Ruth Nettles

090402 - WS

From:

Trina Collins [TCollins@RSBattorneys.com]

Sent:

Friday, February 05, 2010 11:44 AM

To:

Filings@psc.state.fl.us

Cc:

smlubertozzi@uiwater.com; keweeks@uiwater.com; pcflynn@uiwater.com; Tonya Linn; Lisa Bennett; Martin

Friedman; Christian W. Marcelli; Trina Collins

Subject:

Filing in Docket No. 090402-WS; Application for Increase in Water and Wastewater Rates in Seminole County

by Sanlando Utilities Corporation

Importance: High

Attachments: PSC Clerk 13 (Response to Customer Complaint).ltr.pdf

a. Martin S. Friedman, Esq.
 Christian W. Marcelli, Esq.
 Rose, Sundstrom & Bentley, LLP
 Sanlando Center
 2180 W. State Road 434, Suite 2118

Longwood, FL 32779 Phone: (407) 830-6331 Fax: (407) 830-8522

Email: cmarcelli@rsbattorneys.com

- b. Docket No.: 090402-WS; Application for Increase in Water and Wastewater Rates in Seminole County, Florida by Sanlando Utilities Corporation Filing the Utility's response to the written complaint submitted by Ronald Stein dated January 19, 2010.
- c. Sanlando Utilities Corporation
- d. 3 Pages.
- e. Letter to Commission Clerk 3 pages.

0000MENT NUMBER-DATE

Law Offices

ROSE, SUNDSTROM & BENTLEY, LLP

2548 Blairstone Pines Drive Tallahassee, Florida 32301

Frederick L. Aschauer, Jr. Chris H. Bentley, P.A. Robert C. Brannan F. Marshall Deterding John R. Jenkins, P.A. Kyle L. Kemper Steven T. Mindlin, P.A. Chasity H. O'Steen William E. Sundstrom, P.A. Diane D. Tremor, P.A. John L. Wharton

(850) 877-6555 Fax (850) 656-4029 www.rsbattorneys.com CENTRAL FLORIDA OFFICE SANLANDO CENTER 2180 W. STATE ROAD 434, SUITE 2118 LONGWOOD, FLORIDA 32779 (407) 830-6331 FAX (407) 830-8522

REPLY TO CENTRAL FLORIDA OFFICE

MARTIN S. FRIEDMAN, P.A. BRIDGET M. GRIMSLEY CHRISTIAN W. MARCELLI BRIAN J. STREET

ROBERT M. C. ROSE (1924-2006)

February 5, 2010

E-FILING

Ann Cole, Commission Clerk Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

Re:

Docket No. 090402-WS; Application for Increase in Water and Wastewater Rates in Seminole County by Sanlando Utilities Corporation.

Our File No.: 30057.183

Dear Ms. Cole:

Staff has requested that the Utility respond to the written complaint submitted by Ronald Stein dated January 19, 2010.

Mr. Stein questions the efficiency and cost of three different maintenance and repair calls:

The first claim concerns Mr. Stein's home located at 1374 N. Marcy Drive. A bill complaint by the customer in 2008 led to the determination that his meter was not working properly. It was eventually replaced at no cost to the customer. Unfortunately, the two field technicians who performed the work had some difficulty when installing the new meter. A second visit was necessary to replace a solvent weld fitting that failed, again, at no cost to the customer. Ultimately, the service line was repaired and the work area was properly restored. It is an uncommon occurrence for field technicians to return to a work site a second time. The two technicians who performed this repair were adequately trained to execute the assigned task. However, on occasion, replacing meters that have been in place for many years can present challenges to field staff. Mr. Stein's home was built in 1984.

The second claim concerns the property located at 1338 N. Marcy Drive. The Sanlando field crew responded to a report of a possible water leak. The field crew

DOCUMENT NUMBER - DATE 0 0 8 2 2 FEB - 5 9

FPSC-COMPRISSION CLEEK

Ann Cole, Commission Clerk Office of Commission Clerk Florida Public Service Commission February 5, 2010 Page 2

determined that water standing at this address was due to the subsurface storm drainage system not working properly and not caused by any water leaking from the water service at this address. The homeowner at this address then reported standing water was again present and requested that the Utility investigate further. The second excavation apparently cured a blockage in the subservice drainage pipe by allowing storm water to adequately percolate through the excavated soil to the drainage system. The Utility then restored the work area. No problems were found with the Utility's infrastructure and the area now appears to drain properly during wet weather. Mr. Stein alleges that the Utility made two excavations when one should have been sufficient. In fact, the Utility acted promptly in responding to a customer's two requests, and at the same time, protected the Utility's facilities from damage.

The third claim concerns the gate valve located near the intersection of N. Marcy Drive and E.E. Williamson Road. An eight-inch gate valve has had a slight leak at this location for some time. Repairs were delayed while Utility staff attempted to locate repair parts in lieu of replacing the complete valve at a much higher cost. If repair parts for this valve are no longer available, the Utility will soon schedule its replacement, which will necessarily cause a planned water outage that will impact some customers temporarily. The Utility agrees that it would have been best to attend to this leak sooner. However, the leak was not significant in terms of lost water volume and the leaking water did not measurably impact the nearby stormwater system during the interim period. Additionally, by making an effort to locate repair parts instead of replacing the valve outright, the Utility took prudent steps to minimize the cost of repairs as well as the impact of repairs on the affected customers. If the contractor who installed utility lines in the new Bella Tuscany community was at fault, the repair cost would be borne by the developer, not the rate payer.

Mr. Stein attempts to turn a small number of maintenance and repair difficulties into a narrative in which the Utility is wasting money and sending untrained personnel into the field to do "shoddy" work. Water and wastewater systems are complicated pieces of infrastructure that require both routine and emergency maintenance and repair activities. The Utility is diligent in ensuring that its maintenance and repair crews have the training, equipment, tools and resources needed to investigate and remedy problems as they arise in the most efficient manner possible. The Utility believes that Mr. Stein's complaint does not accurately reflect the maintenance and repair record of the Utility.

Ann Cole, Commission Clerk Office of Commission Clerk Florida Public Service Commission February 5, 2010 Page 3

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

Very truly yours,

CHRISTIAN W. MARCELLI

For the Firm

CWM

cc: Steve M. Lubertozzi, Executive Director of Regulatory Accounting and Affairs (w/enclosures) (via e-mail)

Kirsten E. Weeks, Manager of Regulatory Accounting (w/enclosures) (via e-mail)

Patrick C. Flynn, Regional Director (w/enclosures) (via e-mail)

Tonya Linn, Division of Economic Regulation (w/enclosures) (via e-mail)
Lisa Bennett, Esquire, Office of General Counsel (w/enclosures) (via e-mail)