to ask questions. You can put rhetorical
20 questions out there, but this is not the time for the
21 utility companies or other people up here to be
22 answering questions.

23 There is no friendly cross. If you need to
24 clarify something on the record, we'll make sure that we
25 do clarify that on the record. And I think that is

1 about it.

2 Mr. Jaeger.

3 **MR. JAEGER:** I think you covered it all.

4 **CHAIRMAN GRAHAM:** Okay. That all being said,
5 we will start. Mr. Kelly.

6 **MR. KELLY:** You want to swear them in?

7 **CHAIRMAN GRAHAM:** Oh, I'm sorry. We've got to
8 swear them in. Everybody that is here to speak, if I
9 can get you to stand and raise your right hand.

10 (Witnesses collectively sworn.)

11 Thank you.

12 **UNIDENTIFIED SPEAKER:** May I ask a question,
13 Commissioner?

14 **CHAIRMAN GRAHAM:** Sure.

15 **UNIDENTIFIED SPEAKER:** You say we're not
16 allowed to ask questions. This is the only time that we
17 can ask questions. We were at, like in Tallahassee at
18 the Agenda Conference, we can make our statements. Then
19 once we're done, we're no longer part of that meeting.
20 Okay? And when you folks say something that we would
21 like to ask a question about, we're not allowed to.
22 This is the only forum that we have where we can ask you
23 questions about what you're doing. Not, not really
24 in-depth questions, but just simple yes or nos or -- and
25 I'm wondering why we can't ask questions because we need

1 clarity. I didn't come here to complain. I came here
2 for clarity so I can better understand how you folks do
3 what you do. I would hope you would let us ask some
4 simple questions. Thank you.

5 **CHAIRMAN GRAHAM:** Thank you.

6 Mr. Kelly.

7 **MR. KELLY:** The first person to speak is
8 Ms. Linda Miller.
9 Whereupon,

10 **LINDA MILLER**

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

14 **DIRECT STATEMENT**

15 **MS. MILLER:** I guess I'm facing that way.

16 **CHAIRMAN GRAHAM:** Face this way.

17 **MS. MILLER:** This way?

18 **CHAIRMAN GRAHAM:** Yes. Welcome, Ms. Miller.

19 **MS. MILLER:** I was the last one that said I'm
20 coming with you guys and I'm the first one up. I'm
21 brand new out at Arredondo, but I find it to be a lovely
22 community of people that care. They're not wealthy,
23 they're not hoodlums, they're just caring, lower income
24 people. And these people occasionally need breaks in
25 life, unlike some people. I used to be there once. But

1 you could -- you have -- there's a tendency perhaps for
2 people to look at their own lives and say why, what's
3 the matter with these people? They could do this, they
4 could be an attorney, they could do this, they could do
5 that. Through circumstances in life you can't be
6 everything. You can't be anything sometimes. But these
7 people work hard. They deserve to have drinkable water.

8 My granddaughter is expecting her first baby
9 in two months and she's really worried. She's worried
10 because she drinks the water, although she switched to
11 bottled water which they can't afford. And then, you
12 know, what happens next? They're living in a place that
13 might be a potential time bomb.

14 When you look at the economic makeup of our
15 community, we're talking -- we have three police
16 officers, I believe, maybe two, but three police
17 officers that live there. I tell you what, when the
18 police live there, you have such a sense of security
19 it's unbelievable. But you've got people like this, you
20 know, retirees, people who work during the day, people
21 who are here for the cause. And that brings us to the
22 affordability again, because none of these people have
23 money, none of them. It's hand to mouth. You know,
24 paycheck to the end of the month, will it meet?

25 You know, a big deal is being able to afford a

1 pizza. My husband and I, the other night we went to Bo
2 Diddley's and listened to the music. Thank heavens it
3 was free because we're out of money for the month. So
4 this is, this is a big thing on the amount that they
5 want us to pay for what every living human being has a
6 right to; clean, safe water.

7 The other thing I want to mention is that when
8 my husband and I moved here, we moved from a two-bedroom
9 condo, a very nice place. It was above our budget but
10 we thought we could manage it. Well, it ended up not
11 being there. We got a raise immediately. And we
12 thought, well, can we afford this? Do we want to afford
13 this? And suddenly it became unaffordable anyway
14 because things changed. And so we went over to
15 Arredondo because I thought it was pretty from the road.
16 You know, women have these little things they like to
17 look at first. And I said, you know, that really looks
18 nice there. And my husband agreed and we drove around
19 and we stopped and asked questions. We must have been
20 over there four or five times before we ever decided to
21 move in. But when we did, we felt like we had moved in
22 to a place that truly cared about the people that live
23 there and a place that really wanted the best interest
24 of their tenants and sometimes their property owners. I
25 have other things I thought about, but those, those are

1 the biggest. Just think about the people, think about
2 what they can afford.

3 I was married once to a millionaire, and that
4 sounds perfectly ridiculous at this point in my life,
5 but the thing I'm saying is would this have bothered me?
6 No. I lived in a nice house. I didn't have anything
7 that ever went wrong, except for the divorce of course.
8 But that was it. You can't do it all but you can do
9 something. Thank you.

10 **CHAIRMAN GRAHAM:** Hold on just a second,
11 Ms. Miller.

12 Mr. May.

13 **MS. MILLER:** Linda Miller.

14 **EXAMINATION**

15 **BY MR. MAY:**

16 Q Ms. Miller?

17 A Yes. Oh, I'm sorry. I thought he spoke.

18 Q No problem. I'm Bruce May. I represent Aqua.
19 And just we're going to be filing some responsive
20 testimony to your testimony, so I want to make sure I
21 have all the information as accurate as possible.

22 You indicated you live in Arredondo. Is that
23 Arredondo Farms or Arredondo Estates?

24 **UNIDENTIFIED SPEAKER:** Farm.

25 **MS. MILLER:** Farm? We haven't lived there

1 long. Farm. Yes.

2 MR. MAY: Thank you. That's all the
3 questions.

4 MS. MILLER: Is there anything? Okay.

5 CHAIRMAN GRAHAM: Other attorneys of record,
6 if there's something that you want to see clarified,
7 just please motion so I'll know to recognize you.

8 MR. BERNSTEIN: Thank you. Commissioner, if I
9 might ask a question. We have some folks we've been
10 alerted to that are on their lunch hour come over and
11 just have a minute to say something. Would it be all
12 right if we went perhaps a little out of order just to
13 let those folks come? They've got to get back to their
14 job, if possible. I don't know which ones they are.

15 UNIDENTIFIED SPEAKER: I would appreciate that
16 myself.

17 MR. BERNSTEIN: There's only a couple, but
18 they've got to get back to work, if that's okay. Would
19 that be all right?

20 CHAIRMAN GRAHAM: Anybody that's here that's
21 on their lunch break that just want to have a couple of
22 things to speak, if I could get you to come up here and
23 sit on this front row. Sir, you can sit right there
24 where you are. I'll get you right away.

25 UNIDENTIFIED SPEAKER: All right. Cool.

1 **CHAIRMAN GRAHAM:** But anybody else sit here on
2 the front row and we'll just make, we'll just make sure
3 that we, that we -- J. R., make sure that if it's in
4 that stack, just pull it out.

5 **MR. BERNSTEIN:** Thank you, Commissioner.

6 **CHAIRMAN GRAHAM:** Sir, please.

7 Whereupon,

8 **SCOTT RONEY**

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

12 **DIRECT STATEMENT**

13 **MR. RONEY:** My name is Scott Roney. I live at
14 Arredondo Farms. And I'm not used to public speaking,
15 so bear with me.

16 First off, you had mentioned --

17 **THE COURT REPORTER:** Sir, sir, could you pull
18 the mike up just a little bit?

19 **MR. RONEY:** -- sediment issues. Take your
20 bottle of water and take ice cubes made from the water
21 there at Arredondo Farms, put it in a glass and you
22 don't want to drink it because of the sediment that you
23 find in the bottom. I don't even feed the Arredondo
24 Farms water to my cat for issues that may come up in the
25 future. That being said, I'm sure other people are

1 going to mention that.

2 I'm a very small business owner. You guys are
3 business. That's fine. You say you've got to raise the
4 rates because you have to upgrade your equipment or buy
5 new equipment, do different things. The only thing you
6 don't have to face is competition. I have competition
7 every day. If I have to up my equipment or, or buy new
8 things, I have to absorb that. We can't go anywhere
9 else, can we? You guys have us under your thumb.
10 Simple.

11 And last but not least, you said your acronym
12 is AUF. I think you should add UL to the end. Thanks.
13 That's all I have to say.

14 **MR. JAEGER:** I didn't get his last name.

15 **MR. RONEY:** Roney. R-O-N-E-Y.

16 **MR. MAY:** Is that E-Y?

17 **MR. RONEY:** E-Y.

18 **MR. KELLY:** R-O-N-E-Y.

19 **MR. MAY:** That's what I was going to ask.

20 Thank you, Mr. Roney.

21 **MR. RONEY:** Thank you. Thank you for your
22 time.

23 **CHAIRMAN GRAHAM:** Thank you, sir. Thank you
24 for coming.

25 Sir, please.

1 Whereupon,

2 **CLIFTON PRIDGEN**

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

6 **DIRECT STATEMENT**

7 **MR. PRIDGEN:** Good afternoon. My name is
8 Clifton Pridgen, P-R-I-D-G-E-N. I am a resident at
9 Arredondo Farms, have been a resident for several years.
10 My bill has fluctuated for the time I've been there.
11 The last bill I got was an enormous bill, an enormous
12 bill. I called and tried to set up something. Things
13 have changed. At the end of the day my water got cut
14 off. I called to talk to somebody. I got a very rude,
15 very rude young man who just simply told me that if I
16 didn't pay the bill, my water wasn't going to get turned
17 back on, and I wouldn't get any service until I got --
18 until they got all of their money. Through the help of
19 Arredondo Farms my water got turned back on.

20 The last bill I got was still an enormous
21 bill. And I just want to know how can it go from, you
22 know, \$56 to \$456 in one month? Can we figure out
23 what's going on with the water, I mean with the reading
24 of the meters or equipment that you're using or people
25 that are reading the meters and get that straightened

1 out? That could possibly make a big difference in all
2 of these people being here saying that Aqua Waters is an
3 unreputable place. I appreciate your time. I have to
4 go back to work. Thank you.

5 **CHAIRMAN GRAHAM:** Sir, what is your address?

6 **MR. PRIDGEN:** 7117 S.W. Archer Road.

7 **UNIDENTIFIED SPEAKER:** What lot?

8 **MR. PRIDGEN:** 2129.

9 **CHAIRMAN GRAHAM:** Thank you. Any questions?

10 **EXAMINATION**

11 **BY MR. MAY:**

12 Q Mr. Pridgen, thank you for coming out. Just a
13 couple of very quick questions.

14 You mentioned a bill that you received from
15 Aqua that you have concerns. Approximately what month
16 and date was that bill issued to you?

17 A That bill, I believe, was June or July.

18 Q Of this year?

19 A Yes.

20 Q Okay. Thank you, sir.

21 **CHAIRMAN GRAHAM:** Ms. Bradley.

22 **EXAMINATION**

23 **BY MS. BRADLEY:**

24 Q Mr. Pridgen, can I ask you, you said something
25 about a \$456 bill.

1 A Yes.

2 Q Can you tell me, do you remember how much
3 water you had used during that period of time?

4 A I think, at the time I think they said it was
5 like 1,000 some odd gallons of water, I believe. I'm
6 not sure.

7 Q Okay, sir. I appreciate it.

8 A The \$450 at one time just kind of like -- you
9 know, all I could see was that.

10 Q I understand. Thank you.

11 **CHAIRMAN GRAHAM:** Thank you, sir.

12 Ma'am.

13 Whereupon,

14 **LAURA DENMARK**

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

18 **DIRECT STATEMENT**

19 **MS. DENMARK:** My name is Laura Denmark. I
20 stay in Lot 2119 at Arredondo Farms. My water bill is
21 higher than my light bill, and I work six days a week.
22 I don't know, understand why it's higher than my light
23 bill. I don't drink the water; it's made me sick.
24 Washing clothes, it's messed up my clothes. Calling to
25 get customer service, it does not happen. They're very

1 rude, nasty.

2 When I first moved into Arredondo, I think me
3 and Mallory, we had to send over the fax about five or
4 six times before they actually -- and they still had not
5 gotten my name correct on my new place I had moved into.
6 They cut the water off because it was still in somebody
7 else's name after a month of me living there. And then
8 I moved out of that one and bought my first home, which
9 I was excited about. And then they canceled -- they
10 gave me a whole new account number. Then they're
11 talking they're going to turn me into collections if I
12 don't pay that last bill, but I'm still with the same
13 service. I tried to make arrangements, never get a call
14 back, never get any notification or anything. So that's
15 all I really have to say.

16 **CHAIRMAN GRAHAM:** Thank you, ma'am. We do
17 thank you for coming down.

18 Mr. May.

19 **EXAMINATION**

20 **BY MR. MAY:**

21 **Q** Thank you, Ms. Denmark. You mentioned that
22 you had a concern regarding calling customer service?

23 **A** Uh-huh.

24 **Q** Approximately what date and month did you
25 attempt to call customer service?

1 A Every month that we -- every month there's
2 something wrong. I know -- I think I moved in April.
3 And myself and Mallory and her attendee, other
4 co-workers in the office had faxed over my paperwork so
5 I could get service in my name. And it still, after
6 four or five times of faxing it, it still was never
7 turned in my name until they cut my water off. And they
8 said they never received the fax, and that was a month
9 later.

10 Q And you indicated that you had moved in and
11 moved out of several different places?

12 A No. Just one.

13 Q Okay. So you moved from one location within
14 Arredondo Farms to another?

15 A Correct. Correct.

16 Q And in your first location what was your
17 account name, what was the account name? In what name
18 was your account in?

19 A My name.

20 Q And your second?

21 A My name.

22 Q Okay.

23 A It never changed.

24 Q And so what was your first lot number? Do you
25 recall?

1 UNIDENTIFIED SPEAKER: 2020.

2 UNIDENTIFIED SPEAKER: 2020.

3 MS. DENMARK: Yeah. 2020.

4 BY MR. MAY:

5 Q And your current lot number is?

6 A 2119.

7 Q Thank you.

8 CHAIRMAN GRAHAM: Thank you. Thank you,
9 ma'am.

10 MS. DENMARK: Uh-huh.

11 CHAIRMAN GRAHAM: Ma'am.

12 Whereupon,

13 **MARILYN EVANS**

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

17 **DIRECT STATEMENT**

18 MS. EVANS: Good afternoon everybody. My name
19 is Marilyn Evans, E-V-A-N-S. My address is 7117 S.W.
20 Archer Road, Lot 2425.

21 My issue is with Aqua. Last year of 2010 I
22 have got a past due bill for sewage usage -- sewage,
23 sewage for that whole year. I called to find out what
24 was, you know, what it had come from, and they said that
25 it was on their behalf because they technician came out

1 and he read the meter wrong. So I said, "Well, how is
2 that my fault?" So they said by me using that that
3 whole year I had been responsible for paying the bill,
4 and I think the bill was about seven something. I'm not
5 for sure the exact amount, but I know it was seven
6 something. Anyway, they gave me a payment plan for
7 \$66 and some change. And they said if I was a penny
8 less or a day over, my water was going to get turned
9 off.

10 So I began to pay that 66 something. Within
11 two months come to find out they sent another bill for
12 me -- they upped my bill for 101. That was in January
13 of 2011. And I had continued to pay that bill all the
14 way up until April this year, 2011. And I was just
15 getting so many different bills. Like the bill kept
16 going up like a thousand and something dollars. And one
17 time I was about finished paying the bill, I think it
18 was, I'm trying to think, April, yeah, around April, I
19 think April was my last time paying the past due. I
20 called -- I came -- I got -- I can't remember who the
21 girl's name was, but she told me all I had to pay was
22 \$19 on it. Paid the \$19 saying that I still have to
23 continue to pay the 101 through the rest of the year of
24 this year, 2011. If not, then my water is going to get
25 cut off.

1 And I think the bill, yeah, the bill was still
2 up, up a thousand dollars. I had to talk to Ms. Mallory
3 because I almost had to move out my house. I have three
4 children and I could not live in a house without water.
5 And they end up turning off my water. I was in my house
6 for three days without water. I had to go to my
7 mother's house. So I'm sorry I'm emotional, but anyway.

8 **CHAIRMAN GRAHAM:** Take your time.

9 **MS. EVANS:** Due to Arredondo Farms helped me
10 out I'm able to stay in my house, and I really
11 appreciate that because I was fixing to lose my house.
12 I'm a hardworking young mama trying to take care of my
13 children, and for them to turn off my water -- and like
14 everyone else say, their customer service is so rude.
15 And I don't have all their names. I have it on my
16 paperwork because I wrote down every name that I, that
17 have talked to me so rude. And I just don't understand.
18 People live paycheck by paycheck, people trying to --
19 like some of the people work here, fixed incomes. And
20 how we have to sit here and deal with that, the way they
21 treat us. But that was my situation with Aqua.

22 **CHAIRMAN GRAHAM:** Take your time, ma'am.

23 **MS. EVANS:** Sorry.

24 **CHAIRMAN GRAHAM:** That's okay.

25 **MS. EVANS:** That's all I have to say.

1 **CHAIRMAN GRAHAM:** We do appreciate you coming
2 down here, ma'am, and talking to us.

3 Mr. May?

4 **MR. MAY:** No questions.

5 **CHAIRMAN GRAHAM:** Ma'am, thank you very much
6 for coming.

7 **THE WITNESS:** Thank you.

8 **CHAIRMAN GRAHAM:** Sir, did you have to speak?

9 **MR. MOORE:** I didn't want to but I'd like to.
10 I didn't sign in and I didn't raise my hand, but if I
11 could say something real quick.

12 **CHAIRMAN GRAHAM:** Well, we have to swear you
13 in first.

14 **MR. MOORE:** Okay.

15 (Witness sworn.)

16 **CHAIRMAN GRAHAM:** Thank you. And, sir,
17 afterwards we can get you to fill out one of those
18 forms.

19 **MR. MOORE:** Okay.

20 **CHAIRMAN GRAHAM:** Thank you.
21 Whereupon,

22 **RICK MOORE**

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

DIRECT STATEMENT

1
2 **MR. MOORE:** My wife rented a lot in that park
3 over 30 plus years ago, 7117 S.W. Archer Road, Lot 2330.
4 We don't, we don't live there anymore. She doesn't live
5 there anymore. We don't live there anymore. But we
6 rent the property to a gentleman that works for me, a
7 very hardworking man. Very hardworking man, probably
8 older than all of us in this room. Works harder than --
9 a little background. I've been in business in
10 Gainesville and Alachua for over 42 years. He's one of
11 the hardest working employees I've had in that time, and
12 he's probably one of the oldest.

13 And I have not seen his -- well, I take that
14 back. I have seen his bills. And I don't remember how
15 much they were, but they were just astronomical. And I
16 guess the biggest, listening to these people, and every
17 one of them will say -- I don't really know how the
18 Public Service Commission works. I know that they watch
19 over monopolies. But you gentlemen could go out to that
20 park and ask the people that live there for a glass of
21 their water and we wouldn't be having this hearing. I
22 don't understand. You have the power to subpoena their
23 records on how much they charge these people. You could
24 subpoena their bills and you would see what's going on.
25 I don't understand why they have to be up here telling

1 you this. Again, I don't know how this works, but I
2 would think that it would be very easy for y'all to do
3 and would not waste a whole lot of people's time and get
4 on to helping these people out. Thank you.

5 **CHAIRMAN GRAHAM:** Sir, thank you very much.
6 Sir, just a second.

7 **EXAMINATION**

8 **BY MR. MAY:**

9 Q I didn't get your last name.

10 A My name is Moore. The actual, the actual is
11 my wife under Horner is the actual name that the lease
12 is under, or was under.

13 **CHAIRMAN GRAHAM:** Thank you, Mr. Moore.

14 Sir, please.

15 Whereupon,

16 **EUGENE DAVIS**

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

20 **DIRECT STATEMENT**

21 **BY MR. DAVIS:**

22 Q My name is Eugene Davis. I live at 7117 S.W.
23 Archer Road, Lot 46, Gainesville, Florida 32608. I've
24 been living out there for --

25 **CHAIRMAN GRAHAM:** Sir, one more time. That

1 was kind of quick.

2 MR. DAVIS: My name is Eugene Davis. I live
3 at 7117 S.W. Archer Road, Lot 46, Gainesville, Florida,
4 32608, in Arredondo Farms. I've been living out there
5 for almost five years. I've always paid my bill on
6 time, and here, I think it was last year, all of the
7 sudden I get a bill for almost \$900. So, you know, I
8 called these people right away. These, these people,
9 they're not people -- they don't know how to talk to
10 people. You know, they're real rude. And that goes
11 from the lady that I started talking to to whoever, the
12 manager or whoever that I was talking to, he was rude
13 too. They're telling me the same thing that everybody
14 else is telling you. If this bill is not paid or if we
15 don't set up some kind of payment plan, we're going to
16 cut off the water.

17 Well, my thing is how did my bill go from 40
18 something dollars to 900 something dollars when I pay my
19 bill every month? You know, they tell me about, well,
20 we didn't include some kind of service. But that ain't
21 my fault. That's your fault. You know, I don't work
22 for you. You know what I'm saying? That's your
23 people's fault. Why should I have to be punished for
24 what your people messed up? They told me this: "If you
25 don't pay that bill, your water will be cut off."

1 The water out there, I wouldn't give that
2 water to my dog. You wash your car, the car is white
3 when you get through washing it. And if you -- you
4 can't leave the water running because the bill go from,
5 whew -- I mean, it just, it just soars.

6 I've seen countless amount of people move out
7 of there for their water bill. You know, they get a
8 bill, one month the bill is \$40, the next month it's --
9 I've seen people have \$4,000 bills. How do you have a
10 \$4,000 bill in one year? It doesn't make sense.

11 These people are robbing people. They're
12 robbing honest people, hardworking people. They're
13 robbers, and they know they are too. You know what I'm
14 saying? They got these so-called lawyers over here and
15 all that, that don't make no sense. You know what I'm
16 saying? But they know what they're doing. You know,
17 it's not right. You know what I'm saying? We're
18 hardworking people. I got to go to work. I got up here
19 because I needed to say what I had to say so I can get
20 out of here and go to work so I can finish paying Aqua
21 Utilities' bills. You know what I'm saying? Because
22 that's what I'm paying. You know what I'm saying?

23 Their -- my water bill is as high as my light
24 bill, and that doesn't make no sense at all, at all.
25 How can your water bill be as high as your light bill?

1 I run my air conditioner all day long every day and my
2 water bill is higher than the light bill. That's crazy.
3 You know, they're robbing us. Y'all need to do
4 something about it. I mean fast too because people
5 moving out every day. They come in -- I've seen people
6 come in one month; the next month they're gone. I ask
7 them why? "The water. I got a bill for \$500." "You
8 just moved here. You got a bill for \$500 already?" It
9 don't make sense.

10 And then you -- and then they, they, they got
11 their, their people out here, they come out and they
12 turn on, they open the sewers up, I mean the fire
13 hydrants up and let all the water run out. Then they
14 charge us for the bill. You know, they let the water
15 run like it's nothing, and then we end up paying that
16 bill for them. You know what I'm saying? They do it
17 all the time. I have never seen a company that has
18 employees out on the site seven days a week. They're
19 riding around seven days a week out there. You know, it
20 doesn't make sense. It didn't used to be like that.
21 And like I said, they're robbing us, robbing us blind.
22 And something needs to be done about this because if you
23 don't, they're going to continue robbing me.

