

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20200139-WS

APPLICATION FOR INCREASE IN  
WATER AND WASTEWATER RATES IN  
CHARLOTTE, HIGHLANDS, LAKE, LEE,  
MARION, ORANGE, PASCO, PINELLAS,  
POLK, AND SEMINOLE COUNTIES, BY  
UTILITIES, INC. OF FLORIDA.

\_\_\_\_\_ /

PROCEEDINGS: SERVICE HEARING

COMMISSIONERS  
PARTICIPATING: COMMISSIONER ART GRAHAM  
COMMISSIONER JULIE I. BROWN  
COMMISSIONER ANDREW GILES FAY

DATE: Thursday, December 10, 2020

TIME: Commenced: 6:00 p.m.  
Concluded: 6:49 p.m.

PLACE: Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY: DEBRA R. KRICK  
Court Reporter

PREMIER REPORTING  
114 W. 5TH AVENUE  
TALLAHASSEE, FLORIDA  
(850) 894-0828

1 APPEARANCES:

2 MARTIN S. FRIEDMAN, ESQUIRE, Dean Mead Law  
3 Firm, 420 S. Orange Ave, Suite 700, Orlando, Florida  
4 32801, appearing on behalf of Utilities, Inc. of Florida  
5 (UIF).

6 J.R. KELLY, PUBLIC COUNSEL; STEPHANIE MORSE,  
7 ANASTACIA PIRRELLO, ESQUIRES, OFFICE OF PUBLIC COUNSEL,  
8 c/o The Florida Legislature, 111 West Madison Street,  
9 Room 812, Tallahassee, Florida 32399-1400, appearing on  
10 behalf of the Citizens of the State of Florida (OPC).

11 WALT TRIERWEILER, BIANCA LHERISSON, JENNIFER  
12 CRAWFORD, ESQUIRES, FPSC General Counsel's Office,  
13 2540 Shumard Oak Boulevard, Tallahassee, Florida  
14 32399-0850, appearing on behalf of the Florida Public  
15 Service Commission (Staff).

16 KEITH HETRICK, GENERAL COUNSEL, Florida Public  
17 Service Commission, 2540 Shumard Oak Boulevard,  
18 Tallahassee, Florida 32399-0850, Advisor to the Florida  
19 Public Service Commission.

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

WITNESS:	PAGE
ROBERT KRING	19
Examination by Commissioner Graham	21
BARRY SAYLOR	22
Examination by Ms. Morse	26
LINDA TRIMBLE	28
Examination by Commissioner Graham	30
MARK MOSCOWITZ	31
Examination by Commissioner Brown	34
ELLEN BONUS	38
Examination by Commissioner Graham	40

1 P R O C E E D I N G S

2 COMMISSIONER GRAHAM: Thank you very much,  
3 Mike.

4 Good evening, everyone. My name is Art  
5 Graham. I am a Commissioner on the Florida Public  
6 Service Commission and I will be chairing the  
7 meeting today.

8 I want to take a minute to welcome everybody  
9 here virtually for our third service hearing for  
10 the Utilities Inc. of Florida rate case. In my  
11 opinion, I think this is one of the most important  
12 parts of the rate case. This is when we get to  
13 hear directly from the customer.

14 You know, I am getting a little feedback. If  
15 you are on the line, would you please mute your  
16 phone? Thank you.

17 I think this is the most important part of the  
18 rate case -- I am still getting a little feedback  
19 there. Walt, can you mute your phone? I don't  
20 know if -- that microphone that's there. I don't  
21 know what's going on. Okay. Let's try this again.

22 Are you getting the feedback, Julie?

23 COMMISSIONER BROWN: Not really.

24 COMMISSIONER GRAHAM: Walt, are you?

25 COMMISSIONER FAY: I'm not hearing it either.

1 COMMISSIONER GRAHAM: All right.

2 MR. KELLY: Mr. Chairman, I only hear it when  
3 you are speaking.

4 COMMISSIONER GRAHAM: Yeah, I don't know what  
5 it is. I will -- I will trudge on. If you guys  
6 can't hear me, just let me know and we will try to  
7 see if we can't figure something out.

