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DOCKET NO.: 060368-WS - Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington Counties by Aqua Utilities Florida, Inc.

WITNESS: Direct Testimony of James Brock,  
Appearing on Behalf of the Staff of the Florida Public Service Commission.

DATE FILED: August 21, 2007

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FPSC-COMMISSION CLERK

DIRECT TESTIMONY OF JAMES BROCK

- 1
- 2 Q. Please state your name and business address.
- 3 A. James Brock, Florida Department of Environmental Protection, 13051 North Telecom  
4 Parkway, Tampa, Florida 33637.
- 5 Q. Please state a brief description of your educational background and experience.
- 6 A. I received a B.S. in Environmental Science from the University of South Florida.
- 7 Q. By whom are you presently employed?
- 8 A. Currently, I am employed with the Florida Department of Environmental Protection  
9 (FDEP)
- 10 Q. How long have you been employed with the FDEP and in what capacity?
- 11 A. I have been with the Department since August of 2006. I am an Environmental  
12 Specialist I in the Drinking Water Section.
- 13 Q. What are your general responsibilities at the FDEP?
- 14 A. I am responsible for Compliance/Enforcement for East Pasco County. I am  
15 responsible for reviewing chemical analysis reports, interpreting Florida  
16 Administrative Codes, and answering questions from the public and owner/operators.
- 17 Q. Are you familiar with Aqua Utilities Florida, Inc.'s (utility) water system in Pasco  
18 County called Zephyr Shores?
- 19 A. Yes.
- 20 Q. Does the utility have any current construction permits from the FDEP?
- 21 A. No. I am not aware of any permits.
- 22 Q. Are the utility's treatment facilities and distribution systems sufficient to serve its  
23 present customers?
- 24 A. No. The system needs a second well in accordance with Rule 62-555.315(2), Florida  
25 Administrative Code, and documentation that auxiliary power meets the requirements

1 of Rule 62-555.320(14), Florida Administrative Code.

2 Q. Does the utility maintain the required 20 psi minimum pressure throughout the  
3 distribution system?

4 A. Yes.

5 Q. Does the utility have certified operators as required by Chapter 62-602, Florida  
6 Administrative Code?

7 A. Yes.

8 Q. Is the overall maintenance of the treatment plant and distribution facilities satisfactory?

9 A. Yes. There are usually some problems from the sanitary survey, but most may be  
10 small.

11 Q. Can you comment further on the corrections you identified above?

12 A. Yes, it is not uncommon to find a number of small deficiencies at facilities. In general  
13 the utility is doing a good job of maintaining these facilities.

14 Q. Does the finished water produced by the utility meet the State and Federal maximum  
15 contaminant levels for primary and secondary water quality standards?

16 A. Yes.

17 Q. Does this include the lead and copper rule?

18 A. Yes.

19 Q. Has the utility's compliance with the lead and copper rule resulted in a lessening of the  
20 monitoring requirements?

21 A. No. I do not believe that to be the case.

22 Q. Does the utility monitor for the inorganic contaminants (VOCs) listed in Rule 62-  
23 55.513, Florida Administrative Code, volatile organic contaminants (VOCs) listed in  
24 Rule 62-55.515, Florida Administrative Code, synthetic organic contaminants (VOCs)  
25 listed in Rule 62-55.516, Florida Administrative Code, and all other compounds listed

1 | in Rule 62-550, Florida Administrative Code?  
2 | A. Yes.  
3 | Q. Do recent chemical analyses of raw and finished water, when compared to FDEP  
4 | regulations, suggest the need for additional treatment?  
5 | A. No.  
6 | Q. Does the utility maintain the required chlorine residual or its equivalent throughout the  
7 | distribution system?  
8 | A. Yes.  
9 | Q. Are the plant and distribution systems in compliance with all the other provisions of  
10 | Chapter 62, Florida Administrative Code, not previously mentioned?  
11 | A. Yes.  
12 | Q. Has the utility been the subject of any FDEP enforcement action within the past two  
13 | years?  
14 | A. Yes, a long form consent order is being drafted to address construction without a  
15 | permit and no second well for Zephyr Shores community system.  
16 | Q. Do you have anything further to add?  
17 | A. No, I do not.  
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BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

DOCKET NO. 060368-WS

DATED: AUGUST 21, 2007

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the DIRECT TESTIMONY OF JAMES BROCK has been served by U.S. Mail to Kenneth A. Hoffman and Marsha E. Rule, Esquires, Rutledge, Ecenia, Purnell & Hoffman, P. A., P.O. Box 551, Tallahassee, FL 32302-0551, on behalf of AQUA UTILITIES FLORIDA, INC., and that a true and correct copy thereof has been furnished to the following by U. S. Mail, this 21st day of August, 2007:

Stephen Burgess & Stephen Reilly, Esquires  
Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400

Cecilia Bradley, Esquire  
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