24 Me, me, myself, I'm in the process right now
25 of moving from out of Arredondo Farms. I don't want to,

1 but the water, the water just is killing me. You know
2 what I'm saying? And it doesn't make sense. Like I
3 say, we are honest, hardworking people and we're getting
4 taken advantage of by a company that they're doing it
5 because they can, because they know you need the water.
6 But like I say, right now I'm in the process of moving
7 right now because of that water. And that's all I've
8 got to say.

9 **CHAIRMAN GRAHAM:** Sir, Mr. Davis, I want to
10 thank you for coming.

11 Mr. May.

12 **EXAMINATION**

13 **BY MR. MAY:**

14 **Q** Thank you, Mr. Davis, for coming. Again, I'm
15 going to be -- we'll be providing a responsive pleading
16 around November 3rd, so I want to make sure we've got
17 all the information as accurate as we can.

18 Did you speak at the last customer meeting?

19 **A** No, I did not.

20 **Q** You didn't speak in the last customer meeting
21 regarding your back bill for wastewater service?

22 **A** No, I did not. Sir, I have a -- unlike you, I
23 can't just come up here any time I get ready. I have to
24 work to pay Aqua Utilities' bill. You know what I'm
25 saying? I have to go to work just to pay that bill. I

1 can't come to every meeting. I just got off work at
2 6:00 this morning. I come in here. I haven't even
3 slept that much.

4 Q Now the, the bill that you received, that was
5 for wastewater service, wasn't it?

6 A I don't know what it was for. Whatever it was
7 for, it shouldn't have been -- I shouldn't have gotten a
8 bill for \$900 because it was a fault of their, of your
9 company. You know what I'm saying? If you make a
10 mistake, then you need to eat that bill, not me. If I,
11 if you give me a bill to pay, if I'm paying that bill,
12 then how you going to come up here and sit up here and
13 tell me that down the line, when you figure out that you
14 say that you wasn't giving, billing me for a service,
15 then you gonna, all the sudden you're gonna give me a
16 bill for almost a thousand dollars? That's not my
17 fault. That's your fault. Your company should have ate
18 that bill. You know, the people that you work for, they
19 should have ate that. And they still need to eat it
20 because I need to get my money back. You know what I'm
21 saying? I'd like to get that back. I have to pay them
22 \$50 extra every month just to try to catch up on that
23 bill.

24 Q Did the company offer you a payment plan?

25 A Yeah. They offered -- I got -- that's the

1 only reason I got water because I got a payment plan.
2 But I shouldn't have to have this payment plan. If
3 y'all -- if they do their job like they're supposed to,
4 then everybody wouldn't be up here right now.

5 The water is so poor. I tell you, you need to
6 go out there and live for just a half a day, not a whole
7 day, a half a day, and then you would see what I'm
8 talking about. You know what I'm saying? Like I told
9 you right now, I wouldn't give that water to -- my wife
10 has got a little small dog and we don't even give her
11 the water because the water is just that poor. You know
12 what I'm saying? And I've been -- and it's been like --
13 I've got a water softener in my house and the water is
14 still poor.

15 **CHAIRMAN GRAHAM:** Thank you, Mr. Davis.

16 **MR. MAY:** Thank you.

17 **CHAIRMAN GRAHAM:** Is there anybody else that's
18 in the audience that has to get out of here in the next
19 half hour or so and get back to work? If so, please
20 come up front, we'll let you speak. If not, we're just
21 going to go through the list as Public Counsel has it.

22 Okay. Mr. Kelly.

23 **MR. KELLY:** I apologize. Is it Wellar Miller?
24 Whereupon,

25 **WELLAR MILLER**

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

4 **DIRECT STATEMENT**

5 **MR. MILLER:** Yes. I'm Wellar Miller. I live
6 at Arredondo Farms, 7117 Archer Road, Lot 2205. The
7 water pressure out there is unreal. I hate to say it,
8 cows got more pressure than what I got. I mean, you
9 turn the cold water all the way on and you crack the hot
10 water. And my wife is a diabetic and she doesn't feel
11 the heat like everybody else, so she has to be really
12 careful. I have to take a shower before her due to the
13 fact of worrying about her burning herself. That's how
14 bad the pressure is.

15 And as far as drinking, and I need to drink
16 lots of water and she does too -- I don't know a horse
17 out there that would drink it. That's how bad it is.
18 It's really, really bad. You know, it's pretty bad when
19 a horse won't drink water because it's so bad.

20 I'm not happy with the pressure and what it
21 costs. It's unreal. I'm on a fixed income. I drove a
22 truck for 23 years. I have congestive heart failure and
23 they tell me I got to retire. I've worked since I was
24 six years old, and to sit up and do nothing hurts. It
25 hurts bad. But I can't do nothing. I got a pacemaker

1 defibrillator. Who's going to hire me? Nobody. I
2 don't read, I don't spell. But that's the way life is.
3 I can't afford a rate increase. I just can't afford it.
4 It's not there.

5 Arredondo gave me a break. I got the American
6 dream; I got a house. I got the American dream and I
7 love it. But if it wasn't for them people, I couldn't
8 do it. And the utilities are going to kill me? That
9 makes it fun. You know, all I want to do is fight for
10 my life. And when my son comes in from the United
11 States Navy, I want to be able to see him. And I'd love
12 to take him to dinner once in while, but he ends up
13 taking me to dinner because we can't afford it. And I'd
14 love to take him to dinner bad. That's all I've got to
15 say.

16 **CHAIRMAN GRAHAM:** Mr. Miller, I want to thank
17 you for coming.

18 **MR. MILLER:** Okay.

19 **MR. MAY:** No questions.

20 **CHAIRMAN GRAHAM:** Thank you, sir.

21 **MR. KELLY:** Ben Anderson.

22 Whereupon,

23 **BEN ANDERSON**

24 was called as a witness on behalf of the Citizens of the
25 State of Florida and, having been duly sworn, testified

1 as follows:

2 **DIRECT STATEMENT**

3 **MR. ANDERSON:** Hi. My name is Ben Anderson,
4 A-N-D-E-R-S-O-N. I live in Arredondo Farms at 7117
5 S.W. Archer Road, Lot 2629. I've lived there less than
6 a year now, but actually I've had over four years of
7 experience with Aqua. I used to live directly across
8 the street in Arredondo Estates about four years ago and
9 I had Aqua Utilities then. At that time I was not happy
10 with the quality of the water; however, I was paying \$30
11 to \$40 a month for it. And when I moved into Arredondo
12 Farms this year, the bill had gone up to on average
13 \$120, which means my water bill quadrupled in four
14 years. And I don't know any other utility that
15 increases at that rate.

16 I'm also very unhappy with the quality of the
17 water. It's ruined almost every dish I have, plates,
18 silverware, glasses. Even after repeatedly washing
19 them, trying to use any type of, any type of soap or
20 cleaning product that will take off hard water, it
21 doesn't work at all. It's still there, and there's no
22 way to get rid of it even if you sit there and scrub it
23 all day. I've tried.

24 I've also had a lot of bad experience with --
25 we have low water pressure as well. Even, as other

1 people have said, when you turn the water all the way
2 on, it's very low pressure. And I don't think this
3 company should be allowed to ask for more money on top
4 of a rate that's already unaffordable for most of the
5 people that live there. Thank you. That's all I have
6 to say.

7 **CHAIRMAN GRAHAM:** Thank you, Mr. Anderson.
8 Mr. May.

9 **EXAMINATION**

10 **BY MR. MAY:**

11 Q Thank you, Mr. Anderson. Have you contacted
12 Aqua about the, your concerns with respect to hard
13 water?

14 A Yes, I have.

15 Q And when was that?

16 A I actually completed the survey. I was called
17 and gave them my feedback, and I said that was the, one
18 of the main problems was the hard water.

19 Q And approximately what date was that?

20 A That was probably in June. And they also had
21 contacted them about it and they came out to my house as
22 well.

23 Q Okay. Thank you, sir.

24 **CHAIRMAN GRAHAM:** Thank you.

25 **MS. BRADLEY:** Mr. Chairman.

1 **CHAIRMAN GRAHAM:** Yes. Hold on.
2 Mr. Anderson, just a second, please.

3 **EXAMINATION**

4 **BY MS. BRADLEY:**

5 Q You said you completed a survey?

6 A Yes.

7 Q Whose survey was that? What kind of survey
8 was it?

9 A It was a phone survey, I believe.

10 Q Was it one that -- who, who did the survey
11 then?

12 A I believe it was Aqua.

13 Q Okay.

14 A I'm not 100% sure.

15 Q Okay.

16 A It was regarding their service.

17 Q Okay. Thank you.

18 **CHAIRMAN GRAHAM:** Thank you, sir.

19 Mr. Kelly.

20 **MR. KELLY:** The next speaker is Derrick Boles.

21 Whereupon,

22 **DERRICK BOLES**

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

DIRECT STATEMENT

1
2 **MR. BOLES:** Yes. I live at Arredondo Farms,
3 Lot 2629. And I just wanted to say I've lived there
4 almost -- well, under a year. And you can't even wash
5 your clothes there. Like your dark colored clothes,
6 just it takes all the color out of them so it ruins your
7 clothes. Your skin is very dry from all the calcium in
8 the water, so you have to spend all this money on
9 lotion. And you can't even wash your car because your
10 whole car is completely like, has this white film over
11 it and like it covers it completely. And I really,
12 truly believe that Aqua should be ashamed of themselves
13 for how they're treating these people.

14 And, I mean, I'm 30 years old and I've had
15 water. And my mom, she lives in Trenton and it's a well
16 and she gets better water than I get. And that's just
17 ridiculous. And, you know, God don't like ugly. So
18 that's all I have to say.

19 **CHAIRMAN GRAHAM:** Sir, can I get your name
20 again? Can I get you to spell it?

21 **MR. BOLES:** Derrick Boles.

22 **CHAIRMAN GRAHAM:** How do you spell the last
23 name?

24 **MR. BOLES:** B-O-L-E-S.

25 **CHAIRMAN GRAHAM:** Okay. Mr. May.

EXAMINATION

1
2 **BY MR. MAY:**

3 Q Yes. Mr. Boles, are you a customer of Aqua?

4 A Uh-huh.

5 Q And is the account in your name?

6 A No.

7 Q Okay.

8 A But I pay your bill.

9 Q Could you tell me whose account that is in?

10 A Ben Anderson, the guy that just spoke up here.

11 Q Okay. Thank you. No further questions.

12 **CHAIRMAN GRAHAM:** Thank you, sir.

13 **MR. BOLES:** Thanks.

14 **CHAIRMAN GRAHAM:** Thank you very much for
15 coming down today.

16 Mr. Kelly.

17 **MR. KELLY:** Michael Burke.

18 Whereupon,

19 **MICHAEL BURKE**

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

23 **DIRECT STATEMENT**

24 **MR. BURKE:** My name is Michael Burke. I live
25 at 7117 S.W. Archer Road, Lot 131, in Arredondo Farms.

1 We've heard a lot today about sediment buildup, sewer
2 backup, and a lot of other problems with billing errors
3 and so forth.

4 Just to give you a little bit of background
5 where I come from in this, I've lived in Arredondo Farms
6 for close to six years. Out of that six years, I spent
7 five years as the only maintenance man at Arredondo
8 Farms for three out of the five. Everything these
9 people are telling you about sediment buildup, sewer
10 backups, and everything else is well documented by Aqua.
11 Aqua has known about these problems. They've done
12 nothing with all of their rate hikes to try to fix these
13 problems in all of this time that I've been there.

14 Okay. I've been called out in the middle of
15 the night to take care of sewer problems, to take care
16 of water problems. And water problems, when I get to
17 the house at 4:00 in the morning and we do the check,
18 the problem isn't on our side of the water meter, the
19 problem is on Aqua Source's side of the water meter.
20 Aqua won't respond until maintenance from Arredondo
21 Farms responds first because of the dividing line of the
22 water meter. Their first response to everything that
23 goes into their phone calls for problems is "Arredondo
24 Farms, you check it out first. It's not our problem."

25 Every time you call their customer service, it

1 does not matter what day it is, what time of the night
2 or what time of the day it is, or who it is that's
3 calling, their people are rude. Not only the first line
4 people that you get on the phone, but the people that
5 are backing those people up are rude. I have never,
6 ever in my life encountered people as rude as Aqua
7 Source has working for them. And the only thing I can
8 surmise from that is they're doing it just to make you
9 mad enough to get off the phone and they don't have to
10 deal with your problem.

11 Now sediment buildup, just an example of
12 sediment buildup that these people are talking about.
13 Everybody is telling you come out here and spend a half
14 a day out here and you can see for yourself what's going
15 on. Come over to somebody's house and get a glass of
16 water, okay, and let it sit on the counter, don't drink
17 it, let it sit on the counter for about two minutes and
18 look at the bottom of the glass. Okay? There is a
19 sediment in this system that has been there for a long
20 time and they have done absolutely nothing to address
21 that issue or try to do anything about it, and yet they
22 keep getting these rate hikes saying "We're going to
23 make it better." Well, it's not getting any better.
24 It's getting worse, Mr. President. Okay?

25 This has got to be stopped. And the only

1 recourse we have is to stand up here in front of you
2 people, the Public Service Commission, who regulates
3 them and says, no, you can't or, yes, you can have this
4 money that you're asking for. And we're all sitting
5 here saying, "Don't give it to them because they ain't
6 earned the right to have it." It's as simple as that,
7 gentlemen. They have not earned the right to have a
8 rate increase. They have not done anything in the past
9 that their previous rate increases said they were
10 supposed to be going to do. They've not done it. Why
11 do we want to give them another one now?

12 An example with sediment buildup, like I
13 started to tell you about, we go to some of these houses
14 that have got poor water flow. Okay? We go in there
15 and Aqua Source's response to this whole sediment
16 problem is, and the low water flow in the houses is,
17 "Well, these houses are so old, okay, and they need to
18 drain their water heaters at least once a year." Just a
19 rhetorical question to all of you up there, do you drain
20 your water heaters in your house once a year? Do you
21 flush your water heaters in your house once a year?

22 **CHAIRMAN GRAHAM:** The answer to that question
23 is no.

24 **MR. BURKE:** Well, Aqua Source expects us to do
25 that. We get, they get a house that goes vacant, okay,

1 somebody has been in there for a year or so, they get a
2 house that goes vacant, and before they put it back up
3 they send you in, you turn off all the water, you drain
4 the water system down, you open up the water heater by
5 taking out the element, and, by the way, once you got it
6 out, you might as well throw it away because it ain't no
7 good anyhow and put a new one in while you're at it,
8 okay, because the sediment has built up among the coil
9 on that so bad that it's practically already all shorted
10 out, or in a lot of cases you've got to go replace it
11 because it has shorted out from the sediment. All
12 right? And you stick a shop·vac hose in the opening and
13 you suck out the sediment from the bottom of the water
14 heater, because the water heater is the low point in the
15 system. Okay? That's the entry point for the water to
16 the house, it comes through the water heater and tees
17 off at the water heater, your cold water supply does.
18 But you fill up your water heater first before it gets
19 out into the lines of the house. Okay?

20 Every time the water heater is shut off, where
21 does that sediment go? Because there's no pressure
22 keeping it anywhere, it settles back in the low points
23 of the system, blocks up the whole system in the house.
24 Okay? It gets stuck inside the small crevices and in
25 small orifices and things and in places where lines go

1 from three-quarter inch down to half-inch. Okay? It
2 clogs up in those areas. It clogs up on their faucets.
3 Anywhere where it can be constricted, it clogs up the
4 lines, cuts down on the water pressure. This is all
5 sediment coming from their system.

6 Okay. You suck out -- we had a 26-gallon
7 capacity shop·vac. Okay. We'd stick that hose in there
8 and we would suck out a good two to four gallons worth
9 of just pure white sediment from the bottom of the water
10 heaters. And I'm talking in houses no more than four
11 years old. I'm talking in houses two to three years
12 old. And I'm talking about the exact same sediment
13 buildup in houses seven to ten years old. Okay? And
14 I'm talking, you can go in and suck at least a
15 quarter -- a quart out of a house that's just been
16 freshly put in six months ago.

17 **CHAIRMAN GRAHAM:** Mr. Burke, you're running a
18 little over time.

19 **MR. BURKE:** Well, then I'll reserve what else
20 I have about sewer backups for another time. I would
21 like someone else to speak.

22 **CHAIRMAN GRAHAM:** I was going to say, sir,
23 please stay. We'd like to hear the rest of it at the
24 end, but we've just got to allow for everybody to get
25 through this.

1 and I would ask for some guidance. Are you all going to
2 be filing prefiled direct testimony?

3 **MR. BERNSTEIN:** Not prefiled direct testimony,
4 but we have testimony that's going to be given today by
5 employees.

6 **MR. BURKE:** Excuse me, Mr. May. I am, I am
7 testifying here today as a resident.

8 **MR. MAY:** Absolutely. Absolutely.

9 **MR. BERNSTEIN:** He's not -- right. There are
10 --

11 **MR. BURKE:** All right. And there's the
12 maintenance man he's got, not me.

13 **MR. BERNSTEIN:** There are, there are
14 representatives, if you will, of YES that are going to
15 speak today as they did in Tallahassee. Because of
16 time, we're going to let everyone else here go first, if
17 that's okay.

18 **MR. MAY:** That's fine.

19 **CHAIRMAN GRAHAM:** Hold on just a second. Are
20 you finished with Mr. Burke?

21 **MR. MAY:** I am. I'm sorry. Yes.

22 **CHAIRMAN GRAHAM:** Thank you, Mr. Burke.

23 **MR. BURKE:** Thank you, Chairman.

24 **CHAIRMAN GRAHAM:** Thank you very much.

25 Sir, go ahead.

1 **MR. MAY:** Yes. It's the classic issue when
2 you're, when you're dealing with prefiled direct
3 testimony, we have not had an opportunity to discover
4 any of the, any of the underlying facts that may go into
5 their testimony. We would reserve the right to call
6 them to the hearing in December after conducting
7 discovery and cross examine them at that time.

8 **CHAIRMAN GRAHAM:** I don't have a problem with
9 that.

10 **MR. BERNSTEIN:** None at all.

11 **CHAIRMAN GRAHAM:** Mr. Kelly.

12 **MR. KELLY:** Jack Waters.

13 Whereupon,

14 **JACK WATERS**

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

18 **DIRECT STATEMENT**

19 **MR. WATERS:** Good afternoon. Thank you for
20 giving me the opportunity to share my experience of the
21 service and the quality of service from Aqua Utilities.
22 I'm going to narrow the scope of my comments. I share a
23 lot of the angst (phonetic) and a lot of disappointment
24 than the others as far as billings go, but I'm going to
25 narrow the scope of my comment to the quality of

1 service. And then narrowing again, I'm going to tell
2 you about the quality or lack of quality of the effluent
3 and wastewater service.

4 Here's my specific story. Twice within one
5 year, the dates are February 20th, 2010, and
6 January 17th, 2011, I woke up, and these are, I want to
7 say they're both weekend mornings, my memory has failed
8 me here, I woke up and visited the restroom and
9 immediately found a toilet full of raw sewage,
10 immediately found a bathtub full of raw sewage. Going
11 to the second bathtub, bathroom in my house, which is a
12 3/2, three bed, two bath, I found a toilet full of raw
13 sewage, I found a bathtub full of raw sewage, and raw
14 sewage overflowing that tub and down into my air
15 conditioning and heating register in the bathroom floor.

16 Well, there's not a lot of choice there. The
17 decision is easy. I called -- the first time I called
18 Roto-Rooter, who came out to my property. I live at
19 Number 89, Arredondo Farms, 7117 S.W. Archer Road. I
20 called Roto-Rooter, they came out. They went out pretty
21 far. I couldn't get a statement of how far that auger
22 went, but -- or their snake, but he said he went from my
23 cleanout under the house out to the street. Now I
24 believe the street he's talking about is a street that
25 runs north of my property and intersects the street I

1 live on, and that's four houses away. He said, "I'm not
2 sure where your, your sewer line ends and the sewer line
3 becomes the park's sewer line." He says, "I think I was
4 there, and I had to go out into that line to actually
5 clear out what was blocking it." He said, "I can't yet
6 tell you even what that was." Well, long story short, he
7 fixed the problem, and that was on February 20th, 2010.

8 One -- 17 January 2011, I had the same
9 wake-up, exactly the same scenario. Again, tubs and
10 toilets full of raw sewage. I didn't have the overflow
11 into the heating and air conditioning vent this time.
12 This time I called the local plumber, it was B&H
13 Plumbing, and they did basically the same thing. They
14 were actually a little better than Roto-Rooter. They
15 went out, and again without out having a written record
16 of it, the plumber nonetheless told me that he went out
17 far enough that he couldn't have been on my property
18 when he was undoing these blockages. And I don't know
19 where your responsibility ends and the park's begins,
20 but he didn't think it was on my line anywhere. And
21 those are the two stories I have.

22 I find it a little ironic that I'm giving you
23 this testimony at the Board of Health, who I should have
24 called immediately, immediately, and have them come out
25 and deal with it. But, anyway, I wish someone from the

1 Board were here. But that's, that's my story. That's
2 my experience in a nutshell. I've lived there 12 years.
3 I've owned in my life eight houses: Two condos, six
4 freestanding homes on property. I have never, ever had
5 this experience before I moved into Arredondo. And
6 that's all I have. Thank you very much.

7 **CHAIRMAN GRAHAM:** Mr. Waters, did you, did you
8 contact Aqua Utilities about these problems?

9 **MR. WATERS:** No, I didn't. I was just
10 thrilled that I had, after cleaning up, that I had the
11 service back. But it's happened twice. And I may not
12 contact them the next time it happens; it may be my
13 lawyer. Thank you.

14 **CHAIRMAN GRAHAM:** Hold on. Hold on just a
15 second, sir.

16 Mr. May.

17 **EXAMINATION**

18 **BY MR. MAY:**

19 Q Thank you, Mr. Waters. Did you say that you
20 own your home now?

21 A I will in 2014. Yes, I am an owner.

22 Q And you are leasing the land on which the home

23 --

24 A Right. That's correct.

25 Q From YES Communities?

1 A Yes, sir.

2 Q Okay. Thank you. No further questions.

3 **CHAIRMAN GRAHAM:** Thank you.

4 **MR. KELLY:** Regina Lewis.

5 **MS. LEWIS:** Good afternoon.

6 **CHAIRMAN GRAHAM:** Welcome, Ms. Lewis.

7 Whereupon,

8 **REGINA LEWIS**

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

12 **DIRECT STATEMENT**

13 **MS. LEWIS:** Yes. My name is Regina Lewis.

14 I'm a resident at 721 -- I mean, 7117 Southeast --
15 Southwest -- I'll come back in a minute. I'm on oxygen,
16 so I'm getting kind of warm. That's why I asked to
17 leave out. And I'm going to mention that now, that I'm
18 talking the -- if I sometimes run out of the distilled
19 water and I use just the water from the house faucet, it
20 plugs up the oxygen equipment so bad because that, like
21 you said, that calcium is so thick until, you know, I
22 found myself like losing air. And the nurse, she told
23 me, she said, "Don't put that water in there, period."

24 And I've got a few things jotted down.

25 Basically I moved there, I've been there a couple of

1 years now. Well, more than a couple of years now. And,
2 but the management has really been behind Aqua
3 situation. I've had problems with them when I came in.
4 Like they say, the customer service is very rude. I go
5 a long time -- I know to go over their customer service
6 to the manager. The managers have been pretty good.
7 I'm not going to say nothing bad about the managers.
8 But the customer service that answers the phone are very
9 rude. They are.

