

State of Florida



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

### -M-E-M-O-R-A-N-D-U-M-

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**DATE:** June 10, 2015  
**TO:** Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk  
**FROM:** Kelley F. Corbari, Senior Attorney, Office of the General Counsel *KFC*  
**RE:** **Docket No. 140219-WU** – Application for staff-assisted rate case in Polk County by Alturas Utilities, LLC.

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Attached please find correspondence received from Alturas Utilities, LLC providing a copy of the Utility's response to Florida Department of Health in Polk County Warning Notice No. 15-653PW0057A. Please file the attached correspondence in the documents tab of the docket file and reference Document No. 03102-15.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

KFC

## Kelley Corbari

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**From:** L SZABO <l.szabo@rogers.com>  
**Sent:** Monday, June 01, 2015 2:28 PM  
**To:** Kelley Corbari  
**Cc:** Clayton Lewis  
**Subject:** Warning Notice No 15-653PW0057A  
**Attachments:** Owen Devine June 1 2015.docx

Please find enclosed the letter sent as of today to Mr. Owen Devine in response of Warning Notice No 15-653PW0057A

Leslie Szabo

June 1, 2015

RE; Warning Notice No. 15-653PW0057A

Hello Mr. Devine,

It was a while I have spoken to you personally, but I believe you had many verbal communications with Wiley Pratt .

In response to your letter dated May 26 21015 I am certain you are aware of our ongoing rate case application with the Florida Public Service Commission of Alturas Utilities LLC and Sunrise Utilities LLC.

We have submitted in our rate case application the 2015 Drinking Water Monitoring Requirements for both companies as added expenses.

We have also submitted in Alturas rate case application and have asked for the founding the for the hydro pneumatic tank to be looked after prior to the next inspection date of 12/2016.

We have also requested the founding for cradles repairs of the tank which has to be completed within the next two and a half year.

The Florida Public Service Commission already had the estimates for those repairs prior to your May 25 letter.

We already have received the preliminary figures for the new rates for Alturas and Sunrise to be finalized as of August 27 2015 and to be implemented shortly after.

If anybody knows how much financial stress we are and were under in the last years is you, having a firsthand experience the difficulties we had taking care of issues related to your department.

We have always managed with your goodwill and understanding.

We will be able to give a more definite time when the repairs will be actually completed after the new rate is implemented, but I would like reassure you it will be done before their due date.

I will call you on June 3 around 10 am, and please let me know if you are not available at this time and I will follow your suggestion.

Yours truly,

Leslie Szabo

**Mission:**

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



**Rick Scott**  
Governor

**John H. Armstrong, MD, FACS**  
State Surgeon General & Secretary

**Vision:** To be the Healthiest State in the Nation

May 26, 2015

Stuart Sheldon  
20 W. Tropical Way  
Ft. Lauderdale, FL 33317

RE: Alturas Utilities, LLC Public Water System  
PWS ID No. 6530057

**Warning Notice No. 15-653PW0057A**

Dear Registered Agent:

The purpose of this letter is to advise you of the violations of law for which the above mentioned facility's public water system may be responsible, and to seek your cooperation in resolving the matter. A review of the facility's drinking water records indicates that violations of Florida Statutes and Rules may exist at the facility.

- You have failed to respond to FDOH in Polk County letters dated August 28, 2013 and April 22, 2014. These letters requested that you provide scheduled maintenance on your hydropneumatic tank which is required prior to the next inspection date of 12/2016. Items noted on the last tank inspection report were:
  - If the tank is to remain in service, the interior should be abrasive blast cleaned and recoated within one to two years with an NSF-approved interior coating system for potable water. Typical coating systems are detailed in AWWA D102.
  - Pressure relief valves should be set at 92 psi.
  - Replace or repair the cradles in the next two and one half years.

