

Brian Schultz

From: Brian Schultz on behalf of Records Clerk
Sent: Friday, April 10, 2020 4:28 PM
To: 'Patrick Pollock'
Cc: Consumer Contact
Subject: FW: Docket number 20190080-WS
Attachments: img20200410_15361725.pdf; ATT00001.htm; BACKUP PROPOSAL.pdf; ATT00002.htm; 9-19 Holly Burge email.pdf; ATT00003.htm; AUI Letter.pdf; ATT00004.htm; AUI Letter Attachments.pdf; ATT00005.htm; Burge 6-14 letter.pdf; ATT00006.htm; PSC Commissioner Letter.pdf; ATT00007.htm

Good afternoon,

We will be placing your comments in Dkt. 20190080-WS and forwarding your comments to the Office of Consumer Assistance and Outreach.

Sincerely,

Brian Schultz

Commission Deputy Clerk II
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
Brian.Schultz@psc.state.fl.us
850.413.6770

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.

From: Patrick Pollock <aquarina.patrick@gmail.com>
Sent: Friday, April 10, 2020 4:01 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>
Cc: Jim Matthews <jmat1226@gmail.com>; David Baker <drb124@icloud.com>; Dale Helmer <aquarina_board.dale@yahoo.com>; Darlene Vrotsos <djvrotsos@gmail.com>; Nancy McRae <nngie.m@gmail.com>; Stewart Capps <aquacapps@aol.com>; Robert Werther <engfilters@yahoo.com>; David Keith <keith.david.a@gmail.com>; Donald Cumming <cummingdw@gmail.com>
Subject: Docket number 20190080-WS

Please find attached Aquarina Community Service Association's objection to the Aquarina Utilities Incorporated proposed rate increase. Also you will find attached supporting documentation with respect to the claims made and the financial information contained therein.

On Thursday, September 19, 2019, 2:28:53 PM EDT, Kevin Burge
<aquarinautilities@bellsouth.net> wrote:

Dear Nancy,

I called FPL to track down this meter. As is likely written on the actual bill, this meter's service address is 7500 S Hwy A1A- the Golf Clubhouse. There are three electrical meters on that building. One for the Brassie Grill, one for the cart shack where all the carts are charged, and one for the rest of the clubhouse building, including the pro shop and the bathrooms, etc. This meter, # KL22555 is the one that serves the golf cart charging shack. That accounts for how high the bill is. I had Kenny go and verify the location and purpose of the meter.

Needless to say, a meter located at the clubhouse has absolutely nothing to do with us. There really is no way that AGI was ever paying for any power related to the golf course turf pump. **That bill is over \$2500 a month and I feel certain you would all be upset about it. (That's how much our power bill dropped without serving the turf account)** I would be very careful about believing what you are told without first verifying the facts. I feel certain AGI would have been most unhappy if that account had been cancelled without researching its purpose first.

Best wishes,

Holly Burge

Attachment A

Log of Outages since the outages for most of January, 2017

2-24-2017	Not enough water to run a 80% cycle; no water Saturday morning
3-17-2017	Not enough water to run 80% cycle; no water Saturday
4-7-2017	No water upon arrival
4-8-2017	No water in morning; not enough to run 80% cycle did not run
4-17-2017	Not enough to run 80% cycle
4-19-2017	Not enough to run 80% cycle
5-13-2017	No water upon arrival
5-14-2017	No water upon arrival
5-15-2017	No water upon arrival
5-16-2017	No water upon arrival
5-17-2017	No water upon arrival
5-18-2017	No water upon arrival; as requested by AUI did not run irrigation
5-19-2017	Less than half tank, did not run irrigation as AUI requested
5-20-2017	Ran a partial cycle

Attachment B

Two examples of the extensive damages to the golf course greens. These greens were newly replaced in 2015. These are representative.





Attachment C

Damage to Aquarina's frontage also A1A. The St. Augustine grass is dead and will not recover. It will have to be re-sodded. The first picture shows the extent of AUP's repair of the problem which has persisted for months – cones around the hole where the broken valve is to prevent injury.



A small section of the dead St Augustine grass along A1A.





Patrick J Pollock
President
Aquarina Community Service Association
450 Aquarina Blvd
Melbourne Beach, Florida 32951

Mr. Kevin Burge, President
Aquarina Utilities Incorporated
P.O. Box 1114
Fellsmere, FL 32948

Mr. Burge,

Thank you for taking the time to meet with Ann Bruns, Stewart Capps, Ollie Rhodes, and me on Tuesday the 9th. We had high hopes for the meeting as a means for communicating our concerns and the damage that insufficient non-potable water since the beginning of the year has caused on both the golf course and the community's common grounds. Unfortunately by the end of the meeting our hopes were significantly reduced. We were no longer confident that Aquarina Utilities Incorporated (AUI) was willing and able to provide the water that we require.

