Crystal Card

From: Dorothy Menasco
Sent: Tuesday, May 13, 2014 3:33 PM
To: Crystal Card
Subject: FW: Docket No. 130212 - Cypress Lakes - Dr. Robert Halleen Request

For docket correspondence - parties and interested persons. DN 05511-13

From: Julia Gilcher
Sent: Thursday, April 17, 2014 5:16 PM
To: Dorothy Menasco
Cc: Clayton Lewis; Jennifer Crawford
Subject: RE: Docket No. 130212 - Cypress Lakes - Dr. Robert Halleen Request

Hi Dorothy,

Please place the filing in the correspondence file and list Mr. Halleen as an interested person in this docket.

I will get in touch with Mr. Halleen next week about his attendance at the Agenda conference (he incorrectly refers to it as a hearing) and whether he intends to speak.

I will be out of the office tomorrow (Friday) and Monday, so please direct any questions during that time to Jennifer Crawford.

Thank you,
Julia

From: Clayton Lewis
Sent: Thursday, April 17, 2014 5:04 PM
To: Julia Gilcher
Cc: Paul Vickery; Daniel Lee; Stan Rieger; Dorothy Menasco
Subject: Docket No. 130212 - Cypress Lakes - Dr. Robert Halleen Request

Julia,

A customer of Cypress Lakes Utility wants to be added as an interested party. How should this be handled? Please see attachment and Dorothy's message below.

Thank you

Clay

From: Dorothy Menasco
Sent: Thursday, April 17, 2014 3:04 PM
To: Clayton Lewis
Subject: FW:

Hi Clayton,

Can you please take a look at the attached. Normally, if we get a filing from an "interested person," it's considered correspondence and is placed in parties correspondence rather than the docket file. Since he is referencing a hearing in this letter, can you please confirm whether this should be placed in docket correspondence or in the actual docket file. Thank you for your help.

Crystal Card

From: Shawna Senko
Sent: Thursday, May 08, 2014 10:35 AM
To: Crystal Card
Subject: FW: May 9th Agenda

From: Julia Gilcher
Sent: Thursday, May 08, 2014 10:31 AM
To: Shawna Senko
Subject: FW: May 9th Agenda

Hi Shawna,

Please include the below email in the correspondence file for Docket No. 130212-WS – Application for increase in water/wastewater rates in Polk County by Cypress Lakes Utilities, Inc.

Thank you,
Julia Gilcher

From: Julia Gilcher
Sent: Thursday, May 08, 2014 10:29 AM
To: rhalleen1@tampabay.rr.com
Subject: May 9th Agenda

Good morning, Dr. Halleen,

The Chairman has granted you three (3) minutes to address the Commission at the May 9, 2014 Agenda Conference.

Please let me know if I can further assist you in any way. Thank you.

Julia E. Gilcher
Staff Attorney, Economic Regulations
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Phone – 850-413-6230
E-Mail – jgilcher@psc.state.fl.us

PLEASE NOTE: *Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.*

Crystal Card

From: Dorothy Menasco on behalf of Records Clerk
Sent: Wednesday, May 07, 2014 1:46 PM
To: Ashley Eller
Subject: Notification of Unacceptable Filing - (Email ID = 1589)

The document presented has been reviewed by the Office of Commission Clerk and found to be ineligible for E-filing for one or more of the following reasons:

1. The document is unsigned. Documents may be signed by typing "s/", "/s" or "/s/" followed by the signatory, i.e., /s/ First M. Last.

2. The document is not in compliance with the Florida Administrative Code (F.A.C.) filing rules listed on the FPSC's Web Based Electronic Filing Requirements.

3. The document is ineligible for E-filing.
   a) Identified as ineligible in the docket's Order Establishing Procedure.
   b) Must be accompanied by a fee or payment.
   c) Contains proprietary confidential business information.

If you have any questions, please contact the Office of Commission Clerk at clerk@psc.state.fl.us.

NOTE: Ashley, We need clarification with regard to this document. The memo you are attempting to file requests that the attached be placed in the docket file. Mr. Halleen is an interested person not a party of record. Thus, his filings are being placed in DN 05511-14, Docket correspondence - Parties and Interested Persons for Docket 130212-WS. Please advise if you wish this information to be placed on the record and given a document number or placed in correspondence with his other documentation. Either way, your filing will need to be resubmitted. Thank you for your help!

State of Florida

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: May 6, 2014

TO: Carlotta Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Julia Gilcher, Attorney, Office of the General Counsel

RE: Docket Number 130212-WS - Application for increase in water/wastewater rates in Polk County by Cypress Lakes Utilities, Inc.

Please place the attached correspondence from Dr. Robert M. Halleen in the referenced docket file.

JEG/ace
Attachments

From:	Julia Gilcher
To:	Ashley Eller
Subject:	FW: PSC Questions
Date:	Tuesday, May 06, 2014 5:12:49 PM
Attachments:	CLUPSC12.doc

To be filed in the 130212-WS docket file under correspondence.

-----Original Message-----
From: rhalleen1@tampabay.rr.com [mailto:rhalleen1@tampabay.rr.com]
Sent: Monday, May 05, 2014 1:00 PM
To: Julia Gilcher
Subject: PSC Questions

Attached is a advance copy of the Questions for the PSC Agenda Hearing.

As I mentioned earlier, I will make a statement concerning the flushing situation at the beginning of my remarks.

Please make sure that at least the cc: individuals receive a copy of this Email. I will forward to you today via Priority Mail copies for the
cc: individuals and a couple of extra.

Thank you for your efforts.

Dr. Bob Halleen

May 3, 2014

To: Julia E Gilcher, Staff
Division of Economic Regulation
Office of General Counsel
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:

Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
2237 Big Cypress Blvd
Lakeland, FL 33810

1-863-450-4032

Thank you for the information you provided on the starting time of the Agenda Hearing. As a result of your comments, my wife and I will come up the evening before so that I will be at the hearing by 9:30 AM. In all likelihood, Ms. Carol Holzschuh, President, Cypress Lakes Homeowners Association [CLHA] will not attend.

Regarding your request for an advanced copy of the questions CLHA proposes to ask, I have included the questions that we would like to receive specific answers at the Hearing. I will also be making remarks about the flushing situation to put on the record our thoughts and requests on the subject. Specific answers to that presentation are not expected at that time.

The majority of questions revolves around the wastewater rate increase request by Cypress Lakes Utilities [CLU]; however, there is one general question based on documentation provided by the Office of Public Counsel at the Public Hearing.

(1) In a letter dated December 13, 2013 from the Office of the Public Counsel to the Public Service Commission, Division of Accounting and Finance, the author prepared "to identify concerns we have with the MFRs and other information filed by CLUI ….". Further the author suggested that "…with rate case expenses related to fixing these grave concerns denied." A Cypress lakes resident with CPA experience supported these recommended actions. **The question is (a) have the deficiencies been resolved and (b) was it done at no rate case expense?**

The wastewater questions are:

(2) At the Public Hearing, CLHA pointed out that the wastewater treatment exceeded significantly the water sold by CLU; the response received from CLU in a letter dated January 17, 2014, CLU stated that inflow and infiltration [I & I] "under PSC rule as calculated" would allow the extra flow. CLHA requested a copy of the rule, including its basis, from PSC

Engineering. **To date, no copy has been received**. The significance of this point is that any inflow or infiltration methodology should include differentiation to account for the age and type of the wastewater transport system; the rule handled in Schedule F-6 of the filing makes no such distinction in this respect.

(3) CLHA pointed out that **the revenue for wastewater is suspect for the test year 2012** as CLU had (a) severe meter reading problems which resulted in billing errors and in their discharging the crew doing the readings and replacing them with internal personnel and (b) the revenue stream listed in the annual reports for 2011 and 2012 show a significant reduction in "flat rate" revenue for 2012 versus 2011. It is interesting that **CLHA finds no reference in any tariff schedule that allows the option for a "flat rate" wastewater revenue.** Further, the filing by CLU at the Lakeland Public Library, our filing source, states that Volume 2, the Billing data, is not provided. Past history, i.e. the filing associated with Test Year 2001, did contain such data. Such data could give an insight as to how CLU handled the meter reading dilemma which had two billing options.

