

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of utility
rates of Aloha Utilities, Inc.
in Pasco County.

DOCKET NO. 960545-WS
ORDER NO. PSC-99-0061-FOF-WS
ISSUED: JANUARY 7, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
SUSAN F. CLARK
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION ORDER DETERMINING THAT THE
COMMISSION SHOULD TAKE NO FURTHER ACTIONS IN REGARDS TO QUALITY
OF SERVICE IN THIS DOCKET AND CLOSING DOCKET
AND
FINAL ORDER DENYING THE UTILITY'S REQUEST THAT THE COMMISSION
ISSUE AN ORDER DECLARING IT TO BE PRUDENT TO BEGIN CONSTRUCTION
OF THREE CENTRAL WATER TREATMENT FACILITIES

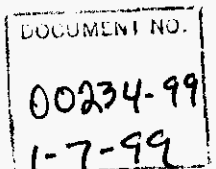
BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action concerning any further action in regards to quality of service discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

BACKGROUND

Aloha Utilities, Inc. (Aloha or utility) is a class A water and wastewater utility in Pasco County. The utility consists of two distinct service areas -- Aloha Gardens and Seven Springs. As of December 31, 1997, Aloha was serving approximately 8,457 water customers in its Seven Springs service area.

The utility initially filed a reuse application (Docket No. 950615-SU), and a customer meeting was held on August 9, 1995. Approximately 200 customers attended the meeting, and eight of the eighteen customers who testified offered complaints about poor



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water quality. The customer complaints included low water pressure, odor, discoloration, corrosive water. However, no customers from the Chelsea or Wyndtree subdivisions testified about black water or provided any black water samples at this meeting.

In its November 1995 recommendation for the reuse application, our staff explained that the odor and various discoloration complaints which were received could be traced to the hydrogen sulfide, magnesium, manganese, and iron which are commonly found in Florida's groundwater supply. Because our staff thought that the cost of providing additional treatment to remove these substances would be expensive and would increase the customer's monthly charges, our staff suggested that the utility would be well served if it surveyed its customers to determine if they would be willing to accept the present conditions in lieu of increased water rates.

By Proposed Agency Action (PAA) Order PSC-95-1605-FOF-SU, issued December 28, 1995 (the Order for the reuse docket), we initially determined that Aloha's quality of service was satisfactory. However, this Order was protested, and a hearing was scheduled.

Subsequent to that protest, Mr. James Goldberg, President of the Wyndtree Master Community Association, filed, on April 30, 1996, a petition, signed by 262 customers within Aloha's Seven Springs service area. That petition requested that we investigate the utility's rates and water quality. The petition and request were assigned Docket No. 960545-WS.

For the purposes of hearing, Docket No. 960545-WS was consolidated with Docket No. 950615-SU (Aloha's reuse case). The hearing was held on September 9-10, 1996 in New Port Richey, and concluded on October 28, 1996, in Tallahassee. Customer testimony about quality of service was taken on September 9, 1996. Both customer testimony sessions were attended by more than 500 customers, fifty-six of whom provided testimony about the following quality of service problems: black water, pressure, odor, and customer service related problems. The customers also provided many samples of discolored black water.

After evaluation of the evidence taken during the hearing, we issued Order No. PSC-97-0280-FOF-WS (Final Order) on March 12, 1997. In that Order, we found that the quality of service provided by Aloha's water system was unsatisfactory. Because the evidence indicated that the water quality problems were related to the

presence of hydrogen sulfide in Aloha's source water and the cost of treatment might be expensive, we ordered Aloha to prepare a report that evaluated the costs and efficiencies of several different treatment options for the removal of hydrogen sulfide from its source water.

On June 12, 1997, Aloha filed its engineering report, recommending that it be allowed to continue adjusting the corrosion inhibitor dosage level in an ongoing effort to eliminate the black water problem. Aloha also recommended that if hydrogen sulfide treatment facilities were to be required, then the option of constructing three central water treatment plants which utilize packed tower aeration should be approved. Aloha estimated that construction and operation of the three treatment plants and other water system upgrades would increase customer rates by 398 percent.

On November 26, 1997, we ordered that Aloha survey its Seven Springs water customers about water quality issues. Aloha distributed 8,597 surveys and we received 3,706 responses.

In a June 5, 1998 letter, Aloha stated that it was willing to begin construction of three centrally located packed tower aeration treatment facilities to remove hydrogen sulfide from the source water. Aloha is willing to proceed with this upgrade in order to address customer quality of service concerns and to comply with future Environmental Protection Agency (EPA) regulations. Before commencing construction of these water treatment facilities, however, Aloha has requested that we issue an order declaring that it is prudent for Aloha to construct these facilities. Upon issuance of such order, Aloha plans to construct the three central packed tower aeration water treatment facilities in three phases and will initiate a limited proceeding to increase rates in three phases.

