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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 160101-WS

APPLICATION FOR INCREASE IN WATER AND WASTEWATER
RATES IN CHARLOTTE, HIGHLANDS, LAKE, LEE, MARION,
ORANGE, PASCO, PINELLAS, POLK, AND SEMINOLE COUNTIES
BY UTILITIES, INC. OF FLORIDA.

PROCEEDINGS: CUSTOMER SERVICE HEARING

COMMISSIONERS
PARTICIPATING: CHAIRMAN JULIE I. BROWN
COMMISSIONER JIMMY PATRONIS
COMMISSIONER DONALD POLMANN

DATE: Tuesday, January 11, 2017

TIME: Commenced at 6:00 p.m.
Concluded at 6:16 p.m.

PLACE: Deeann Lakefront Estates Clubhouse
409 Stephen Drive
Lake Placid, Florida 33852

REPORTED BY: DEBRA R. KRICK
Court Reporter and
Notary Public in and for
State of Florida at Large

PREMIER REPORTING
114 W. 5TH AVENUE
TALLAHASSEE, FLORIDA
(850) 894-0828

1 APPEARANCES:

2 MARTIN S. FRIEDMAN, ESQUIRE, Coenson Friedman,
3 P.A., 766 North Sun Drive, Suite 4030, Lake Mary,
4 Florida 32746, appearing on behalf of Utilities Inc. of
5 Florida.

6 J.R. KELLY, PUBLIC COUNSEL; ESQUIRE, Office of
7 Public Counsel, c/o the Florida Legislature, 111 W.
8 Madison Street, Room 812, Tallahassee, Florida
9 32399-1400, appearing on behalf of the Citizens of the
10 State of Florida.

11 JENNIFER CRAWFORD, WALTER TRIERWEILER, ESQUIRES,
12 FPSC General Counsel's Office, 2540 Shumard Oak
13 Boulevard, Tallahassee, Florida 32399-0850, appearing on
14 behalf of the Florida Public Service Commission Staff.

15 KEITH HETRICK, GENERAL COUNSEL; Florida Public
16 Service Commission, 2540 Shumard Oak Boulevard,
17 Tallahassee, Florida 32399-0850, Advisor to the Florida
18 Public Service Commission.

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I N D E X

WITNESSES

NAME :
MIKE BAKER

PAGE NO.
9

EXHIBITS

NUMBER :

MARKED

NONE MARKED

1 P R O C E E D I N G S

2 CHAIRMAN BROWN: Good evening, everyone. Good
3 evening, this is a very nice setting for a customer
4 service hearing. It's wonderful to be here in Lake
5 Placid, Florida, this evening on January 11th. It
6 is a very small setting.

7 We are streaming live here tonight for those
8 customers who can't be here tonight. It's my
9 understanding that we do have one customer that
10 would like to speak before us. And we do not have
11 live mics, so if you would like to elevate your
12 voices a little bit, that will be helpful for those
13 that are tuning in.

14 My name is Julie Brown, and I have the
15 privilege of serving as Chairman of the Florida
16 Public Service Commission, and with me today are --
17 thank you for telling me what to do -- with me
18 today are my fellow Commissioners with -- from my
19 right, Commissioner Patronis, if you would
20 introduce yourself, that would be great.

21 COMMISSIONER PATRONIS: Thank you for allowing
22 us to be here and join you tonight, and those that
23 are watching at home. We look forward to the
24 commentary that we will take into this process.
25 Thank you.

1 CHAIRMAN BROWN: Okay.

2 COMMISSIONER POLMANN: Good evening. I am Don
3 Polmann. Nice to be here, and thank you for
4 watching. Thank you for attending, and we look
5 forward to receiving all the comments. We are
6 visiting various customers, and we are happy to be
7 here this evening.

8 CHAIRMAN BROWN: Thank you.

9 And, staff counsel, will you please read the
10 notice?

11 MR. TRIERWEILER: By notice issued on
12 December 14th, 2016, this time and place has been
13 set for a customer service hearing in Docket No.
14 160101-WS. The purpose of the hearing has been
15 laid out more fully in the notice.