During the meeting we tried to explain the importance of our golf course to the community. We advised you that studies show that a community owned golf course increases property values by 20 to 25% and that as a result it is the most important asset of the community. Loss of that asset would be catastrophic. We also advised you that since the beginning of the year, AUI has not provided the water necessary to support our golf course.

To summarize the problems created by AUI:

- In January we were without water for 28 days and the golf course suffered significant damage. Since that time, we have been without water overnight or have inadequate water at least 14 times (See Attachment A). This unreliable supply availability has limited our ability to apply adequate herbicides and fertilizers. Photographs in Attachment B clearly document resulting damage. If the pump were to go down during the summer for a period similar to that which occurred in January, we would lose the course. A professional analysis concluded that restoration would be approximately \$1,000,000.
- The resulting damage has resulted in community residents choosing to play other courses and two golf leagues threatening to abandon Aquarina. On an annual basis loss of the two leagues would result in the loss of more than \$50,000 in revenue.
- On Wednesday, Feb 1, 2017 a work order was sent to Aquarina irrigation crew reporting an issue with a meter on the south side of our main entrance. AUI was notified on February 1, 2017 that servicing our frontage on A1A has been in need of repair. While AUI initially inspected the issue with the meter the only other action by AUI during that period was to set up orange cones to mark the hole until April 28th when their closure of the valve at this meter broke it in the off position cutting off all irrigation to the south of the main Aquarina entrance. This has resulted in the loss of the St. Augustine grass and the entire area will have to be re-sodded. Photographs in Attachment C document the damage. AUI communicated they plan to repair the meter by the end of the week.

- Our sub-communities have also been subjected to this same poor performance.

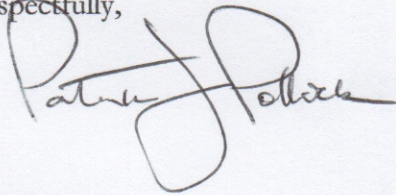
In addition to these concerns, we are equally concerned by the fact that for over a year, AUI has been operating with a single non-potable water pump distributing water to the golf course. It is our understanding the primary pump failed and AUI made the decision to operate with the backup pump and not repair the other. Further, we are concerned that the current pump may be experiencing significant problems as on some occasions it has totally shut down and on others it has been unable to deliver the quantities of water we need.

The problem is exacerbated by an under-sized well pump (500 gallons per minute) that is unable to keep up with the overnight demand when the golf course alone requires at least 450,000 gallons. Add the needs of the rest of our community, the St. Andrews community and the fire suppression system, and it is clearly overwhelmed.

We also asked again that you provide daily meter readings because our meter is on your property and we do not have access to it. We require that data so we can properly manage the water on the course; verify that our water management system is working properly; and meet St. John River Water Management District reporting requirements. Up until now that data has not been made available on a regular basis. We are hopeful that you will fill your commitment to supply that data to us daily.

To reiterate what I said in closing the meeting, the value of our key asset is so great to the community that we cannot sit by and watch it be destroyed by AUI's inability to reliably supply adequate water when it is required. We expect AUI to do everything necessary to correct the existing problems and meet that obligation.

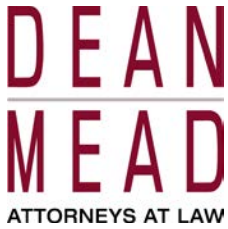
Respectfully,



5/25/2017

CC:

Ann Bruns, President Aquarina Golf Incorporated
ACSA Board
The Public Service Commission (PSC)
The PSC Management Audit Team



SEE ATTACHMENT 2-4C
TURF ACCOUNT EXPENSES

Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A.
420 South Orange Avenue, Suite 700
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Attorneys and Counselors at Law
Orlando
Fort Pierce
Tallahassee
Tampa
Viera/Melbourne

MARTIN FRIEDMAN
407-310-2077
mfriedman@deanmead.com

September 5, 2019
VIA E-FILING

Adam Teitzman, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Re: Docket No. 20190080-WS - Application for limited proceeding rate increase in
Brevard County, by Aquarina Utilities, Inc.
Our Matter No.: 070942

Dear Mr. Teitzman:

On behalf of Aquarina Utilities, Inc. (“Utility”) the following are the responses to Staff’s
Second Data Request dated August 29, 2019.

- 1. In its petition, Aquarina states that ACSA has obtained a permit from the water management district to construct a well. What is the anticipated construction start date of ACSA’s well?

Response: The Utility is unaware of the start of construction, but it was completed by approximately July 1, 2019.

- 2. Has ACSA discontinued non-potable water service provided by Aquarina?
 - a. If yes, when did this occur and how has service been shutoff?