10 My water situation is, like I say, the
11 cloudiness of the -- you can, like he said, you try to
12 duck (phonetic) the water but you try to use -- if
13 you're using the ice out of the -- my refrigerator has
14 the icemaker in the door. And like he say, once you
15 pour the drink on it and get it cool and just let your
16 glass sit, you be like, oh, my God, what I done drunk?
17 Because at the bottom of is so thick, you know. And
18 like I use a clear jar type glass, and it's just so
19 cloudy, you know. And it's so terrifying because I lost
20 my father a while back, not out there, but he had, also
21 had pump water. And I thought about all the stuff that
22 he used to be -- I used to fuss at him about drinking
23 that water, and I never dreamed I would have moved in
24 any area where I had to see that same water. And I see
25 that water and I be like, oh, my God. It's so

1 terrifying because of the fact, like you say, just walk
2 up to your dishes if you leave them in the water, you
3 know, with detergent, you know. And then you, you know,
4 wash them and you look at your dishes coming out the
5 dishwasher and you're like, oh, my God. And then you
6 got the grandkids and kids, you know. And you just look
7 and you just be like, oh, my God, this is so terrifying.

8 Because I called the other day because they
9 had a water, something about the water. And she said,
10 "Well, it's all right now." And I looked at it and I
11 went -- it looked worse now than it did before, you
12 know? It's so cloudy. It's just like it's terrifying
13 when you put it in a glass. You be like, huh-uh, you
14 better not do this because it's way -- don't drink it.
15 If you drink it, you'll be pushing (phonetic) yourself
16 out.

17 But the bottom line is with the bill
18 situation, they know my name because I call them every
19 time. So they know Regina Lewis. So you ain't got to
20 really ask them; they know it. Because after I get
21 these humongous bills, what they do, they get, they say
22 I'm aware of it. So then they bring it all the way down
23 to like \$77 or fifty some dollars. Which I don't even
24 own a washer and dryer because when I first -- not that
25 I can't afford one, but I had to put it out my house

1 because I'm thinking that this is what's causing these
2 humongous bills, \$400 and \$600 bills.

3 And then they tell me -- well, I told my
4 daughter, stop paying it through the phone because
5 evidently it's their -- it's not as much as -- I don't
6 know if they're stealing or they just got somebody
7 illiterate that's doing their, keeping their records or
8 what. Because, you know, I pay bills over the phone on,
9 you know, through the card, debit card, and there's no
10 recording. The next thing I know there go a bill
11 (phonetic). And then they say, "Oh, no, Ms. Lewis. You
12 didn't pay it." You know, I know at income tax time,
13 anybody that got a little income tax money, they're
14 going to try to at least cut off two or three bills, you
15 know, just add some money in there. So she gonna tell
16 me that, "Oh, no. That was, that bill wasn't included."
17 Yes, it was. But then you got to call all the bills in.
18 And so I always make the management over at the trailer
19 park aware when they go to fluctuating back up.

20 And it's terrible how they do. They bring it
21 down because they see I'm raising sand about the bill.
22 Oh, there go that lady, that Regina lady again. You
23 know, that's what they said. There she is again. So
24 then after a while my bill comes down for a little
25 while. And then I was going to move. I was going to

1 move, and it came down for a little while. So I said,
2 well. I really like it because it's out in the rural,
3 it's a nice area. I like the, I love the trailer, I
4 love the area and everything.

5 But just like they said earlier, it's sad when
6 you have to say that a water bill is higher than a light
7 bill. And by me being on oxygen, my air is on at all
8 times and it's constantly. So any time you got a water
9 bill matching your light bill, that's sad. And you
10 ain't even -- and I got a garden tub. I can't do
11 nothing but decorate it. I'm scared to take a bath in
12 it, you know. I'm serious. Because of the fact that
13 it's -- your water bills -- there's no excuse for it in
14 my home. There's no excuse for it in my home. Because,
15 like I say, I don't own a washer and dryer, you know. I
16 don't even own a washer and a dryer.

17 And one thing I wanted to mention about the
18 water pressure. Taking a shower, big as I am, I'm a big
19 woman, you know, you got to wait until you dribble off
20 you, you know. And that's sad. I'm serious. You know,
21 I'm wetting and soaping myself up, and I just got to
22 wait until I get a good dribble. That's sad. I mean,
23 I'm, you know, it's like to me, it's your water
24 pressure, the calcium in your water, and these customer
25 service people with their rude attitudes. And it's just

1 like to me somebody illiterate that's, y'all accounting,
2 y'all accounting people, they like they, they're not
3 doing a very good job. They're not doing a very good
4 job at all. Because I know bills have been paid, they
5 have cheated me.

6 And because, like you say, when you got other
7 things and other problems because -- and then I'm
8 wondering now, because I ain't been had to be on no
9 oxygen, just since I've been out there. Now they tell
10 me I need oxygen. I'm like, okay, why do I need oxygen?
11 It might have been something in the water all the time.
12 I'm serious. It might have been something in the water.

13 So I just pray that you all touch -- that God
14 touch your hearts, that y'all do right about us. And
15 this part about paying for your machines, I'm a business
16 woman also, entrepreneur. If I want to build up my
17 business, I buy building machines, but I don't fluctuate
18 with the prices of my clientele. I don't do it and
19 y'all shouldn't do it. You know, I mean, if you've got
20 to get a better equipment to make your money come in
21 quicker or whatever, that's good, but don't allow us to
22 pay for what you've got to do. You know, that's not
23 even business at all.

24 **CHAIRMAN GRAHAM:** Thank you, Ms. Lewis. Thank
25 you for coming.

1 MS. LEWIS: All right.

2 EXAMINATION

3 BY MR. MAY:

4 Q Ms. Lewis, just a couple of very quick
5 questions.

6 A Uh-huh.

7 Q I did not catch the lot number.

8 A It's 2639. And don't y'all make my bill go up
9 because I came up here.

10 Q We will not.

11 A Because I'm going to tell you.

12 Q Is the account in your name, Ms. Lewis?

13 A Yes, it is, sir.

14 Q Thank you.

15 CHAIRMAN GRAHAM: Thank you, Ms. Lewis.

16 MS. LEWIS: All right. Thank you all.

17 MR. KELLY: Mr. Chair, the next speaker just
18 came in and has to be back at work at 3:00.

19 MS. HELM: She late. That's not fair.

20 MS. FILER: It's only going to take me five
21 minutes.

22 MS. HELM: Let everybody talk. She's been
23 here -- she's late, man. That's not fair.

24 CHAIRMAN GRAHAM: It's your call, Mr. Kelly.

25 MS. FILER: If she needs to go up, let her go.

1 It takes me about five minutes to get to work. Let her
2 go ahead and go up and then I can go right after her.
3 That will be fine.

4 **MR. KELLY:** Ma'am, would you like to come up?
5 Whereupon,

6 **JOYCE HELM**

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

10 **DIRECT STATEMENT**

11 **MS. HELM:** I sure will. My name is Joyce Helm
12 and I stay at Arredondo Farms, 2621. This is my second
13 time at a meeting. The last one they had, they only
14 sent papers out to about five people. There was only
15 five people speaking. Now there's a lot of people. So
16 I hope they can be heard because they didn't send
17 notices to everybody last time. It was downtown, the
18 last meeting that I came to it. And I'm to this one
19 because the water is really bad and the prices is high.
20 If you have a visitor, your water bill is going to be
21 higher, just a visitor for one night. And it's just me
22 and my husband, and we pay like almost \$150 for water.

23 And when my daughter comes for a couple of
24 days, she live in Boynton, and when I wash her baby
25 bottles out and put them in to boil them, you should

1 have seen the baby bottles. It had film all in the baby
2 bottles.

3 And let me tell you, okay, and I always have a
4 problem with my toilet. I'm always calling them to come
5 fix the flap because it have all that debris in the
6 bottom of the toilet. Not in the toilet where you
7 flush, in the bowl.

8 And when I first moved there I did have a hard
9 time getting a bill every month. I will call every
10 month. And I asked the lady about three months in
11 calling, I said, "Ma'am, how many times did I call?"
12 "Twelve." She said I called her 12 times. I said, "Do
13 you think I just called to say hi? I want a bill."
14 Because I heard when you first move there, if you don't
15 get a bill, they wait months and months to give you a
16 bill. That way it's high and you can't pay it. So I've
17 been here a year, but we've been telling them we're
18 moving because of the water because it shouldn't be as
19 high as your light bill. It's just me and my husband
20 and it's higher than the light bill every month. I've
21 never had a 50 something dollar light -- water bill.
22 You know, that's just ridiculous, man. You know, this
23 is -- I don't want to move because I like where I live
24 at. It's quiet. I love it, you know. The people are
25 nice. It's just that water.

1 When you take a bath, by me being dark, I look
2 white. I look white. I started to come here like that
3 too, but I had to put lotion on my legs. It's
4 ridiculous, man. And when your grandkids come, you got
5 to tell them, "Oh, don't do, don't use so much water,"
6 you know, because you're gonna to pay that high water
7 bill. Sad, man, that they getting fat off water.
8 They're getting rich off water; bad water at that. I
9 can see if it was GRU or, you know, I wouldn't mind
10 giving them my money. Because when I used to live
11 somewhere else, the water bill and the lights was
12 together, it was, what, 140. Now the water bill is 140
13 and the light bill is 170 something. You know, that's
14 just ridiculous, you know. It's just me and him, and we
15 have this problem with the water.

16 And when I first moved there, I had
17 aquariums. I had fishes in there. And I never seen
18 fish that had babies. It had like a lot of little
19 babies in there. Soon, the next day, all the fish was
20 dying. I had one fish. Right today I got one fish
21 left, and that is ridiculous. But the aquariums, they
22 got so much crud around the, the filter, it's
23 ridiculous. I'm surprised that fish is still living, I
24 really am. And it's ridiculous.

25 And I think I done said enough. And I hope

1 y'all can hear us because they wanted a raise last time
2 and I think they got it. For what, I don't know. You
3 know, I really don't know. Yes, I remember some of
4 these people and I remember that guy back there. Yes.
5 He was, he was here last time. But he called himself
6 taking care of our bill, but I said, "Baby, they taking
7 care of that bill, but they gonna get it back down the
8 line by raising our bill higher," and which it is. One
9 something a week -- a month for two people. I think
10 that's ridiculous.

11 And we are -- I have been looking for another
12 place because of the water. I don't want to move. My
13 husband, he hate moving. That's why we've been here
14 over a year. We was going to move out a couple of
15 months later, but he didn't want to mess up his credit,
16 you know. But our year is up. But I've been telling
17 them that I was moving. It's not because of them, it's
18 because of the water really. It's because of the water.

19 And I done said what I have to say. And I
20 hope they don't get a raise. I hope they can pay us
21 back some of that money they took from us.

22 **CHAIRMAN GRAHAM:** Ma'am, hold on just a
23 second.

24 **EXAMINATION**

25 **BY MR. MAY:**

1 Q Thank you, Ms. Helm, for coming out. Just to
2 make it clear for the record, is the account now in your
3 name?

4 A Yes. It's in my name.

5 Q Do you recall notifying Aqua back in --

6 A I called y'all so many times about that water.

7 Q Do you recall notifying Aqua that you had
8 moved to Titusville?

9 A No. They keep saying I moved. I said, "How I
10 keep moving and I have to keep calling y'all every
11 month?" They got me moving to Titusville, but I don't
12 understand that. I had to call them about 12 times to
13 get my bill right. And during that time they started
14 billing me months and months. And when I did get it, it
15 was like \$500 and \$600. Yes, y'all had it all wrong.
16 Every month I would call. Somebody wouldn't put it in
17 right.

18 And one time I did call when I first found the
19 water was bad, you know, they got smart with me. They
20 said, "Well, you don't have to use it." I said, "You're
21 right. But I have to flush the toilet and wash my
22 dishes." And there was times when we was, my husband
23 was just working. We couldn't even afford bottled
24 water. We couldn't afford to buy bottled water because
25 of Aqua.

1 **CHAIRMAN GRAHAM:** Hold on, Ms. Helms. Just
2 hold on just a second.

3 **BY MR. MAY:**

4 **Q** You spoke at the last customer meeting?

5 **A** I sure did, and it looks like nothing was
6 done.

7 **Q** Following that customer meeting, did Aqua
8 reach out to you and try to address --

9 **A** Yes. They know they was wrong, so they called
10 theirselves giving us some credit back on the bill. But,
11 hey, it's still high. It's not like five or 600 no more
12 because I'm getting a bill every month, but there was
13 times y'all wasn't sending me a bill every month. I
14 have to call and call.

15 **MR. MAY:** No further questions.

16 **CHAIRMAN GRAHAM:** Thank you, Ms. Helm.

17 **THE WITNESS:** Thank you.

18 **MR. KELLY:** Mr. Chairman, you need to swear
19 her in.

20 **CHAIRMAN GRAHAM:** Oh, I need to swear you in.

21 (Witness sworn.)

22 Thank you, ma'am.

23 Whereupon,

24 **ANNETTE FILER**

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

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

3 **DIRECT STATEMENT**

4 **MS. FILER:** My name is Annette Filer,
5 F-I-L-E-R. I live at Arredondo Farms, 7117 S.W. Archer
6 Road. My complaint is that with the water, it's just
7 like everyone else, but I've also noticed there's a
8 smell that's with the water. After it has been sitting
9 for a couple of days, and if you go and try to take the
10 top off of it, there's a smell. And not only there is a
11 smell, this is a residue that you will find on the top
12 of it also.

13 I am on a fixed income. My daughter and her
14 three kids live with me. They're ages of ten,
15 three, and one. And when you have a three-year-old come
16 to you and tell you that the water smells and she don't
17 want to take a bath, there's a problem.

18 I work every day with chemicals. So when I go
19 home, I don't want to have to smell water also. The
20 clothes, when they come out of your washing machine,
21 they're hard, extremely hard. Your dishes, when they
22 come out of your dishwasher, there's a sediment, there
23 is a buildup and it's like a soap scum. But if you let
24 your water sit like your bottled water right there, just
25 let it sit for a day, go back, take that top off, get

1 that whiff of it. It's not a good smell at all.

2 My only concern is that I have a ten-year-old.
3 She suffers from eczema. And each time that they take
4 their bath, each time that they get out and dry off,
5 because their skin is becoming so dry, her eczema is
6 flaring up more and more. So as of this month we're
7 going to have to take her back again because of her
8 eczema is flaring up. So we're constantly, constantly
9 taking her in because of her eczema.

10 And, like I say, it's just the smell that
11 bothers me, and I don't like the way it smells. So --
12 and if it's smelling like that and we're drinking it,
13 although we're supposed to be on a boil notice now,
14 because when you're boiling it, that tells me there
15 should be, there's something definitely wrong with it
16 there. Like I say, I work with chemicals every day with
17 the State Materials Office, and I don't want to have to
18 go home and smell my water after smelling chemicals all
19 day, so.

20 **CHAIRMAN GRAHAM:** Thank you, ma'am.

21 **MR. MAY:** No questions. Thank you for coming.

22 **CHAIRMAN GRAHAM:** Thank you.

23 **MR. JAEGER:** Chairman, can I have one
24 question?

25 **CHAIRMAN GRAHAM:** Yes, you may.

EXAMINATION

1
2 BY MR. JAEGER:

3 Q I didn't get the lot number and --

4 A 2016.

5 Q 2016.

6 A Uh-huh. Six.

7 Q And the smell, is that rotten eggs or chlorine
8 or --

9 A It's not chlorine. The smell is more like --
10 my granddaughter describes it as someone with bad feet,
11 she says.

12 CHAIRMAN GRAHAM: Is that the scientific term?

13 MS. FILER: That's what she -- it has a smell.
14 There's a little, there's a little tinge of an odor
15 that's there. And sometimes when it's coming out of the
16 faucet you can actually smell it. Like I say, when
17 we're running the bath water, you know -- and it's not
18 an excuse that she don't want to get in there to take
19 the bath. She loves taking a bath. But you can
20 actually smell it. And her -- the thing is if she
21 smells something that smells bad to her, she don't want
22 to be bothered with it.

23 And like I say, each time that they get out,
24 their skin is really dry, and we're constantly, you
25 know, keeping something on because they're constantly

1 itching all the time. You know, there's no rash there
2 but they're constantly saying that they itch, they itch,
3 they're itching, they're itching. So when that's going
4 on, to me that's a problem.

5 **MR. JAEGER:** That's all I have, Chairman.

6 **CHAIRMAN GRAHAM:** Thank you, ma'am.

7 **MS. FILER:** Thank you.

8 **CHAIRMAN GRAHAM:** We -- if there's anybody
9 that has to leave and doesn't have time to sit here, if
10 I can get you to come up to the front row. We're going
11 to go until about 3:00, then we've got to take about a
12 five- or ten-minute break so the court reporter can rest
13 her fingers. Every two hours we've got to take a break
14 to rest her fingers. So if there's anybody that's got
15 to leave, please come on up. We'll do you now.

16 Sir, please, please come sit in the front row
17 there.

18 Whereupon,

19 **DONALD HAINLEY**

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

23 **DIRECT STATEMENT**

24 **MR. HAINLEY:** Yes. My name is Donald Hainley,
25 H-A-I-N-L-E-Y. I live at 7117 S.W. Archer Road, Lot

1 2104.

2 The first thing I'd like to find out about is
3 my bill. I look at my bill -- excuse me. I'm a
4 disabled Vietnam vet. I've got to use my specs.

5 **CHAIRMAN GRAHAM:** Okay, sir.

6 **MR. HAINLEY:** I look at my bill and I see
7 where I'm charged with water base facility charge, water
8 at 0 rate, and then I'm charged again with water base
9 facility charge, water at current rate, and the same
10 thing with the sewage. Why am I being charged double?
11 I don't understand that. Could somebody explain that to
12 me?

13 **CHAIRMAN GRAHAM:** Do you have an e-mail
14 address?

15 **MR. HAINLEY:** Yes, I do.

16 **CHAIRMAN GRAHAM:** Can you give it to us?

17 **MR. HAINLEY:** It's Donald Hainley.

18 **MS. HAINLEY:** No, it's not. It's Hainley,
19 H-A-I-N-L-E-Y, Donna, D-O-N-N-A, at Yahoo.com.

20 **MR. HAINLEY:** That's my wife.

21 **CHAIRMAN GRAHAM:** I'm sorry. What's the tail
22 of that?

23 **MS. HAINLEY:** Yahoo.com, all small letters.

24 **CHAIRMAN GRAHAM:** Okay. I don't know if they
25 have the answer for you right now, but any questions you

1 have, you can go ahead and say them now and I'll make
2 sure they get back to you.

3 **MR. HAINLEY:** Yes. I'd just like to know why
4 I'm being double charged on everything.

5 **CHAIRMAN GRAHAM:** Okay.

6 **MR. HAINLEY:** I mean, my bill is \$80 a month.
7 When I lived in Pennsylvania, my water/sewage bill was
8 anywhere from \$36 to \$40 a month, and I don't understand
9 that. Because like everybody else, my electric bill is
10 110. My water bill is 80. That's, that shouldn't be
11 right when I'm being double charged for old charges and
12 new, and current charges. Why is that? I'd like
13 somebody to explain that to me.

14 **CHAIRMAN GRAHAM:** Okay.

15 **MR. HAINLEY:** And I've lived in Arredondo
16 Farms for two and a half years now. I've gone through
17 three heating elements in my hot water heater because of
18 the water, and Mike can tell you because he's the one
19 that put them in. I've gone through three coffee pots.
20 And to prove it, I've brought samples to where my wife
21 cleaned our coffee pot, and this is what came out of our
22 coffee pots. I'd like to give this to the president of
23 the company to take back to examine what this come out
24 of my coffee pot, if he'd like to.

25 **CHAIRMAN GRAHAM:** You can set it right there,

1 sir. We'll make sure he gets it.

2 **MR. HAINLEY:** Okay. And I'm like everybody
3 else, the water is nasty. I mean, it stinks so bad.
4 And it just -- you drink something out of a glass and at
5 the bottom of the glass there's all that little white
6 stuff at the bottom of it. It's, it's just totally --
7 and we're paying this kind of money for water? No.
8 This is ridiculous. So somebody has got to do something
9 about Aqua.

10 If I had a choice to where I could move to
11 another water company, I'd do it in a minute. But I
12 can't do it, so I have to live with this. That's all
13 I've got to say about it.

14 **CHAIRMAN GRAHAM:** Hold on just a second.

15 **EXAMINATION**

16 **BY MR. MAY:**

17 **Q** Mr. Hainley, thank you for coming out and
18 speaking today.

19 One, one quick question. What's the date of
20 your bill?

21 **A** This bill? This is for September 6th. This
22 is my new bill.

23 **Q** Thank you, sir.

24 **A** I mean, last month I paid \$83 for my water.

25 **Q** And is that water and wastewater or just --

1 A Water and sewage.

2 Q Water and sewage?

3 A But it's double, double payment on here. You
4 can see it. Current sewage charges at current rate,
5 \$16.83. Current sewage charges, \$49.03. I mean, that's
6 double payment there.

7 Q Mr. Hainley, Mr. Fox and --

8 A If you'd like to see this bill, I'm sure I'll
9 show it to you.

10 Q Absolutely. Mr. Fox will be, he's prepared to
11 talk with you after the meeting this evening.

12 A I won't be here. I to go.

13 Q Well, I think Mr. Stacey Barnes is in the
14 back. He'll be glad to go over your bill with you, if
15 you'd like.

16 A I'll do that because I have to -- I have other
17 things I have to do.

18 Q Sure.

19 **CHAIRMAN GRAHAM:** Thank you, sir.

20 **MR. HAINLEY:** Okay. Thank you.

21 **CHAIRMAN GRAHAM:** And, sir, contact us if you,
22 if you don't get the response to those questions.

23 **MR. HAINLEY:** I will.

24 **CHAIRMAN GRAHAM:** Thank you.

25 Ma'am.

1 Whereupon,

2 **LINDA LEE**

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

6 **DIRECT STATEMENT**

7 **MS. LEE:** My name is Linda Lee. The last name
8 is spelled L-E-E. The address is 3492 Breeze Way in
9 Lake Wales, Florida. I missed the meeting in Sebring.
10 That's why I'm here today. I'm kind of representing
11 myself, my husband and our neighbors. Our biggest
12 concern is not so much the quality of the water; it's
13 tolerable. There's times the chemical smell, the
14 chlorine smell is high. But it's the fees, the prices
15 that they charge. The bill has just about tripled in
16 the past year. When you live on a fixed income, it
17 makes it very hard to pay your bills. You've got the
18 same amount of money coming in every month and the bills
19 just keep going up and up and up. And there's no
20 improvement in service, no improvement in quality. And
21 all of the neighbors in Breeze Hill are retired. Some
22 of them have had to go out and get jobs so they could
23 pay their bills, which that's what I'm facing. It's
24 scary. Something has got to stop some place. But my
25 main concern is just their fees, the charges that we

1 get, and why they've doubled and tripled. That's all I
2 have to say.

3 **CHAIRMAN GRAHAM:** Thank you, ma'am. Thanks
4 for coming.

5 **MR. MAY:** No questions.

6 **CHAIRMAN GRAHAM:** Ma'am.
7 Whereupon,

8 **KIMBERLY MESSERSMITH**

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

12 **DIRECT STATEMENT**

13 **MS. MESSERSMITH:** I'm Kimberly Messersmith. I
14 live at 7117 S.W. Archer Road, Lot 2506, in Arredondo
15 Farms. I also have concerns about the quality of the
16 water as I care for an elderly lady in my home who is
17 now bedridden. I have to buy water for her because she
18 can't drink the water. It would just compromise her
19 health more.