16 CHAIRMAN BROWN: Thank you.

17 And at this time, we will take appearances of
18 counsel, starting with the Utilities Inc. of
19 Florida.

20 MR. FRIEDMAN: Martin Friedman on behalf of
21 Utilities Inc. of Florida.

22 MR. KELLY: And hi, I am J.R. Kelly, and I
23 represent the customers of Utilities Inc. in this
24 matter.

25 CHAIRMAN BROWN: Commission.

1 MS. CRAWFORD: Jennifer Crawford and Walt
2 Trierweiler for staff. We would also like to enter
3 an appearance for Keith Hetrick, General Counsel.

4 CHAIRMAN BROWN: Thank you.

5 And let me just begin by thanking you for
6 coming out here today, taking the time. I know you
7 got busy -- a busy schedule and everything. We
8 have had eight customer service hearings throughout
9 the state of Florida.

10 Later on in the process, we will have a
11 technical hearing, where we will actually take
12 evidence and the substance of the case, and it will
13 be on May 8th. And it will be for one full week.
14 The technical hearing will be viewed live. It will
15 be in Tallahassee, but it will be viewed live on
16 our commission website.

17 This -- these customer service hearings are
18 designed specifically for the customers, to hear
19 and take testimony from you, the customer, about
20 your quality of service, billing issues, any --
21 anything you have on your mind here. And so it's a
22 very important process that we have, and we take
23 your comments into serious consideration.

24 There are customer service representatives
25 from the Utility that -- who are here. We also

1 have representatives from the Commission staff who
2 are here. So if you have any questions, they will
3 certainly take care of those at the conclusion of
4 the hearing.

5 With us today -- and just for the record, I
6 would like to clarify who is with us from the
7 Public Service Commission staff. We have with us
8 from technical staff, Curt Mouring, Chris Church,
9 Mimi Hearn, Conrad Howard, Patti Daniel, Laura
10 King, Walt Trierweiler -- did I get it wrong?

11 MS. CRAWFORD: You got it.

12 CHAIRMAN BROWN: Jennifer Crawford, Cindy Muir
13 and Kelly Thompson, Debbie Krick. And we are very
14 grateful for their hard work on this case.

15 This is an official hearing that will be
16 transcribed and become part of our record, as you
17 see our court reporter typing.

18 You will need to be sworn in prior to making
19 comments. As part of that, you will be also
20 subject to cross-examination by the parties, as
21 well as the Commission, which means that we can
22 basically ask you questions as well.

23 You -- my understanding is that you have
24 signed up for -- to speak, and so --

25 MR. BAKER: And the only one.

1 CHAIRMAN BROWN: And the only one, which means
2 we will give you a lot of attention, okay.

3 But regardless of whether you make verbal
4 comments tonight, or if you submit them in writing,
5 we are going to give them equal weight. We
6 definitely encourage you to take some of those
7 sheets and give them to your neighbors to submit.
8 Great. And just mail those in, and we will be
9 evaluating those in the rate case.

10 At this time, I will ask the parties to -- if
11 they would like to give opening statements, you are
12 more than welcome to waive the opening statements.

13 MR. FRIEDMAN: I will waive. Mr. Baker and I
14 can talk later if he has got any questions.

15 CHAIRMAN BROWN: And the same goes for Public
16 Counsel?

17 MR. KELLY: Same here.

18 CHAIRMAN BROWN: Thank you very much.

19 Typically, we would give customers about three
20 minutes to speak, but since you are the only
21 customer, you will be given a great deal of
22 latitude. We don't have a lectern or a microphone
23 to speak, but we encourage you, after I swear you
24 in, to please, you know, just state your name for
25 the record, and your address.

1 MR. BAKER: Mike Baker.

2 CHAIRMAN BROWN: Not yet, when I swear you in.

3 You want to stand with me right now? We will
4 do that right now.

5 Stand and raise your right hand.

6 Do you swear or affirm to tell the truth in
7 this proceeding?

8 MR. BAKER: I do.

9 CHAIRMAN BROWN: Thank you.

10 All right. You are up. Come on up. You want
11 to sit or you want to stand?

12 MR. BAKER: I had a number of questions, I
13 think one or two of them have been answered
14 already. One was hydrogen sulfide --