Response: The golf course apparently discontinued service on July 30, 2019. They gave no notice, but they closed off the valve connecting them to the Utility and stopped taking water from the Utility. Mr. Doug Spice of the golf course suggested in an email that it might not want the meter shut off as it might remain a customer and use the connection as a back-up. He made inquiries as to the rate structure for such an arrangement (See Attachment 2-2a). No formal contract

written or verbal has confirmed either the disconnection or the golf course turf's desire to maintain a back-up connection.

- b. If no, when is ACSA expected to discontinue non-potable water service?

Response: *Aquarina Golf, Inc. disconnected without notice on July 30, 2019.*

3. Does ACSA intend to remain a customer for non-potable water? If yes, please explain the type of service ACSA is seeking (e.g. standby service, backup service, as available, other).

Response: *ACSA has several irrigation accounts with Aquarina Utilities, Inc. Although the golf course is owned by Aquarina Community Services Association, it is organized under a separate legal entity: Aquarina Golf, Inc. Aquarina Golf, Inc. has disconnected its turf account from the Utility, but has three other non-potable accounts that it intends to maintain with Aquarina Utilities, Inc. To be clear, a completely autonomous pumping system served the golf course turf account – only one account. All other irrigation accounts, both those of ACSA and Aquarina Golf, are serviced by the community irrigation and fire protection system. As indicated above, the golf course has suggested that it might want to remain a customer as a back-up to its on-site irrigation system, utilizing the pumping system specific to the golf course turf account, but it has made no formal request or arrangement.*

- a. Will this be implemented as a formal service agreement between Aquarina and ACSA, under the existing tariff, or will a new tariff need to be proposed?

Response: *The Utility is requesting a new tariff rate for the golf course as a standby customer. and intends to draft a formal service agreement with the golf course should it approach the Utility to continue service. If the golf course chooses not to accept the Tariff rate then the Utility will disconnect those facilities.*

4. Aquarina is requesting a reallocation of revenues due to the expected reduction of non-potable water usage.

- a. What billing structure does Aquarina propose for non-potable water?

Response: *The Utility does not propose any change to the billing structure or rates other than the increase related to the pro-forma projects.*

- b. Are there any unique billing requirements that would apply to ACSA?

Response: *Yes, the golf course should pay the cost of operating and maintaining that portion of the non-potable water system that services only the golf course.*

- c. How will the data needed to create the billing structure be obtained?

Response: *Attachment 2-4c is a schedule of those annual costs related to having the facilities available should the golf course take non-potable water.*

5. Who owns the non-potable water distribution system under the golf course and what purpose(s) does it serve?

Response: *Aquarina Utilities, Inc. owns the main transmission line under the golf course, specifically the 10 inch main section connecting the golf course irrigation system to the community irrigation system via an interconnect valve. The Utility concedes all other*

Type text here

mains and irrigation lines under the golf course to the ownership and management of ACSA and Aquarina Golf, Inc.

6. What is the proposed regulatory treatment of the assets used to provide non-potable water to ACSA and what associated data should be used to establish rates?
Response: *The golf course should pay the costs that are exclusively attributable to operating and maintaining the facilities the Utility must have available should the golf course decide it needs water.*
7. Please provide any needed adjustments to O&M expenses based on the change in operations.
Response: *Schedule B-2 Irrigation of the filing includes an adjustment that reduces O&M Expense Acct. 615 - Purchased Power by \$9,254 for pumping less water. It was calculated based on the ratio of ((GC NP gallons sold/Total NP gallons sold) x TY NP Purchased Power)). See Attachment 2-7.*
8. Are fire hydrants located on ACSA's side of the meter? If yes, will Aquarina or ACSA be responsible for the maintenance of these hydrants.
Response: *There are no fire hydrants serviced by the pumping system that provides water for the golf course turf account.*
9. Please provide all available information and documentation on the original cost of each item being retired and replaced as a part of the Utility's requested pro forma projects.
Response: *The proforma plant schedule in the filing includes retirements at 75% of cost of asset replacement which is consistent with accepted Commission practice when the original cost is unknown.*
10. The following items relate to rate case expense:
 - a. Please provide an update of actual and estimated rate case expense for consulting services in this docket.
Response: *See Attachment 2-10.*
 - b. Please provide a detailed explanation and calculations to justify estimated expense to completion.
Response: *See Attachment 2-10.*

Should you or Staff have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,

/s/ Martin S. Friedman
MARTIN S. FRIEDMAN
For the Firm

cc: Kevin & Holly Burge (via e-mail)
Jeff Small (via e-mail)

ATTACHMENT 2-2a

Re: Well back up

From: Kevin Burge (aquarinautilities@bellsouth.net)

To: douglasspice@gmail.com

Date: Monday, August 12, 2019, 12:42 PM EDT

Dear Mr. Spice,

I would be happy to help you out with future plans as soon as the turf account is brought current. Mr. Pollock is in possession of the notice of discontinuation of service for the golf course accounts, an amount that is due by Tuesday. As the golf course personnel have not complied with items discussed in a meeting some months ago, the utility is not disposed to be lenient in any way.