FURTHER ACTIONS TO BE TAKEN ON QUALITY OF SERVICE

While Aloha has complied with Commission directives issued in this docket so far, it is obvious that problems still exist for some of their customers in the Seven Springs service area. We have divided our analysis into three sections. The first section presents additional background information and facts about the water quality problems in Seven Springs. The second section discusses the customer responses to the survey. The third section discusses options for improving water quality.

I. Additional Background Information and Facts

Beginning in January, 1996, the Florida Department of Environmental Protection (DEP) started to receive complaints about water discoloration (black water) from Aloha customers within the Chelsea and Wyndtree areas. There are 436 homes in the Wyndtree area and 144 homes in Chelsea and it appears that most of these homes have copper plumbing. During their visit to several customer homes during June, 1996, Commission Staff engineers first observed black water coming out of the hot water side of the bathroom tubs and sinks in several homes. The emergence of the black water problem in Wyndtree and Chelsea was the principle change in circumstances between the PAA order and the September, 1996 customer hearings.

In response to the black water complaints, the DEP collected and analyzed samples of the black water from 16 homes within Chelsea and Wyndtree during March, 1996. The DEP's analysis indicated that the black substance causing the discoloration was copper sulfide. Aloha and the DEP have each tested the water from wells 8 and 9 and the copper level in both of these wells was below detectable limits. Since Aloha's transmission and distribution system does not contain any copper, the copper sulfide must be formed by a reaction of sulfides with the copper plumbing inside of the customer's home. Engineers with the DEP, the utility, and the Commission Staff all agree that the black discoloration is formed in this manner.

As is the case for most of Florida's groundwater supply, hydrogen sulfide is present in Aloha's raw water. Sulfide is one of several different species of sulfur which can exist in water, depending upon the water's pH (a measure of the water's acidity or alkalinity). Currently, Aloha is converting (oxidizing) all of the sulfides which are present in its raw water supply into a sulfate by chlorinating the water. Sulfate is a form of sulfur which does not have a strong, unpleasant odor and does not react with copper piping to form copper sulfide.

Water discoloration and odor problems result when sulfate is converted back to sulfide by sulfur reducing bacteria (SRB) which are commonly found in small numbers in most water. Aloha's engineer has stated that this is the only mechanism by which the sulfates can be converted back into a sulfide after the water leaves the plant. Since these SRB's thrive in warm areas, such as the hot water heater, the number of bacteria is usually not

sufficient to create hydrogen sulfide in cold moving water. However, if the water temperature is between 110-120 degrees and/or the water is stagnant (such as in seldom used guest bathroom plumbing), the number of bacteria can be increased to very high numbers. When large numbers of SRB are present, relatively large quantities of sulfate can be converted back to sulfide which then reacts with the copper plumbing to form copper sulfide. Sulfides can also form within a water system's transmission and distribution system. However, our staff does not believe that a significant concentration of hydrogen sulfide is present within Aloha's transmission and distribution system.

Hydrogen sulfide has been treated using chlorination at many of Florida's water utilities. Many other Florida water utilities remove hydrogen sulfide by aerating the water using tray aerators. Since tray aerators can only remove up to 50 percent of the sulfides, chlorination is required to oxidize the remaining sulfides. The packed tower aeration treatment process which Aloha has proposed can remove up to 95 percent of the hydrogen sulfide present in the source water.

Beginning in May of 1996, Aloha attempted to eliminate the discoloration problem and comply with DEP's lead and copper rule by adding a corrosion inhibitor to the water. This treatment was required since DEP rules mandate that corrosion control treatment be implemented if the copper concentration at the customer's tap exceeds the 1.3 milligrams per liter (mg/l) action level. The corrosion inhibitor has not yet eliminated the discoloration problems being experienced in Aloha's system. It has, however, successfully lowered the copper corrosion rates below the 1.3 mg/l action level.

Aloha could increase the level of chlorine in the system in an effort to better control the sulfur reducing bacteria population within the customer's home. The problem with increasing the chlorine concentration is that more trihalomethanes will also be formed. Trihalomethanes are disinfection by-products which are formed when natural organics in the water react with chlorine and are considered by the EPA to be a primary contaminant and possibly carcinogenic. The utility lowered its chlorine dosage rate in September, 1995 in order to keep the trihalomethane levels below the maximum contaminant level. Therefore, increasing the chlorine dosage is not an option which Aloha can pursue and still remain in compliance with DEP's rules and regulations. It is not clear whether the increase in water discoloration complaints in January,

1996 is more related to the lowering of the chlorine levels in September, 1995, or the addition of wells 8 and 9 in December, 1995.