15 CHAIRMAN BROWN: Could you just state your
16 name and address for the record?

17 MR. BAKER: Mike Baker, 116 Country Club
18 Drive, and a second address I was at was 102
19 Fairway Court --

20 CHAIRMAN BROWN: Thank you.

21 MR. BAKER: -- both on the same utilities.

22 The hydrogen sulfide, I constantly have a
23 repeating problem with it. And if I call, it will
24 be fixed within maybe 12 -- 12 hours, possibly a
25 day. Within a month, it will come back. I have

1 called approximately six times in a year. And it's
2 answered. The problem goes away, but it returns
3 again. Sometimes I get -- I will wait two or three
4 days thinking it will go away, someone is going to
5 catch it. If you don't call, it doesn't go away.
6 When I do call, it's taken care of.

7 There was someone that is -- something is
8 going on there that is not, in fact, totally
9 correct now.

10 CHAIRMAN BROWN: Can we ask you questions at
11 this time? Are you done? Are you done?

12 MR. BAKER: With that part of it, yes. Go
13 ahead.

14 CHAIRMAN BROWN: When you call the company and
15 speak with a company representative, how long does
16 it take for them to address the problem?

17 MR. BAKER: To correct the hydrogen sulfide, I
18 would think the minimum would be 12 hours to
19 possibly a day, usually a day.

20 CHAIRMAN BROWN: All right. Are you aware of
21 any of your other neighbors noticing or facing a
22 similar problem?

23 MR. BAKER: Nothing that I mentioned, or no
24 one has ever mentioned it to me. But my area is
25 quiet. Everyone wants to stay to themselves, you

1 don't knock on people's door and ask them how your
2 water smells today.

3 COMMISSIONER PATRONIS: Right.

4 CHAIRMAN BROWN: Commissioners, any questions
5 on that issue?

6 COMMISSIONER PATRONIS: No. I am following
7 it.

8 COMMISSIONER POLMANN: Yes. Thank you.

9 The -- you say you have a problem with
10 hydrogen sulfide. Can you describe the nature of
11 the problem for us?

12 MR. BAKER: The off odor of the water.

13 COMMISSIONER POLMANN: So is it -- the water
14 smells, it's an odor issue for you?

15 MR. BAKER: Yes.

16 COMMISSIONER POLMANN: Okay.

17 MR. BAKER: Appears clear. No problem with
18 the clarity. It's just it has that odor to it.

19 COMMISSIONER POLMANN: Okay. Thank you.

20 MR. BAKER: It will go away, but it will be
21 kind of hyper-chlorinated also. That will even out
22 within a day or two, and it will be fine for 20
23 days, 30 days, and then the hydrogen sulfide will
24 come in. I will make a call. The chlorination
25 will go way up. That will go away again, but it's

1 repeating.

2 COMMISSIONER POLMANN: So if I may.

3 Is it your belief that the hydrogen sulfide
4 issue is, quote, fixed at your location with the
5 addition of additional chlorine? Is that how --

6 MR. BAKER: I believe that's how it's been
7 going.

8 COMMISSIONER POLMANN: Okay. So the odor is
9 like hydrogen sulfide, and then you make a call,
10 and then the odor becomes like chlorine?

11 MR. BAKER: Correct.

12 COMMISSIONER POLMANN: Okay. Thank you.

13 MR. BAKER: Then chlorine will go down, and it
14 will be a nice note, what you consider normal,
15 normal, tasteless, odorless water.

16 CHAIRMAN BROWN: And at this time, we will
17 allow the utility and the Public Counsel to
18 question you on this line of thought if they want.

19 MR. FRIEDMAN: We don't have any questions.

20 MR. KELLY: No questions.

21 CHAIRMAN BROWN: Okay. Feel free to continue.
22 Do you have anything else on your mind?

23 MR. BAKER: I already had a question answered
24 about DEP inspection. I was just interested --
25 that's why I was really basically here. I just

1 wanted to -- I was wondering what they do with
2 their inspection that they had to cut the service
3 off and go to a boil water warning.

4 And I have a touchy one, though, this is --
5 when I used to live at 102 Fairway Court, it's a
6 two-story condominium on the same service, there
7 was a waste water problem. The ground had a big
8 subsidence in it, someone -- that's a condominium
9 community, so I did speak to the other people --

10 CHAIRMAN BROWN: You have like fixed -- fixed
11 concentration. You are ignoring that noise, aren't
12 you? You don't hear that?