20 And I too am noticing the odor. And it
21 doesn't smell like rotten feet; it smells like sewage.
22 The rates are also ridiculous. I lived in a two-bedroom
23 apartment and paid less than \$40 a month. I'm paying
24 \$130 a month for my, at my trailer for two people. It's
25 ungodly. Being on fixed incomes, like everybody else --

1 I mean, I'm young. I should be able to go out, have
2 dinner with my boyfriend. I can't. That's all I have
3 to say.

4 **CHAIRMAN GRAHAM:** Thank you, Ms. Messersmith.

5 **MR. MAY:** No questions.

6 **CHAIRMAN GRAHAM:** Thank you very much for
7 coming.

8 Ma'am.

9 Whereupon,

10 **BARBARA SACKS**

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

14 **DIRECT STATEMENT**

15 **MS. SACKS:** Hi. I'm Barbara Sacks. I live at
16 7117 S.W. Archer Road, Lot 2615.

17 My husband John and I have lived there for
18 almost 14 years. When we first moved in there, the
19 rates were tolerable. They were okay. But the last,
20 I'd say the last five, six years they have just, just
21 gone crazy with how much they charge.

22 You can't drink it. You can't give it to your
23 pets. As everybody else has stated, showering with it,
24 doing your laundry. It's ruined clothes; a good Gator
25 shirt of my husband's, which he was not happy about.

1 But just intolerable. And we say thank you and give
2 them a payment every month for making, you know, our
3 life pretty miserable.

4 So, like I said, when we first moved there --
5 I love living there, I love our home, but this is just,
6 just really ridiculous. And I write little notes on my
7 bills when I send them back to them. You know, "You
8 should be ashamed of yourself," and things like that.
9 But I hope you guys can help us. We'd really appreciate
10 it.

11 **COMMISSIONER BALBIS:** Thank you. Thank you
12 for coming. I have a question. Since you've lived
13 there for 14 years, have you seen a decrease in the
14 quality of the water?

15 **MS. SACKS:** Oh, absolutely.

16 **COMMISSIONER BALBIS:** Okay.

17 **MS. SACKS:** I mean, we never had to buy
18 bottled water before. We never had to do that. You
19 could drink it, you could make your sweet tea, you could
20 do all that. Taking a shower, you didn't have to do
21 extra conditioning for your hair, you didn't have to --
22 your clothes weren't ruined. And, you know, and then
23 the last, I'd say the last five, six years it's just
24 been bad.

25 **COMMISSIONER BALBIS:** So the past five years

1 there was a big change?

2 **MS. SACKS:** Yeah, five, six years. Yes. And
3 the rates have gone up considerably, along with poor
4 service. That's -- you know, I wouldn't mind paying it
5 if you could drink it, if you could, you know, live on
6 it and, and be okay and not be sick. Like, we have a
7 little dog. I wouldn't even give it to my dog,
8 Bullseye, to drink. So I hope you can help us.

9 **COMMISSIONER BALBIS:** Thank you.

10 **CHAIRMAN GRAHAM:** Ms. Sacks, hold on.

11 **MR. MAY:** No questions, Ms. Sacks.

12 **CHAIRMAN GRAHAM:** Thank you for coming,
13 Ms. Sacks.

14 **MS. SACKS:** Thank you.

15 **CHAIRMAN GRAHAM:** Yes, sir.

16 **MR. LEE:** You didn't swear me in. I came in
17 late.

18 **CHAIRMAN GRAHAM:** I can do that.

19 (Witness sworn.)

20 Thank you, sir.

21 Whereupon,

22 **PAUL LEE**

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

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DIRECT STATEMENT

MR. LEE: My name is Paul Lee. I live in Arredondo Farms. My wife and I both are senior citizens, retired, retired, fixed income, so we -- and we take care of some grandkids. I guess that's the norm for most black families these days. But we count every penny. I mean, we squeeze every penny. I'm disabled. I've had three back surgeries.

I was sitting down getting ready to come up here today and I told her to bring me something cold to drink. I thought it would have been tea or maybe Kool-Aid, I wouldn't see the color. But she brought me a quart jar of water that I thought it was lemonade or something. I asked her, "What is this?" Then I tasted it and I said, "I can't" -- on the way over here I went to getting a little nauseated and I know it was from the water because I hadn't eat breakfast, because I haven't even had coffee. We've replaced about four coffee makers. They last about three or four months.

The bowl tank, we've got one of those little float things that when it goes up and it slides up that little thing, after about four or five months you need to replace it. The sediment in the water hardens up on there, then the water is running all the time. So, you know, every, every little thing costs these days. You

1 can't live anywhere free.

2 And I understand when this gentleman was up
3 saying the replacement of equipment and upgrade, well, I
4 think he needs a refund. It hasn't helped the quality
5 of his water any. In the military we had a thing saying
6 CYA, cover your behind. In a business you project
7 problems so you can always have, almost have an inkling
8 of what you might face in the future so you don't have
9 to -- when those things do occur, you can start pulling
10 maintenance so they won't be overwhelming when they do
11 get there. The prices that they want to pass down to
12 the customers are just regular maintenance they could
13 have been doing.

14 We can't -- people that live in Arredondo
15 Farms are mostly blue collar workers, fixed incomes, and
16 it's a nice community. I like it. My daughter lives
17 around the corner. I'm close to my grandkids. But if
18 things don't happen with this, with the rates, and
19 especially if we get a rate increase, we're not going to
20 be able to afford to stay there. And we're buying the
21 trailer, but we're not going to be able to stay there if
22 we can't come to some kind of compromise on water
23 quality and water bill rates. Thank you.

24 **CHAIRMAN GRAHAM:** Hold on just a second.

25 **MR. MAY:** No questions. Thank you for coming

1 out.

2 **MS. LEE:** I boiled that water. I don't know
3 what happened to it, but I boiled his water.

4 **CHAIRMAN GRAHAM:** We are, we are going to have
5 to take a break now for about ten minutes so the court
6 reporter can rest, and we'll be back about ten after
7 3:00. Thank you.

8 (Recess taken.)

9 Okay. I think we're about ready to get
10 started again. Once again, I want to thank all of you
11 that are still here. I know we've already spent two
12 hours here, and it is warm, but I do thank you for your
13 patience and for, and for the things that you're saying.

14 Mr. Kelly, if you'll get us started again.

15 **MR. KELLY:** I apologize if I don't pronounce
16 this correctly. Khanh-Hung Chu.

17 Whereupon,

18 **KHANH-HUNG CHU**

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

22 **DIRECT STATEMENT**

23 **MR. CHU:** Good afternoon. My name is Khanh
24 Chu. The last name is Chu, C-H-U.

25 **MR. KELLY:** I'm sorry.

1 **MR. CHU:** I'm living at 7117 S.W. Archer Road,
2 and I'm the owner of two lots, 2627 and 2126. And I
3 have a lot of problems with our water company in the
4 past.

5 In the year 2007, before that they have their
6 own water meter reader. At that time in order to read
7 the water they need to send somebody there once a month
8 to read the water meter, but they don't do that. I
9 talked with, with the repairman. They said that usually
10 they are estimate like about twice a year. But they
11 estimate my lot for four months in a row, and they
12 always overestimate. They overestimate about two months
13 and they charge me a lot. And I'm the best customer
14 they've got because I don't pay month by month the
15 bills. I have extra money, so I usually pay advance
16 payment. I pay like \$600, \$700. So, like, I don't have
17 to pay my bill for about half a year, you know.

18 And when I call them, they, they always try to
19 toss me around like a toy (phonetic). They say, "Oh,
20 you complain too late. It's over a month, so I cannot
21 fix anything." And they say, "You want to talk to my
22 supervisor," so they don't fix anything. And so later
23 on I have to send letter to them. And I sent three
24 letters to them: The first time by email; the second
25 and the third time, by certified mail. I sent one to

1 their address, one to the mailing for, for the bills in
2 New Jersey, and the other in Pennsylvania, and they just
3 ignore my three letters.

4 And they cheat me when they changed the old
5 system of the water meter to the new water system. I'm
6 lucky on that day I saw the man who replaced the old
7 meter with the new one. So I write out a number of the
8 water meter reader because I know that they're
9 overestimating and giving the number higher than it's
10 supposed to be, you know. And the man, his name is
11 Frank Burnett. I have his signature.

12 **CHAIRMAN GRAHAM:** One more time, what's his
13 last name?

14 **MR. CHU:** His last name is Burnett,
15 B-U-R-N-E-T-T. And his first name is Frank, F-R-A-N-K.
16 I write down the number with the old meter, I write down
17 the number of that and asked him to sign his name on
18 that. And when the bill, they estimated the water, my
19 water for four months in a row, and when the four bill
20 coming up they stated the actual number and the
21 estimated number, they matched perfectly. And it's a
22 lot higher. In fact, they cheat me with -- when I
23 deduct from that, they cheat me with 37,090 gallons of
24 water, and I don't have (inaudible).

25 My first email I sent out on January 2007, the

1 second letter on February 2007, the third letter on
2 June 2007. And I got so mad. I mean, they just ignored
3 me. Yeah. And even with the meter reader, with the new
4 meter reader, that means everyone with a new system,
5 they say that they can drive a car and they can use the
6 remote control and read the water meter. They don't
7 need to send a person to go from one lot to another, you
8 know.

9 And when they start -- as I said, I own two
10 mobile homes. I collect a lot of things. The one I
11 live and the other I use like my storage place. And so
12 the one I don't live, I don't use a drop of water for
13 months. And when -- what the new meter reader does,
14 they send me a bill. The first bill was 100 gallons of
15 water. So they cheat me again. They say that I used
16 100 gallons of water.

17 And one time -- I live in one mobile home and
18 save the other for my storage place. And one day I
19 found out that my water pipe is broken. And so I
20 called -- I know it sounds stupid. I don't know that
21 you can go to, to go outside and just use the pliers and
22 twist the switch and you can turn the water off
23 completely. I didn't know at that time. I thought that
24 somebody from the water company must go and knock
25 something, you know, so you can turn the water off, you

1 know. So I give them a call right away. I said, "It's
2 an emergency. Please tell somebody to come to my
3 residence, to my lot, and turn off the water because my
4 water pipe is broken right now." And because it's
5 broken, so I cannot use that. So I moved to the other
6 mobile home, you know. And I thought that somebody
7 already come and turned it off within a couple of days,
8 you know. And three or four weeks later I come back,
9 the water is still on. So I had to call them again.
10 And thanks to them, you know, the response to most of
11 this, you know, that they, my fault it's completely
12 damaged. Because when the water pipe is broken and you
13 don't turn it off right away, after a few hours it
14 becomes like a small river, you know, because of the
15 water pressure, you know. And so my whole floor is
16 damaged because of it.

17 **CHAIRMAN GRAHAM:** So let me -- I don't mean to
18 interrupt, but I'm trying to understand. So when you
19 had a pipe that was broken in your home, you called
20 them, one of their service people to come out to turn
21 the water off over at the meter?

22 **MR. CHU:** Yes.

23 **CHAIRMAN GRAHAM:** And then they, somebody,
24 somebody came along later after that and turned the
25 water back on?

1 MR. CHU: They -- no. I guess nobody turned
2 it off because at that time I thought that it takes them
3 a couple of days, you know, one, two days, three days at
4 most. So, I mean, because of the water pipe is broken,
5 so I cannot use that, you know. And I don't know how to
6 turn it off at that time, you know. So I just moved to
7 the other mobile home. And I'm busy with my work too.
8 So I thought, I assumed that they must do their job, you
9 know. And three or four weeks later I come back, the
10 water is still on. I look under the mobile home, it's
11 like a small river because of the water pressure, you
12 know.

13 And I talked with my -- a lot of people around
14 have problem with them too. I talk with my neighbor,
15 he's name is Dennis Dicer (phonetic). Unfortunately he
16 no longer live there, over there anymore. I mean, they
17 always try to cheat you, cheat you with something some
18 way or another, you know. As he told me that, he told
19 me that when he first moved in, they charged him with
20 like a 15,000-gallon water, and he gave a call to them
21 and they're nasty to him too. And they said, "Oh, you
22 must use a lot of water." He said, "I live by myself.
23 How can I use a lot of water?" And the lady answered
24 him, "You might have a swimming pool." Can you believe
25 that? That's the customer service, that's what she

1 answered. And said, "How can I have a swimming pool? I
2 live in a mobile home. How can I -- a mobile home park.
3 How can I have a swimming pool?" And so he told me that
4 he complained about that too, Mr. Dennis Dicer. He too
5 complained about that. He said he had to call them like
6 three or four times.

7 And in my case, I keep calling them three or
8 four times to complain to them. They just ignore me.
9 Say, "Sorry. Your complaint is too late. It's over one
10 month. We cannot fix that." And it's their fault. You
11 know, they overestimated four months in a row. And I
12 sent three letters to them and I sent a copy of
13 Mr. Burnett's, Mr. Frank Burnett, certified the number
14 of the water is correct. So they cheat me over
15 (inaudible) gallons of water. They just ignored me
16 completely.

17 **CHAIRMAN GRAHAM:** Did you ever get any
18 correspondence back from them, like either an email or a
19 --

20 **THE WITNESS:** Never. Never. They ignored me
21 completely. I sent an email. You know, you cannot say
22 that the email got lost, no way, you know. The email to
23 the customer service at aquaamerica.com. And the second
24 and the third letter, I sent it certified mail. I used
25 the cheapest card. The one that they send, when people

1 receive they just sign but they don't send any proof
2 back to me, to the sender. But I sent it to two
3 address, one to New Jersey, the one for the building
4 address, and the office in Pennsylvania, and they ignore
5 me.

6 **CHAIRMAN GRAHAM:** Okay.

7 **MR. CHU:** Thank you.

8 **CHAIRMAN GRAHAM:** Hold on a second.

9 Mr. May, anything?

10 **EXAMINATION**

11 **BY MR. MAY:**

12 Q Mr. Chu, thanks for coming out. The letters
13 that you indicated you had written to Aqua, those were
14 in January of 2007?

15 A January 2007, January 4th. The second -- that
16 was the email. And the letter in my handwriting,
17 February 22nd, 2007. And the third one, June 18th,
18 2007.

19 Q Thank you.

20 A And it includes the bill, a copy of the bills
21 that they overestimated and then the signature of
22 Mr. Frank Burnett, but they just ignore me completely.

23 Q Thank you, sir.

24 A Thank you so much.

25 **CHAIRMAN GRAHAM:** Thank you, Mr. Chu, for

1 coming out today.

2 Mr. Kelly.

3 MR. KELLY: Patricia Copeland.

4 CHAIRMAN GRAHAM: Ms. Copeland, welcome.

5 Whereupon,

6 PATRICIA COPELAND

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

10 DIRECT STATEMENT

11 MS. COPELAND: Thank you. I'm Patricia
12 Copeland. I live at Arredondo Farms, 7117 S.W. Archer
13 Road, Lot 113.

14 I've got to say that I can't hardly use my
15 water because it's undrinkable. You have to boil it in
16 order to drink it, and still you can't really drink it
17 because of the scum on the water and the cloudiness.
18 And also that my toilet, I've lived there a year and a
19 half, over a year and a half, and I've got a two
20 bedroom, two bath. And the bathroom in the master
21 bedroom I haven't been able to use because of the sewage
22 backing up for that period of time. I have to use the
23 other bathroom instead. And it's just, just bad. And
24 the smell of the water, it's, it's very bad also. And I
25 just, I don't like it.

1 And I've liked this place every since I moved
2 in, it's like a dream come true, and I really don't want
3 to move because it's something that I've always wanted.
4 It's just that I, I don't like the water system. I just
5 don't like it. And I really don't want to move out
6 because of the high water bill. And I don't think it's
7 right that we have to pay such a high price for water.

8 **CHAIRMAN GRAHAM:** How long have you lived
9 there?

10 **MS. COPELAND:** I've lived there over a year
11 and a half. That's all I've really got to say.

12 **CHAIRMAN GRAHAM:** Thank you, ma'am. I want to
13 thank you for coming out today.

14 **MS. COPELAND:** Thank you.

15 **MR. KELLY:** Mary Washington.

16 Whereupon,

17 **MARY WASHINGTON**

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

21 **DIRECT STATEMENT**

22 **MS. WASHINGTON:** Hello. My name is Mary
23 Washington, and I live at Arredondo Farms, 7117,
24 7117 S.W. Archer Road, Lot 110, Gainesville, Florida
25 32608.

1 I've lived there, I think, going on about
2 11 years now. When I first moved there, the water was
3 okay and we could drink it. Now it's not okay and we
4 have to buy water. I'm disabled and I live on a fixed
5 income. And with having to try, having to buy water and
6 then pay a water bill, it's -- and they want to raise it
7 up. They need to lower it down instead of raising it up
8 because the water is not good, it's not -- I have two
9 fish tanks, and the scale, the film on the fish tanks,
10 you can, it's white because of the water.

11 If you put water in a glass, you can see the,
12 the water, the whiteness in the glass, and so it's not
13 fitting to drink. But we have to use it to cook, and we
14 buy water to drink, but we still have to use the water
15 to cook. And so it's, it's not good water.

16 And they really need either to go down further
17 in the ground -- I think they're on -- my opinion is I
18 think that they're, the rocks or the lime or something
19 in the water it's coming from maybe, and they either
20 need to go further down, drill further down, get good
21 water or something and so that we can have good water
22 and people won't get sick and things. Because
23 eventually if you keep drinking, using that water,
24 something is going to go wrong with you in your system,
25 in your stomach because the water is not good. And if

1 the fish can't hardly live in it, then you know it's
2 going to be bad for the human being body.

3 So we need you all to please do something to
4 help us that we can get good drinking water. We need
5 water. We need to drink water. Drinking water is very
6 important for your well-being. And so if you don't have
7 good water to drink, then naturally you're going to,
8 over time you're going to get sick. So we would really
9 appreciate you all doing something so that we can get
10 good drinking water.

11 And, and our, the bathrooms, they're, you can
12 see the buildup in the bathroom. Even though you use
13 stuff in there to clean the bathrooms, there's still a
14 buildup from the water in the bathrooms. At one time
15 our, our washing machine, we had to change the faucet on
16 it because the, the water had caused a buildup on the,
17 on the faucet and so it had to be changed out.

18 And so we're asking you all, again, I'm asking
19 you all to please do something for us concerning the
20 drinking water so that we can have good drinking water.

21 **CHAIRMAN GRAHAM:** Ma'am, you said that you
22 were there for 11 years. Do you know when you started
23 to see the water quality go bad?

24 **MS. WASHINGTON:** I'm not quite sure, but I
25 think it's been about, maybe about five years now I

1 think, if I'm not mistaken, that the water has gone bad
2 and been bad. And I don't know what happened to it, but
3 it wasn't always bad water. When I first moved there
4 the water was okay. But now it's, it's not, it's not
5 good water. It's not good for drinking. It's not good
6 for really taking a bath. It's not good for hardly
7 anything too much. And I don't know what's causing it.
8 And I'm saying that if they, maybe if they drill further
9 down in the, in the ground, that maybe they'll get, be
10 able to get good water because it got to have something
11 to do with the lime, the rocks or something.

12 **CHAIRMAN GRAHAM:** Thank you, Ms. Washington.

13 **MS. WASHINGTON:** Okay. Thank you.

14 **MR. MAY:** Thank you, Ms. Washington. No
15 questions.

16 **MR. KELLY:** I apologize if I get this wrong.
17 Is it Earl McKeever?

18 **MR. McKEEVER:** McKeever.

19 **MR. KELLY:** Thank you. Sorry about that.
20 Whereupon,

21 **EARL McKEEVER**

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

25 **DIRECT STATEMENT**

1 **MR. McKEEVER:** No, you're all right.

2 My name is Earl McKeever, that's
3 M-C-K-E-E-V-E-R, at 7117 S.W. Archer Road, Lot 137.
4 That's Gainesville, Florida, 32608, Arredondo Farms.

5 I've been there for a little over a year and a
6 half, going on two years now. I didn't have a lot of
7 experience with the water, even customer service.

8 My first experience with customer service was
9 about the water. Their answer to me was to buy a water
10 softener. I said, "Well, what good is a water softener
11 gonna do?" They said, "Well, we don't deal with hard
12 water. That's not our responsibility." I said, "Okay.
13 No problem." I went to Lowe's and talked to them about
14 a couple of things. They told me I could buy a filter
15 system to tie into the water line which would filter the
16 water into the home. I said, "Well, how much would that
17 be?" They told me about four or five hundred dollars.
18 I said, "That's out of the question." I said, "Well, do
19 you have anything cheaper?" They told me I could buy
20 filters that actually plugs on to your fixtures in your
21 house. I got one for my shower. The thing is that has
22 to be changed something like -- well, it's supposed to
23 last 45 days. I change it something like every maybe
24 three weeks. Them filters run about \$16. But I have a
25 three-year-old daughter, so really I don't have a choice

1 but to do that.

2 The same -- the reason with the -- the reason
3 I didn't get the water filter that they was talking
4 about, because he said it might not last that long. So
5 if I paid \$500 for it, it don't last that long depending
6 on the hardness of your water, then I'm going to have to
7 replace that also.

8 But what everyone is saying about the water, I
9 will agree with them. Prime example, I wash my
10 vehicle -- I have a black truck. I can wash my vehicle
11 with that water and it turns the vehicle white, I mean,
12 completely. I mean, it's -- I prefer to go to the car
13 wash, but I shouldn't have to do that.

14 We use bottled water. We go through an
15 average of four 25 packs of bottled water a week. And
16 we use it for cooking and drinking because of my
17 daughter.

18 My wife is disabled. Like the one lady was
19 speaking about oxygen, my wife is on a ventilator, which
20 you have to use water with that. Well, we have to buy
21 water for that also because we can't use that water
22 because it kept clogging it up. We didn't know why
23 until they came out and told us that it was stopped up.
24 And they said, "Well, we're going to run a little test
25 on it to see what's clogging it up." Well, come to find

1 out it was the sediment in the water. Okay? So we
2 stopped doing that and we started buying bottled water
3 for that also.

4 I don't know. I mean, other than saying I
5 don't agree with the rate increase, something has got to
6 be done about the water and we're open for suggestions.
7 I mean, but I have dealt with the customer service. I'm
8 getting the same answer that everybody else is getting:
9 Buy a water softener or do something else. They don't
10 want to talk to you.

11 As a matter of fact, last month I went out of
12 town for three weeks, cut my water off to the house.
13 The next thing you know, I get my water bill for, to pay
14 for -- I paid it, what, the 29th, I think it was the
15 29th when I got back, and it was the same price that it
16 would be if I was there for the whole month. And
17 there's no way when it was off, when I was gone for
18 three weeks and it was off. And that's all I have to
19 say.

20 **CHAIRMAN GRAHAM:** You're -- dealing with
21 customer service, some of the other people said that
22 they are rude. Were they rude to you?

23 **MR. McKEEVER:** Yeah, they really are. Yeah.

24 **CHAIRMAN GRAHAM:** Okay. Anything?

25 **EXAMINATION**

1 **BY MR. MAY:**

2 **Q** Thank you, Mr. McKeever. Do you recall
3 approximately when you contacted customer service when
4 they were rude to you?

5 **A** Now this was in 2010, around February. You
6 know, I even -- they told me to send letters to my
7 Congressman and all this here about my complaints, and I
8 did. I actually sent letters to everyone. And
9 everybody was telling me -- I kind of like got the
10 runaround with it. So I ended up going to Arredondo
11 Farms about it and letting them know about it also.

12 **Q** Thank you, sir.

13 **CHAIRMAN GRAHAM:** Thank you, Mr. McKeever.

14 **MR. KELLY:** Jeremy Gray.

15 Whereupon,

16 **JEREMY GRAY**

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

20 **DIRECT STATEMENT**

21 **MR. GRAY:** Good afternoon.

22 **CHAIRMAN GRAHAM:** Good afternoon.

23 **MR. GRAY:** My name is Jeremy Gray. I'm the
24 District Manager for YES Communities. I oversee the
25 operations at Arredondo Farms located in Gainesville.