Aloha believes that the extensive use of home treatment units in the area has also contributed to the discolored water problems. The home treatment units can exacerbate the problem by removing chlorine from the water, thereby increasing the probability that the bacteria will multiply within the home and convert more sulfate to sulfide. The effectiveness of the corrosion inhibitor which Aloha has been adding to the system is also limited by the fact that some home treatment units may not allow the inhibitor to pass through them. Several types of home treatment units also remove minerals present in the water delivered to the home. When these minerals are removed, the water becomes more aggressive and copper corrosion rates increase.

On August 26, 1997, we received a copy of a thesis entitled, "Sulfide-Induced Corrosion of Copper in Drinking Water." This thesis was prepared by Sara Jacobs who was directed by Assistant Professor Marc Edwards at the University of Colorado. We believe that this thesis provides unbiased and relevant information about the black water problems similar to those being experienced in Chelsea and Wyndtree and a copy has been provided to each of the parties involved in this case. One of the conclusions of the thesis is that once sulfide-induced corrosion problems are initiated, they are very difficult to stop. In Ms. Jacobs experiments, removing sulfides from the raw water, adding chlorine, and de-aerating water were not effective in mitigating the problem within a few weeks or months. The only effective treatment was physically removing the copper sulfide film by scouring the inside of the copper pipe. In August, 1998, the Journal of the American Waterworks Association (AWWA) published Ms. Jacobs' research.

Problems associated with copper corrosion have been experienced by other water systems within the state. In some instances, copper corrosion has caused discolored water. In many cases, the copper pipes failed and had to be replaced. Our staff noted that there was one study for the Pinellas County water system which describes black water problems which some of its customers experienced. One of our regulated utilities (Florida Public Utilities in Fernandina Beach) also experienced problems with black water in two of its subdivisions in 1988. This utility addressed the problem by increasing the water's pH, keeping the customers informed about its efforts to fix the problem, and eventually

making a commitment to its customers to replace failed copper piping.

One indication of the scope of the copper corrosion problem is the fact that 532 of the 2,102 community water systems in Florida failed their initial round of copper testing. Another indication is the fact that the Duval County Commission, in response to numerous complaints about copper pipe failures, passed an ordinance in 1995, prohibiting the use of copper piping in new residential construction within Duval County.

The Department of Community Affairs (DCA) is the state agency responsible for setting state building codes. On March 7, 1997, we informed the DCA of the copper corrosion problem which Aloha has experienced despite being in compliance with DEP's rules and regulations. In a June 1, 1998 advisory letter, the Florida Board of Building Codes and Standards (Board) stated that preliminary findings from a University of Florida study recognize that, at least in some geographic areas of the State, there is a corrosion concern in copper piping systems utilized to purvey potable water. The Board recommends that designers, builders, engineers, at a minimum, should carefully evaluate all plumbing materials used in building construction.

The Florida Rural Waterworks Association (FRWA) has initiated a project, funded by the DEP, to study Aloha's water quality problems. The purpose of this project is to study the effect, if any, which modifications to the customer's hot water heater has on discoloration. Initial water samples were collected during June of 1998, and the FRWA's findings will be available in March, 1999.

II. Survey

Due to continuing customer complaints about poor water quality at Aloha's Seven Springs water system, we ordered Aloha to survey its Seven Springs water customers about the quality of their water. Aloha reported that 8,597 surveys were sent to its Seven Springs customers.

The survey consisted of questions dealing with the quality of water the customers were receiving from the Utility. The categories covered in the survey consisted of the following:

- A. Water Discoloration
- B. Water Odor and Taste
- C. Water Pressure
- D. Willingness to Pay Increased Rates
- E. Demographics and other information

We received 3,706 (43 percent) survey responses. The breakdown of the responses to the survey are as follows:

- A) On the Discolored Water question: 3,585 customers responded to this survey question. 2,625 (73 percent) indicated that they have observed the discolored water during the past two years. Of the 2,625 customers who observed discolored water, 1,689 (64 percent) observed either black or grey water.
- B) On the Odor and Taste question: 3,398 customers responded to this survey question. 2,415 (71 percent) indicated that the odor and taste was unacceptable.
- C) On the Pressure question: 3,508 customers responded to this survey question. 1,989 (56.7 percent) indicated that the pressure was acceptable.
- D) On the Willingness to Pay an Increased Rate question: 3,488 customers responded to this survey question. 2,921 (83.7 percent) indicated that they were unwilling to pay higher water rates.
- E) On the Demographics question. 2,147 (58 percent) of the customers responding to the survey indicated that they had a home treatment unit and 1,613 (43.5 percent) indicated that they have a water softener.

