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JOHN L. WHARTON
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September 3, 2014

Braulio L. Baez
Executive Director
Florida Public Service Commission
Captial Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Re: Docket No.: 130230-SU-Forest Utilities
Request for expeditious approval

Dear Braulio,

You may recall that we met and discussed the pending application of Forest Utilities for amendment of its wastewater territory and withdrawal of an existing tariff sheet. The circuit court litigation which preceded these PSC filings, and the length of time it has taken to satisfy the condition precedent in the settlement documents which resolved that litigation has visited an extreme financial hardship on Forest. As you may also recall, I argued that it would relieve some of this hardship if the PSC could grant Forest's extension in advance of the flow test (which is the final step in the settlement of the circuit court litigation) but I understood the reasons that you and staff gave for why the Commission did not want to act until the condition precedent was satisfied.

Please be advised that on August 21, the flow test was successfully performed and the final condition precedent to settlement was satisfied. The only thing Forest is waiting for at this point is formal written notice of that fact from Jamaica Bay's engineer. Staff had indicated that once Forest had satisfied the condition precedent, and filed satisfaction of the same, that the matter could proceed to agenda within 30 days. I do not mention this fact to hold staffs' feet to the fire (staff has been professional and cooperative and it is appreciated) but rather to accentuate that the only agenda conference prior to November 25th is the one held on October 2, 2014 and to request that this matter be expedited by staff.

We will do what we can to get staff the final report from Jamaica Bay as quickly as possible, but the purpose of this letter is to respectfully request that a placeholder be entered such that this matter may be considered at the October 2, 2014 agenda conference rather than at the

September 3, 2014

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agenda which occurs 7 weeks after that date. That 7 week delay would represent a material setback for Forest. I'm confident that there is a way for staff to begin to work on the recommendation, and thereafter pull the matter from the October 2 agenda only if absolutely necessary (which I'm sure will not be necessary).

I have enclosed the following: GAI's letter of September 3; DEP documents stating the design project capacity and pump station data; and DEP approval of "Request to Place a Domestic Wastewater collection/Transmission System into Operation". This latter document provides the engineer's, permittee's and owner's certifications that the system has been built as per and in accordance with above item a) and the DEP permit requirements to accept, convey, treat and dispose of the flows from the Jamaica Bay West community and DEP's approval to place this system in use.

Please note that the "partial certification" is due to an automatic diversion that is to be installed at a future date. This valve does not affect the systems' ability to collect and transmit flows and has been temporarily replaced with a manually operated valve.

Thank you in advance for your attention to this matter and for your consideration of our request that this matter be expedited.

Sincerely,



John L. Wharton

JLW:hs

cc: Wade Moser

Commission Clerk-docket

Suzanne Brownless

September 3, 2014

GAI No. A110638.01

Mr. Wade Moser
General Manager Forest Utilities, Inc.
6000 Forest Boulevard
Fort Meyers, Florida 33908

Forest Utilities & JBW Flow Certification Tests

Dear Mr. Moser:

Tests were performed on August 21, 2014 to verify the compliance of the settlement with JBW. The required flow to be accepted by Forest Utilities, Inc. is 650 gallons per minute (gpm). The flow received from JBW lift stations 1 and 3 running together averaged 685 to 690 gpm which exceeds the requirement stipulated in the agreement.

The pump tests were witnessed by the following people:

- Wade Moser Forest Utilities, Inc.
- Mike Nepywoda JBW
- Chuck Pigeon, PE Pigeon-Roberts & Assoc.
- Mitch Chauncey, EI Pigeon-Roberts & Assoc.
- Jay Ameno, PE GAI Consultants, Inc.
- Steve Holmes GAI Consultants, Inc.
- Wayne Schuler Meter Test Company
- Ken Cabana Cabana Construction

The test protocol for the 2 JBW lift stations was as follows: Run each pump in each station individually; run one pump in each station simultaneously; and alternate pumps in both stations. Flow verification was performed by three methods, a strap on meter, an existing meter and calculated fill data at the master pump station. The calculated fill data will be used for the drawdown data to calculate the capacity of the master pump station.

Test protocol for the Master Pump Station was as follows: turn on the tributary lift station pumps in the existing Forest Utility System to simulate worst conditions, run Master Station Pump No.3 (Largest Pump); and with the same conditions as for Master Station Pump No.3, run Master Pump Station Pumps No. 1 and No. 2 (Largest pump out of service).

