

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: 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.

DOCKET NO. 160101-WS

FILED: April 20, 2017

CITIZENS' REQUEST FOR ORAL ARGUMENT ON ITS MOTION TO STRIKE PORTIONS OF REBUTTAL TESTIMONY AND EXHIBITS

The Citizens of the State of Florida (Citizens), pursuant to Rules 25-22.0022 and 25-22.0376, Florida Administrative Code, hereby file Citizens' Request for Oral Argument on Motion to Strike Portions of Rebuttal Testimony and Exhibits filed by Utilities, Inc. of Florida (UIF or Company). Citizens seek oral argument and as grounds state the following:

1. Utilities, Inc. of Florida (UIF or Company) serves approximately 33,000 water and 26,000 wastewater equivalent residential connections (ERCs) in 10 counties across the state. In early 2016, UIF consolidated 12 separate operating companies and numerous standalone systems into one combined company named UIF. On April 28, 2016, UIF filed its test year approval request.
2. On August 31, 2016, UIF filed its application for increase in rates and accompanying minimum filing requirement (MFR) documents in support of its rate increase and state-wide uniform rates.
3. The direct testimony and exhibits of UIF witness Patrick Flynn purport to support approximately \$30 million in pro form plant projects; however, UIF provided inadequate or no supporting documentation was provided for about \$9 million of its requested \$30 million in pro forma.
4. OPC propounded discovery on UIF seeking supporting cost information for these projects. After reviewing the information UIF provided in response to OPC's discovery, OPC filed testimony on March 6, 2017, stating UIF had supported approximately \$21 million of its \$30 million request.
5. On April 3, 2017, UIF filed the rebuttal testimony and Amended Exhibits of witness Flynn. The Amended Exhibits purport to contain new, unsubstantiated pro forma cost information. UIF's pro

forma costs have ballooned by more than \$6 million since it filed its direct case to \$36,850,000. UIF's case has fundamentally changed through its rebuttal testimony.

6. Oral argument will assist the Commission in understanding and evaluating why the portions of the UIF's rebuttal testimony and exhibits identified in the Motion to Strike should be stricken as improper supplemental direct testimony. Oral argument will assist this Commission in understanding how UIF has constantly changed and updated its rate case through every subsequent response to discovery and now through its rebuttal testimony, why these new facts change UIF's initial rate request, how they violate the Citizens' due process, and OPC's proposed resolution to preserve the current hearing dates and schedule.

7. Citizens' believe that no more than 5 minutes per Party would be necessary to present Oral Argument.

WHEREFORE, the Citizens hereby respectfully request that the Commission grant this Request for Oral Argument on the Motion to Strike.

Respectfully Submitted

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CERTIFICATE OF CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and foregoing Motion to Strike Portions of Rebuttal Testimony and Exhibits furnished by electronic mail on this 20th day of April, 2017, to the following:

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