The survey shows that many of Aloha's customers are not satisfied with Aloha's water quality. Further, the survey clearly shows that the majority of the customers who responded to the

survey are unwilling to pay higher rates to improve their water quality.

Aloha also provided a breakdown of the survey responses. The utility contends that, since the survey clearly states, "if you do not return the survey, it will be presumed by staff to mean you are satisfied with the quality of water you currently receive", that the total number of non-responses should be counted as satisfied with their water. The utility's analysis includes that assumption.

III. Options which are Available to Improve the Water Quality

We believe that the odor and discoloration problems are caused by the presence of hydrogen sulfide in Aloha's source of supply. Several options are available which could improve the water quality. The first two options are actions which the utility would take while options three and four would be the responsibility of the individual customer. The first option is the construction of hydrogen sulfide treatment facilities to remove hydrogen sulfide from the supply wells. The second option is for Aloha to obtain a different source of supply. The third option is for Aloha's customers to modify their hot water heaters and flush the lines within the home with bleach. The fourth option, which may have to be accomplished in order to stop corrosion already present in some homes, is the removal of copper pipes and replacement with PVC or CPVC pipes.

Option 1: Construct Hydrogen Sulfide Treatment Facilities

Aloha considered several types of treatment for removing hydrogen sulfide. As previously stated, in its June, 1997 report, Aloha recommended that, if treatment for hydrogen sulfide is required, then the construction of three central water treatment plants with packed tower aeration facilities is the treatment alternative which should be approved. Aloha selected the packed tower aeration process since it can remove up to 95 percent of the hydrogen sulfide. Aloha also proposed the following water system upgrades: construct additional storage (2 million gallons) and pumping facilities, change the primary disinfectant from chlorine to ozone, install auxiliary power generators for each plant, construct new supply wells, relocate two existing wells, and modify the transmission and distribution (T&D) system to reduce water detention time in the T&D lines and improve pressure. Aloha estimated that these upgrades will increase a customer's water bill.

for 6,000 gallons from \$14.74 to \$58.75 or 3.98 times the current rate.

Construction of three central treatment plants utilizing packed tower aeration appears to be the best available technology for hydrogen sulfide removal. This proposed treatment should improve the water's odor and taste. Further, this treatment should also reduce, but not necessarily eliminate, the frequency and amount of discoloration observed within the home. Even though the discoloration should decrease, the Jacobs research indicates that lowering the sulfide level will not lower the elevated corrosion rates of copper pipe in the presence of sulfides. These higher corrosion rates can cause a premature failure of the copper pipe. The only remedial action which Jacobs found effective in reducing the copper corrosion rates was physically removing the black film from inside the pipe. Our staff believes that the only demonstrated method for permanently eliminating the black water discoloration within the home is to replace the copper plumbing with a different material.

Option 2: Finding an Alternative Water Source

Aloha could attempt to find alternative well sites which have lower sulfide concentrations than the existing wells. However it appears unlikely that Aloha will be able to find locations which have significantly lower sulfide concentrations than the existing wells.

Another alternate supply of water is available through an interconnect with Pasco County's water system. Pasco County's water system reportedly does not have water discoloration problems and many customers have indicated that they would rather receive Pasco County water. Aloha has responded that Pasco County's water will not necessarily improve the Seven Springs water quality since the average sulfate concentration of Pasco County's water is higher than Aloha's average sulfate concentration.

We do not know what effect an interconnection with Pasco County's system will have on the water quality in Seven Springs. An interconnection with Pasco County will, however, cause a rate increase since Pasco County's bulk gallonage rate is \$2.07 per 1000 gallons and Aloha's current gallonage rate is only \$1.27 per 1000 gallons.

Option 3: Modifications to the Hot Water Heater

Hydrogen sulfide forms inside the customer's hot water heater when sulfur reducing bacteria (SRB) and energy in the form of free electrons convert sulfates into sulfides. Removing the hot water heater's anode rod slows the reaction by reducing the number of available electrons. Since SRB's are sensitive to high temperatures, temporarily raising the hot water heater's temperature above 140 degrees will destroy many of these nuisance bacteria within the pipes. Flushing the hot water heater and lines within the home with a bleach solution will also destroy many of the SRB bacteria. These actions require some plumbing experience and our staff recommends that a licensed plumber be used.