Please let me know exactly what the plans are for the golf course regarding Aquarina Utilities and I will see what I can do to help you as soon as the turf account and its additional invoice for an electrical repair are paid.

Sincerely,
Holly Burge
Account Manager; Aquarina Utilities, Inc.

Sent from my iPhone

> On Aug 11, 2019, at 4:13 PM, Doug Spice <douglasspice@gmail.com> wrote:

>

> Holly,

> I am on the AGI board and would like to get a cost plan going forward for our golf course irrigation. Are there monthly charges only when we use the backup water for the course or are there ongoing monthly charges.

>

> You have a cup to provide backup irrigation and I need to understand the cost structure so we can build it into our planning and budget.

> Thanks

> Doug

>

> Sent from my iPad

Expenses related to turf account (per year)

75 HP pump new	\$6,724.42	
75 HP pump repair	\$3,636.10	
75HP VFD Drive New	\$9,125.00	
75HP VFD Drive Vendor Labor add'l	\$980.00	
Wiring Expense/ Fuses Etc.	\$557.75	
Utility Labor related to turf pump	\$6,802.42	14.61% of Maintenance staff salaries of \$46,560
Water to exercise turf pump	\$5,183.00	(10.000 gpd x 365) /1000 * \$1.42
Power	\$9,260.08	
	$\$42,268.77 / 12 =$	\$3,522.40 proposed availability charge for golf course turf

ATTACHMENT 2-4C

ATTACHMENT 2-7

Power Bill

Aug-19	\$5,467.21
Jul-19	\$5,205.41
Jun-19	\$5,128.48
May-19	\$5,689.36
Apr-19	\$5,563.88
Mar-19	\$5,044.90
Feb-19	\$5,133.68
Jan-19	\$5,259.22
Dec-18	\$5,565.79
Nov-18	\$5,383.29
Oct-18	\$4,791.02
Sep-18	\$5,149.58

\$63,381.82 times 14.61%

\$9,260.08 Turf percentage of last 12 months power bill

ATTACHMENT 2-10

Aquarina Utilities, Inc.

Docket No. 20190080-WS

Actual and Estimated Rate Case Expense

- Actual Billed Attorney Fees through August 15, 2019 (Invoices Attached): \$1,260.00
(**Includes** \$532.00 to correct deficiencies)
- Actual Billed Costs through August 15, 2019: \$0.00.
- Filing Fee: \$1,200.00

Estimated:

<u>Hours</u>	<u>Description</u>
6.0 hrs.	Respond to formal and informal data requests from Staff
6.0 hrs.	Travel to and from Brevard County for Customer Meeting and meet with staff, and with client
1.0 hrs.	Review Staff recommendation; Conference with client regarding recommendation; Conference with Staff regarding recommendation.
10.5 hrs.	Travel to and from Tallahassee; Prepare for and attend Agenda conference, discuss Agenda with client and Staff.
1.5 hrs.	Review PAA Order; conference with client and consultants regarding PAA Order.
2.0 hrs.	Prepare revised tariff sheets, obtain Staff approval of tariffs; Draft and revise customer notice, obtain Staff approval; Coordinate mailing of customer notices and implementation of tariffs and filing Affidavit; Prepare, review and filing of post-Order requirements
27 hrs. @ \$380/hr.	\$10,260.00 total attorneys' estimated fees through PAA

Estimate of costs to complete:

\$ 658.00 Estimated travel expense to customer meeting and to PSC Agenda

\$ 20.00 Estimated photocopier and other miscellaneous costs

\$ 678.00 Total Estimated Costs

SUMMARY:

TOTAL ACTUAL AND ESTIMATED LEGAL FEES: \$11,512.00

TOTAL ACTUAL AND ESTIMATED LEGAL COSTS: \$678.00

TOTAL ACTUAL FILING FEE: \$1,200.00

TOTAL COST OF MAILING CUSTOMER NOTICES (3): \$900.00

COMPANY COST TO ATTEND AGENDA: \$525.00

TOTAL RATE CASE EXPENSE: \$14,815.00

DEAN MEAD

Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A.
420 S. Orange Avenue, Suite 700
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Fort Pierce
Viera
Tallahassee

AQUARINA UTILITIES, INC.
KEVIN BURGE, PRESIDENT
PO BOX 1114
FELLSMERE, FL 32948

August 20, 2019
ID: 037155.070942
INVOICE # 356475
MSF

RE: 2019 LIMITED PROCEEDING

FOR PROFESSIONAL SERVICES RENDERED:

TOTAL FEES \$342.00

<u>ATTY</u>	<u>CLASS</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
MSF	Of Counsel	0.90	380.00	342.00
	ATTY TOTALS	0.90		342.00

