



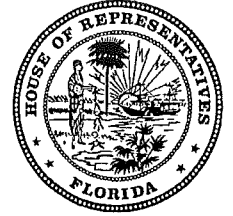
DON GAETZ
President of the Senate

J.R. Kelly
Public Counsel

STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
ROOM 812
TALLAHASSEE, FLORIDA 32399-1400
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WILL WEATHERFORD
*Speaker of the House of
Representatives*

October 14, 2013

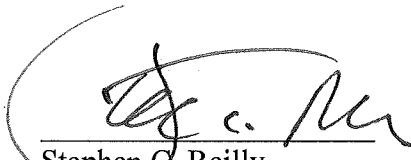
Anne Cole, Director
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: Docket No. 130010-WS; Application for increase in water rates in Lee County and
wastewater rates in Pasco County by Ni Florida, LLC

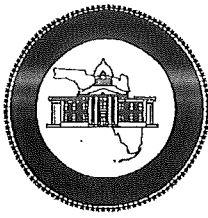
Dear Ms. Cole:

The Office of Public Counsel would like to file the attached letter received from the Pasco
County Utility Department regarding the elder valve issue in this docket.

Respectfully Submitted,



Stephen C. Reilly
Associate Public Counsel



PASCO COUNTY, FLORIDA

"Bringing Opportunities Home"

DADE CITY (352) 521-4274
LAND O' LAKES (813) 235-6012
NEW PORT RICHEY (727) 847-8145
FAX (727) 847-8083

UTILITIES SERVICES BRANCH
PUB. WKS/UTILITIES BLDG., S-213
7536 STATE STREET
NEW PORT RICHEY, FL 34654-5598

October 9, 2013

Mr. Stephen C. Reilly
Associate Public Counsel
State of Florida
Office of Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400

RE: Docket # 130010, Ni Florida Application for Rate Increase

Dear Mr. Reilly:

I understand that a question has arisen in the above-referenced rate case as to whether Ni Florida, as a sewer only utility in Pasco County, has contacted the water suppliers in its area for assistance with delinquent customers. As the director of the Pasco County Utilities, a water supplier in Ni Florida's territory, we have not been contacted about shutting off water service to delinquent sewer only customers. Further, if we had been contacted we would have been more than willing to provide shut-off service to Ni Florida. Pasco County Utilities has several service areas where we only provide sewer service and we know that having the water service shut off is the most efficient and practical way to deal with delinquent sewer only customers. That is why we have entered into an agreement with Hudson Water Works for shut-off service and the Board of County Commissioners adopted the attached resolution to facilitate this process.

If you have any questions, please contact us.

Sincerely,

Bruce E. Kennedy, P.E.
Assistant County Administrator
(Utilities Services)

JR/BEK/mvv/mydocs/bekletters/Reilly, Stephen

Enclosure

cc: Mr. Ed Wallace, Ni America Operating, 10913 Metronome Drive, Houston, TX 77043
Joseph Richards, Senior Assistant County Attorney

"Focused on Service, Committed to Excellence" for "Bringing Opportunities Home"

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA ADOPTING A NEW PROGRAM TO REQUIRE WATER PROVIDERS TO CEASE WATER SERVICE TO A PREMISE THAT IS DELINQUENT IN PAYING FOR WASTEWATER SERVICE PROVIDED BY THE COUNTY PURSUANT TO THE AUTHORITY OF SECTION 153.12, FLORIDA STATUTES.

WHEREAS, pursuant to Article VIII, Section (1)(f) of the Florida Constitution and Section 125.01, Florida Statutes, Pasco County has authority to provide water service and wastewater collection, treatment and disposal; and

WHEREAS, the Board of County Commissioner of Pasco County finds that water and wastewater services is an essential service for the benefit of the health, safety and welfare of the public; and

WHEREAS, pursuant to Section 153.12, Florida Statutes, Pasco County has authority to establish by resolution a program to require water providers to cease water service to a premise that is delinquent in paying for wastewater service provided by the County; and

WHEREAS, the Board of County Commissioners finds that it is necessary and desirable to adopt a resolution to address delinquent bills of sewer-only customers.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, as follows:

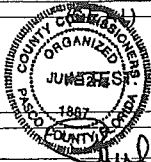
Sewer-only Customer Delinquency Water Disconnection Program Pursuant to Section 153.12, Florida Statutes:

A. If any rates, fees or charges for the use and services of the County wastewater system by or in connection with any premises not served by the water system of the County is not paid within 60 days after the same shall become due and payable, the owner, tenant or occupant of such premises shall cease to dispose of sewage or industrial waste originating from or on said premises by discharge thereof directly or indirectly into the sewer system of the County until such rates, fees or charges with interest, are paid; and

B. If such owner, tenant or occupant remains delinquent in its account and does not cease such disposal at the expiration of such 60-day period it shall be the duty of any district, private corporation, board, body or person supplying water to or selling water for use on such premises to cease supplying water to or selling water for the use on such premises within 5 days after the receipt of notice of such delinquency from the County; and

C. If such district, private corporation, board, body or person does not, at the expiration of such 5-day period, cease supplying water to or selling water for use on such premises, then the County may, unless it has theretofore contracted to the contrary, shut off the supply of water to such premises.

DONE AND RESOLVED this 23rd day of October, 2012.



Paula S. O'Neil
PAULA S. O'NEIL, Ph.D.
CLERK AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

Ann Hildebrand
ANN HILDEBRAND
CHAIRMAN

APPROVED
IN SESSION
OCT 23 2012
PASCO COUNTY
BCC

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