13 MR. BAKER: I don't.

14 COMMISSIONER PATRONIS: It's on battery backup
15 of some sort.

16 MR. BAKER: I have a hearing impairment.

17 CHAIRMAN BROWN: Oh, my, it's -- thank you,
18 guys. Thank you.

19 UNIDENTIFIED SPEAKER: We just lost the live
20 stream.

21 COMMISSIONER PATRONIS: Do we need to take a
22 recess a second?

23 CHAIRMAN BROWN: Do we need to recess, legal?

24 COMMISSIONER PATRONIS: Yeah.

25 MS. CRAWFORD: Probably best to recess and see

1 if they can recommence the live stream.

2 CHAIRMAN BROWN: All right. We are in recess.

3 (Brief recess.)

4 CHAIRMAN BROWN: Thank you. We are back on
5 the record now, and thank you for that brief
6 recess, and your patience as well.

7 Would you like to continue?

8 MR. BAKER: I was at 102 Fairway Court here in
9 Lake Placid --

10 CHAIRMAN BROWN: Okay.

11 MR. BAKER: -- and there was a problem there
12 with ground subsidence and a mailbox -- it was
13 there for at least a year, if not more. And I mean
14 it was the mailbox was leaning into this
15 subsidence, and I was wondering what was the result
16 of the -- they did some work on it, quite a bit of
17 work. They must have dumped 10 cubic yards of
18 concrete into the manhole, and I was wondering what
19 was the problem, and did you get it fixed; or what
20 started it? What was causing it?

21 I can see -- I could wait for a big rainstorm,
22 and the water would pool and you would see the
23 water spin around. It was going somewhere, and it
24 was going into --

25 CHAIRMAN BROWN: When was this, sir? When was

1 this?

2 MR. BAKER: I would say a year ago, a little
3 over a year.

4 CHAIRMAN BROWN: Is the problem rectified?

5 MR. BAKER: I believe it was. They did a lot
6 of work.

7 CHAIRMAN BROWN: All right. I am sure that
8 the utility will be happy to --

9 MR. FRIEDMAN: Yeah, after the meeting is
10 finished, Patrick will probably know.

11 MR. BAKER: If it was -- whatever the problem
12 was, it was going on for a while. You are talking
13 maybe gallons of water going into the wastewater
14 system.

15 CHAIRMAN BROWN: And we are definitely taking
16 all of this on the record, and I am sure the
17 utility is going to follow up with you on the
18 matter as soon as we conclude the hearing.

19 MR. BAKER: Yeah, that's what I was asking.

20 CHAIRMAN BROWN: Great.

21 Commissioners, do you have any questions?

22 COMMISSIONER PATRONIS: I am good. Thank you
23 for participating.

24 COMMISSIONER POLMANN: Not at this time.

25 CHAIRMAN BROWN: Utility?

1 MR. FRIEDMAN: Nothing, thank you.

2 CHAIRMAN BROWN: Public Counsel?

3 MR. BAKER: No more questions.

4 MR. FRIEDMAN: Thank you, Mr. Baker.

5 CHAIRMAN BROWN: I want to thank you.

6 MR. FRIEDMAN: You made sure this trip wasn't
7 completely for nothing.

8 CHAIRMAN BROWN: I am really happy that you
9 took the time to come out here. Again, this -- the
10 customer service hearings are a critical component
11 to the overall rate case process. It's very
12 important for us. We take all of the comments into
13 consideration, so we definitely encourage you to
14 utilize those sheets.

15 And with that, if there are no other comments
16 or matters to be addressed, the service hearing is
17 officially adjourned.

18 (Whereupon, the proceedings were concluded at
19 6:16 p.m.)

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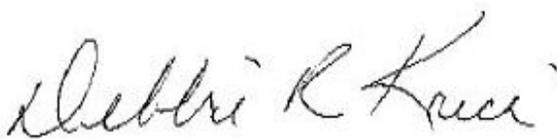
CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA R. KRICK, Professional Court Reporter, certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages, numbered 4 through 16, are a true and correct record of the aforesaid proceedings.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 19th day of January, 2017.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #GG015952
EXPIRES JULY 27, 2020