8 MR. KRING: I can hear you.

9 COMMISSIONER GRAHAM: Okay.

10 MR. KRING: Hello. Can y'all hear me?

11 MR. STADEN: Yes, sir. We can hear you, Mr.  
12 Kring. Thank you.

13 MR. KRING: Okay. Basically, my inputs are as  
14 follows: Utilities Inc. received a 100 percent  
15 increase in rates --

16 MR. STADEN: Mr. Kring. Mr. Kring.

17 MR. KRING: Yes.

18 MR. STADEN: If you can wait, we are still in  
19 the process of going through the preliminary stuff.  
20 When the time comes for public comment, we will  
21 take care of that. Thank you.

22 MR. KRING: Okay. What do I do, just hang on  
23 the line?

24 MR. STADEN: Yes, sir. Thank you.

25 MR. KRING: Okay.

1 MR. STADEN: And please mute your phone.

2 Thank you.

3 COMMISSIONER GRAHAM: Mute yourself, please.

4 MR. STADEN: I am sorry, Commissioner, the  
5 floor is yours.

6 COMMISSIONER GRAHAM: Okay. So this part of  
7 the hearing is for public testimony. We want to  
8 hear from you, what do you think about the utility?  
9 What do you think they are doing right? What do  
10 you think they are doing wrong? What you like  
11 about them. What you don't like about them. What  
12 you think about the quality of water. Give us  
13 details, as much detail as you can in the three  
14 minutes that I am allowing you.

15 Now, I realize this could be an intimidating  
16 process for a lot of you, but I want you simply  
17 just to take a deep breath and relax and tell me in  
18 your own words how you feel about your utility,  
19 good, bad, or whatever. But the details are  
20 what's -- is what's key here.

21 We will have a technical hearing in a couple  
22 of months from now that will go over the entire  
23 evidence that we have in the file and we will be  
24 able to cross-examine some of the experts, but  
25 right now is your time and we want to hear from you

1           about how you feel about the service that you are  
2           paying for.

3           However, before we get started, I want to  
4           introduce my two colleagues with me on the line.  
5           First is first Julie Brown.

6           Julie, would you like to say a few words,  
7           please?

8           COMMISSIONER BROWN: Thank you, Chairman  
9           Graham.

10          And I just want to express my appreciation for  
11          taking time out of your day to call in and  
12          participate in this process. As Chair Graham  
13          stated, it's vital to our overall evidentiary  
14          hearing and is important in our consideration, so  
15          thank you so much.

16          COMMISSIONER GRAHAM: And the other  
17          Commissioner is commissioner Andrew Fay.

18          Commissioner Fay, would you say a few words?

19          COMMISSIONER FAY: Thank you, Mr. Chairman.

20          As you both have said, it's an extremely  
21          important part of the hearing process, and look  
22          forward to hearing from the customers tonight.

23          Thank you.

24          COMMISSIONER GRAHAM: Okay. So I would like  
25          to officially call this meeting to order.

1           Let the record show it is Thursday, December  
2           10th. It's probably about five after 6:00, and  
3           this is the Utilities Inc. of Florida rate case,  
4           the third service hearing, Docket No. 20200139-WS.

5           Staff, if I could get you to read the notice,  
6           please.

7           MR. TRIERWEILER: By notice issued on November  
8           13th, 2020, this time and place has been set for a  
9           customer service hearing in Docket No. 20200139-WS.

10          COMMISSIONER GRAHAM: Okay. Time for  
11          appearances. Let's start first with Utilities Inc.  
12          of Florida.

13          MR. FRIEDMAN: Thank you, Chairman Graham.

14          This is Marty Friedman of the Dean Mead Law  
15          Firm on behalf of Utilities Inc. of Florida.

16          MR. RUDKIN: This is Gary Rudkin, President of  
17          Utilities Inc. of Florida.

18          MS. MORSE: Good evening. This is Stephanie  
19          Morse on behalf of the Office of Public Counsel.  
20          And I am entering an appearance also for the Public  
21          Counsel, J.R. Kelly, who is also on the line and on  
22          video. And with me in the room is another of our  
23          attorneys, Anastacia Pirrello.

24          Thank you.

25          MR. TRIERWEILER: Good evening. Walt



1 Trierweiler, Staff counsel. I would like to make  
2 an appearance for Bianca Lherisson, Jennifer  
3 Crawford, and our General Counsel, Keith Hetrick.

4 COMMISSIONER GRAHAM: Okay. All right. Is  
5 there any other attorneys that want to make an  
6 appearance for this hearing today?

7 All right. If you have any specific billing  
8 or service issues during this hearing, Utilities  
9 Inc. of Florida has their contact information on  
10 the screen, if you can see that. Their  
11 professional staff is there, and they will be at  
12 that number throughout the hearing today. If there  
13 is any questions specifically of the PSC, we have  
14 our staff member Amber Norris, her phone number and  
15 email address is also there if you want to reach  
16 out to contact her as well.