The results of the pump tests is represented in the following table:

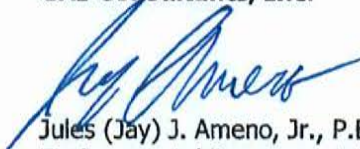
Pump Test Results

STATION	PUMP	FLOW
JBW Lift Station Number 1	Pump No. 1	460 gpm
	Pump No. 2	470 gpm
JBW Lift Station Number 3	Pump No. 1	340 gpm
	Pump No. 2	335 gpm
JBW Lift Station Numbers 1&3	Pumps No. 1 (Both Stations)	686 gpm
	Pumps No. 2 (Both Stations)	688 gpm
Master Pump Station	Pump No. 3	695 gpm
	Pumps Nos. 1&2	690 gpm

Forest Utilities, Inc. was required by settlement to have the facilities to handle 650 gpm. As shown in the above table Forest Utilities, Inc. has exceeded that requirement.

If you should have any questions please call me.

Sincerely,
GAI Consultants, Inc.



Jules (Jay) J. Ameno, Jr., P.E.
Environmental Department Manager

JJA/jja

cc: GAI File



Florida Department of Environmental Protection

Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

REQUEST FOR APPROVAL TO PLACE A DOMESTIC WASTEWATER COLLECTION/TRANSMISSION SYSTEM INTO OPERATION

PART I - INSTRUCTIONS

- (1) This form shall be completed and submitted to the appropriate DEP district office or delegated local program for all collection/transmission system projects required to obtain a construction permit in accordance with Chapter 62-604, F.A.C.
- (2) Newly constructed or modified collection/transmission facilities shall not be placed into service until the Department has cleared the project for use.
- (3) All information shall be typed or printed in ink, and all blanks must be filled.

PART II - PROJECT DOCUMENTATION

(1) Collection/Transmission System Permittee

Name: Wade Moser Title: Manager
 Company Name: Forest Utilities, Inc
 Address: 6000 Forest Boulevard
 City: Fort Myers State: Florida Zip: 33908
 Telephone: (239) 848-5174 Fax: _____ Email: wmoser23@aol.com

(2) General Project Information

Project Name: Forest System Improvements
 Construction Permit No. 50149-018-DWC/CM Dated: December 19, 2013

Is the entire project included under the collection/transmission system permit substantially complete? Yes No (If approval is being requested to place a portion of the project into operation, attach a copy of the site plan or sketch that was submitted with the application showing the portion of the project which is substantially complete and for which approval is being requested.)

Description of Portion of Project for Which Approval is Being Requested (including pipe length, total number of Man-holes and total number of pump stations) 1,170-LF of 4-in PVC FM, 1,550-LF of 8-in HDPE FM, modification to 2 existing PS and 1 new PS
 Expected Date of Connection to Existing System or Treatment Plant August 21, 2014

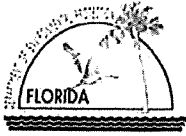
(3) Treatment Plant Serving Collection/Transmission System

Name of Treatment Plant Serving Project: Forest Utilities Wastewater Treatment Plant
 County: Lee County City: Fort Myers
 DEP permit number: FL A014478 Expiration Date: June 5, 2016

Partial Completion

RECEIVED
AUG 21 2014
D.E.P. South District

For Department Use Only	
Date	<u>8/22/14</u>
By	<u>[Signature]</u>
CLEARED FOR USE	



Florida Department of Environmental Protection

Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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 Expected Date of Connection to Existing System or Treatment Plant August 21, 2014

(3) Treatment Plant Serving Collection/Transmission System

Name of Treatment Plant Serving Project: Forest Utilities Wastewater Treatment Plant
 County: Lee County City: Fort Myers
 DEP permit number: FL A014478 Expiration Date: June 5, 2016

<i>For Department Use Only</i>	
Date _____	_____
By _____	_____
CLEARED FOR USE	

PART III - CERTIFICATIONS

(1) Collection/Transmission System Permittee

I, the undersigned owner or authorized representative* of Forest Utilities, Inc. certify that the engineer has provided us a copy of the record drawings for this project and if there is not already an existing applicable operation and maintenance (O&M) manual, one has been prepared for the new or modified facilities.

Also, I certify that, if we will not be the owner of this project after it is placed into service, we have provided a copy of the above mentioned record drawings and a copy of the above mentioned O&M manual, if applicable, to the person or system that will be the owner of this project after it is placed into service.

Signed: Wade Moser Date: 8/21/14
Name: Wade Moser Title: Manager

* Attach a letter of authorization.