**You are requested to contact Owen Devine at (863) 519-8330 Ext. 12151 upon receipt of this Warning Letter to arrange a meeting to discuss this matter.** The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely

Owen  
Devine

Digitally signed by Owen Devine  
DN: cn=Owen Devine, o=Environmental  
Engineering, ou=Department of Health in  
Polk County,  
email=Owen.Devine@flhealth.gov, c=US  
Date: 2015.05.26 10:01:55 -04'00'

Owen Devine  
Environmental Specialist II

Copy to:

Roland Reis, Legal Counsel  
Polk County Health Department  
1290 Golfview Avenue, 4th floor  
Bartow, Florida 33830

Email copy to:

[Leslie G. Szabo] [lszabo@rogers.com](mailto:lszabo@rogers.com)

[Wiley Pratt] [wileypratt@aim.com](mailto:wileypratt@aim.com)

[Clayton Lewis] [CLewis@PSC.STATE.FL.US](mailto:CLewis@PSC.STATE.FL.US)

2/15  
JHP  
2/15

**Mission:**  
To protect, promote & improve the health  
of all people in Florida through integrated  
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**Rick Scott**  
Governor  
**John H. Armstrong, MD, FACS**  
State Surgeon General & Secretary

**Vision:** To be the Healthiest State in the Nation

April 22, 2014

Sunrise Utilities, LLC  
P.O. Box 2608  
Eaton, FL 33840

RE: Alturas Utilities Public Water System  
PWS ID No. 6530057

Dear Public Water System Owner:

The purpose of this letter is to request updated information on your finished-drinking-water storage tanks.

**3000 GAL. HYDROPNUMATIC TANK – INSPECTION DATE DECEMBER 2011  
SECOND REQUEST**

Recommendations as follows:

- If the tank is to remain in service, the interior should be abrasive blast cleaned and recoated within one to two years with an NSF-approved interior coating system for potable water. Typical coating systems are detailed in AWWA D102.
- Pressure relief valves should be set at 92 psi.
- Replace or repair the cradles in the next two and one half years

Upon receipt of this letter please provide plan of action with corrective actions taken to date and future maintenance scheduled. Please provide requested information by May 22, 2014. If you have any questions please contact (863) 519-8330 Ext. 12151.

Sincerely

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Owen Devine  
Environmental Specialist II

Email copy to: [yourwaterutility@gmail.com](mailto:yourwaterutility@gmail.com); [l.szabo@rogers.com](mailto:l.szabo@rogers.com)



**Florida Department of Health in Polk County**  
ENVIRONMENTAL ENGINEERING DIVISION  
2050 East Clover Street • Bartow, FL 33830  
PHONE: (863) 519-8330 • FAX: (863) 534-0245 • [www.MyPolkHealth.org](http://www.MyPolkHealth.org)

[www.FloridasHealth.com](http://www.FloridasHealth.com)  
TWITTER HealthyFLA  
FACEBOOK.FLDepartmentofHealth  
YOUTUBE. fdoh

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Alturas Utilities

- This is a good faith assessment of monitoring requirements for the above referenced public water system for calendar year 2015 and may not include additional sampling required during the year due to special circumstances. This chart shall not relieve and person from any requirements of Florida Law. It is important for you to provide this information to your operator and/or sampler.
- It is strongly recommended that testing be conducted early in the monitoring period to allow time for retest due to possible sampling or lab errors. Annual and triennial sampling should be completed by 9/30/15 to provide time for revisions, re-test, and /or corrections. **Failure to sample within required monitoring periods may results in enforcement actions.**
- Test results must be submitted to DEP within the first 10 days following the end of the required monitoring period, or the first 10 days following the month in which the sample results were received, whichever time is shortest.

If you have any questions, please contact (863) 519-8330, ext. 12151.

Sincerely

Owen

Devine

Owen Devine

Environmental Specialist II

Digitally signed by Owen Devine  
DN: cn = Owen Devine, o = Environmental  
Engineering, ou = Department of Health  
Palm County  
email = Owen.Devine@phealth.gov, c = US  
state = 2014-02-16 16:30:24-00

Email copy to:

[Leslie Szabo] [lszabo@rogers.com](mailto:lszabo@rogers.com)

[Wiley Pratt] [wileypratt@aim.com](mailto:wileypratt@aim.com)

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Source: \_\_\_\_\_

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