1 YES Communities operates 68 similar
2 communities in 12 states. Our business is to provide
3 affordable housing. This has seen -- we've seen a
4 severe impact by the rates of Aqua imposed on the water
5 and wastewater. In 2009, they imposed a 93% increase on
6 total water and wastewater, making a customer that uses
7 approximately 5,000 gallons per month pay \$120 per
8 month. That usage costs now today nearly \$125. That
9 represents close to 50% of our lot rent, which is \$271.

10 Residents have had to walk away from their
11 home, as you've heard here today. 52% of our residents
12 who move out tell us that it's due to the water bills.
13 Since January of this year, we count approximately
14 four residents per month. To date, that would average
15 32 residents that Arredondo has had to move out. It
16 costs us \$1,998 each month -- each time we have to
17 refurb, remarket, and relist that home. That's nearly
18 \$64,000 we've incurred in expense to year this date.

19 That doesn't even include the rent loss or the
20 rent concessions we've done for these customers. Aqua's
21 rates are literally putting us out of the fair housing
22 market -- or affordable housing. I apologize. These,
23 these rates are substantiated by Aqua's revenue
24 requirements, but the problem is Aqua's internal
25 operating problems interfere -- their expense -- inflate

1 their expense and reduce their revenue. This is a
2 vicious cycle. They ask for revenue increases because
3 they can't bill their residents properly. We do not
4 understand this and we do not experience this at any
5 other community in our portfolio. The gross
6 mismanagement by this, by Aqua and their systems at
7 Arredondo, the contribution -- this contributes an
8 extremely high rate for the customers, poor water
9 quality, billing errors that result in highly, extremely
10 high back charges, and rude customer service, as you've
11 heard, which has, you know, brought a negative impact to
12 our business.

13 Our goal is to provide affordable housing in
14 Gainesville. But when our residents continue to be
15 surprised by bills for incorrect charges or billing
16 errors, our residents no longer find us an affordable
17 place to live. We've seen bills range from \$300 to
18 \$2,000 where Aqua sent out -- to fix and correct their
19 error. And this is a utility company that cannot figure
20 out how to even read their meters, charge the
21 appropriate charge, send their customers accurate and
22 timely bills, and now they want a rate increase.

23 We've spent countless hours with our executive
24 team and our maintenance technicians trying to help
25 these customers resolve their problems. However, these

1 issues haven't -- these issues continue to grow and it's
2 become an enormous problem. These issues have
3 encumbered the value of our property, increased massive
4 write-offs, increased the turnover costs, impacted our
5 resident retention, increased the payroll expense, and
6 reduced the amount we can charge for rent.

7 We take our relationship with our residents
8 seriously, and it's frustrating that we are forced to
9 deal with a utility company like Aqua. Thank you, and
10 respectfully thank you for your time.

11 **CHAIRMAN GRAHAM:** Mr. Gray, I have a question.

12 **MR. GRAY:** Yes, sir.

13 **CHAIRMAN GRAHAM:** How many other communities
14 do you have?

15 **MR. GRAY:** We have 13 in the State of Florida.
16 68 across the 12 states that YES owns.

17 **CHAIRMAN GRAHAM:** Mr. May.

18 **EXAMINATION**

19 **BY MR. MAY:**

20 Q Thank you, Mr. Gray. Are you a customer of
21 Aqua?

22 A No, sir, I'm not.

23 Q Are you an employee of YES Communities?

24 A Yes, sir.

25 Q What's the difference between YES Communities

1 and YES Companies?

2 A YES Communities is part of YES Companies. We
3 are also part of the YES Sales, YES Finance. We own
4 several different companies within, under one portfolio.

5 Q You said you had operations in 13 different
6 states?

7 A Yes, sir. No.

8 Q What are those states?

9 CHAIRMAN GRAHAM: No. 13 in Florida.

10 MR. GRAY: 13 in Florida. 13 in Florida. We
11 have in Jacksonville, we have a Gainesville, and we have
12 Tampa, Tampa areas. I mean, I can name each city, if
13 you prefer.

14 BY MR. MAY:

15 Q At any of those other locales do you, are you
16 in the water and utility -- water and wastewater
17 business?

18 A Yes, sir, we are.

19 Q So you're in the business?

20 A We do understand business. Yes, sir.

21 Q Okay. What's your address?

22 A My address is 5415 Waterside Drive,
23 Jacksonville, Florida, 32210.

24 Q Your phone number?

25 A 904-386-1898.

1 Q Email address?

2 A Is Jgray, A-Y, @yescommunities.com.

3 Q Now how many other states do you operate water
4 and wastewater utility systems?

5 A That I wouldn't, I honestly wouldn't be able
6 to tell you. I'm just familiar with the State of
7 Florida.

8 Q Who in your company would?

9 A Kim Kurtz.

10 Q Is she here today?

11 A She is not here today, sir.

12 Q Has your company filed a civil lawsuit against
13 Aqua Utilities Florida in the circuit court here in
14 Alachua County?

15 A Yes, sir.

16 Q Are you familiar with that lawsuit?

17 A I'm not super familiar. I've been briefed on
18 it lately.

19 Q Have you been here for the entire meeting?

20 A Yes, sir.

21 Q By my notes, there's approximately 26
22 customers of Aqua who have spoken thus far.

23 A Yes, sir.

24 Q Have you spoken to any of those customers
25 prior to this hearing?

1 A I have today from Arredondo Farms, yes.

2 Q Did you provide them with any talking points?

3 A No, I did not.

4 Q Did anyone from your company provide them with
5 any talking points?

6 A The -- I'm not really sure how to answer that.
7 We, we asked them if they had questions of what was
8 going to happen today, and that really was about it,
9 which was re-explained here at the beginning of the
10 meeting.

11 Q You had indicated earlier that your, your
12 company is in the water and wastewater business in
13 Florida and other, and other states. What other states
14 is your business in, is your company in the water and
15 wastewater business?

16 A That point I'm not familiar with.

17 Q Who in your company would know that?

18 A Kim Kurtz as well.

19 Q Kim Kurtz?

20 A Yes, sir.

21 Q I have no further questions. Thank you.

22 A Thank you.

23 **CHAIRMAN GRAHAM:** Thank you, sir.

24 **UNIDENTIFIED SPEAKER:** I have a question.

25 **CHAIRMAN GRAHAM:** Yes, ma'am.

1 **UNIDENTIFIED SPEAKER:** Are you still going to
2 hear from the residents? I thought that the, the
3 employees were going to speak last.

4 **CHAIRMAN GRAHAM:** Mr. Kelly.

5 **MR. KELLY:** I'm going down the list.

6 **CHAIRMAN GRAHAM:** He's just going down the
7 list. This is as they came in.

8 **UNIDENTIFIED SPEAKER:** Okay. Thank you.

9 **MR. KELLY:** Will Conrad.

10 **CHAIRMAN GRAHAM:** Mr. Conrad, welcome.

11 Whereupon,

12 **WILL CONRAD**

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

16 **DIRECT STATEMENT**

17 **MR. CONRAD:** My name is Will Conrad. I live
18 at 7117 S.W. Archer Road, Lot 151, Gainesville.

19 I've lived in Arredondo Farms since March of
20 2000. When we first moved in the water was fairly,
21 fairly decent. In 2005 I had to put a water filter in,
22 a new water softener. I had to replace the dishwasher,
23 two coffee pots for the sediment that comes through.
24 They stopped working. My shower, when you take a
25 shower, there's a gray film that goes in the track of

1 the sliding glass door of the shower. I have a water
2 cup in there. If you leave water, shake it out, leave
3 it set, it turns all white.

4 Billing, sometimes we don't get a bill at the
5 end of the month. Then we'll get a two months bill.
6 And let's see. If I don't recycle the water softener, I
7 can't wash dishes because it just leaves dishes nasty.
8 That's about it.

9 **CHAIRMAN GRAHAM:** Thank you, sir, Mr. Conrad.

10 Mr. May.

11 **MR. MAY:** No questions. Thank you,
12 Mr. Conrad.

13 **MR. KELLY:** Steve Howard.

14 **CHAIRMAN GRAHAM:** Mr. Howard, welcome.

15 Whereupon,

16 **STEVE HOWARD**

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

20 **DIRECT STATEMENT**

21 **MR. HOWARD:** My name is Steve Howard. I live
22 at 7117 S.W. Archer Road, Lot 113.

23 I'm a caretaker for Patricia Copeland who
24 lives at that residence also. I just wanted to say that
25 we moved in there not long ago. We had Aqua turn on the

1 water, and the first thing I noticed was a bunch of
2 trash going down in the toilet bowls and really nasty
3 type waters were discharging into the bowl out into the,
4 the drop down. And we started using the commodes and we
5 had problems with the wastewater clogging up and the
6 toilets flushing, and we didn't realize that then we was
7 starting to have problems with the water. That was
8 practically -- you could not drink it or you'd get a
9 bellyache and you'd have to run to the bathroom before
10 you knew it.

11 But I'm also concerned about her bills for
12 water were too high for her. She lives on a fixed
13 income, and so she has to live from month to month on
14 what she gets on SSI. I'm concerned about whether she's
15 going to be able to stay there or not. It depends on
16 how much these people are planning to charge her for her
17 bills because she has no other than what she gets on
18 SSI. I don't have any money income at all. I try and
19 take care of her the best I can, but I don't know how
20 much longer she's going to be able to live at this
21 residence if they keep going up on this water bill.
22 That's all I have to say.

23 **CHAIRMAN GRAHAM:** Sir, you said when you first
24 got the water turned on that -- I guess it was dirty
25 when it first started running through the toilet?

1 Q Okay. Thank you, sir.

2 A Uh-huh.

3 CHAIRMAN GRAHAM: Thank you, sir.

4 Mr. Kelly.

5 MR. KELLY: Gloria Shepherd.

6 Whereupon,

7 GLORIA SHEPHERD

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

11 DIRECT STATEMENT

12 MS. SHEPHERD: Hello. I live at 7117 S.W.
13 Archer Road, Lot 37. This is my second residency at
14 Arredondo.

15 I moved into Arredondo in about '93. At that
16 time it was only my husband and I, and in 2000 we had a
17 child. I was told by the doctor not to give her the
18 water; it had no fluoride in it. It was tearing up her
19 bottles. And this was back in 2000. Okay?

20 We moved out in 2003. We have had to move
21 back in to care for the guy that resides at Lot 37,
22 which is across the street. The water is worse than
23 ever. I just talked to him on the phone during the
24 break. The bill last month, one month bill, was \$130.

25 You cannot drink it. It tears up the clothes,

1 just like everybody here is saying. And just about two
2 months, it might have been less than that, we had a
3 water break in the park. I called my -- the guy that I
4 take care of didn't even call. I called. It was about
5 7:00 at night. I noticed the water was going down, so I
6 called. They told me that there was nothing they could
7 do about it until Arredondo did something about it, and
8 they were about as rude as you can be. They were like,
9 "We are well aware of the leak. Do not call us again.
10 Call Arredondo."

11 We're also on a fixed income. The gentleman
12 that we're living with is on a very fixed income. And I
13 don't work. I am a student. There are two other people
14 here that will verify that, that I am a student. We're
15 on a fixed income. And \$130, and then again you get an
16 electric bill that's only \$160, it's a little
17 ridiculous. And then we pay Mallory \$271 a month. I
18 mean, you tell me. I think it's a little ridiculous,
19 and you can't even drink it. I can use it for cooking,
20 and I have to use it for washing. I have no choice. We
21 buy bottled water on a fixed income.

22 **CHAIRMAN GRAHAM:** Ma'am, when did you say you
23 moved back in? You said you moved out in '03.

24 **MS. SHEPHERD:** We moved back in in 2010. I've
25 been there almost a year and a half in Lot 37, but I was

1 in Lot 45 before that.

2 **CHAIRMAN GRAHAM:** Mr. May.

3 **EXAMINATION**

4 **BY MR. MAY:**

5 Q Thank you, Ms. Shepherd. I think you
6 indicated, and I just want to be sure about this, you
7 indicated that you experienced water quality problems in
8 2000 and then moved out in 2003?

9 A When we -- yeah. I had been there in '93, it
10 wasn't too bad. In 2000 it started going bad. We
11 reported it several times. Oh, and by the way, one
12 other thing, between 2000 and 2003 my husband -- and I
13 talked to him on the phone a while ago too -- we
14 replaced the hot water heater element, we replaced it
15 four times before we ever moved out.

16 Q Thank you, ma'am.

17 A Okay.

18 **CHAIRMAN GRAHAM:** Mr. Kelly.

19 **MR. KELLY:** Mallory Starling.

20 Whereupon,

21 **MALLORY STARLING**

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

25 **DIRECT STATEMENT**

1 **MS. STARLING:** Hello. I first have some
2 photos that I was hoping I could share with you guys, if
3 I am allowed to.

4 **CHAIRMAN GRAHAM:** Sure. Give it to Staff.

5 **MS. STARLING:** I also have a copy here, but I
6 just wanted to reference basically what you guys are
7 looking at just quickly.

8 The first photo that you guys have is a,
9 apparently a valve at the main well that they were -- I
10 don't know if it was broken or what. No one was
11 communicating. As you can see, flooded the playground.
12 That went on for well over an hour without any notice
13 being given. These types of things, either leaks or
14 shutoffs or when they're backwashing, it affects
15 people's water pressure. No notice is given, and
16 obviously this is affecting people's daily activities.

17 **CHAIRMAN GRAHAM:** Ma'am, before you continue,
18 do you have dates for these pictures?

19 **MS. STARLING:** They are on there. If they're
20 not printed on the back, I put them on the back of the
21 page.

22 **CHAIRMAN GRAHAM:** If you'd just call out the
23 dates just so when they go back and research, it's --

24 **MS. STARLING:** Okay. This one, this was
25 February 9th of this year.

1 **CHAIRMAN GRAHAM:** Thank you.

2 **MS. STARLING:** Next photo is, this is from the
3 10th of this month. This was a home site. This was a
4 mobile home that was a 1982. She was forced to tear the
5 home down because her water bill was as much as the lot
6 rent. The home was too old for her to sell. She could
7 no longer afford to live there, so she tore it down.

8 The next two photos that are also dated, these
9 homes were removed within the last 30 days. These were
10 both homes that they sold due to -- they could not sell
11 them in here because of the water prices and the ongoing
12 issues.

13 This photo -- the third photo, I also -- she
14 drafted an email that she brought with me stating that
15 due to Aqua directly she was forced to remove the home
16 out of the property. And I can provide that email as
17 well from this homeowner.

18 The next two photos, as you see, they're both
19 Lot 2. This is the infamous sediment. This first photo
20 is, literally we pulled the bottom element out and the
21 sediment just started gushing out. The one bag here,
22 that was referenced in Tallahassee. That was, almost
23 filled up a 5-gallon bucket, which was obviously, we
24 weren't able to contain all of it. The home, I believe,
25 was no more than five years old. I don't know as far

1 as -- as they've said before, people call with the
2 sediment. They're supposed to flush their hot water
3 heaters on an annual basis. But, again, who does that?
4 And it's just ridiculous.

5 Another photo, this is dated December 22nd of
6 last year. This is again before the element is even
7 pulled out there's sediment literally just laying on the
8 bottom of the hot water heater. Same hot water heater.
9 Same date, December 22nd, spewing some type of jelly
10 like calcium sediment.

11 Another photo. These are elements, which this
12 home was -- I'm not sure how old.

13 **UNIDENTIFIED SPEAKER:** Five years.

14 **MS. STARLING:** Five years?

15 **UNIDENTIFIED SPEAKER:** It'll be five years
16 this October.

17 **MS. STARLING:** Yes. This is a five-year-old
18 home, and you can see it wasn't even in one piece. It
19 had eroded so immensely.

20 This is a supply line dated April 4th. Those
21 are pieces of sediment. She had no water pressure. And
22 we pulled the supply lines, and this is obviously why
23 she had no pressure. The sediment buildup was so
24 excessive, no water was getting through.

25 This is September 6th. This is from another

1 lot, 28. That's a fill valve in the back of the toilet,
2 which happens almost several times a week where we pull
3 the fill valve off and it is full of sediment, which
4 causes toilets to overflow, which causes flooding, which
5 causes excessive damage because the sediment gets caught
6 in the valve and the valve on the back of the toilet
7 doesn't shut off.

8 These last two photos were taken, just to kind
9 of give you an idea, these are all fill valves and hot
10 water elements that were dated September 6th. This is
11 what we went through in less than a three-week period,
12 our maintenance.

13 So I wanted to show those to kind of put that
14 into perspective as to what, you know, we're dealing
15 with for our residents. And these aren't just our
16 rental homes. We've also been working with our
17 residents who are also on a fixed income that we worked
18 out some sort of payment arrangements, or if there's
19 something that we can do to help them out because we
20 can't leave people without water or water pressure.

21 So that being said, I've got some notes.
22 Basically every day I'm faced with residents with Aqua
23 issues. This is a stack of Aqua bills and shutoff
24 notices and payment arrangements and incorrect billing
25 issues that have been brought to me for us to help

1 figure out for multiple reasons: One, inaccuracy; two,
2 incorrect billing; three, excessive usage; four, back
3 billing. And a lot of these people come to me to help
4 because, one, they can't pay; two, they get so
5 frustrated with the customer service that we try to
6 intervene to get these bills paid, to set up a
7 successful payment plan. And if we're not able to do so
8 with Aqua, it's been something that we've taken upon
9 ourselves to set up a payment plan, if it's helping them
10 pay a back balance to do a payment arrangement to get
11 them caught up so their water doesn't get shut off,
12 because at that point it just becomes a snowball effect.

13 **CHAIRMAN GRAHAM:** Ma'am, you're over your five
14 minutes, but I have a question. And you can continue
15 after everybody has gone through, but there's still
16 several people out here that need to speak.

17 Have you had any problems with getting Aqua to
18 help with payment plans?

19 **MS. STARLING:** Absolutely.

20 **CHAIRMAN GRAHAM:** Okay.

21 **MS. STARLING:** It's -- that's the other thing,
22 it's just been very time-consuming because all of these
23 I can't just call and resolve. It's you call customer
24 service, they send it to billing, and then billing will
25 have to research it. And then either you have to call

1 back -- so that's the other issue, there's no streamline
2 to the process. There's not just a one phone call,
3 something's been handled. And it's, you know, taken on
4 to our time that we do this to follow up to make sure
5 that we're not losing more residents and their water
6 isn't being shut off.

7 **CHAIRMAN GRAHAM:** Are you having the same
8 problems with the customer service as far as people
9 being rude?

10 **MS. STARLING:** Yes, sir. And we have, on
11 these I document dates and names of who we spoke to.

12 **CHAIRMAN GRAHAM:** Mr. May.

13 **COMMISSIONER BALBIS:** Ms. Starling, I have a
14 question. On -- you had mentioned several times
15 sediment in the pictures on sediment.

16 **MS. STARLING:** Yes, sir.

17 **COMMISSIONER BALBIS:** Of what you say are
18 sediment. And I'm looking through it and it seems like,
19 just from the pictures, that it looks like, you know,
20 hardness that's precipitated out.

21 But if you look at the sixth one that shows a
22 shop·vac, and maybe it's just the distance to it. That
23 looks more like sand. Are you finding sediment as in
24 sand or are you finding sediment that's precipitated
25 out?

1 **MS. STARLING:** Well, that's just one. That
2 was immediately after it was drained.

3 **COMMISSIONER BALBIS:** Okay.

4 **MS. STARLING:** And then it kind of solidified
5 into -- and it depends. Typically -- and I don't know
6 if it has to do with how hard the water is at what
7 times, but sometimes it's more into a, like a sand like
8 you're saying. And then other times it's huge chunks
9 almost like, what do you call it, like kosher salt or
10 something, like, you know, chunky.

11 **COMMISSIONER BALBIS:** But it's the same
12 material in all these pictures?

13 **MS. STARLING:** Yeah. Yes. Yes, sir.

14 **COMMISSIONER BALBIS:** Okay. That's all I
15 have.

16 **EXAMINATION**

17 **BY MR. MAY:**

18 **Q** Ms. Starling, thank you for coming out today.
19 I have just a couple of follow-up questions.

20 Are you a customer of Aqua?

21 **A** No, sir. But I have -- I did reside in the
22 community when I first moved to Gainesville and
23 experienced the same water issues.

24 **Q** And what is your position with YES
25 Communities?

1 A The Community Manager. I'm the local manager
2 here of Arredondo Farms.

3 Q And how long have you been employed there?

4 A October 10th will be a year.

5 Q Okay. Were you at the May 24th Agenda
6 Conference where the Commission voted to approve the --

7 A In Tallahassee?

8 Q Yes.

9 A Yes, sir.

10 Q Okay. Subsequent to that, are you aware
11 whether Aqua has attempted to reach out to Ms. Kurtz to
12 discuss some of the concerns that were identified at the
13 May 24th Agenda Conference?

14 A The issues though that I deal with on a
15 day-to-day are -- the task force meetings, I mean, I
16 have been on them, and those are more -- those were
17 geared towards future, eliminating billing errors and
18 things such as that. What we're dealing with is more so
19 the quality of the water and the high rates and the
20 billing and the payments that these people can't afford
21 these water bills. And I try to intervene so I don't
22 lose anymore move outs than what I've already been faced
23 with.

24 Q You mentioned a task force. Can you explain
25 to the Commission what the task force with Aqua and YES

1 Communities is?

2 A Those were more so -- those were more on a Kim
3 Kurtz level that she was working on. Future reports
4 that may identify billing, I guess meter reads and stuff
5 like that.

6 Q Have you been part of that task force?

7 A Yes, sir.

8 Q Could you please for the record give us your
9 full name and address?

10 A Do I have to give my personal address in front
11 of everybody here for privacy?

12 Q If you have concerns, I don't want to put you
13 in that spot.

14 A I would rather --

15 Q I would like to get it from your counsel.

16 A I will give it to you personally. I just, I
17 don't want it on the record.

18 Q No problem.

19 And I think you were here when I asked
20 Mr. Gray a couple of questions about YES Communities'
21 other business in the water and wastewater business.
22 Are you familiar with that business?

23 A No, sir.

24 Q And who, who should I ask within your company
25 about that?

1 A Kim definitely. Yeah.

2 Q Do you know whether any of the water and
3 wastewater utilities that you operate in the other parts
4 of the state are regulated by the Florida Public Service
5 Commission?

6 A No, sir. I have no idea.

7 Q Okay. You mentioned that you were focused
8 primarily on water quality issues?

9 A Quality and rates, just helping people pay
10 their bills or set up some type of payment arrangements
11 for them. Because obviously I think you've been
12 inundated with, you know, their concerns, and it's been
13 my personal concern to help them. This is affecting
14 their personal daily lives that this is, that these are
15 affecting.

16 Q Have you read the testimony that Aqua
17 Utilities' witness Mr. Preston Luitweiler has proffered
18 in this case?

19 A I'm not -- I don't know.

20 Q Are you aware that Aqua Utilities is, is
21 addressing the water hardness issues that you just
22 identified as part of its secondary water quality
23 improvement task force?

24 A I believe I heard that that was something that
25 they were, needed to be done. I don't know that I ever

1 heard it was going to be done.

2 Q Are you opposed to that initiative?

3 A To what?

4 Q To address hardness in the water.

5 A Am I opposed to it?

6 Q Yes.

7 A Oh, absolutely not.

8 Q Okay.

9 A I mean, you're saying to make it better? Yes.

10 Q Do you, do you know when YES acquired this,
11 this community?

12 A I believe January 2008?

13 UNIDENTIFIED SPEAKER: Uh-huh.

14 MS. STARLING: Yes.

15 BY MR. MAY:

16 Q Okay. Are you aware that the Commission has
17 previously addressed water hardness at this particular
18 community back in 1996?