(4). CLU has announced to the residents of Cypress Lakes that they have requested a 1.0 % raise in wastewater rates starting in 2014. However, the PSC Staff recommendation is for a decrease in the rate. **The question is what do we tell our residents will be the billing rate if the PSC Staff Recommendation is accepted.**

The final questions are related to rate case expense and water quality

(5). **No response was given in the Staff Recommendations to the CLHA concern with the over-booking of rate case expenses for the past two rate cases and the limited proceedings.** Data regarding rate case charges in the annual report data since 2000 was compared to the allowable charges based on the respective PSC Order Nos. for PSC - 03-0647-PAA-WS, PSC-07-0199-PAA-WS and PSC-110-0682-PAA-WS. **The excess rate case booking was $ 9,492.**

(6) The data from the water samples taken in late December 2013 does not address the elements that are questionable from a health standpoint. The continued deficiency in chlorine residual and excessive byproducts, TTHM and HAA5, that resulted in the change to chloramine disinfection which resulted in the ten-fold increase in flushing needs were not even measured in the data presented. PCHD confirmed that the more-than doubling of flushing levels in 2013 was to correct a measured deficiency in the chlorine residual level. **No explanation has been provided as to the reason for this omission of these important data.**

cc: Ms. Patricia Marchant, Office of Public Counsel
Clayton K. Lewis, Engineering Supervisor
Office of the Clerk, Public Service Commission

Crystal Card

From: Marguerite McLean
Sent: Wednesday, May 07, 2014 9:46 AM
To: Crystal Card
Cc: Dorothy Menasco; Hong Wang
Subject: FW: Dkt 130212-WS - Notification of Unacceptable Filing - (Email ID = 1593)

Crystal,
Please place the below email in parties correspondence.
Thank you,

Marguerite H. McLean, Records Technician
Florida Public Service Commission
Office of Commission Clerk
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
(850) 413-6824

From: Marguerite McLean
Sent: Wednesday, May 07, 2014 9:43 AM
To: Ashley Eller
Cc: Dorothy Menasco
Subject: Dkt 130212-WS - Notification of Unacceptable Filing - (Email ID = 1593)

The document presented has been reviewed by the Office of Commission Clerk and found to be ineligible for E-filing for one or more of the following reasons:

1. The document is unsigned. Documents may be signed by typing "s/", "/s" or "/s/" followed by the signatory, i.e., /s/ First M. Last.

2. The document is not in compliance with the Florida Administrative Code (F.A.C.) filing rules listed on the FPSC's Web Based Electronic Filing Requirements.

3. The document is ineligible for E-filing.
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   b) Must be accompanied by a fee or payment.
   c) Contains proprietary confidential business information.

4. The attached e-filing appears to be a duplicate of e-filing's received from you at 5:20 p.m. and 5:21 p.m. yesterday. As such, the filing received at 8:29 a.m. today will not be accepted for filing.

If you have any questions, please contact the Office of Commission Clerk at clerk@psc.state.fl.us.

CORRESPONDENCE
MAY 07, 2014
DOCUMENT NO. 05511-13

Crystal Card

From: Marguerite McLean
Sent: Wednesday, May 07, 2014 9:45 AM
To: Crystal Card
Cc: Dorothy Menasco; Hong Wang
Subject: FW: Dkt 130212 - Notification of Unacceptable Filing - (Email ID = 1591)

Crystal,
Please place the below email in parties correspondence.
Thank you,

Marguerite H. McLean, Records Technician
Florida Public Service Commission
Office of Commission Clerk
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
(850) 413-6824

From: Marguerite McLean
Sent: Wednesday, May 07, 2014 9:39 AM
To: Ashley Eller
Cc: Dorothy Menasco
Subject: Dkt 130212 - Notification of Unacceptable Filing - (Email ID = 1591)

The document presented has been reviewed by the Office of Commission Clerk and found to be ineligible for E-filing for one or more of the following reasons:

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If you have any questions, please contact the Office of Commission Clerk at clerk@psc.state.fl.us.

Shawna Senko

From: Julia Gilcher
Sent: Thursday, May 08, 2014 1:06 PM
To: Shawna Senko
Subject: FW: PSC Questions
Attachments: CLUPSC12.doc

Hi Shawna,

Please include the below email and attachment in the correspondence file of Docket No. 130212-WS. Thank you.

Julia Gilcher

-----Original Message-----
From: rhalleen1@tampabay.rr.com [mailto:rhalleen1@tampabay.rr.com]
Sent: Monday, May 05, 2014 1:00 PM
To: Julia Gilcher
Subject: PSC Questions

Attached is a advance copy of the Questions for the PSC Agenda Hearing.

As I mentioned earlier, I will make a statement concerning the flushing situation at the beginning of my remarks.

Please make sure that at least the cc: individuals receive a copy of this Email. I will forward to you today via Priority Mail copies for the
cc: individuals and a couple of extra.

Thank you for your efforts.

Dr. Bob Halleen

May 3, 2014

To: Julia E Gilcher, Staff
Division of Economic Regulation
Office of General Counsel
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:

Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
2237 Big Cypress Blvd
Lakeland, FL 33810

1-863-450-4032

Thank you for the information you provided on the starting time of the Agenda Hearing. As a result of your comments, my wife and I will come up the evening before so that I will be at the hearing by 9:30 AM. In all likelihood, Ms. Carol Holzschuh, President, Cypress Lakes Homeowners Association [CLHA] will not attend.

Regarding your request for an advanced copy of the questions CLHA proposes to ask, I have included the questions that we would like to receive specific answers at the Hearing. I will also be making remarks about the flushing situation to put on the record our thoughts and requests on the subject. Specific answers to that presentation are not expected at that time.

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Engineering. **To date, no copy has been received**. The significance of this point is that any inflow or infiltration methodology should include differentiation to account for the age and type of the wastewater transport system; the rule handled in Schedule F-6 of the filing makes no such distinction in this respect.

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cc: Ms. Patricia Marchant, Office of Public Counsel
Clayton K. Lewis, Engineering Supervisor
Office of the Clerk, Public Service Commission

Crystal Card

From: Shawna Senko
Sent: Wednesday, April 30, 2014 12:09 PM
To: Crystal Card
Cc: Hong Wang
Subject: FW: Parties Correspondence for Docket 130212-WS.

Parties Correspondence for Docket 130212-WS.

Shawna Senko
Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
850-413-6770

From: Julia Gilcher
Sent: Wednesday, April 30, 2014 12:06 PM
To: Shawna Senko
Subject: FW: Correspondence

Please see below. Thanks!

From: Tiffany Williams
Sent: Wednesday, April 30, 2014 12:05 PM
To: Julia Gilcher
Subject: RE: Correspondence

Please forward these request to Shawna Senko. _Thanks

From: Julia Gilcher
Sent: Tuesday, April 29, 2014 5:28 PM
To: Tiffany Williams
Subject: Correspondence

Hi Tiffany,

Please file the below email in the correspondence file of Docket Number 130212-WS.

Thank you.

Julia

From: Julia Gilcher
Sent: Tuesday, April 29, 2014 5:26 PM
To: 'rhalleen1@tampabay.rr.com'
Subject: Agenda time

Dr. Halleen,

The Chairman has denied your request for a time certain to take up Item 10 – Docket Number 130212-WS, Application for increase in water/wastewater rates in Polk County by Cypress Lakes Utilities, Inc., at the May 9, 2014 Commission Agenda Conference.

I am unable to give you an approximate time at which the item will be addressed by the Commission. The Agenda Conference begins at 9:00 a.m., and my advice to you is to arrive as early as you possibly can. I can say with some certainty that, because the item is number 10 on the item list, it will not be address immediately at 9:00, but I cannot say how long after 9:00 it will be addressed. I apologize for any inconvenience this may cause you.

Warmest,
Julia E. Gilcher

Staff Attorney, Economic Regulations
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Phone – 850-413-6230
E-Mail – jgilcher@psc.state.fl.us

Shawna Senko

From: Julia Gilcher
Sent: Wednesday, April 30, 2014 2:04 PM
To: Shawna Senko
Subject: FW: Agenda Start Time 9:30am

Hi Shawna,

Please place the below email in the correspondence file for Docket 13212-WS.

Thanks so much!
Julia

From: Julia Gilcher
Sent: Wednesday, April 30, 2014 2:02 PM
To: rhalleen1@tampabay.rr.com
Cc: Andrew Maurey
Subject: Agenda Start Time 9:30am

Dr. Halleen,

In my previous email, I incorrectly stated that the Agenda Conference on May 9, 2014 will begin at 9:00 a.m. The correct start time is 9:30 a.m. I apologize for any confusion I may have caused with my error.

Julia E. Gilcher
Staff Attorney, Economic Regulations
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Phone – 850-413-6230
E-Mail – jgilcher@psc.state.fl.us

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State of Florida

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CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: April 23, 2014

TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Daniel Q. Lee, Engineering Specialist IV, Division of Engineering CKL
Docket 130212 -- Application for increase in water/wastewater rates in Polk County by Cypress Lakes Utilities, Inc.

RE: April April 13, 2014, correspondence from Cypress Lakes HOA

Please incorporate the attached email with attachments into Docket No. 130212 file.

Thank you.