(2) Owner of Collection/Transmission System After it is placed into Service

I, the undersigned owner or authorized representative* of Forest Utilities, Inc. certify that we accept the project as constructed and will be the owner of this project after it is placed into service. I agree to report any abnormal events in accordance with Rule 62-604.550, F.A.C. and promptly notify the Department if we sell or legally transfer ownership of the collection/transmission system. Also I certify that we agree to operate and maintain the facilities in accordance with the provisions of Chapter 403 Florida Statutes (F.S.) and applicable Department rules and that we have received a copy of the record drawings and O&M manual for this project and that these record drawings and O&M manual are available at the following location which is within the boundaries of the district office or delegated local program permitting the collection/transmission system.

Signed: Wade Moser Date: 8-21-14
Name: Wade Moser Title: Manager

Company Name: Forest Utilities, Inc.

Address: 6000 Forest Boulevard

City: Fort Myers State: Florida Zip: 33908

Telephone: (239) 848-5174 Fax: _____ Email: wmoser23@aol.com

* Attach a letter of authorization.

(3) Wastewater Facility Serving Collection/Transmission System

I, the undersigned owner or authorized representative* of the Forest Utilities Wastewater Treatment Plant Wastewater facility hereby certify that the above referenced facility has adequate reserve capacity to accept the flow from this project and will provide the necessary treatment and disposal as required by Chapter 403, F.S., and applicable Department rules. Also, I certify that any connections associated with this project to the above referenced facility, which we operate and maintain, have been completed to our satisfaction and we have received a copy of the record drawings for this project.

Signed: Wade Moser Date: 8-21-14
Name: Wade Moser Title: Manager

Address: 6000 Forest Boulevard

City: Fort Myers State: Florida Zip: 33908

Telephone: (239) 848-5174 Fax: _____ Email: wmoser23@aol.com

* Attach a letter of authorization.

(4) Professional Engineer Registered in Florida

I, the undersigned professional engineer registered in Florida, certify the following:

- that this project has been constructed in accordance with the construction permit and engineering plans and specifications or that, to the best of my knowledge and belief, any deviations from the construction permit and engineering plans and specifications will not prevent this project from functioning in compliance with Chapter 62-604, F.A.C.;
- that the record drawings for this project are adequate and include substantial deviations** from the construction permit and engineering plans and specifications;
- that a copy of the record drawings has been provided to the permittee and to the wastewater treatment facility serving the collection/transmission system;
- that the O&M manual for this project has been prepared or examined by me, or by an individual(s) under my direct supervision, and that there is reasonable assurance, in my professional judgment, that the facilities, when properly maintained and operated in accordance with this manual, will function as intended; and
- that, to the best of my knowledge and belief, appropriate leakage tests have been performed and the new or modified facilities meet the specified requirements.

This certification is based upon on-site observation of construction conducted by me or by a project representative under my direct supervision and upon a review of shop drawings, test results/records, and record drawings performed by me or by a project representative under my direct supervision.

The following is a description and explanation of substantial deviations** from the construction permit and engineering plans and specifications for the substantially completed portion of this project. (Attach additional sheets if necessary.)

This is a partial request for approval of the project. The entire project has been completed and tested with the exception on one motorized valve for bypass purposes. Upon completion the record drawings and the Operation and Maintenance Manuals will be finalized.