19 A Yeah. You guys were also charging like not
20 even the minimal amount of the rates you're charging now
21 though. I think their thing is, you know, it's kind of,
22 to make light of it, it's like you're charging Outback
23 prices for a McDonald's hamburger.

24 Q I think maybe you misunderstood my question.
25 I asked you are you aware that the Commission has

1 addressed the water, the hard water quality issue for
2 Arredondo Farms in 1996?

3 **A** Yes, sir.

4 **Q** Do you know whether YES Communities reviewed
5 that order prior to it acquiring the facility?

6 **A** No, sir, I do not.

7 **UNIDENTIFIED SPEAKER:** Speak up. I can't hear
8 you.

9 **MS. STARLING:** Oh. No, I don't know that.

10 **MR. MAY:** Okay. No further questions.

11 **CHAIRMAN GRAHAM:** Hold on just a second,
12 ma'am.

13 **COMMISSIONER BRISÉ:** Thank you, Ms. Starling.
14 A question about the sewer backup. You mentioned in
15 that, through the pictures that there's an issue with
16 that. If you can give me an idea of how many of your
17 customers complain about the sewer backup issues.

18 **MS. STARLING:** I would probably say -- that
19 end up being because of the main line backup? Maybe
20 five times a month. And that's after we, like they
21 said, we've had to identify that it's not from the
22 cleanout to the home, it's from the cleanout to the
23 mainline. So we have to call and verify with Aqua that
24 it has been something that we've checked.

25 **COMMISSIONER BRISÉ:** Okay. Thank you.

1 **CHAIRMAN GRAHAM:** Thank you, ma'am.

2 **MR. MAY:** Thank you.

3 **MR. KELLY:** Michelle -- is it Einmo?

4 Whereupon,

5 **MICHELLE EINMO**

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

9 **DIRECT STATEMENT**

10 **MS. EINMO:** Yeah. Einmo. I may get
11 emotional, so bear with me. My name is Michelle Einmo.
12 I live at 7117 S.W. Archer Road, Lot 2604.

13 I have gone through a whole beginning of this
14 year dealing with dental issues due to the lack of
15 fluoride and the quality of the water, and my dentist
16 has agreed with me and verified this information. I
17 have a 12-year-old, a 6-year-old and a 3-year-old. My
18 12-year-old was six when we moved in in 2006, my son was
19 one, and then I delivered and have a 3-year-old. The
20 two youngest ones who have had the most influence from
21 the water because between the ages of zero and five it's
22 the most important time for fluoride and buildup of
23 enamel for healthy teeth. They have now had teeth
24 pulled, root canals, caps and fillings even for the
25 little 3-year-old who just turned three, so it was all

1 done at two. It was very stressful because I had also
2 broken my ankle at the time, so it was four months of
3 having transportation with other people. That's really
4 hard on the family.

5 On top of that, she presented the picture of
6 the water heater coils in my home. The house will be
7 five years old in October, and that was the beginning of
8 this year. The coils were already to the point where
9 our circuit breaker was flipping every time it was
10 trying to heat the water. It was really bad.

11 We have had to buy soft -- not softeners
12 because I can't afford it, but we've bought, it's called
13 Let Me Shine. It takes away the hardness in the water
14 when you run the dishwasher. And it's still not
15 removing the whiteness that's become on our plastic,
16 especially our plasticware. The bottles, the drinking
17 water that I use for formula is a concern for the teeth
18 for my 3-year-old.

19 Before that we had sewage issues. And even
20 Mike came out in the middle of the night and had to pop
21 the cap because Aqua Utilities refused to come out that
22 day. And so they came first and figured out it had to
23 be an Aqua issue.

24 We love our home. We have been through a lot
25 between my husband and I both being on unemployment.

1 I'm a full-time student now. And we've replaced -- we
2 have GE coming out yet again for our refrigerator.
3 They've replaced the icemaker twice, the motherboard, it
4 says due to the water freezing up and the sediment
5 building up in the lines. We got the dishwasher issue,
6 which GE said other than replacing it, there's not much
7 they can do. And it's a \$100 deductible for every visit
8 that I have to have them out there to figure out what's
9 wrong. I can't afford \$100 every time.

10 On top of that, the first year that we moved
11 in we got a bill for \$30,000. My husband figured out
12 that that would cover all of Haile Plantation's swimming
13 pools plus their water supply. When we called them,
14 they, we had to go from customer service to somebody
15 else to somebody else, and we finally, after being very
16 agitated, got to a supervisor and it was corrected. But
17 it took a lot of work. And I couldn't even tell you how
18 many gallons it was. My husband would remember. I just
19 remember the dollar amount. It just -- so I know where
20 they're coming from. I haven't had that problem since
21 then. But I have been on the water -- I'm on the phone
22 immediately every time I see a problem.

23 Coffee pots, I've heard plenty of people talk
24 about their coffee pots. I worked at JCPenney's as a
25 supervisor. When I first started there I had lots of

1 appliances. My pot went in a year even with cleaning it
2 with apple vinegar and doing everything I'm supposed to
3 do for hard water. It doesn't help. It just destroys.

4 On the fluoride issue, I've done the research.
5 My father has been on many boards. He's a physician.
6 He even went to the university -- when we moved to
7 Arkansas, he pushed for fluoride in the water. It's
8 strange when you move from seven blocks -- and I get
9 bottled water from my dad. He bottles gallons for me
10 and brings it to the house so that my children have
11 water that is safer to drink. It just, it doesn't make
12 any sense why I have to spend money when I can just pour
13 it out of a faucet. We're also having problems with the
14 toilet now. I mean, it's just endless and it's
15 overwhelming, especially as a mom of three. I mean, we
16 would like to see it changed.

17 The dental is my biggest thing, the medical
18 for the children, just, it's a concern. And that's all
19 I have to say.

20 **CHAIRMAN GRAHAM:** Thanks, ma'am. Hold on just
21 a second.

22 **EXAMINATION**

23 **BY MR. MAY:**

24 Q Ms. Einmo, thank you very much for coming this
25 evening. I just wanted to clarify for the record, the

1 large bill that you referenced, you raised that issue in
2 the last rate case, didn't you, in 2008?

3 A No. I've never been involved in any of the
4 cases.

5 Q Okay. That, that billing issue that you just
6 mentioned was not addressed in the last rate case?

7 A No. We, we just, from our own home sitting on
8 our bed dealt with the issue and had it fixed. But it
9 took about two days.

10 Q But you complained to the Public Service
11 Commission about that?

12 A No, I did not.

13 Q Okay. And that occurred in 2007?

14 A Yes. We moved in in 2006, so 2007.

15 Q Thank you.

16 **COMMISSIONER BRISÉ:** Thank you. My question
17 goes to that bill. And if you could walk us through
18 what the company said was the cause of the bill and all
19 of that.

20 **MS. EINMO:** They had no reason. They weren't
21 sure. First it was the meter reading was incorrect.
22 Then it was we don't know how that happened. It was
23 just constantly never a direct reason of, I'm sorry, we
24 just, it was a billing error. I mean, it literally was
25 a struggle. They just did not admit to the mistake, but

1 then they corrected it.

2 **COMMISSIONER BRISÉ:** Okay. So they did
3 correct it. But beyond that, have you found other
4 systemic issues like that since that point with respect
5 to your billing?

6 **MS. EINMO:** Yeah. It's extremely high. For
7 our house -- granted I do a great deal of laundry. I
8 had a fish tank, which I gave away because of the amount
9 of water. I had a butterfly garden that I maintained
10 constantly, and even that I didn't want to pay the money
11 to keep it up. It's on its own now. When it rains, it
12 rains. And the bills were running about 150 to 175 a
13 month, which was crazy when we lived with GRU and our
14 bill was about 175 to 200 for water and electric about
15 five blocks away. But we wanted a home, so there we
16 are.

17 **COMMISSIONER BRISÉ:** Thank you.

18 **CHAIRMAN GRAHAM:** One more question.

19 **COMMISSIONER BALBIS:** Thank you, ma'am, and
20 thank you for coming. You mentioned that your biggest
21 issue was the fluoride. Just, you know, I have three
22 small children and had a well and obviously didn't have
23 a municipal water system, it didn't have fluoride. And
24 we had the same concerns, and one thing that our
25 pediatrician did do was prescribe fluoride supplements

1 that, that helped.

2 In my previous life -- you know, the State of
3 Florida, I believe, does not mandate the use of fluoride
4 and it's up to the individual utility and it is -- it's
5 controversial either way. But just so you know that
6 there is a way you can alleviate those concerns, that we
7 had to do the same thing. So I just wanted to point
8 that out.

9 MS. EINMO: Yes. That's what we -- and it's
10 just unfortunate that we found out by the time the last
11 one was three.

12 COMMISSIONER BALBIS: Right. Right. But
13 thank you for coming.

14 MS. EINMO: Thank you.

15 CHAIRMAN GRAHAM: Mr. Kelly.

16 MR. KELLY: James Bowens [sic].

17 Whereupon,

18 JAMES BOWERS

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

22 DIRECT STATEMENT

23 MR. BOWERS: Good afternoon. My name is James
24 Bowers, B-O-W-E-R-S.

25 MR. KELLY: I apologize.

1 **MR. BOWERS:** I probably scribbled it wrong.

2 7117 S.W. Archer Road, Lot 23.

3 I want to address a couple of concerns. I had
4 the water in my name when I first moved into my trailer.
5 I own my trailer. My construction business failed, and
6 I took the last five grand I had and bought myself a
7 little trailer there. It's 30 years old. I bought it
8 in August 2008, so I've been there for a little over
9 three years. No one has talked about how much they shut
10 off the water there, but I would say realistically it's
11 at least every other month that the water is shut off
12 for repairs or emergency repairs or whatever. Okay.
13 They give you a piece of paper that's a notice that the
14 water, when they, when they are planning on doing it,
15 they'll give you a piece of paper, which when I first
16 moved there they would slide underneath your mat on the
17 step. And in very small print it would say, "We
18 recommend you turn off your hot water heater and your
19 icemaker for your refrigerator because of potential
20 damage." Okay? It's in very small print.

21 So the first time they shut down, the notice
22 they sent me blew away in the wind. So they shut down,
23 shut down my water while I was at work and drained the
24 water out of my hot water heater and then my element
25 fried. Okay? Trying to get any cooperation out of them

1 at all for them to replace my heating element in my hot
2 water heater was useless. Okay? I did it myself. It
3 was a pain in the butt. I went to Lowe's, took the
4 element with me, had them check it on an ohm meter which
5 will tell you whether the thing is working or not, okay,
6 and I reinstalled it myself.

7 But before I reinstalled it, there was so much
8 sediment in the bottom of my hot water heater that I had
9 to do what the maintenance guy said, I had to take my
10 shop·vac and rig up a special hose to fit in where the
11 element hole is because it was almost up to the bottom
12 of my element. Okay? And once that sediment builds up
13 to the bottom of your element, it basically just shorts
14 it out. Okay? And I don't know how long that hot water
15 heater has been there, but I would be more than happy to
16 donate it to you all, okay, and buy myself a new one.
17 It's only a 30-gallon one, a little small boy, okay,
18 because I'm going to have to replace it pretty soon
19 anyway. But I'm like -- you didn't see what's inside
20 because I didn't get all of it out. Okay? And it's
21 definitely not just like fine sand. There's big hunks
22 of shell, rock, all kinds of crap in there. Okay?

23 And like I say, I'm serious, it wouldn't take
24 me but a couple of hours to get that thing out of there
25 and another couple of hours to reinstall a new one. And

1 I'll buy my own new one. You won't have to deal with
2 that. Okay?

3 But the quality of the water there basically
4 sucks. Okay? Life got a little hard for me and I got
5 behind in my bill, okay, so they shut my water off. And
6 it was about, I think I owed them about 180 bucks.
7 Okay. Well, they added on another security deposit plus
8 a reconnect fee, so all of the sudden my \$180 bill went
9 to \$300. I didn't have \$300. They said they weren't
10 going to turn it on. They wouldn't arrange payment
11 arrangements with me. They said, "Unless you've got 300
12 bucks, your water is staying off." Okay?

13 So I said -- I decided to take care of the
14 stuff myself. A buddy of mine lives around the block,
15 has a well, so I would go over to his house twice a week
16 to fill up ten five-gallon buckets of waters and take
17 them home and I would do my business with that. Okay?
18 I would wash my dishes with it. I put a little chlorine
19 bleach in my rinse water so that I would make sure all
20 my stuff was sanitary. But for two months I did that.
21 In those two months my -- they locked up my valve for
22 the water, okay, Aqua locked it up. Had a physical lock
23 on my water meter. Okay? They still charged me the
24 basic charge even though I couldn't use any water. They
25 still charged me 65 bucks a month for the months that I

1 couldn't even use their water. And then the last month
2 that it was turned off they actually charged me for
3 1,400 gallons of water that I had no way of even -- I
4 mean, I don't know where they figure this stuff out.
5 But where I come from, okay, you either provide me the
6 service and I'll pay for it, but if you don't provide me
7 the service, it's not fair for you to bill me for it.
8 Okay? I could not use their water and I did not -- so I
9 actually had to cancel my account for them to stop
10 charging me for water I wasn't using. To me that's a
11 bunch of BS. Okay?

12 So I ended up putting, after two or three
13 months, I'm not sure exactly, I ended up putting the
14 water in my girlfriend's name. Okay? Recently in July
15 I sprung a leak, a major leak. My water bill was 500
16 bucks for the month. Okay? My water is now -- well,
17 it's now in Mallory's name because I couldn't afford to
18 keep it turned on. Okay.

19 It's a joke. Okay. This should be a rate
20 reduction hearing, not a rate increase. Okay? You guys
21 got it all wrong. That's all I got to say.

22 EXAMINATION

23 **BY MR. MAY:**

24 Q Mr. Bowers, thanks for coming out this
25 evening. You mentioned that you, after your water was

1 discontinued for nonpayment that you reopened the
2 account in your girlfriend's name?

3 A Yeah. Actually the -- I couldn't figure out
4 why I was still getting a bill when they had turned off
5 my water. So I actually had to call them up and cancel
6 my account to stop getting charged for water I wasn't
7 using. And then because I could not get it turned on in
8 my own name, I had my girlfriend to put it in her name
9 because I didn't have the money to get --

10 Q So the account now is in your girlfriend's
11 name?

12 A Actually the account now is in Arredondo
13 Farms' name because I had a \$500 water bill --

14 MS. STARLING: It's not, it's not -- can I,
15 can I talk?

16 CHAIRMAN GRAHAM: You need to come up to the
17 mike, ma'am.

18 MS. STARLING: He -- we -- this situation was
19 new because his water was shut off. And, again, trying
20 to retain residency, so his girlfriend and I have been
21 speaking, they've given me copies of her bills, and I'm
22 actually working on paying off that. I didn't want to
23 bring the subject of the debt with the balance, so that
24 was something that she had called Aqua and put me on her
25 account so I could speak with them regarding that

1 account. So it's not, it's not in my name. I'm
2 investigating it. But I told him not to worry, it was
3 something that we could work out with his -- I talked to
4 his sister -- you know I've talked to your sister -- and
5 his girlfriend to work out a payment arrangement, so.

6 **CHAIRMAN GRAHAM:** Mr. May.

7 **MR. MAY:** Yeah.

8 **BY MR. MAY:**

9 Q The account now is in your girlfriend's name?

10 A Yes. Patricia Ruhlen.

11 Q What's her last name?

12 A R-U-H-L-E-N.

13 Q Okay. Thank you.

14 **CHAIRMAN GRAHAM:** Thank you, sir. Thank you
15 for coming down today.

16 **MR. KELLY:** Mitchell Young.

17 Whereupon,

18 **MITCHELL YOUNG**

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

22 **DIRECT STATEMENT**

23 **MR. YOUNG:** My name is Mitchell Young. I live
24 at 7117 S.W. Archer Road, Lot 2417. I've lived there
25 about six months. The cheapest water bill we've had

1 since we've been there has been \$80. It's went anywhere
2 from \$80 to \$190. I have my fiancée and our three kids
3 live there. We do an exorbitant amount of laundry
4 because they are very active kids, so I kind of
5 understand a higher bill, but not \$190, not when my
6 electric bill runs about \$150.

7 The customer service issue is ridiculous. We
8 call in to report an outage because they didn't tell us
9 the water was going out. We just turned the spigot on,
10 the water is not working. So we call, they're rude with
11 us. I've worked customer service for both Direct TV and
12 Dell Computers, and if I talked to those customers the
13 way we get talked to when we call in, I'd have been
14 fired on the spot.

15 I've also worked as -- in the utility
16 industry. There's not a utility I haven't done. I've
17 drilled water wells myself, and the sediment and stuff
18 that I see in the water, if we had drilled a well and
19 left water coming up like that, we wouldn't have drilled
20 another well for that company. They would have said you
21 can find somewhere else to drill. Every time we had a
22 complaint from a customer where there was still sediment
23 coming up, whether it be sand or larger particles, go
24 out there, drive some more pipe, get it down below the
25 rock, and that's what it takes. When you have a well --

1 I've drilled, you know, wells for houses, I've drilled
2 commercial wells which are called public supplies for
3 businesses, and each time if there's sediment, you go
4 back and you drill it deeper until you get out of the
5 sediment.

6 It's crazy. My fiancée and I, we try to
7 figure out every month, you know, how are we going to
8 pay our water bill. Our kids overhear this talking.
9 And I ask every person on this Commission, and this is,
10 you know, this is a rhetorical question, but what do you
11 tell your 8-year-old when he tells you he doesn't want a
12 glass of water so he doesn't raise your water bill?
13 That's all I have.

14 **CHAIRMAN GRAHAM:** Mr. May.

15 **EXAMINATION**

16 **BY MR. MAY:**

17 **Q** You indicated that you had contacted Aqua's
18 customer service about a water outage.

19 **A** Yes.

20 **Q** Do you know, Mr., Mr. Young, do you recall the
21 date and -- the date?

22 **A** I don't recall the exact date. It's been --
23 there was one probably about a month and a half ago.
24 About a month and a half ago. And then there's been
25 several of them within the six months that we've lived

1 there where they've had to do flushing or a line has
2 broke, you know.

3 And I understand if a line breaks and it's an
4 emergency situation. But if you're going to do a
5 flushing -- I mean, I'm sorry, I believe this company is
6 large enough they can afford to do an automated phone
7 call for their customer base and say we're going to be
8 doing a flushing in your community on this date. You
9 know, just to give you fair warning, pressure will
10 either diminish or stop for a period of X amount of
11 time, just as a customer service, you know. You know, a
12 courtesy.

13 Q Thank you, sir. No further questions.

14 CHAIRMAN GRAHAM: Thank you, sir. Thanks for
15 coming down today.

16 Mr. Kelly.

17 MR. KELLY: Mike Green.

18 Whereupon,

19 MICHAEL GREEN

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

23 DIRECT STATEMENT

24 MR. GREEN: How are you doing today? My name
25 is Michael Green. I'm the Supervisor of Maintenance at

1 Arredondo Farms.

2 We, okay, we have over 100 rental homes, and I
3 am responsible for maintaining them. Because of Aqua's
4 poor response and the water problems, we have to take a
5 very proactive source of solving and trying to prevent
6 these problems.

7 We also have a program called Gold Key
8 Service, which we do a monthly inspection to make sure
9 that people don't have sediment problems, drainage
10 problems. We just do an overall check on the house and
11 make sure everything is in good condition and ask them
12 how they're doing with the water services.

13 I've actually gone into places, which is Lot 2
14 which we gave you some pictures of, and I've pulled out
15 at least five gallons of sediment out of the lines. And
16 I've had to replace two elements out of it. And within
17 a two-week time I've actually had to go and replace the
18 elements again. And this is due to eight inches, six,
19 ten inches of sediment buildup in the lines. Which
20 we've had to replace all the showerheads, the supply
21 lines, actual shutoff valves, and the faucets in the
22 home that we had to do this cleanout for, which is
23 starting to be a very uncontrollable cost issue.

24 We also do leak detections on the homes. We
25 make sure that their meters and stuff aren't running.

1 We actually even do a weekly, a weekly meter reading,
2 which we go around to renters and non-renters of
3 everybody that has a water meter, even if the lot has a
4 home on it or not. We actually search the meters, make
5 sure they're not running. If there's somebody home, we
6 knock on the doors and we ask them, "Are you guys
7 running water at this time?" They'll tell us yes or no.
8 Most of the time it's not and the meters are just going
9 a hundred miles per hour. So what we'll do is even if
10 they're homeowners, just so we can keep them in our, in
11 our complex, we'll actually eat the cost and have to go
12 and fix these problems for homeowners. And we do it
13 weekly just so that we don't have \$3,000, \$4,000, \$5,000
14 bills that our tenants can't cover and then they have
15 to, them and their children have to move out.

16 Not only is it sediment -- which the sediment
17 is built up like if you took a fish and you scaled it,
18 that's what our sediment looks like. They're big
19 chunks. The water is slimy. I've actually drained a
20 hot water heater that looked like it had a jellyfish
21 ground up inside it. And still our tenants pay an
22 enormous amount for some water that is barely, barely
23 good enough to use for animals.

24 And we're just looking, from YES Communities,
25 we're looking to try to get our tenants some kind of

1 help or some kind of relief from such poor treatments.
2 And that's all I have to say.

3 CHAIRMAN GRAHAM: Thank you, Mr. Green. Hold
4 on a second.

5 EXAMINATION

6 BY MR. MAY:

7 Q Mr. Green, thank you for coming out this
8 evening. And just a couple of follow-up questions.
9 You're an employee of YES Communities?

10 A Yes, sir. I'm actually the Maintenance
11 Supervisor.

12 Q Have you worked at any of the other
13 communities that YES owns in Florida?

14 A No, I haven't. I've actually, just for a
15 couple of days we just went down to Tampa and did a
16 little help out there.

17 Q Okay. Does -- do you know if the Tampa
18 community that YES owns -- does YES own a water and
19 wastewater utility down there?

20 A That I'm not sure.

21 Q Not sure? Okay. Are you a customer of Aqua?

22 A No, sir.

23 Q Okay. And do you know, have you or
24 Ms. Mallory Starling, have you all talked to any of the
25 customers before they appeared today?

1 A No. The only thing we done is pass out fliers
2 asking them to come and speak their heart and tell the
3 truth and to speak on the account.

4 Q As a late-filed exhibit could we get a copy of
5 that flier from you, please?

6 A Do we have any copies of any fliers? No, we
7 don't have any with us.

8 MR. BERNSTEIN: We'd be glad to provide it.

9 MR. GREEN: Would you like me to hand it to
10 you?

11 MR. MAY: Yes.

12 BY MR. MAY:

13 Q So there was lunch this morning before the
14 hearing?

15 A Yes, sir.

16 Q You all had the people here and you fed them
17 lunch?

18 A We were just trying to get everybody together
19 so everybody could caravan together. For the ones that
20 didn't have cars, our staff actually put them in our own
21 cars and brung them.

22 Q And, Mr. Green, how long have you been with
23 the company?

24 A I've been there since January the 3rd of this
25 year.

1 Q Were you -- did you participate in any of the
2 due diligence that YES Communities performed before it
3 acquired this facility?

4 A No, sir.

5 Q Do you know who did?

6 A No, sir.

7 Q Do you know who would know that?

8 A Most likely Mallory Starling.

9 Q Mallory Starling?

10 A Yes.

11 Q The lady who just spoke?

12 A The lady who just spoke, our park manager.

13 Q Are you going to be testifying at the hearing
14 in, at the end of November and early December of this
15 year?

16 A If that's what she calls for, I will be there.

17 Q Okay. Mr. Green, thank you for coming this
18 evening.

19 A Thank you very much.

20 **CHAIRMAN GRAHAM:** Mr. Green, hold on a second.