April 13, 2014

To: Clayton K. Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
2237 Big Cypress Blvd
Lakeland, FL 33810

1-863-450-4032

I noted again that there has been another delay with regard to the presentation of the PSC Staff Recommendations and the Agenda Hearing. This has given me time to review the letter by the CLU law firm involving the water samples taken throughout the Cypress Lakes community. **To my surprise there were no data involving the disinfection element, chloramine, or the cancer-causing byproducts, TTHM or HAA5.** These items were the major concern expressed by CLU in a meeting with Cypress Lakes residents when the change was made to chloramine disinfection: see attached document provided by CLU.. The data as provided are meaningless to the current rate case and hopefully their cost will not be included in the rate case expenses.

To better understand the chloramine disinfection situation, I contacted the Polk County Public Health Department, .the agency that approved the change to chloramine disinfection in 2011. The information they provided cast the chloramine change in an entirely different light. **First, they stated that an increase in flushing should have been expected; this information is absent from the CLU presentation., Further, they provided data on total water usage by CLU for 2008, 2012,and 2013. That data for the combined plant usage for distribution and wastewater treatment is summarized in Table 1, attached.** I have added data for Water Distributed, according to the respective annual reports or filing, with the difference, Other Usage listed, probably being that for wastewater treatment..

It was surprising to note that the 2013 data provided showed an increase in total usage of more than 20 % compared to 2012 for only eleven months of data. The cause of the increased 2013 could not be determined as the 2013 Water Distribution data has not yet been published. It is a major concern as a continuing increase of this magnitude will obviously lead to an immediate additional rate increase request by CLU for Distributed Water or Wastewater

The Polk County Health Department [PCHD] also supplied us with data on TTHM and HAA5 received from CLU from 2005 through 2012. The 2012 data matches the 2012 data supplied by

CLU in their annual report on water quality. The data are attached as received. The data confirms the byproduct deficiency prior to the change to chloramine. **However, the PCHD also stated that all sampling is done by the utility and they only receive the final tested result. Because of the significant flushing noted by our residents on the day the current samples were taken, we further question their validity.**

In my letter of February 22, 2014, we requested additional information on the flushing situation. This included flushing schedules, actual equipment installed - including location, source of the 2005 - 2011 flushing data and agreement on an appropriate flushing plan. To date, we have received no information on these items. **When is a response expected?**

The last item that remains a major concern is the excessive wastewater treatment compared to the water sold. To date we have been unable to find any source for the PSC rule quoted in the CLU letter of January 17, 2014, Item 4 **; it is significant to understanding the development of the coefficients used in the development of the calculated flow.** Please email me a copy of this PSC rule**; my email address is rhalleen1@tampabay.rr.com**

We also noted in the filing that one of the revenue sources for wastewater is "flat rate residential", Schedule B-4. The rate schedule provides for no non-metered usage for either Water or Wastewater for residential usage. What is the source of this revenue? Why is there not also a "flat rate residential" for water, since the wastewater must come from some **distributed water source?**

cc: Office of Public Counsel
Office of the Clerk, Public Service Commission

TABLE 1 CLU WATER USAGE

DATA PROVIDED BY POLK COUNTY ENVIRONMENTAL SERVICES

DESIGN CAPACITY: 673000 gpd 245.645 mgy

YEAR	MONTH	USAGE[mgpd]	USAGE [mg]	DISTRIBUTED WATER [mg]	OTHER USAGE [mg]
2013	JANUARY	0.257	7.967		
	FEBRUARY	0.285	7.980		
	MARCH	0.372	11.532		
	APRIL	0.362	10.860		
	MAY	0.354	10.974		
	JUNE	0.344	10.320		
	JULY	0.442	13.702		
	AUGUST	0.328	10.168		
	SEPTEMBER	0.529	15.870		
	OCTOBER	0.317	9.827		
	NOVEMBER	0.341	10.230		
	DECMBER	N/A	N/A		
	TOTAL [to date]	3.931	119.43		
2012	JANUARY	0.296	9.176	7.038	2.138
	FEBRUARY	0.315	8.820	7.045	1.775
	MARCH	0.352	10.912	7.991	2.921
	APRIL	0.359	10.770	7.919	2.851
	MAY	0.29	8.990	6.752	2.238
	JUNE	0.214	6.420	5.094	1.326
	JULY	0.237	7.347	5.371	1.976
	AUGUST	0.175	5.425	4.833	0.592
	SEPTEMBER	0.194	5.820	4.607	1.213
	OCTOBER	0.217	6.727	5.358	1.369
	NOVEMBER	0.277	8.310	6.324	1.986
	DECMBER	0.253	7.843	6.242	1.601
	TOTAL	3.179	96.560	74.574	21.986
2008	JANUARY	0.227	7.037	6.209	0.828
	FEBRUARY	0.239	6.692	5.585	1.107
	MARCH	0.238	7.378	7.327	0.051
	APRIL	0.247	7.410	6.942	0.468
	MAY	0.33	10.230	7.425	2.805
	JUNE	0.324	9.720	4.931	4.789
	JULY	0.158	4.898	4.277	0.621
	AUGUST	0.16	4.960	4.647	0.313
	SEPTEMBER	0.203	6.090	4.125	1.965
	OCTOBER	0.233	7.223	4.516	2.707
	NOVEMBER	0.248	7.440	5.69	1.75
	DECMBER	0.236	7.316	5.83	1.486
	TOTAL	2.843	86.394	67.504	18.89

State of Florida

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: April 23, 2014

TO: Carlotta Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Clayton Lewis, US/Engineering Specialist Supervisor, Division of Engineering CKL

RE: DN 130212-WS - Application for staff-assisted rate case in Highlands County, by L.P. Utilities Corporation c/o LP Waterworks, Inc. DM

Please file the attached e-mail and correspondence from Dr. Robert Halleen (interested party) in the above mentioned docket file.

Thank you.

Patti Zellner

From: Patti Zellner
Sent: Wednesday, April 23, 2014 11:13 AM
To: Patti Zellner (PZELLNER@PSC.STATE.FL.US)
Subject: FW: Docket #130212 - Cypress Lakes - Document concerning wastewater rate case (Dr. Robert Halleen)
Attachments: CLUPSC11.doc; CLUREVB2.wk4; greblick.doc

-----Original Message-----
From: Clayton Lewis
Sent: Wednesday, April 23, 2014 8:38 AM
To: Becky Bodie
Cc: Paul Vickery; Daniel Lee; Stan Rieger
Subject: Docket #130212 - Cypress Lakes - Document concerning wastewater rate case (Dr. Robert Halleen)

Good Morning Becky,

Please forward the attached customer correspondence with the clerk's office.

Thank you

-----Original Message-----
From: rhalleen1@tampabay.rr.com [mailto:rhalleen1@tampabay.rr.com]
Sent: Tuesday, April 22, 2014 4:57 PM
To: Clayton Lewis
Subject: Document concerning wastewater rate case

Clayton, I sent you today via Priority Mail an analysis we developed concerning the wastewater rate increase.

We consider it unwarranted and asked that it be dropped from the filing.

I have attacheed a copy to this Email to give you a heads-up

Dr. Bob Halleen

April 21, 2014

To: Clayton K. Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
2237 Big Cypress Blvd
Lakeland, FL 33810

1-863-450-4032

Thank you for the information you provided on April 18, 2014. It certainly contained some interesting data concerning the flushing situation. I will provide our comments relative to the flushing situation later this week; however, today I would like to share our analysis of the wastewater rate increase proposed by CLU.

We believe that the wastewater rate increase is unwarranted and should be dropped from the filing.

Consider the following information from a) the 2011 and 2012 annual reports, b) the CFLU filing, c) wastewater rates billed to Cypress Lakes customers for 2011 through 2013 and d) CLU meter reading difficulty in 2012. From the annual reports, the following matrix of data has been developed:

Year	2011(report page)	2012(report page)	2012 (filing-Sch B-2)
Flat rate revenue	$ 15,672 (S-9(a))	$ 3,328 (S-9(a))	
Measured revenue	678,275 (")	662,717 (")	
Total Sales	$ 693,947 (")	$ 666,046 (")	No change
Operating Income	$ 242,680 (S-2)	$ 200,166 (S-2)	No change
Operating Expense	$ 283,269 (S10A)	$ 283,283 (S-10A)	No change
Base Rate	$ 1,790,818 (S-2)	$ 1,703,047 (S-2)	$ 1,746,935
Rate of Return	**13.55 %**	**11.75 %**	**11.46 %**

From Customer Billing records, the wastewater rates were as follows:

Date	Base Charge	Usage Charge (per 1000 gal.)
January 2011 to May 2011	$ 21.66	$ 7.30
June 2011 to August 2011	21.70	7.31
September 2011 to April 2014	21.46	7.24
May 2014 forward	+1.0%	+ 1.0 %