17 Actually, I think this would be a good time to  
18 introduce the rest of the staff. We have several  
19 PSC staff members that are on the line also just in  
20 cases there any questions that need to be  
21 addressed.

22 We have Amber Norris, as I mentioned earlier.  
23 We have Dale Buys. We have Cheryl Banks. We have  
24 Sonica Bruce. We have Kerri Maloy. We have Laura  
25 King. We have Kelly Thompson and Cindy Muir. All

1 right. Enough of the introductions.

2 As we go through this hearing, as I said  
3 earlier, if you can always keep your phone, your  
4 microphone on mute because there is a lot of  
5 background noise, and that causes some disruption  
6 during this time. When I call your name, you can  
7 unmute yourself.

8 And if you could please be in an area that's  
9 quiet so we can hear you clearly. I mean, like no  
10 barking dogs. No crying babies. I understand in  
11 this time that we are all at home and try trying to  
12 stay away from COVID, and that's why we are doing  
13 this all virtually, but if you could try to find a  
14 quiet spot in your house, that would be much  
15 appreciated.

16 If you are speaking from a phone and you are  
17 watching this on video, I want to let you know that  
18 your phone and your video are not going to be in  
19 sync, so it would be best if you could turn the  
20 volume down on the video so you are not getting  
21 yourself confused and you are not confusing us as  
22 we are going through all of that.

23 And if you happen to get disconnected while  
24 you are testifying, please call us back as soon as  
25 you can. For some reason it happens from time to

1 time that we will drop a call, but it's nothing --  
2 it's nothing intentional. If you would just call  
3 back, we will get you back you speaking again as  
4 quick as we can.

5 Okay. Enough of the introductions. I would  
6 like to see if we can get some brief opening  
7 statements first from Utilities Inc. of Florida,  
8 followed by OPC.

9 MR. FRIEDMAN: Thank you, Mr. Chairman.

10 Customers, I am Marty Friedman. I am the  
11 attorney for Utilities Inc. of Florida in this  
12 proceeding.

13 I would just ask that after you get through  
14 with your speaking, that you remain on the line in  
15 case I have any questions in order to better  
16 understand the nature of your comments.

17 We do have a customer service representative  
18 available, as indicated on the screen, if you are  
19 watching it, just dedicated for this particular  
20 hearing night. Otherwise, please use our regular  
21 customer service number, which is (866)842-8432.

22 Now, Gary Rudkin, who is the President of  
23 Utilities Inc. of Florida, would also like to speak  
24 to you. Thank you.

25 Gary.

1 MR. RUDKIN: Thank you, Marty.

2 And good evening. Thank you, Chairman,  
3 Commissioners and OPC staff, for allowing us the  
4 opportunity to speak to the customers.

5 A special thanks to the customers for taking  
6 time out of their schedule to attend this hearing.  
7 We are looking forward to hearing the feedback. I  
8 really appreciate your time.

9 I am Gary Rudkin, President of Utilities Inc.  
10 of Florida. I joined the Florida team in January  
11 of 2020 following the retirement of Jon Hoy. I  
12 previously led a multi-utility system on the  
13 University of Oklahoma campus for a different --  
14 another Corix business unit.

15 And the goal the next few minutes is to really  
16 try to provide some background on the investments  
17 and the infrastructure that we feel necessary in  
18 the upcoming years, including the previous  
19 investments.

20 Utilities Inc. of Florida is the largest water  
21 and wastewater regulated system in Florida. We are  
22 over 40 years old with 40 systems, serving about  
23 70,000 water, wastewater and reuse connections in  
24 10 counties. We take our responsibility to upgrade  
25 infrastructure seriously, and we are committed to

1 striving for quality and service along with  
2 compliance in this ever-changing regulatory  
3 environment.

4 We've invested more than 60 million since the  
5 last rate case in primarily end-of-life assets. So  
6 again, as these assets age, they have to be  
7 replaced. We are going to continue to invest in  
8 the assets, such as mains, lift stations, treatment  
9 plants. We currently have a plan to invest another  
10 60 million. Again, keep in mind, those assets are  
11 well over 40 years old. They are end-of-life.

12 Other expenses are increasing, such as power  
13 cost, chemicals, taxes and whatnot, and we have the  
14 rate mechanism to recover those costs along with  
15 our capital investment in the infrastructure.