The FRWA is testing the effect which modifying the hot water heaters and flushing the pipes has on corrosion rates and discoloration within the home. This project should demonstrate the long-term and short-term effectiveness of these actions. The FRWA's findings should be available by March, 1999.

Option 4: Replacement of copper pipes with PVC or CPVC pipes within homes experiencing black water problems.

As discussed in Option 1, the only demonstrated method for permanently eliminating the black water discoloration within the home that we know of is to replace the copper plumbing with a different material. This option may be necessary for any homes which are experiencing black water problems. The Jacobs research and other tests have shown that once the corrosion starts in copper pipes it is virtually irreversible. The copper pipes will eventually leak and have to be replaced. This action has been taken in several other areas in Florida, and other states, where hydrogen sulfide exists in the water. Once the copper pipes were removed, the black water problem went away.

Conclusion

Based on all the above, it appears that though the utility is in compliance with all DEP standards, both the hearing, the survey, and the site survey indicate there is still a black water problem. The site survey showed that the water at the tap outside the home was clear, but that the water in the home was black. Also, homes with PVC pipe did not appear to have the black water problem.

Although there is a black water problem, it appears that the customers are unwilling to pay for improvements which may or may not alleviate the copper sulfide black water problem. Further, there is no guarantee that packed tower aeration will completely correct the black water problem.

Therefore, we find that we should take no further action in regards to quality of service in this docket. While we have declined to take any further action in this docket, our action is without prejudice for the issue of quality of service to be raised in any other proceeding where appropriate.

ALOHA'S REQUEST THAT WE ISSUE AN ORDER DECLARING IT PRUDENT
TO BEGIN CONSTRUCTION OF THREE CENTRAL PACKED TOWER AERATION
WATER TREATMENT FACILITIES

Aloha is prepared to begin construction of the water system upgrade. Aloha proposes to construct the water system upgrade in three phases. In Phase I, Aloha will construct a central treatment facility at the current Mitchell plant location. In Phase II, Aloha will construct a central treatment plant near the Wyndtree and Chelsea subdivisions. In Phase III, Aloha will construct a central treatment plant in the Industrial Park area. Aloha proposes to recover the cost of this upgrade by increasing rates in three phases. The rates would increase upon the completion of each phase.

It appears that the EPA's forthcoming disinfection by-product rule will force Aloha to upgrade its treatment facilities to packed tower aeration by 2003. At this time, however, there is no regulatory requirement that Aloha construct these treatment facilities. Because there is no regulatory requirement for this treatment process at this time, Aloha wants us to declare that it is prudent to construct the facilities before they are required by the EPA.

Even though the survey showed that many customers are dissatisfied with Aloha's water quality, the large majority of customers who responded to the survey indicated that they are not willing to pay higher rates for better water quality. Since the customers clearly do not wish to pay the significantly higher rates required for Aloha's proposed treatment upgrade, we do not believe it is appropriate for us to issue an order declaring that it is prudent for Aloha to construct the treatment facilities. Therefore, we decline to issue the order as requested.

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This is not meant to preclude Aloha from upgrading its water system. The forthcoming EPA disinfection by-product rule will require that Aloha begin planning a treatment upgrade in the near future. Like all other utilities under our jurisdiction, Aloha's management is responsible for planning treatment upgrades to comply with future regulatory requirements.

There is a consensus that something needs to be done to alleviate the problems experienced by some of Aloha's customers. The utility has submitted a proposed plan which appears to be a potential solution. Aloha's plan will incorporate future EPA requirements and treatment upgrades which should improve water quality. However, rate adjustments as a result of plant improvements and upgrades, even government mandated upgrades, are normally considered by us at the time of the upgrade.

Therefore, there seems to be nothing further that can be accomplished in this docket. If the utility proceeds with its proposed solution, we will address it in a new docket.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that there are no further actions for this Commission to take in regards to quality of service in this docket. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that the request of Aloha Utilities, Inc., for the Commission to issue an order declaring that it is prudent to construct the three central packet tower aeration treatment facilities is denied. It is further

ORDERED that this docket shall be closed if no timely protest is received from a substantially affected person.

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By ORDER of the Florida Public Service Commission this 7th
day of January, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

As identified in the body of this order, our action concerning the finding that there appears to be no further actions for this Commission to take in regards to quality of service in this docket is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 28, 1999. If such a petition is filed, mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing. In the absence of such a petition, this order shall become effective on the date subsequent to the above date.

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Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If the relevant portion of this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

Any party adversely affected by the Commission's final action in this matter may request: (1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.