Meter Reading Difficulty - CLU acknowledged a problem with meter readings for water usage in 2012 – which is the basis for wastewater charges – in that some meters were not read and some were estimated only. CLU claims that the difficulty was limited to a one month period, but some customers claim it occurred more than once in 2012. A letter to the CLU from one customer, attached, implies that the action happened over several months. The significance of this situation is that while water revenue was corrected with subsequent reading, the wastewater effect was limited to only a 6000 gallon usage. Thus, for example, a customer that had successive usage of 5,000 gallons for the two months under consideration but received billings for 2,000 and 8, 000 gallons of water usage for those months would have been charged for 10,000 gallons of water usage but only 6,000 gallons of wastewater usage. This reduces wastewater revenue by 4,000 gallons for that customer. **Therefore, the Measured Sales Revenue for 2012 is understated and should be increased.**

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Wastewater Base Rate – the starting point between the 2012 Annual Report and the filing values is different by $ 43, 888. No explanation is provided for this difference. Therefore, we modified the value for the Rate Base used in columns (4) and (6) of Schedule B-2 (page22) of the filing to the amount of $ 1,907,923

Using the information above, a new Schedule B-2,attached, has been prepared with the revised values for Operating Revenues and Rate Base, with the elimination of Rate Case Expenses (as no rate increase is needed), the Rate of Return exceeds the target of 8.27 %. **Therefore, the wastewater rate increase request in the filing should be eliminated.**

cc: Office of Public Counsel
Office of the Clerk, Public Service Commission

DELPHINE GREBLICK
9656 Troon Court
Lakeland, FL 33810-4358
863-853-3043
E-mail: dollyg@tampabay.rr.com

July 30, 2012

Cypress Utilities, Inc.
PO Box 11025
Lewiston, ME 04243-9476

Ref: PSC Case No. 1073923W

Dear Sir or Madam:

Please reference the PSC Case No. listed above. At Richard's suggestion at the PSC we are paying our normal bill of $50. We are protesting the balance of the $302.92. I understand that you have 15 days to reply or remedy this situation.

There is no way that two elderly people that do not shower every day can use 35,550 gallons of water that you are billing us for 28 days..

We have lived on a small island for 33 years and know that normal usage is about 300 gallons per day for the 28 days. There is also no way that you can read the meter for there is so much sand on the meter that it is not readable.

Sincerely,

Delphine V Greblick

Delphine V. Greblick

Cc: CLHOA President, Mr. Dennis McLaughlin, 2236 Big Cypress Blvd., Lakeland, FL 33810

State of Florida

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: April 23, 2014

TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Daniel Q. Lee, Engineering Specialist IV, Division of Engineering CKL
Docket 130212 -- Application for increase in water/wastewater rates in Polk County by Cypress Lakes Utilities, Inc.

RE: April April 13, 2014, correspondence from Cypress Lakes HOA

Please incorporate the attached email with attachments into Docket No. 130212 file.

Thank you.

April 13, 2014

To: Clayton K. Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
2237 Big Cypress Blvd
Lakeland, FL 33810

1-863-450-4032

I noted again that there has been another delay with regard to the presentation of the PSC Staff Recommendations and the Agenda Hearing. This has given me time to review the letter by the CLU law firm involving the water samples taken throughout the Cypress Lakes community. **To my surprise there were no data involving the disinfection element, chloramine, or the cancer-causing byproducts, TTHM or HAA5.** These items were the major concern expressed by CLU in a meeting with Cypress Lakes residents when the change was made to chloramine disinfection: see attached document provided by CLU.. The data as provided are meaningless to the current rate case and hopefully their cost will not be included in the rate case expenses.

To better understand the chloramine disinfection situation, I contacted the Polk County Public Health Department, .the agency that approved the change to chloramine disinfection in 2011. The information they provided cast the chloramine change in an entirely different light. **First, they stated that an increase in flushing should have been expected; this information is absent from the CLU presentation., Further, they provided data on total water usage by CLU for 2008, 2012,and 2013. That data for the combined plant usage for distribution and wastewater treatment is summarized in Table 1, attached.** I have added data for Water Distributed, according to the respective annual reports or filing, with the difference, Other Usage listed, probably being that for wastewater treatment..

It was surprising to note that the 2013 data provided showed an increase in total usage of more than 20 % compared to 2012 for only eleven months of data. The cause of the increased 2013 could not be determined as the 2013 Water Distribution data has not yet been published. It is a major concern as a continuing increase of this magnitude will obviously lead to an immediate additional rate increase request by CLU for Distributed Water or Wastewater

The Polk County Health Department [PCHD] also supplied us with data on TTHM and HAA5 received from CLU from 2005 through 2012. The 2012 data matches the 2012 data supplied by

CLU in their annual report on water quality. The data are attached as received. The data confirms the byproduct deficiency prior to the change to chloramine. **However, the PCHD also stated that all sampling is done by the utility and they only receive the final tested result. Because of the significant flushing noted by our residents on the day the current samples were taken, we further question their validity.**

In my letter of February 22, 2014, we requested additional information on the flushing situation. This included flushing schedules, actual equipment installed - including location, source of the 2005 - 2011 flushing data and agreement on an appropriate flushing plan. To date, we have received no information on these items. **When is a response expected?**

The last item that remains a major concern is the excessive wastewater treatment compared to the water sold. To date we have been unable to find any source for the PSC rule quoted in the CLU letter of January 17, 2014, Item 4 **; it is significant to understanding the development of the coefficients used in the development of the calculated flow.** Please email me a copy of this PSC rule**; my email address is rhalleen1@tampabay.rr.com**

We also noted in the filing that one of the revenue sources for wastewater is "flat rate residential", Schedule B-4. The rate schedule provides for no non-metered usage for either Water or Wastewater for residential usage. What is the source of this revenue? Why is there not also a "flat rate residential" for water, since the wastewater must come from some **distributed water source?**

cc: Office of Public Counsel
Office of the Clerk, Public Service Commission

TABLE 1 CLU WATER USAGE

DATA PROVIDED BY POLK COUNTY ENVIRONMENTAL SERVICES

DESIGN CAPACITY: 673000 gpd 245.645 mgy

YEAR	MONTH	USAGE[mgpd]	USAGE [mg]	DISTRIBUTED WATER [mg]	OTHER USAGE [mg]
2013	JANUARY	0.257	7.967		
	FEBRUARY	0.285	7.980		
	MARCH	0.372	11.532		
	APRIL	0.362	10.860		
	MAY	0.354	10.974		
	JUNE	0.344	10.320		
	JULY	0.442	13.702		
	AUGUST	0.328	10.168		
	SEPTEMBER	0.529	15.870		
	OCTOBER	0.317	9.827		
	NOVEMBER	0.341	10.230		
	DECMBER	N/A	N/A		
	TOTAL [to date]	3.931	119.43		
2012	JANUARY	0.296	9.176	7.038	2.138
	FEBRUARY	0.315	8.820	7.045	1.775
	MARCH	0.352	10.912	7.991	2.921
	APRIL	0.359	10.770	7.919	2.851
	MAY	0.29	8.990	6.752	2.238
	JUNE	0.214	6.420	5.094	1.326
	JULY	0.237	7.347	5.371	1.976
	AUGUST	0.175	5.425	4.833	0.592
	SEPTEMBER	0.194	5.820	4.607	1.213
	OCTOBER	0.217	6.727	5.358	1.369
	NOVEMBER	0.277	8.310	6.324	1.986
	DECMBER	0.253	7.843	6.242	1.601
	TOTAL	3.179	96.560	74.574	21.986
2008	JANUARY	0.227	7.037	6.209	0.828
	FEBRUARY	0.239	6.692	5.585	1.107
	MARCH	0.238	7.378	7.327	0.051
	APRIL	0.247	7.410	6.942	0.468
	MAY	0.33	10.230	7.425	2.805
	JUNE	0.324	9.720	4.931	4.789
	JULY	0.158	4.898	4.277	0.621
	AUGUST	0.16	4.960	4.647	0.313
	SEPTEMBER	0.203	6.090	4.125	1.965
	OCTOBER	0.233	7.223	4.516	2.707
	NOVEMBER	0.248	7.440	5.69	1.75
	DECMBER	0.236	7.316	5.83	1.486
	TOTAL	2.843	86.394	67.504	18.89

State of Florida

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: April 23, 2014

TO: Carlotta Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Clayton Lewis, US/Engineering Specialist Supervisor, Division of Engineering CKL

RE: DN 130212-WS - Application for staff-assisted rate case in Highlands County, by L.P. Utilities Corporation c/o LP Waterworks, Inc. PB

Please file the attached e-mail and correspondence from Dr. Robert Halleen (interested party) in the above mentioned docket file.

Thank you.