TOTAL CURRENT AMOUNT DUE \$342.00

TOTAL AMOUNT DUE \$342.00

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AQUARINA UTILITIES, INC.
KEVIN BURGE, PRESIDENT
PO BOX 1114
FELLSMERE, FL 32948

August 20, 2019
ID: 037155.070942
INVOICE # 356475
MSF

RE: 2019 LIMITED PROCEEDING

FOR PROFESSIONAL SERVICES RENDERED:

ITEMIZED ATTORNEY FEES

DESCRIPTION	DATE	ATTY	HOURS	RATE	AMOUNT
REVIEW FINANCIAL SCHEDULES FROM MR. SMALL AND TELEPHONE CONFERENCE WITH MR. SMALL; DRAFT AND E-FILE DEFICIENCY RESPONSES;	07/18/19	MSF	0.40	380.00	152.00
REVIEW AND ORGANIZE SCHEDULES; TELEPHONE CALL WITH MR. SMALL; DRAFT FINAL DEFICIENCY RESPONSES;	07/30/19	MSF	0.50	380.00	190.00

SUBTOTAL: \$342.00

ATTY	CLASS	HOURS	RATE	AMOUNT
MSF	Of Counsel	0.90	380.00	342.00
ATTY TOTALS		0.90		342.00

TOTAL CURRENT AMOUNT DUE \$342.00

TOTAL AMOUNT DUE \$342.00

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AQUARINA UTILITIES, INC.
KEVIN BURGE, PRESIDENT
PO BOX 1114
FELLSMERE, FL 32948

June 21, 2019
ID: 037155.070942
INVOICE # 354145
MSF

RE: 2019 LIMITED PROCEEDING

FOR PROFESSIONAL SERVICES RENDERED:

TOTAL FEES \$114.00

<u>ATTY</u>	<u>CLASS</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
MSF	Of Counsel	0.30	380.00	114.00
	ATTY TOTALS	0.30		114.00

TOTAL CURRENT AMOUNT DUE \$114.00

TOTAL AMOUNT DUE \$114.00

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SEE ATTACHMENT 2-4C
TURF ACCOUNT EXPENSES

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AQUARINA UTILITIES, INC.
KEVIN BURGE, PRESIDENT
PO BOX 1114
FELLSMERE, FL 32948

June 21, 2019
ID: 037155.070942
INVOICE # 354145
MSF

RE: 2019 LIMITED PROCEEDING

FOR PROFESSIONAL SERVICES RENDERED:

ITEMIZED ATTORNEY FEES

DESCRIPTION	DATE	ATTY	HOURS	RATE	AMOUNT
TELEPHONE CONFERENCE WITH MR. DOEHLING AND MR. SEWARDS OF PSC STAFF WHO TELEPHONED REGARDING DEFICIENCIES; LETTER TO KEVIN AND HOLLY BURGE;	05/17/19	MSF	0.30	380.00	114.00

SUBTOTAL: \$114.00

ATTY	CLASS	HOURS	RATE	AMOUNT
MSF	Of Counsel	0.30	380.00	114.00
ATTY TOTALS		0.30		114.00

TOTAL CURRENT AMOUNT DUE \$114.00

TOTAL AMOUNT DUE \$114.00

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AQUARINA UTILITIES, INC.
KEVIN BURGE, PRESIDENT
PO BOX 1114
FELLSMERE, FL 32948

May 20, 2019
ID: 037155.070942
INVOICE # 352516
MSF

RE: 2019 LIMITED PROCEEDING

FOR PROFESSIONAL SERVICES RENDERED:

TOTAL FEES \$190.00

<u>ATTY</u>	<u>CLASS</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
MSF	Of Counsel	0.50	380.00	190.00
	ATTY TOTALS	0.50		190.00

PREVIOUS STATEMENTS OUTSTANDING

INVOICE #		BILLED	PAYMENTS	BALANCE
351503	April 22, 2019	1,770.00	0.00	1,770.00

TOTAL OUTSTANDING INVOICES: \$1,770.00

TOTAL CURRENT AMOUNT DUE \$1,960.00

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AQUARINA UTILITIES, INC.
KEVIN BURGE, PRESIDENT
PO BOX 1114
FELLSMERE, FL 32948

May 20, 2019
ID: 037155.070942
INVOICE # 352516
MSF

RE: 2019 LIMITED PROCEEDING

FOR PROFESSIONAL SERVICES RENDERED:

ITEMIZED ATTORNEY FEES

DESCRIPTION	DATE	ATTY	HOURS	RATE	AMOUNT
REVIEW ACSA CUP AND PSC CASR; DRAFT LETTER TO PSC CLERK REGARDING ACSA CUP;	04/19/19	MSF	0.30	380.00	114.00
REVIEW PSC DEFICIENCY LETTER AND FIRST DATA REQUEST, TELEPHONE CONFERENCE WITH MS. KING AT PSC, AND LETTER TO BURGES CONCERNING SAME;	04/25/19	MSF	0.20	380.00	76.00