16 Just to give you an idea of how critical the  
17 need is, the Environmental Protection Association  
18 estimates that Florida will need to invest 20  
19 billion in the next 20 years in water  
20 infrastructure just to provide safe drinking water  
21 to the state of Florida.

22 Our main issue is wastewater, and most of our  
23 investment right now is in wastewater and then it  
24 will shift to water. We are making significant  
25 investments in the wastewater plants, and a large

1           portion of those systems are over 40 years old.  
2           Again, end-of-life. Very important.

3                     We provide service to many communities 55 and  
4           up, mobile home parks, RV parks, residential homes,  
5           apartment complexes, and we diligently address  
6           customers' use at every level. I have actually  
7           handled a few customer complaints myself. And  
8           again, we are willing to listen and try to solve  
9           problems as we can.

10                    We are investing in technologies such as  
11           MyUtilityConnect, customer satisfaction is one of  
12           our top initiatives in the company.  
13           MyUtilityConnect allows the customer to access bill  
14           payments, start/stops, putting in trouble calls and  
15           whatnot through a phone app or from a web portal.  
16           We are also on Facebook, Twitter and Google. And  
17           of course, we still use USPS as necessary.

18                    Again, our focus will continue to be on  
19           providing safe and reliable drinking water, and to  
20           provide the best service we can to the customer.  
21           This proposal does have significant infrastructure  
22           investments that are necessary to do so, and we  
23           genuinely look forward to hearing your feedback.

24                    Thank you for your time.

25                    COMMISSIONER GRAHAM: Marty, is that it for

1 Utilities Inc.?

2 MR. FRIEDMAN: Yes. That concludes our  
3 opening.

4 Thank you very much, Chairman Graham.

5 COMMISSIONER GRAHAM: Okay. Ms. Morse, OPC.

6 MS. MORSE: Okay. Thank you, Mr. Chair.

7 Good evening. Again, my name is Stephanie  
8 Morse with the Office of Public Counsel. Our  
9 office represents all of you, the customers, as a  
10 group in the rate case. We are working on your  
11 behalf to independently analyze the information  
12 submitted by the utility and the reports generated  
13 by the PSC staff as we prepare for the technical  
14 hearing that's scheduled for February.

15 We hired three independent rate consultants to  
16 testify on your behalf; a utility accounting  
17 expert, a utility engineering expert and a utility  
18 cost of capital expert. In addition, we have our  
19 in-house accounting staff working on this case  
20 also.

21 Our four testimony -- our four witnesses,  
22 excuse me, filed testimony on November 13th,  
23 contesting several aspects of UIF's case. The  
24 major issues involve UIF asking for an 11.75  
25 percent on equity, which we feel is egregious.

1           It's just extremely too high in light of today's  
2           low interest rates and the impacts of the  
3           coronavirus.

4           Second, we are challenging several of UIF's  
5           requested projects because they either have not  
6           begun construction or the utility hasn't provided  
7           the requisite documentation and evidence to support  
8           those projects.

9           And the third major issue involves a proposed  
10          plan UIF created for this case, which they call a  
11          Sewer and Water Improvement Mechanism, or SWIM.  
12          That proposal would allow UIF to recover the costs  
13          of certain new capital projects between rate cases  
14          without the benefit of any vetting or independent  
15          review or consideration of the company's current  
16          earnings. They would simply file these costs as  
17          pass-throughs right into rates. So we don't  
18          believe any such new program is necessary under the  
19          current law, and also they would need to be  
20          authorized by the Florida Legislature in order to  
21          go into effect.

22          The bottom line is that UIF has requested an  
23          annual increase in water revenues of approximately  
24          \$2.8 million, which is a 17-percent increase, and  
25          we believe they should not receive any more than



1 1.1 million, or a 6.8-percent increase.

2 Additionally, they asked for an annual  
3 increase in wastewater revenues of \$6.5 million,  
4 which would be a 32.2-percent increase, and the  
5 evidence supports no more than \$2.5 million for  
6 that increase.

7 So today is your meeting, and it's vitally  
8 important that you speak directly to the  
9 Commissioners and their staff to share your  
10 experiences about your water quality, the quality  
11 of the customer service you experience, including  
12 your interactions with the utility, and your  
13 thoughts about the proposed rates.

14 If you want to follow up to talk with Mr.  
15 Kelly or with me after this meeting, please call  
16 our office at (850)488-9330, or reach out to us on  
17 the web at [www.FloridaOPC.gov](http://www.FloridaOPC.gov).