Patti Zellner

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April 21, 2014

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Subject:
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cc: Office of Public Counsel
Office of the Clerk, Public Service Commission

DELPHINE GREBLICK
9656 Troon Court
Lakeland, FL 33810-4358
863-853-3043
E-mail: dollyg@tampabay.rr.com

July 30, 2012

Cypress Utilities, Inc.
PO Box 11025
Lewiston, ME 04243-9476

Ref: PSC Case No. 1073923W

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Sincerely,

Delphine V Greblick

Delphine V. Greblick

Cc: CLHOA President, Mr. Dennis McLaughlin, 2236 Big Cypress Blvd., Lakeland, FL 33810

Crystal Card

From: Dorothy Menasco
Sent: Wednesday, April 23, 2014 12:10 PM
To: Crystal Card
Cc: Hong Wang; Julia Gilcher
Subject: FW: Commission Conference 5/9/14 - Docket 130212

Crystal, please place this e-mail in docket correspondence - parties and interested persons per Julia's request below.

From: Julia Gilcher
Sent: Tuesday, April 22, 2014 2:41 PM
To: Dorothy Menasco
Cc: Clayton Lewis
Subject: FW: Commission Conference 5/9/14

Hi Dorothy,

Please place the below email in the correspondence file for Docket No. 130212-WS.

Thank you!

Julia

From: Julia Gilcher
Sent: Tuesday, April 22, 2014 2:39 PM
To: 'rhalleen1@tampabay.rr.com'
Subject: Commission Conference 5/9/14

Dr. Halleen,

I am attempting to get in touch with you regarding your interest in participating at the Florida Public Service Commission Agenda Conference scheduled for May 9, 2014, re: Cypress Lakes Utilities, Inc. docket number 130212-WS. Please give me a call on my direct line at 850-413-6230.

Thank you.

Julia E. Gilcher
Staff Attorney, Economic Regulations
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Phone – 850-413-6230
E-Mail – jgilcher@psc.state.fl.us

PLEASE NOTE: *Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.*

April 14, 2014

To: Carlotta S. Stauffer, Commission Clerk
Office of the Commission Clerk
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
2237 Big Cypress Blvd
Lakeland, FL 33810

1-863-450-4032

I am requesting to be identified as an interested party for Docket 130212-WS.

I will be attending the Agenda Hearing as the representative of Cypress Lakes, the community served by Cypress Lakes Utilities, Inc.. There is a possibility that an additional person may accompany me to the Agenda Hearing. I will notify you in advance of the Hearing as to the name of that individual.

Enclosed is your copy of the latest document sent to Clayton Lewis..

April 13, 2014

To: Clayton K. Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
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cc: Office of Public Counsel
Office of the Clerk, Public Service Commission

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	APRIL	0.247	7.410	6.942	0.468
	MAY	0.33	10.230	7.425	2.805
	JUNE	0.324	9.720	4.931	4.789
	JULY	0.158	4.898	4.277	0.621
	AUGUST	0.16	4.960	4.647	0.313
	SEPTEMBER	0.203	6.090	4.125	1.965
	OCTOBER	0.233	7.223	4.516	2.707
	NOVEMBER	0.248	7.440	5.69	1.75
	DECMBER	0.236	7.316	5.83	1.486
	TOTAL	2.843	86.394	67.504	18.89

Florida HEALTH
Polk County

Vision: To be the Healthiest State in the Nation

Environmental Engineering
2090 East Clower Street, Bartow, FL 33830
Phone (863) 519-8330

SANITARY SURVEY REPORT

DATA INPUT	
Date:	02/26/2014
Initials:	MN

COMPLIANCE RESULTS			
☐	I	☐	C
☒	M	☐	F
☐	O		

System/Plant Name	Cypress Lake Utilities			County	Polk	PWS ID#	6535055
Plant Location	10000 US Hwy 98 North, Lakeland, FL					Phone	(863)815-1524
Owner Name	Utilities,Inc (Patrick-Flynn)					Phone	(407)869-1919
Owner Address	200 Weatherfields Ave, Altamonte Spring, FL 32714					Cell	(407)948-4214
Owner Email	pflynn@uiwater.com					Fax	(407)869-6961
Contact Person	Steve Fuller	Title	Operator	Email	sfullerjr@uiwater.com	Phone	(407)948-6510
Alternate Contact	Lee Neal	Title	Area Manager	Email	wlneal@uiwater.com	Phone	(407)948-9863
This Survey Date	01/31/2014	Last Survey Date	02/02/2013				

PWS TYPE & CLASS ☒ Community ☐ Non-transient Non-Community ☐ Transient Non-Community

PWS STATUS ☒ Approved System ☐ Accepted System ☐ Unapproved System

SERVICE AREA CHARACTERISTICS

Mobile Home Park

Food Service: ☐ Yes ☒ No ☐ N/A

GENERAL SURVEY COMMENTS

System has POE tap

Well # 1 and 2 WMD tag 20013043

A copy of this report will be sent to the water system.

DEFICIENCIES	ACTION TAKEN:
All backflows may not be tested.	Letter, respond in 30 days

Inspector [signature] Title Environmental Specialist II Forward Date 02/26/2014

Reviewer Ron Stadelbacher Title Env Supervisor II Review Date 2/28/14

PA SITE ID

ENV. ENG SS Rev 12/2004

System Name: Cypress Lake Utilities

PWS ID# 6535055

Survey Date 01/31/2013

MONITORING COMPLIANCE DATA {Last Twelve Months}

COMPLIANCE GROUP	MONITORING	REPORTING	EXCEEDANCE	MCL
Chemical	compliant	compliant	none	none
Bacteriological	compliant	compliant	none	none

Items checked with an (x) are explained below.

COMMENTS

Bac-Ts for past 12 months satisfactory. Last sampled 12/09/2014.

Nitrite/Nitrate sampled 05/16/2013. In compliance.

PWS fee current.

PERMITS/APPROVALS/ACCEPTANCES

Project Name	Approval Number	Approval Date	Connections Approved	Microfilm #
Cypress Lake Golf & Country Club PhaseIIB	5390-505-B	1/22/90	119	006560
Cypress Lake Phase IIA	5389-5055-A	11/22/89	90	006561
Cypress Lake System Phase IV	5391-5055-D	2/8/91	246	004938
Cypress Lake (Water Plant Expansion)	5393-5055-G		n/a	Scanned
Cypress Lake (Auxiliary Well)	5390-5055-C	6/15/90	n/a	Scanned
Cypress Lake (Hydro Tank Addition)	5393-5055-G	12/10/93	n/a	Scanned
Cypress Lake (WTP Conversion to Sodium)	5303-5055	12/13/02	n/a	Scanned
Cypress Lakes Phase 11.	5304-5055-A13	10/21/04	56	Scanned

COMMENTS

none

ENFORCEMENT HISTORY {Minimum Last Twenty-Four Months}

OGC Case Number	Referral Date	Resolution Date	Comments
06-653PW5055A	10/26/2006	12/21/2006	Chlorine violation
09-653PW5055A	02/16/2009	04/20/2009	Failure to monitor for SOCs and radiologicals.
10-653PW5055A	02/32/2010	05/21/2010	Inadiquate chlorine residuals

TTHM report

Drinking Water Chem Report Results

Number of records returned: 19

Export Data

PWS ID = 6535055; STATUS = ACTIVE; TYPE = C , N & P; SUBMIT1 = VIEW RESULTS; CONTAM CODE = 2950 ; ;
Date Range > 01/01/2005;

PWS ID	Office	Mailing Name	PWS TY	PWS ST	PWS Sub	PWS H	Inps. Inits	SM TY	Contam Group ID	Contam Description	Result	MCL	Sample Date	Remarks
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	1.02 UG/L	80.4999	08/30/2012	MRT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	2.79 UG/L	80.4999	09/21/2011	2854 SUNBIRD
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	D	DBP 2950	TOTAL THMS	2.16 UG/L	80.4999	09/21/2011	8337 PURPLE MARTIN
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	D	DBP 2950	TOTAL THMS	1.82 UG/L	80.4999	09/21/2011	2324 LITTLE CY DR
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	6.76 UG/L	80.4999	06/30/2011	2854 SUNBIRD CT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	11.79 UG/L	80.4999	06/30/2011	2324 LITTLE CYPRESS DR
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	1.5 UG/L	80.4999	06/30/2011	9337 PURPLE MARTIN
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	0 UG/L	80.4999	06/30/2011	
** 6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	137.91 UG/L	80.4999	03/31/2011	
** 6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	105.17 UG/L	80.4999	03/31/2011	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	75.76 UG/L	80.4999	03/31/2011	
** 6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	133.54 UG/L	80.4999	02/28/2011	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	42.85 UG/L	80.4999	10/13/2010	2854 SUNBIRD COURT 1Q/4
** 6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	121.76 UG/L	80.4999	08/11/2010	2854 SUNBIRD COURT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	47.8 UG/L	80.4999	07/28/2009	2854 SUNBIRD COURT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	79 UG/L	80.4999	07/28/2008	2854 SUNBIRD COURT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	48 UG/L	80.4999	07/30/2007	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	51 UG/L	80.4999	07/27/2006	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N		MN	M	DBP 2950	TOTAL THMS	41 UG/L	80.4999	07/21/2005	871 BIG CYPRESS