SUBTOTAL: \$190.00

ATTY	CLASS	HOURS	RATE	AMOUNT
MSF	Of Counsel	0.50	380.00	190.00
ATTY TOTALS		0.50		190.00

PREVIOUS STATEMENTS OUTSTANDING

INVOICE #	DATE	BILLED	PAYMENTS	BALANCE
351503	April 22, 2019	1,770.00	0.00	1,770.00

TOTAL OUTSTANDING INVOICES: \$1,770.00

DEAN MEAD

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AQUARINA UTILITIES, INC.
037155.070942
May 20, 2019
Page 2

TOTAL CURRENT AMOUNT DUE

\$1,960.00

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AQUARINA UTILITIES, INC.
KEVIN BURGE, PRESIDENT
PO BOX 1114
FELLSMERE, FL 32948

April 22, 2019
ID: 037155.070942
INVOICE # 351503
MSF

RE: 2019 LIMITED PROCEEDING

FOR PROFESSIONAL SERVICES RENDERED:

TOTAL FEES \$570.00

<u>ATTY</u>	<u>CLASS</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
MSF	Of Counsel	1.50	380.00	570.00
	ATTY TOTALS	1.50		570.00

TOTAL EXPENSES \$1,200.00

TOTAL CURRENT AMOUNT DUE \$1,770.00

TOTAL AMOUNT DUE \$1,770.00

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April 22, 2019
ID: 037155.070942
INVOICE # 351503
MSF

RE: 2019 LIMITED PROCEEDING

FOR PROFESSIONAL SERVICES RENDERED:

ITEMIZED ATTORNEY FEES

<u>DESCRIPTION</u>	<u>DATE</u>	<u>ATTY</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
REVISE APPLICATION TO INCORPORATE PRO FORMA PROJECTS AND LETTER TO BURGES CONCERNING SAME; TELEPHONE CONFERENCE WITH MR. AND MS, BURGE; DRAFT LETTER TO CLERK;	03/30/19	MSF	1.20	380.00	456.00
FINALIZE AND E-FILE APPLICATION;	04/01/19	MSF	0.30	380.00	114.00

SUBTOTAL: \$570.00

<u>ATTY</u>	<u>CLASS</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
MSF	Of Counsel	1.50	380.00	570.00
	ATTY TOTALS	1.50		570.00

ITEMIZED EXPENSES

<u>DESCRIPTION</u>	<u>AMOUNT</u>
3/30/2019 - PSC Filing Fee - Office: Orlando	
1200.00	

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Page 2

	SUBTOTAL:	\$1,200.00
TOTAL CURRENT AMOUNT DUE		\$1,770.00
TOTAL AMOUNT DUE		\$1,770.00

Aquarina Utilities, Inc.
Docket No. 20190080-WS
Actual and Estimated Rate Case Expense

Actual Billed Consulting Fees through August 30, 2019 (Invoices Attached): \$2,568.00

Estimated:

<u>Hours</u>	<u>Description of service</u>
2.0 hrs.	Respond to formal and informal data requests from Staff.
1.0 hrs.	Review Staff recommendation; Conference with client regarding recommendation; Conference with Staff regarding recommendation.
3 hrs. @ \$95/hr.	\$285.00 total estimated consulting fees through PAA.

TOTAL ACTUAL AND ESTIMATED CONSULTING FEES: \$2,853



OCBOA CONSULTING, LLC

P.O. Box 424
Goldenrod, FL 32733-0424
(407) 377-5400

INVOICE: 19.0022
DATE: 07/31/19
PAGE: 1 of 1

BILL TO: Aqarina Utilities. Inc. P.O. Box 1114 Fellsmere, FL 32948-1114 Attention: Holly Burge	FOR: Services Provided Project/P.O. #: LIMP DKT# 20190080-WS
---	---

WORK PERFORMED	HOURS	RATE	AMOUNT
Obtain, review & compile utility provided information to prepare the following Schedules for the Company's Limited Proceeding filing. + Schedule of Proforma Plant Additions w/retirements & Dep. Expense. + Schedule B-2 Net Operating Income for Water/Wastewater/Irrigation + Schedule D-1 Cost of Capital + Schedule D-5 Long Term Debt + G/L Trial Balances to support the amounts in the schedules above. (provided to Utility attorney via emails on 7/17 & 7/18)	5.50	\$95.00	\$522.50
Obtain, review & compile utility provided information to prepare the following Schedules for the Company's Limited Proceeding filing. + Schedule E-1 Current & Proposed Rates for Water/Wastewater/Irrigation + Schedule E-2 Revenue Recalculation for Water/Wastewater/Irrigation + Schedule E-14 Billing Analysis for Water/Wastewater/Irrigation (provided to Utility attorney via email on 7/30)	18.00	\$95.00	\$1,710.00
OTHER CHARGES			
Contract Temp Work to key in PDF copies of billing registers	8.00	\$12.25	\$98.00
TOTAL INVOICE FOR THE PERIOD			\$2,330.50
Adjustments:			
TOTAL ADJUSTED AMOUNT DUE			\$2,330.50