18 We thank you for being here and for  
19 participating in the process. Thank you very much.

20 COMMISSIONER GRAHAM: Thank you, Ms. Morse.

21 Okay. So let's get to work.

22 I will call your names one at a time as you  
23 are registered. I will swear you in. After I  
24 swear you in, I want you to restate your name and  
25 give your address so that we have it on the record,

1 and you will be given three minutes to address the  
2 Commission to tell us about your utility.

3 Tell us about specific issues you may have.  
4 Tell us about good things, bad things, problems,  
5 complaints, whatever it is that you want for us to  
6 know here. If you don't have enough time in the  
7 three minutes, you can feel free to send us any  
8 documentation you have, write us emails, because  
9 all of that will going into our docket file and it  
10 will all be considered part of this hearing.

11 That all being said, let's start with the  
12 first customer, which is Robert Kring.

13 Robert, are you on the line?

14 MR. KRING: Yes.

15 COMMISSIONER GRAHAM: Robert, if I can get you  
16 to raise your right hand.

17 Whereupon,

18 ROBERT KRING

19 was called as a witness, having been first duly sworn to  
20 speak the truth and testified as follows:

21 MR. KRING: I do. Yes.

22 COMMISSIONER GRAHAM: Thank you, sir.

23 If I can just get your full name and your  
24 address, and you have got three minutes to speak us  
25 to.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PUBLIC COMMENT

MR. KRING: Okay. It's Robert Kring. 224 Markham Woods Road, Longwood, Florida, 32779.

The points I would like to make at this time is Utilities Inc. received over 100 percent increase in 2017. After 25 years of operating at the lower level, there was no viable change in the quality of water that we received. I personally, in my home, have to have a charcoal filter system for the whole house in order to make the water not smell and not taste bad.

I have had several instances with Utilities Inc., one of which was the fire hydrant on the northeast corner of my property blew out by itself. After-the-fact, it was found out that the fire hydrant was just put on the eight-inch pipe with no collar and no securing mechanism. That same blowout resulted in extensive damage in my house, to the property and to the building itself, of which many of the ramifications of that didn't show up until years later.

While that incident was taking place, I actually had one of the Utilities Inc. personnel accuse me of dislodging the fire hydrants, which would be a nice trick, but no cigar on that one.

1           And the insurance that I had at the time was  
2           Liberty Mutual, and so did Utilities Inc. have the  
3           commercial Liberty Insurance Company. They pitted  
4           each other against me on not providing the service  
5           via the commercial aspect that Utilities Inc. was  
6           the holder of. I found that somewhat negative, to  
7           say the least.

8           During the course of the past probably year,  
9           due to some of the construction on I-4, there has  
10          been a need to dig up pipes and whatnot in front of  
11          my property, and on my neighbor, of which when they  
12          go to put it back, temporary piping, flex piping  
13          has been left on top of the ground, and it's still  
14          there to this day in the 220 Markham Woods Road  
15          house.

16          The issue here is how in the world can you go  
17          with 100 percent increase, without having any  
18          viable change in service, quality or anything  
19          differently, and I just find that detrimental not  
20          only to the residents of Florida who are under  
21          Utilities Inc., but especially at a time like this,  
22          when everybody is kind of hurting under the COVID  
23          plague, and not everybody has the capacity to just  
24          make up all the differences.

25          And lastly, they now are planning to put a new

1 discharge wastewater pipe between 216 Markham Woods  
2 Road and 220 Markham Woods Road because the old  
3 one, which is still in place, cannot be located by  
4 anybody, including Utilities Inc. So these people  
5 don't even know their own stuff.

6 So I find it overall an abuse to increase  
7 rates at this time, or any time in the foreseeable  
8 future after the 100 percent increase in 2017.

9 COMMISSIONER GRAHAM: Thank you, Mr. Kring.  
10 Thank you for your testimony.

11 Is there any questions for this customer?

12 Mr. Kring, I have one question for you. You  
13 mentioned that fire hydrant issue. Do you know  
14 when that was?

15 MR. KRING: I would have to look at some  
16 paperwork. It's probably four or five years ago.

17 COMMISSIONER GRAHAM: Okay, so 2016?

18 MR. KRING: Yeah. The guy that was in charge  
19 for the field out here Marinelli something like  
20 that, John Marinelli, he is retired.