Return to Search Home

Drinking Water Chem Report Results

Number of records returned: 19

View 19 records

Export Data

PWS ID = 6535055; STATUS = ACTIVE; TYPE = C , N & P;SUBMIT1 = VIEW RESULTS; CONTAM CODE = 2456 .; ;
Date Range > 01/01/2005;

PWS ID	Office	Mailing Name	PWS TY	PWS ST	PWS Sub H	Inps. Inits	SM TY	Contam Group ID	Contam Description	Result	MCL	Sample Date	Remarks
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	4.1 UG/L	60.4999	08/30/2012	MRT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	4.92 UG/L	60.4999	09/21/2011	2854 SUNBIRD
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	D	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	4.85 UG/L	60.4999	09/21/2011	8337 PURPLE MARTIN
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	D	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	4.21 UG/L	60.4999	09/21/2011	2324 LITTLE CY DR
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	12.63 UG/L	60.4999	06/30/2011	2854 SUNBIRD CT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	6.19 UG/L	60.4999	06/30/2011	2324 LITTLE CYPRESS DR
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	4.8 UG/L	60.4999	06/30/2011	9337 PURPLE MARTIN
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	4.68 UG/L	60.4999	06/30/2011	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	22.94 UG/L	60.4999	03/31/2011	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	25.34 UG/L	60.4999	03/31/2011	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	16.65 UG/L	60.4999	03/31/2011	
** 6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	70.2 UG/L	60.4999	02/28/2011	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	22.55 UG/L	60.4999	10/13/2010	2854 SUNBIRD COURT 1Q/4
** 6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	70.69 UG/L	60.4999	08/11/2010	2854 SUNBIRD COURT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	28.9 UG/L	60.4999	07/28/2009	2854 SUNBIRD COURT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	41 UG/L	60.4999	07/28/2008	2854 SUNBIRD COURT
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	31 UG/L	60.4999	07/30/2007	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	29 UG/L	60.4999	07/27/2006	
6535055	SWPO	CYPRESS LAKE UTILITIES, INC	C	A	N	MN	M	DBP 2456	TOTAL HALOACETIC ACIDS (HAA5)	24 UG/L	60.4999	07/21/2005	871 BIG CYPRESS

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Home

Test Year Operating Revenues

Florida Public Service Commission

Company: Cypress Lakes Utilities,Inc.
Docket No.: 130212-WS
Schedule Year Ended: December 31, 2012
Historic [X] or Projected [ ]

Schedule: B-4
Page 1 of 1
Preparer: F. Seidman
Recap Schedules: B-1,B-2

Explanation: Complete the following revenue schedule for the historical test year or base year. If general service revenues not accounted for by sub-account, then show the total amount under metered-or measured-commercial and provide an explanation.

Line No.	WATER SALES Account No. and Description	(1) Total Water	WASTEWATER SALES Account No. and Description	(2) Total Wastewater
1	460 Unmetered Water Revenue		521.1 Flat Rate - Residential	
2	461.1 Metered - Residential		521.2 Flat Rate - Commercial	3,328
3	461.2 Metered - Commercial	282,670	521.3 Flat Rate - Industrial	
4	461.3 Metered - Industrial	30,888	521.4 Flat Rate - Public Authorities	
5	461.4 Metered - Public Authorities		521.5 Flat Rate - Multi-Family	
6	461.5 Metered - Multi-Family		521.6 Flat Rate - Other	
7	462.1 Public Fire Protection		522.1 Measured - Residential	
8	462.2 Private Fire Protection		522.2 Measured - Commercial	639,310
9	464 Other Sales - Public Authorities		522.3 Measured - Industrial	23,407
10	465 Irrigation Customers		522.4 Measured - Public Authority	
11	466 Sales for Resale		522.5 Measured - Multi-Family	
12	467 Interdepartmental Sales		523 Other Sales - Public Authorities	
13			524 Revenues from Other Systems	
14	TOTAL WATER SALES		525 Interdepartmental Sales	
15		313,558		
16	OTHER WATER REVENUES			
17	469 AFPI		TOTAL SEWER SALES	666,046
18	470 Forfeited Discounts			
19	471 Misc. Service Revenues		OTHER SEWER REVENUES	
20	472 Rents From Water Property	309	531 Misc Service Revenues	
21	473 Interdepartmental Rents		532 Forfeited Discounts	
22	474 Other Water Revenues		534 Rents From Sewer Property	
23		3,437	535 Interdepartmental Rents	
24			536 Other Sewer Revenues	
25			541 Measured Re-Use Revenues	1,806
26				
27		3,746	TOTAL OTHER	
28			SEWER REVENUES	1,806
29				
30		$ 317,304		
31			TOTAL SEWER	
			OPERATING REVENUES	$ 667,852

Dorothy Menasco

From: Dorothy Menasco
Sent: Friday, February 07, 2014 3:27 PM
To: Jennifer Crawford
Cc: Carlotta Stauffer; Hong Wang
Subject: RE: Change of firm, e-mail address, and fax number

Thank you very much for your help, Jennifer. I don't see a problem with putting them in the docket files per your preference.

From: Jennifer Crawford
Sent: Friday, February 07, 2014 11:43 AM
To: Dorothy Menasco
Cc: Carlotta Stauffer; Hong Wang
Subject: RE: Change of

I've heard back from Mary Anne and the other supervisors; they didn't have a preference whether these go into the docket filings or correspondence section. I have a personal preference that they go into the docket filings, but if there's any concerns in that regard, please let me know.

From: Dorothy Menasco
Sent: Thursday, February 06, 2014 4:43 PM
To: Jennifer Crawford
Cc: Carlotta Stauffer; Hong Wang
Subject: RE: Change of

We usually put changes of contact information in parties correspondence. However, since this was filed as a "notice," we need a confirmation from GCL as to how to proceed.

From: Jennifer Crawford
Sent: Thursday, February 06, 2014 4:26 PM
To: Dorothy Menasco
Subject: RE: Change of

I would think they belong in the docket file, but if you usually put notices of change of firm/change of representation/etc. in correspondence, that's fine too.

From: Dorothy Menasco
Sent: Thursday, February 06, 2014 3:42 PM
To: Jennifer Crawford
Subject: Change of
Importance: High

Good afternoon, Jennifer.

Mr. Friedman's office has filed a "Notice of Change of Firm, E-mail Address, and Fax Number" in all of the dockets listed below. Those should have been e-mailed to clerk@psc.state.fl.us rather than e-filed. However, since they were filed (example of same shown below), please confirm whether you would like these placed in the docket file or if placing them in correspondence is acceptable.

DATE	DOCKET	AUTHOR	D
02/06/2014 12:45 PM	130291	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:47 PM	130265	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:48 PM	130261	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:49 PM	130243	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:50 PM	130212	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:51 PM	130211	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:52 PM	130210	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:53 PM	130180	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:54 PM	130025	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:54 PM	120209	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:55 PM	120161	Martin Friedman (mfriedman@ffllegal.com)	I
02/06/2014 12:56 PM	110200	Martin Friedman (mfriedman@ffllegal.com)	I

Example of one of the filings:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Docket No.:

IN RE: Application for amendment of Certificate Nos. and in County by UTILITY COMP/

_____/

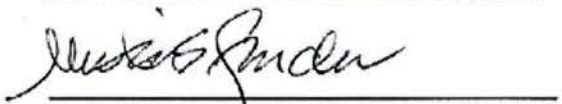
NOTICE OF CHANGE OF FIRM, E-MAIL ADDRESS, AND FAX NUMBER

The undersigned hereby gives notice that he is now affiliated with Friedman, Friedman & Long, P.A. The address and telephone number remain unchanged, but the new e-mail addresses and fax number are below:

Primary E-mail Address:	mfriedman@ffllegal.com
Secondary E-mail Addresses:	drudolf@friedmanfriedmanandlong.com jhamel@friedmanfriedmanandlong.com
Fax Number:	(407) 878-2178

Respectfully submitted this 6th day of February, 2014, by:

FRIEDMAN, FRIEDMAN & LONG, P.A.
766 North Sun Drive, Suite 4030
Lake Mary, FL 32746
Phone: (407) 830-6331
Fax: (407) 878-2178
mfriedman@ffllegal.com
drudolf@friedmanfriedmanandlong.com
jhamel@friedmanfriedmanandlong.com



MARTIN S. FRIEDMAN
Florida Bar No.: 474797
For the Firm

January 18, 2014

To: Clayton K. Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
10000 US 98 N
Lakeland, FL 33809

This letter deals with the combined Item (3) and Item (4) identified in the January 13, 2014 letter as they indirectly deal with the same subject, the results of the Limited Proceedings case, Docket No. 090349-WS.