21 **MR. MAY:** I would like to offer this as a
22 late -- as an exhibit.

23 **CHAIRMAN GRAHAM:** Okay.

24 **MR. MAY:** I think it's Exhibit 13.

25 **CHAIRMAN GRAHAM:** It will be Exhibit 13. Do

1 you have a short title?

2 **MR. MAY:** YES flier to customers.

3 (Exhibit 13 marked for identification.)

4 **MR. BERNSTEIN:** Commissioners, if I might.

5 **CHAIRMAN GRAHAM:** Yes.

6 **MR. BERNSTEIN:** Ms. Starling came today
7 unfortunately without copies of the exhibits we wish to
8 place before you into evidence which she spoke about,
9 and we'll be filing, with your permission, counsel's
10 understanding, a pleading supplementary to have those on
11 record so you will have copies before you to corroborate
12 the testimony that Ms. Starling gave you.

13 **CHAIRMAN GRAHAM:** Okay.

14 **COMMISSIONER BALBIS:** Thank you. I have a
15 couple of questions. You went over some of the work
16 that you did in dealing with customers having weekly
17 meter readings, and you indicated you fixed the problems
18 for the homeowners. What were some of the fixes that
19 you did, and was it repairs and leaks in the home that
20 --

21 **MR. GREEN:** Our main thing is elements and the
22 toilet fill valves. The toilet fill valves I consider
23 number one because if you can see on -- you have a stack
24 in the papers where it shows you the fill valve. If you
25 see all the pieces that are inside of there, the actual

1 top part is a flapper that closes and actually stops the
2 water from filling up. But with those rocks in there
3 sticking up pointy and everything, it keeps the valve
4 open, which costs our tenants money every second it
5 runs.

6 **COMMISSIONER BALBIS:** Okay.

7 **MR. GREEN:** So that's mainly what a lot of
8 things we deal with.

9 **COMMISSIONER BALBIS:** Okay. Did you find any
10 meters that seemed to be inaccurate or was it that there
11 was a leak somewhere?

12 **MR. GREEN:** Mostly it was a leak. And when I
13 come down to find the leak, it's due to the sediment
14 that's built up into the thing and it just won't allow
15 it to close or cut off right.

16 **COMMISSIONER BALBIS:** Okay. All right. Thank
17 you.

18 **CHAIRMAN GRAHAM:** Thank you, Mr. Green.
19 Thanks for coming down today.

20 Mr. Kelly.

21 **MR. MAY:** Mr. Chair, just for clarification,
22 did Mr. Bernstein offer to provide Late-Filed Exhibit
23 14?

24 **MR. BERNSTEIN:** Yes.

25 **MR. MAY:** I think we might want to get a name

1 for that.

2 **MR. BERNSTEIN:** Those will be the customer
3 complaints that Ms. Starling referenced and testified to
4 and had in front of her today when she was testifying.
5 She does not have an extra set. I'd like to provide you
6 with a set and obviously we will file it with the
7 Commission.

8 **MS. STARLING:** Can I add two things, by any
9 chance?

10 **CHAIRMAN GRAHAM:** No, ma'am.
11 Mr. Jaeger.

12 **MR. BERNSTEIN:** The pictures as well. Yes.
13 We can do it as a composite.

14 **MR. JAEGER:** Customer complaints and pictures.

15 **CHAIRMAN GRAHAM:** Mr. Jaeger, do we need to
16 wait until we have that in our hand? Are we just
17 putting that as a place mark now?

18 **MR. JAEGER:** I think we, Chairman, I think we
19 can go ahead and put it in as a place mark,
20 Exhibit Number 14, customer complaints and pictures from
21 Ms. Starling.

22 (Late-Filed Exhibit 14 identified for the
23 record.)

24 **CHAIRMAN GRAHAM:** Mr. May.

25 **MR. MAY:** I was going to ask for permission to

1 hand the court reporter Exhibit 13.

2 **CHAIRMAN GRAHAM:** One more time.

3 **MR. MAY:** Mr., Mr. Green had provided me with
4 Exhibit 13, and I wanted to approach the court reporter
5 or to hand it to you or whoever is keeping track of
6 that.

7 **CHAIRMAN GRAHAM:** Thank you, sir.

8 All right. Mr. Kelly.

9 **MR. KELLY:** Mr. Charles Milton.

10 **CHAIRMAN GRAHAM:** Mr. Milton, welcome.

11 Whereupon,

12 **CHARLES MILTON**

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

16 **DIRECT STATEMENT**

17 **MR. MILTON:** My name is Charles Milton,
18 7117 S.W. Archer Road, Lot 2330. And like the rest of
19 them, we've got bad water problems, water condition. I
20 threw them away now, but I had a couple of gallon Glad
21 bag baggies, looked like it had corn meal in it that was
22 lime rock that come out of our faucets. We have no
23 water pressure. The cold water side, you turn it wide
24 open, it'd probably take three or four minutes or more
25 to fill up a gallon jug. And the water quality is just,

1 well, we don't even drink it. The only thing we do is
2 flush toilets, take a shower with it. We don't even
3 give water to our dogs, none of our animals, because
4 it's just, it's just nasty water.

5 And I, every time you call, for some reason I
6 get stuck with New Jersey. And them people, they just,
7 they've got the attitude of, well, I got water at my
8 house. That's your problem. I tried to explain to
9 them, I said the people out here, they're maintaining
10 this stuff. They need to put some sort of a filter.
11 I've drilled enough wells that -- when they had the well
12 out one time before here some months back, they could
13 have put a screen in it. That would have probably
14 knocked out 99% of the gravelly stuff. And as far as
15 the other stuff, it dries and looks like baby powder.
16 So you'd have to have a sock and that would eliminate
17 most of it.

18 And my wife, she's diabetic. I'm 63, work all
19 the time. So -- and I got a bill here for over \$2,000.
20 So it's impossible for two people to use that much
21 water. There's no leaks. And I call and they kept
22 telling me, "Well, you've got a leak. You've got a
23 leak." I do not have a leak. I checked everything in
24 the house. I turned everything off, go out there and I
25 set at the meter and watch it. The meter does not move.

1 Well, the next thing you know I get a seven, eight, \$900
2 water bill. I call them. "You got a leak." I said, "I
3 don't have a leak. I checked it myself." "Are you a
4 certified plumber?" I says, "No, I'm not, but I know a
5 leak when I see one." They said, "Well, you need to
6 hire a certified plumber to come out there and check."

7 Well, they had their maintenance man come out.
8 I took off a Friday for him to check the meter. Never
9 showed up. I had to work Monday; he showed up. And I
10 don't know what he did, how he checked it or anything
11 else. And I know I took -- I bought a gallon jug of
12 water, marked it, and I checked the meter myself. The
13 meter is maybe a tenth of a gallon off, which I don't
14 care about that. I just, it's the attitude of the
15 customer service. They don't want to talk to you.
16 Every time you say something -- I said, "Well, I got a
17 \$2,000 water bill. It says me and my wife are using 377
18 gallons of water a day. I'm not there half the time."
19 And they said, "Well, that's your problem." They said,
20 "Well, we're not going to turn it back on until you pay
21 the bill." "I don't have that kind of money." "Well,
22 make payment arrangements." Then she tells me, "But if
23 you're one penny short, one day late, we're cutting your
24 water off."

25 These people, they don't care. The best thing

1 Aqua can do is either get rid of their customer service
2 or retrain them. The person they're talking to on the
3 other end of the phone is a person, not an idiot like
4 they take me for. And basically that's all I've got to
5 say. As far as the bill, Mr. Barnes is going to try to
6 get that straightened out. But the customer service, if
7 I were running it, half of them would be fired.

8 **CHAIRMAN GRAHAM:** Hold on just a second. Do
9 you have a question?

10 **MR. MILTON:** Like I say, they need to retrain
11 them and let them know how to talk to people.

12 **COMMISSIONER BRISÉ:** Thank you for being here.
13 My question is just to clarify for my personal
14 knowledge. So that \$2,000 bill is for one month?

15 **MR. MILTON:** Well, it says it's a back bill
16 for 298 days, 112,000 gallons of water, average daily
17 usage 377 gallons. Like I say, my wife is unstable, I'm
18 at work most of the time, and there's no leaks.

19 **COMMISSIONER BRISÉ:** Okay.

20 **MR. MILTON:** And I had, I had to agree to this
21 payment schedule or they never would turn my water back
22 on. And like I say, we don't drink it, we don't cook
23 with it, because, I don't know, it might poison you. I
24 don't know. But it's just nasty water for the price you
25 pay. And so I buy water. I pay Aqua for water and I

1 buy water, you know.

2 CHAIRMAN GRAHAM: Mr. May.

3 EXAMINATION

4 BY MR. MAY:

5 Q Not to belabor this, but could I take -- well,
6 never -- I'll ask the question. You indicated,
7 Mr. Milton, that this was a back bill for 290 days?

8 A Yeah. That's what -- they got down from
9 September the 10th to July the 7th of '11.

10 Q So this was a bill that extended over a period
11 of 290 days?

12 A Yeah. That's what he said. But I got, I got
13 the bill here if you want it. I got copies.

14 Q And the payment -- and you called and arranged
15 a payment plan?

16 A Yeah.

17 Q And what was the payment plan?

18 A It was \$175 a month for 13 months. She said
19 if I missed one day or a penny short, the agreement was
20 null and void, they'd want all the money at once.

21 Q And when did you, when did you call the
22 customer service representative approximately?

23 A The date of the agreement is for August the
24 15th, but I called her before that. And when I went and
25 got the water turned on, they give me the runaround.

1 Proof of residency, I got that. And Rick Moore that was
2 here earlier, he's my landlord, they filled out all the
3 paperwork, sent it to YES. They faxed it up there.
4 They kept giving them the runaround, the runaround. And
5 one day Ms. Mallory said, "Well, we'll take the lock
6 off." So they took the lock off, me and my wife got a
7 shower. And the next day my wife called me, they turned
8 the water back off. I come in and there was a lock back
9 on it. So I told her, I said, "I'm just tired of it."
10 So we're in the process of thinking about moving. But
11 if you, if you want copies of this, you're welcome to
12 it. I got copies.

13 Q I just wanted to again extend the offer.

14 Mr. Barnes --

15 A Yeah. He said he's going to work on it.

16 Q Sure. Okay. Thank you for coming out.

17 A But I was just, the main thing is just the
18 customer service, they need to train them people.
19 Because they don't care who they talk to because you
20 can't reach through the phone and slap them.

21 Q Thank you, sir.

22 A But like I say, he's going to try to work,
23 work something out on that.

24 **CHAIRMAN GRAHAM:** Mr. Milton, Mr. Milton,
25 we've got some questions.

1 **COMMISSIONER BALBIS:** Mr. Milton, I have one
2 question. You mentioned that your landlord was here
3 earlier.

4 **MR. MILTON:** Yes. Rick Moore.

5 **COMMISSIONER BALBIS:** Is that who you work for
6 us well?

7 **MR. MILTON:** Yeah.

8 **COMMISSIONER BALBIS:** Okay. And were you here
9 when he spoke?

10 **MR. MILTON:** Yeah.

11 **COMMISSIONER BALBIS:** Okay. So you did hear
12 that he said you were the hardest working employee he's
13 ever had in 42 years? I wanted to make sure you heard
14 that comment.

15 **MR. MILTON:** Yeah. I'm from the old school:
16 If you take a man's money, you give them the best job
17 you can. And people grumble about this job don't pay
18 this and all this. Well, I say, "You agreed to work for
19 it. If you don't like it, quit. Grab your cardboard
20 and marker and hit the interstate."

21 **CHAIRMAN GRAHAM:** Hold on a second,
22 Mr. Milton.

23 **MR. BERNSTEIN:** Yes. Mr. Chairman,
24 Commissioners, we'd like to proffer the bill in as
25 Exhibit 15. Mr. Jaeger?

1 **CHAIRMAN GRAHAM:** Sure. We can do that.

2 Sir, can we get a copy of that bill?

3 **MS. BRADLEY:** Can we get a copy of the, the
4 agreement he signed?

5 **MR. BERNSTEIN:** We can do that too. Do you
6 have a copy of that, sir?

7 **MR. MILTON:** Yeah. Yeah. I made copies of
8 them because I didn't know what all you needed and --

9 **CHAIRMAN GRAHAM:** Sure.

10 **MR. BERNSTEIN:** Composite 15.

11 **CHAIRMAN GRAHAM:** Thank you, sir.

12 **MR. MILTON:** All right.

13 **CHAIRMAN GRAHAM:** So this is Number 15, and
14 we'll call it --

15 **MR. JAEGER:** Copy of -- composite copy of the
16 Milton bill and agreement.

17 **CHAIRMAN GRAHAM:** Composite/Mr. Milton.

18 (Exhibit 15 marked for identification.)

19 Are we all up to speed?

20 **MR. KELLY:** Are you ready?

21 **CHAIRMAN GRAHAM:** Ms. Bradley, are you good?

22 **MS. BRADLEY:** I'm good.

23 **MR. BERNSTEIN:** Yes, sir. I apologize.

24 **CHAIRMAN GRAHAM:** Oh, you're fine.

25 Mr. Kelly.

1 **MR. KELLY:** Norma Bradley.

2 Whereupon,

3 **NORMA BRADLEY**

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

7 **DIRECT STATEMENT**

8 **MS. BRADLEY:** Good evening. My name is Norma
9 Bradley, and we live at 7117 S.W. Archer Road, Lot 2106.

10 Most of everybody have said what I wanted to
11 say. But at least we've been there about seven years
12 now, and the first couple of years that we was there we
13 had no problems with the water. But maybe about five
14 years ago it started getting bad. After we had been
15 there for a couple of years, all of the sudden we
16 stopped getting a water bill. And I was wondering where
17 was the water bill. I went and checked all the bills to
18 see did we get one, and we hadn't got one. And so I
19 called to see what was going on with the water bill.
20 Again, so it was kind of nasty, but she say, "Well, have
21 you moved?" I said, "No. I haven't moved. I've been
22 here for the last two years." But we had not got a
23 water bill. And they sent us a water bill and it was
24 for somebody else's, somebody else's name. So then I
25 had to get back on the phone and call back and get that

1 straight. We finally got it straight. So I've been
2 getting the water, getting our water bill on time. We
3 pay it.

4 Our water bill went from \$41.06 up to \$129 and
5 some change. It stayed there for a while, then it come
6 down to \$90. Then it went back up to maybe 100 and
7 something. And now it's down like maybe \$84, \$86. It's
8 only two people live in the house, that's me and my
9 husband. We have a little dog, and he don't use any
10 water because we buy Zephyrhills water. We have to buy
11 that to drink it. We don't drink the Aqua water. But I
12 do cook out of it, cook sometime with the water. But we
13 use Zephyrhills water, you know, because the residue and
14 all that be in the, on the water. And my glasses got
15 rings around the glasses where the water sit up. When
16 we wash the car -- both our vehicles are white, so you
17 can't tell the white residue on the car. But on the
18 windshields it's all messed up from the, from the water.

19 And I would just like to say that here a while
20 back, I think twice in a year the water line had broken.
21 And I rode by one night and saw water just coming out
22 aside the road, and I said, "Oh, my God. The water bill
23 is going to go up again." And, sure enough, it did. It
24 was fixed. And then about maybe a few months later, I
25 think it might have been the same water line that was

1 broken again, and we just wondered what about the water
2 bill. And I think I had spoke with someone in the
3 office, I believe I did. And I was going to ask them,
4 okay, with that line being fixed, when the water was
5 coming out, okay, who's responsible for, you know,
6 paying that, for all that water coming, the waste of the
7 water? Are we going to have to pay for that, you know?
8 And my husband said we probably do because you see the
9 water bill has gone up. So, you know, that's how we
10 take, took it like that.

11 And as far as giving us a notice when the
12 water, when they going to shut the water off, we just
13 got one notice, but it was after the water had been off
14 this last time about 10:30 at night. I think the water
15 came back on and went off about 7:00 something. It came
16 back on about 10:30 the night before school started for
17 our children here in Alachua County. And I said, oh, my
18 goodness. The kids gonna, you know, the parents are
19 going to be in a, you know, a big uproar because the
20 kids got to have their showers and stuff to go to bed to
21 get up and go to school the next morning. Nobody warned
22 us about that. But then the next day we got a letter
23 stating that it was something that had happened and the
24 water would be off. And we had this boil thing on for a
25 few days and we're not to use the water unless we boiled

1 it until they tell us to go back and use it. Because
2 then I didn't trust that. I say, well, I'm going to
3 boil the water for a few more days anyway. But still
4 that residue is there.

5 And I just would like to say it's really, it's
6 bad. It's bad. My husband and I, we're both on fixed
7 incomes. We're both retired. And I thought this would
8 be a time in our lives that we would be enjoying our
9 retirement. But we can't because they're, we do have,
10 you know, bills that have to be paid. And when the
11 water bills -- sometimes it exceeds the light bill. And
12 I don't think it's right for just two people living in
13 the same house and using the same amount of water. And
14 sometimes we don't even wash our car at home. We take
15 it down and let some of the guys downtown wash our cars,
16 but we still get paid -- you know, charged for the same
17 amount of water. And that's all I have to say.

18 **CHAIRMAN GRAHAM:** Thank you, ma'am.

19 Mr. May.

20 **MR. MAY:** No questions. Thank you,
21 Ms. Bradley.

22 **MS. BRADLEY:** Uh-huh. Thank you.

23 **CHAIRMAN GRAHAM:** Mr. Kelly.

24 **MR. KELLY:** Debra, is it Boudreau?

25 **MS. STARLING:** She left.

1 **MR. KELLY:** Judi Donovan.

2 Whereupon,

3 **JUDI DONOVAN**

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

7 **DIRECT STATEMENT**

8 **MS. DONOVAN:** I live with my parents at
9 7117 S.W. Archer Road, Number 2407. And I'd first like
10 to read a brief letter from them, and then I have some
11 additional comments.

12 "We, William and Margaret Wright, live at the
13 above address," which I just mentioned. "However,
14 because we are elderly and disabled, we have asked our
15 daughter, Judith Donovan, who lives with us, to
16 represent us at this hearing today. We ask that she be
17 allowed to speak on our behalf.

18 "We have lived at Arredondo Farms since
19 January 2000. Our water bills were reasonable. At one
20 point a few years ago there was trouble with the
21 underground pipes. And they came," meaning Aqua, "came
22 and dug up our yard to get to the necessary pipes.
23 After that our bills became quite high. Then at one
24 point they leveled off, so we thought, and we were only
25 charged about \$55 a month. Then in March 2011 we

1 received a bill for over \$2,000 charging us for
2 99,300 gallons of water. That was when we began calling
3 Aqua and Arredondo for help.

4 "In speaking with Aqua, we were told that they
5 had not billed us for any water usage for 19 months and
6 this was the bill to make up for that time period.
7 Since that time, each month our bill says we use
8 approximately 6,500 to 8,500 gallons of water each
9 month. That is ridiculous. We would have to use 217 to
10 283 gallons per day or up to nearly 24 gallons per hour
11 every hour that we are awake. There are only three of
12 us in the house. We have owned other homes in our
13 lifetime and never had water bills that exceeded our
14 electric bills every month, but that is the case here.

15 "Recently a man from Aqua came to our home and
16 checked something and said that it appeared as though
17 there was a leak underground, but the company has never
18 been back to check this out further. Beside the fact
19 that the water has a terrible taste to it and we need to
20 purchase bottled water every week to drink in our home.

21 "We hope you can help us solve this ongoing
22 problem of high-priced water bills and quality of water
23 to our home. Sincerely, William and Margaret Wright."

24 My parents are 86 and 88 years old, and about
25 15 months ago I had to move in with them to help them

1 because they can't get around on their own. We have had
2 to -- after numerous contacts with Mallory and the
3 office, they suggested that the water usage obviously
4 was very high. My parents only buy bottled water. You
5 know, they're elderly; they take, they don't take
6 showers every day. They only basically use the water to
7 flush the toilet or wash. My mom washes three loads of
8 laundry a week, period, end of conversation, because
9 she's already had issues where she's had problems with
10 her washing machine and water backing up and sewage
11 backing up and what not. So we're limited to three
12 loads a week. So there's no way that we're using up
13 240 gallons a day.

14 In fact, I have a copy of the August bill. It
15 says average daily usage, 279 gallons. That's, that's
16 unheard of. There's no way that that's correct. I'm
17 sure there's a leak in the ground somewhere. But even
18 though that was somewhat verified by someone from Aqua,
19 there was never any follow-up.

20 When she found out, my mom called and found
21 out that the bill that she had been paying, and she's
22 always paid her bills every month, she's never been
23 behind, and the bill that she was paying every month of
24 \$52.72 says it's an actual read, but it says that
25 there's no usage. And when we started looking further

1 into this situation, we found out that when the meter
2 reader finds -- or let's say the usual process or the
3 process they're supposed to follow is if there shows no
4 water usage, that they're supposed to look into it.
5 Well, this went 19 months. And my mom being 86, she got
6 a bill, she paid the bill. It wasn't until after I
7 started, you know, we got the very, very high bill and I
8 started looking into it did I see that it showed no
9 water usage. That was just for actually the service to
10 the house, period, end of conversation.

11 I, before I lived with my parents I owned a
12 home in Newberry, and at one point my daughter and my
13 teenage grandson were living with us. Out in Newberry
14 you have City of Newberry utilities, and with running
15 the dishwasher every night, the washing machine nearly
16 every day, and showers every day and sometimes twice a
17 day, there was nothing that even closely resembled a
18 bill like my parents have been receiving.

19 Also, on the bill that I have here, because
20 from August of this year the, a gentleman who spoke a
21 ways back said he was being charged twice, water base
22 facility charge, water base facility charge. And for
23 water usage there are four different rates on this bill
24 that they're being charged for. And it appears that
25 because they're billing her for 8,100 gallons of water,

1 that that's, that there's an excessive usage charge so
2 that they're billed a certain dollar amount for certain
3 gallons, and then above that they're billed at a higher
4 rate. And that's just -- if you lived there, you'd
5 understand. We don't even use -- I mean, just washing a
6 few dishes. They don't even own a dishwasher. So it
7 really seems ridiculous. Whether the meter reader did
8 not come out to the house for 19 months, if he drove by,
9 apparently clicked his little computer clicker and did
10 not catch the water on that meter for 19 months, I don't
11 know what happened. But if the meter was faulty or the
12 meter reader did not read correctly, that was not my
13 parents' problem. That was the company's problem. It's
14 the company's meter and the company's meter reader.

15 I think what's been difficult for me to
16 swallow while I've been here today is to understand that
17 when you have GRU, Gainesville Regional Utilities, and
18 they want a rate increase, that you're going to see in
19 your neighborhood or somewhere within Gainesville
20 Regional Utilities' area the improvements that, such as
21 Mr. Fox and his company would like to make. But your
22 company is located, or at least the billing address is
23 Pennsylvania. And if you're charging high, high rates
24 for poor quality of water at little Arredondo Farms and
25 you want a rate increase, are those going to be used to

1 improve Arredondo Farms or other properties in Florida,
2 or are they, is it going to be used in other states?
3 We're not seeing the benefit of the price that's paid,
4 and I think that that's what's difficult.

5 And I know that everybody here has basically
6 said the same things and maybe after three or four hours
7 you're tired of hearing it, but I think it just relates
8 to the fact that the water bottom line is poor. You
9 cannot drink it. And the service is poor.

10 I agree with the lady before me. The water
11 went off unexplainably on a Sunday night at 7:00, 8:00.
12 Why was it off for a couple of hours on a Sunday night?
13 No one was working on anything at that hour. And I
14 think there's a lot of questions; a lot of things need
15 to be resolved. I hope the Commission is the body that
16 will address the problems that the people have here and
17 hold Aqua Utilities accountable. Thank you.