Please make all checks payable to **OCBOA Consulting, LLC**

THANK YOU FOR YOUR BUSINESS



OCBOA CONSULTING, LLC

P.O. Box 424
Goldenrod, FL 32733-0424
(407) 377-5400

INVOICE: 19.0026
DATE: 08/31/19
PAGE: 1 of 1

BILL TO:	FOR:
Aquarina Utilities. Inc. P.O. Box 1114 Fellsmere, FL 32948-1114 Attention: Holly Burge	Services Provided Project/P.O. #: LIMP DKT# 20190080-WS

WORK PERFORMED	HOURS	RATE	AMOUNT
Respond to staff's request for excel schedules of Utility's E-2 & E-14 filings. (emailed on 8/16)	0.50	\$95.00	NC
Respond to staff's request for updated Utility customer list by service by meter size. (emailed on 8/20)	0.50	\$95.00	\$47.50
Prepare & provide response to staff's questions concerning Utility's original application for a LIMP. (email on 8/22)	2.00	\$95.00	\$190.00
Respond to staff's request for corrected copy of Utility's pro forma plant schedule. (emailed on 8/23)	0.25	\$95.00	NC
OTHER CHARGES			
TOTAL INVOICE FOR THE PERIOD			\$237.50
Adjustments:			
TOTAL ADJUSTED AMOUNT DUE			\$237.50

Please make all checks payable to OCBOA Consulting, LLC

THANK YOU FOR YOUR BUSINESS



Patrick J Pollock
President
Aquarina Community Service Association
450 Aquarina Blvd
Melbourne Beach, Florida 32951

Mr. Kevin Burge, President
Aquarina Utilities Incorporated
P.O. Box 1114
Fellsmere, FL 32948

Mr. Burge,

This is a follow-up to my earlier letter expressing ACSA's concerns about AUI's inability to deliver the non-potable water necessary to sustain our golf course.

First let me thank you for providing the use data – it has allowed us to verify our computer delivery settings to optimize the sprinkler system watering times. Second at your company's request let me confirm that we did abstain from watering for a period of 36 hours to allow you to recharge the non-potable water tank. We also have tried reprogramming system to reduce our nightly consumption from 450,000 gallons weather permitting to alternate night cycles with one program using 246,000 gallons and the other using 315,000 gallons – and average of 300 gallons per night. That water usage level only has a chance of working if AUI is able to consistently deliver the required water.

In spite of our efforts, when we resumed watering AUI was unable to provide the water required. The very first night the VFD shut down after only a partial delivery of water. The same thing occurred the following night.

Fortunately for all of us we have had a period of rain and cooler temperatures that has reduced watering requirements and we have largely been able to sustain the course on Mother Nature's delivery system. Only 10 of the 24-day period from 5/16 to 6/8 required water from the AUI system. Even with the reduced water need and the reduction of our water usage rate as noted above, 20% of the time AUI failed to deliver the water required.

ACSA remains concerned that AUI system is not functioning properly. We all know the hottest months of the year are almost upon us and this problem has not been solved. In fact we have no information to suggest that it is even being worked on. Another failure of the system like the one that occurred in January will be catastrophic. We would like to know what and when AUI is doing to fix the recharge pump capacity problem as well as the golf course feed pump's reliability issues. Finally we would like to know AUI's plans to replace the redundant pump that failed several years ago.

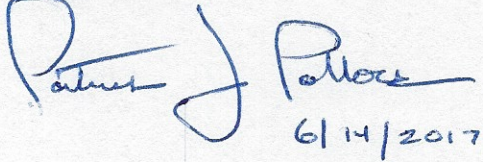
All of this said a picture is worth a thousand words. Attached you will find a picture of the damage currently being caused by the lack of a reliable water supply. We have been forced to prioritize the greens in the watering cycles so when the water shuts off prematurely some areas are not receiving water except when it rains. The first picture is of one of the tee boxes not on a greens irrigation loop.

I have also taken the liberty of including a picture of the incomplete repair on Aquarina Boulevard. AUI was first notified of a meter problem at this location some four months ago and then of the complete failure of the valve some two months ago. As of today the sidewalk remains closed because AUI has not completed the work. This is the only pedestrian access to A1A and our Beach Club across

that highway. This closure forces people into the only Aquarina exit and to compete with traffic. When is AUI going to complete this repair?