The dilemma of dealing with the wastewater is the statistics of the last two years of full operation of the updated plant:

	2011	2012
Operating Revenue	$ 695, 196	$ 667, 852
Rate of Return	13.55 %	11.75 %

Even with the discrepancies on the water sold, the results are outstanding. We believe that the rate case scenario **should be a reduction in the wastewater rates**, but instead we are presented an opposing situation where an undefined 2005 situation should be resolved by a $ 200,000 increase in the Wastewater Base Rate along with Pro Forma plant improvements and added rate case expense results in a 5 % rate increase. The understanding of all parties - PSC Staff, OPC, CLU and the customer, Cypress Lakes – at the conclusion of the Limited Proceedings was that the UPIS was totally correct. **There was no discussion of any carryover action from 2005.**

Reopening actions from past rate cases sets a dangerous precedent. If this action is allowed, it will be recommended to the Cypress Lakes Homeowners Association [CLHA] that legal action be initiated in Federal Court to pursue information as to why the Settlement Agreement conference precluded attendance and input from the primary customer - the residents of Cypress Lakes through its representative, the CLHA, the distribution of wastewater plant improvement costs between developer and beneficial results to primary customer, as well as plant improvement contractor selection process. Legal advice suggested that such proceedings would be best served in Federal Court in Illinois, the location of the parent company of CLU, Utilities, Inc. **This is not in the best interests of all parties and should be avoided.**

January 17, 2014

Ms. Patricia W. Marchant
Chief Legislative Analyst
Office of Public Counsel, State of Florida
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-0222

Subject:
Docket 130212-WS

Dear Ms. Marchant,

Enclosed are the most recent transmissions to Clayton Lewis for your perusal and consideration; however, I have included a transmission directed to you and the OPC.

The subject of that transmission is Rate Case Charges. I have chosen you to be the primary receiver of this request as your group has already submitted documentation on the CLU Accounting Procedures.

My concern stems from the information provided under Requested Revenue Adjustment for Water and Wastewater in Schedules B-1 and B-2, pages 21 and 22 of the Filing. Increases for Rate Case Expenses [Item G -Schedule B-3, page 23] are requested for both water and wastewater:

Water	$ 14, 560
Wastewater	$ 13, 381

for Test Year 2012. Because I have been associated with all CLU rate cases [2003, 2007 & 2010] and have retained much of the documentation associated with them, I have attached three charts dealing with those charges. I conclude from that data that through 2012 the rate case charges reported in the annual reports to date for the three cases exceeds the allowable ordered by the PSC by $ 9,492.

Further, I am curious about an accounting practice that adds expenses to a previously reported year when the filing did not occur until later in the following year. It is my expectation based on the 2003 case where that the rate case charge did not begin until the year of resolution. Hopefully, your group can provide some clarification to this matter.

Sincerely,

Robert M. Halleen

Dr. Robert M. Halleen, PhD
2237 Big Cypress Blvd
Lakeland, FL 33810

TABLE OPC - 1

RATE CASE INFORMATION

ALLOWABLE RATE CASE CHARGES

CYPRESS LAKES UTILITY		REQUESTED CHARGES	ALLOWED CHAI
ORDER NO.	PSC-03-0647-PAA-WS		
DATE	MAY 28, 2003		
DOCKET NO.	20407-WS	$68,940	$56,943
ORDER NO.	PSC-07-0199-PAA-WS		
DATE	MARCH 5, 2007		
DOCKET NO.	060257-WS	$182,586	$84,859
ORDER NO.	PSC-10-0682-PAA-WS		
DATE	NOV. 15, 2010		
DOCKET NO.	090349-WS	$88,259	$78,480

TABLE OPC - 2

RATE CASE INFORMATION

ACTUAL RATE CASE CHARGES

CYPRESS LAKES UTILITY	WATER CHARGES	WASTEWATER CHARGES
YEAR		
2001	$0	$0
2002	$0	$0
2003	$4,173	$4,045
2004	$9,555	$9,276
2005	$9,599	$9,327
2006	$11,104	$10,788
2007	$13,187	$12,812
2008	$16,982	$15,588
2009	$14,425	$13,241
2010	$15,538	$14,274
2011	$13,461	$12,361
2012	$10,777	$9,261

TABLE OPC - 3

RATE CASE INFORMATION

COMPARISON OF EXPENSES CHARGED VERSUS ALLOWABLE CHARGES

CYPRESS LAKES UTILITY	EXPENSES CHARGED	ALLOWABLE CHARGES
ORDER NO. PSC-03-0647-PAA-WS		
2003	$8,218	
2004	$18,831	
2005	$18,926	
2006	$21,892	
TOTAL	$67,867	$56,943
ORDER NO.PSC-07-0199-PAA-WS		
2007	$25,999	
2008	$32,570	
2009	$27,666	
EXCESS OF ABOVE	$10,924	
TOTAL	$97,159	$84,859
ORDER NO. PSC-110-0682-PAA-WS		
2010	$29,812	
2011	$25,822	
2012	$20,038	
EXCESS OF ABOVE	$12,300	
TOTAL	$87,972	$78,480
NET EXCESS CHARGES	**$9,492**	

January 16, 2014

To: Clayton K. Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
10000 US 98 N
Lakeland, FL 33809

This letter deals with Item (2) identified in the January 13, 2014 letter as dealing with the effectiveness, if any, of the flushing efforts and if there is any documentation associated with it.

At the Public Hearing held in the Cypress Lakes Clubhouse on December 19, 2013, many of the residents commented upon the excessive water that was "dumped" from CLU piping into their areas and resulted in many "flooded" areas throughout the community, particularly the flooded area affecting the residents along Peavine Circle. Mr Robert Bettis presented a rather complete description of the situation at the meeting.

CLU, in comments to customers complaining about such "flooding", have indicated that it was related to flushing of "dead end" piping runs. If our assumption that the majority of the 24 million gallons of water pumped for Other Uses is in fact devoted to "flushing", we seriously question the value of this increased expense. There are proven less expensive means of insuring acceptable quality to the water. The quality of water as it related to chlorine residual was the subject of a significant part of the previous Limited Proceedings.

At the Limited Proceedings Agenda Hearing in June 2010, the PSC Commissioners directed that CLU and the CLHA meet to evaluate the situation and recommend possible solutions to problems associated with chlorine residuals. Such a meeting did take place and it was non-confrontational. Apparently, actions implemented from that meeting have been successful because of almost no complaints that would be associated with the problem; but if excessive flushing is being proposed as a resolution of the psast problem, then a less expensive alternative must be pursued. A joint meeting of CLU and residents of the community under th auspices of the CLHA may be an appropriate start to resolving the"flushing" issue.

Installation of automatic blow-off valves have proven very successful when applied at various locations throughout the community. Since the PSC Staff requested CLU sample the water at the entrance to the homes of many of the residents that complained at the Public Hearing, it will be interesting to see if significant differences exist within the existing system as at least one location sampled is serviced by blow-off valves.

December 10, 2013

DN 130212-WS

To: Creighton Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
10000 US 98 N
Lakeland, FL 33809

Mr. Lewis, based on information provided by Mr. Daniel Lee, Division of Engineering and consistent with the procedures I used with Mr. Bart Fletcher during the Limited Proceedings previously, I am directing the Cypress Lakes Homeowners Association [CLHA] inquiries concerning the current Cypress Lakes Utilities [CLU] Rate Increase Request directly to you. If this is not an acceptable avenue of communication, please advise me as to the appropriate mode of communication for our inquiries.

Hopefully you will be in attendance at the Public Service Commission [PSC] Public Hearing being held at the Cypress Lakes Clubhouse on December 19th to hear the customer's comments concerning CLU and its products - water supply and wastewater treatment. I would also like to discuss the issues I have raised later in this document with you personally.

Cypress Lakes residents were informed by CLU that, effective December 10th, the interim rates approved at an Agenda hearing to which the principal customer, CLHA, was not invited to present serious challenges to elements of the rate request are being implemented. Further, **the formal document was not filed for public viewing at the Lakeland Public Library until late November or early December by CLU** reducing the time available to present these challenges.

Three major pont of challenge are apparent from the first review of the filling. Two issues concern the water data presented and the third deals with adjustments to the wastewater base rate due to a major facility update and reincorporation of a 2005 issue. It appears that the water data are flawed as **the amount of wastewater treated in the test year exceeds the water sold to the customer for the same test year.** Second, **no explanation is provided for usage of the 24 million gallons (approximately 40 % of the water pumped) in the test year but not sold..** Regarding the wastewater situation, it is not apparent how an 2005 issue is now relevant in 2012 and why a major facility upgrade was needed since the entire facility was supposedly updated in 2008. **We believe that the water situation clearly impacts the water rate increase and should have been addressed prior to the granting of interim rate approval.**

January 13, 2014

To: Clayton K. Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
10000 US 98 N
Lakeland, FL 33809

The next four letters to the PSC Staff will deal with key issues that have developed out of our review of the CLU Filing.. These issues are (1) the massive amount of water usage that is not classified and therefore not a part of the revenue stream, (2) the effective ness, if any, of the flushing efforts and if there is any documentation associated with it, (3) the accounting addition of $ 200,000 to the Wastewater Plant from a 2005 apparently unresolved situation in spite of a major accounting revision with the major plant improvements in 2008 and (4) unanswered questions from the previous Limited Proceedings that bear significantly on the Wastewater Base Rate.