18 **CHAIRMAN GRAHAM:** Thank you, Ms. Donovan.

19 **EXAMINATION**

20 **BY MR. MAY:**

21 Q Ms. Donovan, thank you very much for coming
22 out. And I think you have several documents in your
23 hands. The -- we're going to be filing a response, some
24 testimony responding to this, and we want to get to the
25 bottom of your parents' concerns. And with the Chair's

1 permission, I was wondering if we could have the
2 documents that you have on the dais there as a composite
3 exhibit.

4 A I have -- my mom gave me -- I have a stack of
5 bills that she gave me. The ones that I brought up here
6 are the current bill for, that she paid in September.
7 And because she has this ongoing back balance of God
8 knows how much, she's made arrangements too. But in
9 sitting here and looking at this -- and this is a very
10 difficult bill to read and I have a finance background.
11 I am going to school right now for a degree in
12 accounting. I am having a hard time reading this bill.
13 I had to really study it to understand it.

14 She has an arrangement that she has to pay her
15 whole bill plus a portion of a back bill. But I can see
16 that from what she wrote on here and what she paid, she
17 didn't pay her whole bill because she didn't understand
18 this whole bill. And I'm going to have to speak to one
19 of the gentlemen in the back so she doesn't have her
20 water shut off.

21 Q Sure.

22 A I have the current bill. I have one bill that
23 shows how they were charged with a zero usage, and that
24 went on for 19 months. And then I have a bill that
25 shows the 99,300 gallons of water.

1 Q And I think you also had a letter that you
2 read from?

3 A Yes. I made a couple of corrections to it
4 because once I saw the bills, I saw that there were --
5 we had averaged a few things and that they're more
6 exact.

7 Q And then I think you had another, in your --

8 A That's just my note card.

9 Q Is that your note cards or did someone provide
10 that to you?

11 A Oh, no. I wrote them. No.

12 Q Okay. Could we just have I guess all of those
13 as a composite exhibit?

14 **CHAIRMAN GRAHAM:** Are those copies that we can
15 --

16 **MS. DONOVAN:** Do you have a, do you have a
17 copy machine here?

18 **MR. DURBIN:** Yes, ma'am.

19 **MR. WILLIS:** Chairman, we can make copies. We
20 can make copies here.

21 **CHAIRMAN GRAHAM:** All right. So when we get
22 those copies back, we'll enter that as Exhibit 16.

23 **MR. MAY:** Ma'am, could we have your, your
24 other note card as part of that composite exhibit?

25 **MS. DONOVAN:** Sure.

1 **CHAIRMAN GRAHAM:** Composite, short title will
2 be Composite/Ms. Donovan.

3 **MR. JAEGER:** The bills are under William and
4 Margaret Wright. Do you want to --

5 **CHAIRMAN GRAHAM:** No. We're just going to do
6 it under Donovan. That's the person testifying.

7 (Exhibit 16 marked for identification.)

8 All right. Mr. Kelly.

9 **MR. KELLY:** Don Stauss.

10 Whereupon,

11 **DON STAUSS**

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

15 **DIRECT STATEMENT**

16 **MR. STAUSS:** Don Stauss, 2220 S.E. 51st
17 Avenue, Ocala, Florida 34470.

18 I've shown Mr. Barnes back here my bill. I
19 have one with, the last bill, water base and all that
20 stuff, the old rate and the new rate, and they combined
21 both rates and billed me 228 bucks. I don't wash cars,
22 I don't have a swimming pool. Just my wife and myself.

23 And on this new rate, am I correct maybe in
24 assuming that the Public Utilities Commission has
25 authorized Aqua to charge me a higher rate until this is

1 authorized officially? Is that correct?

2 **CHAIRMAN GRAHAM:** I believe so, sir. Yes.

3 **MR. STAUSS:** They're using my money hoping
4 that you will authorize them to give it to them legally.

5 **CHAIRMAN GRAHAM:** If we come back and the rate
6 is set below what it currently is, then you'll be
7 refunded that money with interest.

8 **MR. STAUSS:** With interest. How much
9 interest?

10 **CHAIRMAN GRAHAM:** I do not know off the top of
11 my head, sir.

12 **MR. STAUSS:** I'll ask Bernanke. He knows.
13 That's all I have.

14 Mr. Barnes back here was very nice in going to
15 check this. I think it may be a billing area -- error.
16 Excuse me. But he will have a man out at my house by
17 9:00 in the morning to check on this. I appreciate
18 y'all's time. Thank you very much.

19 **CHAIRMAN GRAHAM:** Thank you, sir.

20 Mr. Kelly.

21 I'm sorry. Mr. May, did you have any
22 questions?

23 **MR. MAY:** No, sir.

24 **MR. KELLY:** Susan Bier.

25 Whereupon,

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SUSAN BIER

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

DIRECT STATEMENT

MS. BIER: Hi. I'm a power of attorney for Mr. George Edminster. He owns Lot 4, Unit Number 1, and Lot 107, Unit Number 4, in what's known as Arredondo Estates.

CHAIRMAN GRAHAM: Ma'am, what's your name?

MS. BIER: Susan Bier, B-I-E-R. He is currently in North Florida Regional fighting for his life. He's elderly. He's been there for five months. He also lives on Social Security. And he bought these properties with his late wife as a supplement to his income. As a small real estate investor the income is supposed to help offset being on a fixed income. Okay? But when you have to dip into your fixed income to pay tenants' rents for them because they can't afford their water bills, then, you know, what, what amounts to the taxes aren't getting paid the way they should. Okay? That's what this whole thing boils down to.

No one bought my lunch to come here. No one gave me gas money to get across town. Nobody even bought me a bottle of water. Your implications are that

1 these investors are buying these stories from people.

2 Okay?

3 Well, several months ago I received a call
4 from Ed's tenant. Her name is Stephanie Altman. She's
5 a single mom. She works two jobs to afford this. It's
6 a 3/2 doublewide. She has her and her teenage daughter.
7 Her daughter goes to school there, has a friend in the
8 neighborhood. They love the neighborhood. They love
9 the doublewide. I bend over backwards to try to keep
10 these people in there because in the six months -- six
11 years I've been with Ed, we've had problems keeping
12 tenants in these properties. These are tax paying
13 properties. Whether there's tenants in there or not, we
14 have to pay those taxes. So I have a vested interest in
15 keeping this tenant there.

16 So she calls me. I was out of town. And she
17 said, "Well, I don't know what's going on here. My
18 normal water bills, which are \$50, they want me to pay
19 \$255." I told her, "In lieu of the rent, pay the \$255."
20 I then paid a repairman, a friend of mine, to go over
21 and check out and see why the bills were so high, and he
22 found a leaky toilet. Well, they had let the toilet
23 run. Okay? So we shut the water off to that bathroom,
24 this is a 3/2, and they lived with one bathroom for a
25 while until we could get to the bottom of the situation.

1 Well, the bottom of the situation was I paid two more
2 bills, \$148 and \$113, before we could get to the bottom
3 of the situation. Then I had my repairman go out. I
4 think he turned the water back on to that bathroom.

5 She subsequently received a bill for \$373
6 after we had paid the \$516. This was over a course of
7 two or three months. Then apparently she went to pay
8 the bill and she says to me, "Oh, I'm so thankful. My
9 bills are back down to \$60." I said, "Wonderful."
10 Well, now I called Aqua. I asked for a copy of those
11 bills, which they told me they couldn't send them to me
12 because they didn't want to change the address. So I
13 said, "All right. Send them back out to Stephanie," so
14 I could go over the bills and see where this money went.
15 Well, according to her, she never received those, those
16 bills. Okay?

17 So now her bills are down to \$60. Well, she
18 calls me this week, okay, and only the hot water is
19 going to the washing machine. And the only way they can
20 get water out of the kitchen sink is through the, you
21 know, that thing that you wash the dishes with. Okay?
22 So I'm ready to pay a plumber to go out there and solve
23 these problems now.

24 Well, this has been an eyeopener coming to
25 this meeting. Because what we thought were tenants,

1 poor quality tenants now might be reduced down to a poor
2 quality water company. So I've got to hire, now I've
3 got to hire a plumber to go out there and find out, get
4 to the bottom of the sediment issues and find out, yeah,
5 her bills are \$60 a month, but she's not getting any
6 water. So that's all I have to say. This has been an
7 eyeopener coming to this meeting. And I'm astounded
8 that the meeting is about a rate increase instead of
9 getting an alternative service out there to these tax
10 paying customers. Because no matter who owns the
11 properties, the taxes are being paid on the backs of the
12 people paying their utilities and paying their rents.
13 That's where the tax money is coming from, and
14 ultimately yourselves.

15 **CHAIRMAN GRAHAM:** Thank you, Ms. Bier.

16 Ms. Bier, we have a question for you. You need to come
17 to the mike, ma'am. Ma'am, you need to come back to the
18 mike.

19 **EXAMINATION**

20 **BY MR. MAY:**

21 **Q** Thank you, Ms. Bier. Just one quick question.
22 Ms. Altman, the account is in Ms. Altman's name?

23 **A** Yes, it is.

24 **Q** And you gave two lot numbers, Number 34 and
25 Number 27?

1 A Yeah. I think it's the Lot 34, Unit 1.

2 Q Okay.

3 A It is on 70th Terrace.

4 Q It's either one or the other, Ms. Altman's?

5 A Right. But it's 70th Terrace, and I think
6 it's 5328 70th Terrace.

7 Q Okay. Thank you so much.

8 A But I need a copy of all those bills so I can
9 recoup some of the money I put into this.

10 **CHAIRMAN GRAHAM:** Thank you, ma'am.

11 **MS. BIER:** Thank you.

12 **BY MR. MAY:**

13 Q And Mr., Mr. Barnes is in the back. He can
14 help you too this evening.

15 A Okay.

16 **MR. KELLY:** Cassandra Stade.

17 **MS. STADE:** I need to be sworn.

18 (Witness sworn.)

19 Whereupon,

20 **CASSANDRA STADE**

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

24 **DIRECT STATEMENT**

25 **MS. STADE:** Hello. My name is Cassandra

1 Stade.

2 **MR. KELLY:** I'm sorry.

3 **MS. STADE:** That's okay. I've lived in
4 Arredondo since about the beginning of June. Within
5 those four months it's been -- three months it's been
6 shut off twice without any knowledge of it being shut
7 off. Again, we did have to contact Arredondo before
8 Aqua would do anything or even address the matter.

9 As far as the quality of water goes, it is
10 very disgusting. I keep a bottle of water next to my
11 bedside, and by the time I wake up in the morning it's
12 covered in this powdery substance that's kind of like
13 baby powder. But it smells chalky and it doesn't leave
14 a nice residue in the back of your mouth.

15 As far as the pricing goes -- I have three
16 jobs. I work as a full-time cashier, I work part-time,
17 and I'm on call for another job. I support my mom, so
18 paying an additional bill on the water that we really
19 don't even use is kind of agitating. I don't have the
20 money to spend on extra expenses.

21 As unsanitary as it is, I'd say I take one to
22 two showers a week. And it's pretty sad if I have to
23 debate on if I feel like taking a shower or if I can
24 afford taking a shower. Honestly, I would rather take a
25 shower as much as I like. But I know if it's going to

1 raise how my bill will be, it's really not worth it.

2 There are activities that can't be done, as
3 people have said. Washing cars, not just for the
4 residue that's left on the car, but the simple fact of
5 how much it will cost just to run that kind of water.
6 Even working out. I choose not to work out because I
7 will have to take a shower, and I can't afford to take a
8 shower.

9 Other than that, I can deal with the residue
10 for the simple fact that I don't use water as much as
11 most people do that are here. I go without. My highest
12 bill has been \$72. I can imagine if I used it the way I
13 would like to, it would be much higher. But if it was
14 lower in price, I could imagine the residue would be
15 more of a problem because I'd be using more amounts of
16 it.

17 But all in all I would just rather have
18 cheaper rates so taking a shower wouldn't be such a
19 hassle. It's something that you look as a luxury and
20 now I have to look as more of an expense.

21 **CHAIRMAN GRAHAM:** Thank you, ma'am.

22 Mr. May.

23 **EXAMINATION**

24 **BY MR. MAY:**

25 Q Ms. Stade, I don't think I caught the unit

1 number.

2 A 2122.

3 Q 2122. That's Lot Number 2122? Okay. And
4 your, your name is on the account?

5 A Uh-huh.

6 Q Thank you so much.

7 CHAIRMAN GRAHAM: Mr. Kelly.

8 MR. KELLY: The last speaker we have is
9 Mr. Dave Bussey.

10 CHAIRMAN GRAHAM: I don't think he's here.

11 MR. BUSSEY: Are there any other local
12 customers that would like to speak before I do?

13 MR. KELLY: You're the last one, sir.

14 Whereupon,

15 DAVID BUSSEY

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

19 DIRECT STATEMENT

20 MR. BUSSEY: Okay. Commissioners, it's good
21 to see you again, on better terms, I hope, and all the
22 rest of you folks. My name is David Bussey. I live at
23 4948 Britni Way, in Zephyrhills, Florida. I'm an Aqua
24 ratepayer. I'm also a part of a grass-roots movement
25 called FlowFlorida.com, and we're interested in trying

1 to do something about this on a statewide manner. I
2 will be brief. I did have a couple of comments about
3 customer service.

4 Customer service. I would think after the
5 many years that this company has been in business they
6 would have customer service down pat. I'm thinking of
7 the restaurant business. Chains of McDonald's
8 restaurants, everything is duplicatable. If it's not
9 duplicatable, it doesn't work. Water and wastewater is
10 not rocket science, and I'm just surprised that this
11 company doesn't have it down pat. They ought to be able
12 to come into a community after all their years of doing
13 what they do and get it done the way it's supposed to be
14 done, but here we are.

15 The other issue about customer service,
16 addressing issues isn't what's important. Solving them
17 is what's important. And I'm really -- it really
18 distresses me to hear the responses that, well, this has
19 been addressed, or weren't you here when that was
20 addressed? I'd like to be there when they're solved,
21 and so far we're not getting anywhere and I'll explain
22 why.

23 Regarding the OPC, Mr. Kelly, they do a great
24 job, but there are some areas where they can't help us.
25 If I'm not mistaken, when it comes to my rates versus

1 your rates, they can't speak on our behalf. Give me a
2 heads up here, if I'm wrong.

3 **MR. KELLY:** I'm not -- I'll answer questions.
4 I'm not sure what your question is.

5 **MR. BUSSEY:** Well, in the telephone
6 conversation you folks had last Friday, Patty
7 Christensen was questioned by Mr. May about why she was
8 talking about rates. Because she, from his point of
9 view, she wasn't supposed to be bringing it up.

10 **MR. KELLY:** I haven't spoken to
11 Ms. Christensen this morning, sir. I'm sorry.

12 **MR. BUSSEY:** Well, it's my -- well, let me
13 continue. It's my understanding that, that because our
14 rates are different all across the state in the Aqua
15 network, the Office of Public Counsel regarding rates
16 cannot address those issues for the ratepayers. And the
17 Commissioner is shaking his head yes, so we don't know.
18 Okay. Please find out.

19 Regarding, regarding the ratepayers, I'm
20 sorry, sir, Aqua ratepayers do not have any rights
21 regarding rates in the State of Florida, and I'll prove
22 it to you in a moment. We don't have any rights.

23 Please correct me if I'm wrong. Most people
24 are wrong 50% of the time, and I'm one of most people.
25 I have a handout I would like to pass out. I'd like

1 to -- hopefully it'll be in the record. And if we start
2 here with, and just pass them around. I have them
3 identified, one for each of the areas here. What I'm
4 going to talk about is rate setting, and it's titled
5 "This is how we've always done it." The FPSC's mission
6 statement in part talks about providing safe,
7 affordable, and reliable -- the services in a safe,
8 reliable, affordable manner.

9 The term affordable, please understand this,
10 the term affordable -- I'm asking you to understand it.
11 They do. The term affordable does not in any way apply
12 to AUF ratepayers and should be deleted from the mission
13 statement as the word affordable is nothing more than a
14 fallout term. It's becoming a very popular word around
15 here. It has no other meaning. There's no definition
16 for it.

17 Section 367.081(2)(a)(1) of the statutes in
18 part talks about that the Public Service Commission can
19 either at their own discretion or when asked to do so,
20 they can set rates which are just, reasonable,
21 compensatory, and unfairly discriminatory. None of
22 these terms are defined by the statutes. So the Florida
23 Public Service Commission has chosen to give precedence
24 to the needs of the IOU at the expense of the
25 ratepayers. They have no other definition. And it's

1 nothing against Aqua, but I think instead of it being an
2 Aqua bill, it should be a fallout statement because
3 that's all we are. We're fallout. We're not customers.
4 We're fallout. Okay. We're at the end of the process.

5 Okay. In page 3 of the FPSC's 2010 annual
6 report, it states that the FPSC has a long track record
7 of providing fair rates. This is not the case. They'll
8 never be able to until legislation changes some things.
9 Once again, fair rates is nothing more than a fallout
10 word. All of the Florida Public Service Commission's
11 spin about looking out for the customers regarding just,
12 fair, and reasonable rates really isn't worth the paper
13 it's written on. There's no definition for any of it.

14 In a recent telephone informal conversation
15 this past Friday which I was a part of, the PSC stated
16 clearly, in my opinion, okay, correct me if I'm wrong,
17 stated clearly, in my opinion, that much of their
18 decision-making is, regarding rate setting is based on
19 procedures that have been developed and implemented over
20 the past several decades due to some court cases that
21 were decided. And this is way before Aqua became a part
22 of this Florida system we're in. In other words, this
23 is the way -- let me back up here. In other words, this
24 is the way we've always done it, so this is the way we
25 will continue to do it is what I got from the phone

1 conversation because everything is based on what these
2 court cases, how they were decided, and then the
3 mechanical methodologies that were developed by the PSC
4 that, that complemented those court cases, everything's
5 been done that way since then. And that's okay as long
6 as the scenarios don't change. But the scenario has
7 changed when Aqua became an IOU in the State of Florida
8 because they don't do business the same way the other
9 IOUs to. They don't have out-of-state parent companies
10 that they send a lot of money to, our money. They have
11 shareholders that they have to answer to. And believe
12 me, folks, that's the only reason why they're here is to
13 make money for the shareholders.

14 **CHAIRMAN GRAHAM:** Mr. Bussey, you're already
15 at eight minutes. You need to close it out.

16 **MR. BUSSEY:** I will close it off. You've
17 given much more time to other people, and I am at the
18 last. And I will be as brief as I can. I know you
19 don't want to hear these things, but I think it should
20 be on the record.

21 I realize that the Staff is undermanned,
22 underpaid, overworked. Okay? But to be quite frank,
23 even if this were not the case, the ratepayers' concerns
24 would still be ignored because of the way the current
25 situation is. Focusing only on the mechanical

1 methodologies that you folks use at the PSC, no matter
2 what the adverse impact is on Aqua ratepayers, it will
3 continue to be the same policy because regardless of how
4 much we will have to pay both now and in the future,
5 taking care of the utility is the primary concern. It
6 always has been and it will continue to be until
7 legislation changes it.

8 The new scenario is the elephant in the room,
9 Aqua Utilities. They've upset the apple cart with
10 regard to the high rates, and yet the PSC has chosen to
11 treat them as though nothing unusual has happened.
12 Everything is just the same like it's always been. It's
13 not the same. I'm almost done, sir.

14 **CHAIRMAN GRAHAM:** You've got 30 seconds.

15 **MR. BUSSEY:** Oh, please. What may be good for
16 Aqua is not good for the overall economy of the great
17 State of Florida and its citizens. You have the power
18 to do something about it and yet you choose not to. I
19 encourage you to come to grips with this new scenario,
20 this new kid on the block, Aqua Utilities. Direct the
21 Staff to think outside the box. Find out what other
22 state utility commissions and legislators are doing to
23 combat similar situations where they are dealing with
24 Aqua in their states.

25 I'm done. I appreciate the time. And one,

1 just one final brief remark. I went back through the
2 record, I've talked with Staff at a previous hearing
3 here a couple of weeks ago. It's very clear --

4 **CHAIRMAN GRAHAM:** Mr. Bussey --

5 **MR. BUSSEY:** This is a very important point.
6 I'll finish on this.

7 **CHAIRMAN GRAHAM:** Mr. Bussey, if you want to
8 add any more comments, please put it in writing. We
9 need to move on.

10 **MR. BUSSEY:** No. It's all right. I'll meet
11 with you tomorrow. I'll finish it then. That's no
12 problem. Okay.

13 **CHAIRMAN GRAHAM:** Thank you. Is there anybody
14 else that would like to speak? Has everybody given all
15 the testimony they want to give?

16 Mr. May.

17 **MR. MAY:** Just one procedural matter. Mr. Fox
18 again will be outside and be willing to meet with any
19 customer that has any issues and try to resolve them.

20 **CHAIRMAN GRAHAM:** Did -- I think -- ma'am, did
21 you get your questions answered?

22 **MS. BIER:** Basically I don't have any
23 questions. I need to see the bills that my tenant has
24 paid and see where my \$516 went.

25 **CHAIRMAN GRAHAM:** But you've spoken --

1 **MS. BIER:** Because I paid her water bill so
2 she could pay the rent, so I can take her rent and pay
3 my taxes.

4 **CHAIRMAN GRAHAM:** Ma'am, you spoke to the
5 customer service person in the back?

6 **MS. BIER:** Yes, I did.

7 **CHAIRMAN GRAHAM:** Thank you.

8 Mr. Kelly.

9 **MR. KELLY:** Nothing further.

10 **CHAIRMAN GRAHAM:** Commissioners? Staff?

11 **MR. JAEGER:** Nothing further.

12 **CHAIRMAN GRAHAM:** Any of the Intervenors?

13 **MR. BERNSTEIN:** No, sir.

14 **CHAIRMAN GRAHAM:** Ms. Bradley?

15 **MS. BRADLEY:** No. Thank you.

16 **CHAIRMAN GRAHAM:** I want to thank everybody
17 for coming. Thank you for your patience. We were
18 supposed to be out of this room at 5:00, so we've gone
19 on a little long. But I do appreciate you giving up
20 your time, giving up your afternoon. We'll take all
21 this into account. We have six or seven more service
22 hearings.

23 **MR. JAEGER:** Five.

24 **CHAIRMAN GRAHAM:** We have five more service
25 hearings. But if there's some things that you still

1 have some questions about, you can always email us.
2 There is somebody in the back that can give you some
3 contact information for us. And you can, Mr. Bussey, he
4 can give you some contact information.

5 **MR. JAEGER:** Chairman, to clarify, there's
6 five Aqua service hearings. I think you're going to a
7 Gulf service hearing on Thursday, so there are other
8 service hearings. But for Aqua there's just five.

9 **CHAIRMAN GRAHAM:** Okay. All right. Well,
10 once again, I do appreciate everybody being here, and
11 thank you for your patience. I know this is difficult
12 for everybody. But know the fact that we heard you.
13 Just like, just like all these other ones, you hear
14 something new and something different in each one. And
15 we do appreciate you giving up your time, and we'll
16 work, we'll work our way through this. Thank you very
17 much. With that all being said, we're adjourned.

18 (Proceeding adjourned at 5:27 p.m.)
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1 STATE OF FLORIDA)
2 COUNTY OF LEON) : CERTIFICATE OF REPORTER

3
4 I, LINDA BOLES, RPR, CRR, Official Commission
5 Reporter, do hereby certify that the foregoing
6 proceeding was heard at the time and place herein
7 stated.

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

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

18 DATED THIS 26th day of September,
19 2011.

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23
24
25

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