To reiterate what I said in closing our May meeting and in my follow-up letter, the value of our key asset is so great to the community that we cannot sit by and watch it be destroyed by AUI's inability or unwillingness to reliably supply adequate water when it is required. We expect AUI to do everything necessary to correct the existing problems and meet their obligations.

Respectfully,


6/14/2017

CC:

Ann Bruns, President Aquarina Golf Incorporated

ACSA Board

The Public Service Commission (PSC)

The PSC Management Audit Team





Patrick J Pollock
President
Aquarina Community Service Association
450 Aquarina Blvd
Melbourne Beach, Florida 32951

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

Sir,

Aquarina and neighboring St. Andrews communities have been targeted for a major potable water rate increase on what are already some of the highest in rates the State. We ask, that the case as submitted, be rejected.

In 2017, after more than 40 days over a four-month period AUI when was unable to supply all of the water required for its golf course, Aquarina made the decision to build its own non-potable to protect a \$2.5M asset. AUI lost what the PSC projected as \$75,000 in income. The alleged purpose of the proposed increase is to offset the impact of that loss.

While AUI withdrew a proposed 5 September 2019 golf water course backup plan, that proposal highlights two points. First, Aquarina's assertion that AUI's equipment was past its useful life and has no future value is fully supported by the proposal which seeks to replace all of the equipment that was dedicated to the golf course turf system. Second, it points to how much of the \$75K lost income is expense.

Taking the \$42,268.77 requested annual rate in that proposal at face value and subtracting the water and power yields \$27,825.69. Add back the total annual power cost of at least \$30,000 (per Holly Burke, AUI Account Manager's email to Nancy Coulter dated 9/19/2019) results in an operating cost of \$57,825.69. Subtracting that from the lost revenue of \$75,000 results in a gross margin loss of \$17,174.31. Aquarina believes that this is the maximum that AUI is entitled to receive.

In closing we respectfully ask for a rescheduled public rate hearing when residents can actively participate before any recommendations are made by the staff to the PSC. Aquarina also asks that full disclosure of AUI's rationale for the potable rate increase be provided with sufficient time for study, in advance of that rescheduled public rate hearing held at Aquarina.

Respectfully,

Patrick J Pollock

10 April 2020

**Aquarina Community Services Association
450 Aquarina Boulevard
Melbourne Beach FL 32951**

May 7, 2016

Ms. Julie I. Brown, Chairman
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: PSC Docket No. 150010-WS
Aquarina Utilities Rate Increase
Quality of Service Issues

Dear Chairman Brown:

I am President of the Aquarina Community Services Association, a 375-member homeowners association whose utility, Aquarina Utilities Inc., is currently engaged in a staff-assisted rate case. The purpose of this letter and its attachments is to make you directly aware of the unsatisfactory service the utility has provided since its purchase by the Burge Family in 2011. The utility's negative responses to complaints, and to damages caused by their operations, have alienated our entire community. In a separate letter we have requested that you mandate a Management Audit in the hope the owner-operators of the utility can be made to change their ways.

Major reasons for our dissatisfaction include:

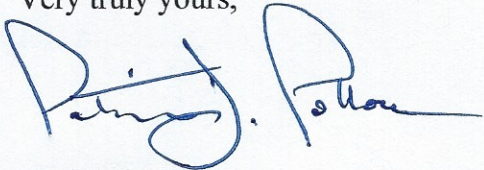
- Unless a complaint is made to the PSC, the utility considers it to be only a "concern" no matter how serious the problem. This does not comply with PSC Rule 25-30.130 that requires recording of complaints made to the utility and their resolution.
- Refusal to repair or pay for damages their operations have caused to household appliances, internal plumbing, water filters, and fire pressure pumps.
- Extensive delays measured in weeks and months to major service line plugging and leakage events.
- Failure to flush dead-end water mains quarterly as required by DEP Rule 62-555.350.
- Casual or non-responses to complaints about drinking water taste, odor and appearance.
- Failure to notify high-rise condominiums and the fire department about loss of pressure in the fire system.
- Failure to notify our golf course operator and homeowners of outages in the non-potable irrigation system.
- Failure to eliminate periodic offensive odors from the wastewater plant.

In addition to the above, the owner-operators of the facilities frequently respond to complaints in an adversarial manner, totally opposite to what one would expect from a utility servicing the public.

As an indication of our dissatisfaction our Board of Directors believes that it would not be difficult to obtain a 65 percent petition from our owners to decertify the utility.

We hope your reading of the attached will provide a better understanding of some of the many specific events that have alienated our community. For all of the above reasons we ask that you find the utility's quality of service unsatisfactory.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Patrick J. Pollock". The signature is stylized with a large initial "P" and a long horizontal stroke at the end.

Patrick J. Pollock
President
Aquarina Community Services Association

cc via email:
Commissioners Brisé, Edgar, Graham, Patronis
Clayton Lewis, Erik Saylor