In the Test Year of 2012, **the amount of water listed in Filing Schedule F-1, page 1of 1, under the classification Other Uses is 24 million gallons.** The total water pumped listed on that same page for the Test Year 2012 is 74..574 million gallons. The Unaccounted For water is listed as 4.363 million gallons. Although the Other Uses is not defined, previous use of this category would include flushing, fire hydrant flushing, etc...;therefore, we are assuming that **the majority of this usage was for uncontrolled flushing** which was a primary complaint of many of the residents at the Public Hearing.

Based on the historical data for the five year period prior to the start of the 2.0 million gallon per month allocation [2006 -2010] given in Table 4 dealing with CLU water data, the expected Other Uses maximum value would be 2.333 million gallons from the 2010 data. This would suggest that approximately 21.667 million gallons in 2012 was not accounted for. This would increase the Unaccounted For water to be 21.667 + 4.363 = 26.030. As show on the same Filing page, the allowable Unaccounted For can not exceed 10 % of the water pumped. This means that 18.573 million gallons [26.030- 0.1x 74.57] are in excess of the allowable. This would require a reduction in the Operation & Maintenance elements associated with pumping the water.

Subject: Docket No. 1330212-WS

A sample calculation of the two elements reviewed in the first two letters would show a significant reduction in the revenue increase required to achieve the desired rate-of-return. The adjustment for excess Unaccounted For water would be about $ 6,550.

[(18.573)/74.574) x (11,174 + 8,858 + 6,262) = $ 6,550
[power] [chem] [matl]

The wastewater treated during the Test Year 2012 is 50.796 based on the Annual Report for that year. Typically, Total Water Sold is approximately 10 % greater than the wastewater treated because of lawn watering, car & house washing and other usages that do not require wastewater treatment. Therefore, the unaccounted water revenue would be about $ 39,620.

[((1.10 x 50.796) - 46.211) X 4.12 X 1000 = 39.620]

Thus, the impact of these two elements is $ 46, 170; this is almost one-half of the requested increase

TABLE 4

CYPRESS LAKES UTILITIES WATER DATA

DATE OF ANNUAL REPORT	CLU WATER REVENUE [$]]	CLU WATER INCOME [$]	CLU WATER BASE RATE [$]	GROSS WATER PUMPED [MG]	LINE FLUSHING, FIRE FIGHTING [MG]	NET WATER PUMPED [MG]	WATER SOLD [MG]
2006	$312,777	$69,770	$717,621	83.52	2.243	81.641	69.622
2007	$313,777	$69,507	$723,184	67.504	1.154	81.641	63.745
2008	$317,356	-$22,030	$807,473	67.504	1.154	66.35	63.745
2009	$291,817	-$7,626	$784,352	61.058	0.373	60.685	51.570
2010	$279,250	-$34,444	$727,676	62.404	2.333	60.071	50.230
2011	$334,864	$4,930	$689,194	73.405	24.296	49.109	48.619
2012	$317,303	-$32,184	$688,758	74.574	24	50.574	46.003

January 11, 2014

To: Clayton K. Lewis, Supervisor
Division of Economic Regulation
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject:
Docket 130212-WS

From: Dr. Robert M. Halleen
Project Manager, CLU Rate Increase
Cypress Lakes Homeowners Association
10000 US 98 N
Lakeland, FL 33809

Thank you for your attendance at the public hearing and for the informative presentation you made concerning the rate increase process. As the majority of the audience were new residents to Cypress Lakes since the last rate case, their comments were very representative of the feelings in the community of the current situation of water quality and excessive "dumping" throughout the community.

The format that I will use to present our concerns with the rate increase request will be to address concern in an individualized basis. Hopefully, that format will allow us to clearly highlight the problems associated with this request.

First, consider the water data in the annual reports and the filings. These data are presented in the attached Table I & 2.. The data in Table I clearly show a discrepancy between the **2012 data for water sold in the filing.** The data in Table 2 show that starting in 2011 there is a significant increase in the Unclassified Water; **it represents more than 30 % of the Water Pumped.** The data presented in Table 3 is from the annual report and cover the amount of wastewater treated. The data clearly shows that in 2012 , the test year, **the amount of wastewater treated exceeded the amount of waste water sold by almost 10 %;** this is inconsistent as wastewater is billed on the basis of water sold. These data indicate that **the possibility exists that the amount of water sold is understated.**

Such a possibility is likely in that the CLU changed from contract meter readers to inhouse meter readers during the time frame of 2011/2012. We were informed of this by CLU management in 2013. **Since wastewater treated only considers the water used by the resident in his home and does not include lawn watering, car and house washing, and other external usage, normally as seen in the data previous to 2012, the water sold exceeds the wastewater treated.**

Therefore, we believe that significant study must be done to ascertain the actual water used the residents before any assessment of new water revenue is made. Possibly the test year should be changed to 2013 or at least delayed until that data are available

TABLE I
CLU WATER STATISTICS

SOURCE: ANNUAL REPORTS & FILINGS

YEAR	TOTAL WATER SOLD -ANNUAL REPORT [mg]	TOTAL WATER SOLD - FILING FIG. F-9 [mg]	TOTAL WATER SOLD - FILING FIG. F-10
2008	63.745	58.455	54.975
2009	51.570	53.466	50.252
2010	50.230	48.837	45.143
2011	48.619	49.407	45.911
2012	46.003	46.211	43.369

TABLE 2

CLU WATER STATISTICS

SOURCE: ANNUAL REPORTS & FILINGS

YEAR	WATER PUMPED [mg]	FLUSHING, FIRE, OTHER [mg]	UNCLASSIFIED [mg]	AVAILABLE FOR PURCHASE [mg]	WATER SOLD [mg]
2003	59.661	0.946	0.000	58.715	46.580
2004	65.823	1.952	0.000	63.971	55.314
2005	66.278	2.595	0.000	63.683	54.344
2006	83.520	2.243	0.000	81.641	69.622
2007	67.504	1.154	0.000	66.350	63.745
2008	67.504	1.154	0.000	66.350	63.745
2009	61.058	0.373	0.000	60.685	51.570
2010	62.404	2.333	0.000	60.071	50.230
2011	73.405	0.296	24.000	49.109	48.619
2012	74.574	0.000	24.000	50.574	46.003

TABLE 3

CLU WASTEWATER STATISTICS

SOURCE: ANNUAL REPORTS & FILINGS

YEAR	WATER TREATED [mg]	AVERAGE FLOW [mgd]
2003	39.800	0.109
2004	43.227	0.118
2005	44.283	0.121
2006	44.456	0.122
2007	45.895	0.126
2008	46.052[ltr]	0.126
2009	46.791	0.128
2010	46.422	0.127
2011	46.422	0.127
2012	50.796	0.139

Dorothy Menasco

From: Dorothy Menasco
Sent: Tuesday, September 17, 2013 4:07 PM
To: 'Davis, Phyllis'
Cc: Reilly, Steve
Subject: RE: Interested Party Request

Ms. Davis:

Per your request, we have added OPC/Kelly and Reilly to the mailing list as **interested persons** in the dockets mentioned below, with an e-mail address of kelly.jr@leg.state.fl.us. If you have any changes or wish to have this information removed, those requests should be forwarded to clerk@psc.state.fl.us.

Interested persons receive **notices for hearing, prehearing, proposed agency action orders, final orders,** and **notices of Commission conferences** via e-mail. **If you are interested in receiving documents other than those mentioned above,** for example, procedural orders, please contact staff counsel for instructions on becoming a **party of record.** The phone number for our General Counsel's Office is 850-413-6199.

If you have any questions regarding your contact information, please call our office at 850-413-6770.

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
850-413-6770

From: Davis, Phyllis [mailto:DAVIS.PHYLLIS@leg.state.fl.us]
Sent: Tuesday, September 17, 2013 2:12 PM
To: Dorothy Menasco
Cc: Matilda Sanders; Reilly, Steve
Subject: Interested Party Request

Good morning:

I would like to request that the Office of Public Counsel, attention: J.R. Kelly, Public Counsel and Stephen C. Reilly, Associate Public Counsel, be listed as an interested party in the following dockets:

130209-SU	130210-WS
130211-WS	130212-WS

130229-WS	130230-SU

Please email all automatic notification of informal meeting notices, FAW notices, all recommendations, and final orders issued by the Commission to **kelly.jr@leg.state.fl.us.**

If you have additional questions please contact me at 488-9330.

Thanks.

Phyllis W. Philip-Guide
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Rm. 812
Tallahassee, FL 32399-1400
850-488-9330