Signed: _____
Date: 8/21

Name: Jules J. Ameno, Jr., P.E. Florida Registration No. 31049

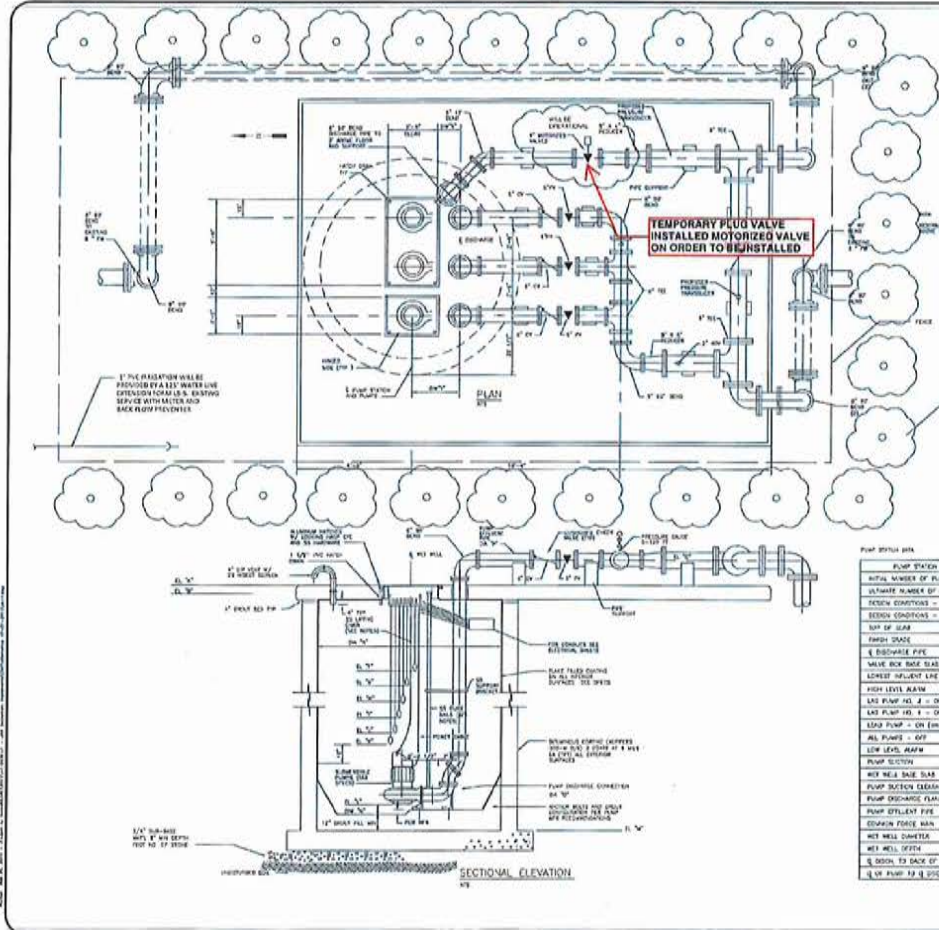
Company Name: GAI Consultants, Inc

Address: 2255 Glades Road, Suite 324A

City: Boca Raton State: Florida Zip: 33431

Telephone: (561) 988-2611 Fax: (561) 997-9392 Email: j.ameno@gaiconsultants.com

** *Substantial deviations are construction deviations greater than 10% from plans and specifications and any deviations which fall below minimum standards established in Rule 62-604, F.A.C.*



- NOTES
1. PUMP STATION TO BE CONSTRUCTED AT THE TOP OF PUMP HOUSE. TO BE CONSTRUCTED AT THE TOP OF PUMP HOUSE. TO BE CONSTRUCTED AT THE TOP OF PUMP HOUSE.
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PUMP STATION DATA

DESCRIPTION	UNIT	VALUE
INITIAL NUMBER OF PUMPS	EA.	3
ULTIMATE NUMBER OF PUMPS	EA.	3
FLOW CONDITIONS - 1 PUMP	CFM/15M	700
FLOW CONDITIONS - 2 PUMPS	CFM/15M	850
SIZE OF SUMP	FT. DIA.	8'-6"
FINISH GRADE	EL. 'N	8'-1"
4. BODYPART PIPE	EL. 'N	8'-0"
VALVE BOX BENCH MARK	EL. 'N	8'-0"
LOWEST INFLUENT LINE	EL. 'N	4'-0"
HIGH LEVEL B.A.M	EL. 'N	11'-0"
LAG PUMP NO. 1 - ON (15M)	EL. 'N	11'-0"
LAG PUMP NO. 2 - ON (15M)	EL. 'N	11'-0"
LAG PUMP - ON (15M)	EL. 'N	11'-0"
ALL PUMPS - OFF	EL. 'N	11'-0"
LOW LEVEL B.A.M	EL. 'N	8'-0"
PUMP SECTION	EL. 'N	11'-0"
NET WELL BENCH MARK	EL. 'N	11'-0"
PUMP DISCHARGE ELEVATION	EL. 'N	11'-0"
PUMP DISCHARGE FLANGE	EL. 'N	8'
PUMP EFFLUENT PIPE	EL. 'N	8'
EDWARDS PUMP DIA.	EL. 'N	8'
NET WELL DIAMETER	EL. 'N	11'-0"
NET WELL WIDTH	EL. 'N	11'-0"
5. OPEN TO BACK OF PUMP	EL. 'N	11'-0"
6. IN PUMP NO. 1 & 2 (15M)	EL. 'N	11'-0"

Handwritten signature
 7/10/14