21 COMMISSIONER GRAHAM: Okay.

22 MR. KRING: I think he retired this year.

23 COMMISSIONER GRAHAM: Okay. We will figure it  
24 out.

25 Mr. Kring, thank you very -- thank you very

1 much for your testimony, and I hope you and your  
2 family have a happy holidays.

3 MR. KRING: Righto. Same to y'all.

4 COMMISSIONER GRAHAM: Okay, our next person is  
5 Barry Saylor.

6 Barry, are you on the line?

7 MR. SAYLOR: I am on the line.

8 COMMISSIONER GRAHAM: Barry, if you can get  
9 you to raise your right hand.

10 Whereupon,

11 BARRY SAYLOR

12 was called as a witness, having been first duly sworn to  
13 speak the truth and testified as follows:

14 MR. SAYLOR: Yes, I do.

15 COMMISSIONER GRAHAM: Thank you, sir.

16 If I can get you to state your full name and  
17 your address for the record.

18 PUBLIC COMMENT

19 MR. SAYLOR: Sure. Barry Saylor. I live at  
20 33125 Meadow Green Court in Leesburg, Florida,  
21 which is within a community called Pembroke  
22 Fairways, whose water service comes from Utilities  
23 Inc.

24 COMMISSIONER GRAHAM: Thanks, Barry. You got  
25 three minutes to address the Commission. Thanks.

1 MR. SAYLOR: I will go to work.

2 There are 1,200 homes here, most of which have  
3 two or fewer residents. There are no children.  
4 It's a 55 and over community. My wife and are in  
5 our mid-70s. We have lived here for about 18  
6 years.

7 Just for perspective, our utilities bill last  
8 year for the 12-month period was \$1,433. Two  
9 people. No kids. Our real estate taxes were  
10 1,585. Our homeowners 923. Gas and electric  
11 utilities 1,091. Our water expense was the second  
12 largest expense in our home.

13 As to our quality, we, and many of our  
14 neighbors have replaced both of our toilets because  
15 the water etches a ring in the bowls in the  
16 porcelain. And once that is etched in, the line  
17 turns black in a day or two. We clean our toilets  
18 two or three days a week.

19 One of the replaced toilets is etched again.  
20 And I, in thinking about it, it's -- we are a  
21 two-person household, it's in the bathroom that we  
22 use the least, which is probably a result of that  
23 water laying in the bowl longer.

24 Our faucet strainers accumulate black  
25 sludge-like deposits. We remove them periodically.

1           Scrub them with detergents, sometimes replace them.  
2           Our shower heads, much the same, though they take a  
3           lot longer, which is not a lot of fun for us. But  
4           if you consider another person who isn't handy, or  
5           a person living alone, that's just another repair  
6           bill.

7                    Almost everyone I know has some sort of water  
8           treatment system, most had filters installed before  
9           their water even enters their system. We, for  
10          example, have a paper filter, a charcoal filter and  
11          then a treatment system, and we still experience  
12          the black issue.

13                   All of our homes have sprinkler systems. We  
14          are required to. We have to keep our lawns,  
15          according to the HOA, at a certain level. That  
16          water that sprays on the house stains the stucco,  
17          stains the siding. We get letters of violation  
18          from the HOA, so we wind up, and most of our  
19          residents have become friends with a variety of  
20          stain remover products and others, like us, pay a  
21          vendor.

22                    The increase in sewer rates being asked for is  
23          based on a water usage charge. In our home, and  
24          many like us, the preponderance of the water used  
25          on our home goes on our lawns and gardens, yet we



1           pay sewer charges for that. So they are already  
2           being paid sewer fees for wastewater that doesn't  
3           get processed. I, for example, know in our utility  
4           bill, I don't have figures for you, but we have  
5           more water going on our lawn, particularly in  
6           watering season, than we do going to our home.  
7           They seem to apply for rate increases and are  
8           granted, they apply it at every interval you allow  
9           them to, and generally gets some sort of success  
10          many -- am I done?

11                    COMMISSIONER GRAHAM: Go ahead. You can  
12           something conclude that thought, sir.

13                    MR. SAYLOR: Okay. I just -- well, in 2014,  
14           they said they felt they improved our water quality  
15           for about \$1 to \$2 a month, but they needed to do a  
16           study, which our community said, fine, that's not  
17           bad if we get all of this fixed.

18                    So they did the study. We paid them 15,000 to  
19           do that. They came back and they said, oh, wow,  
20           it's going to take, like, \$2 million, and your per  
21           household increase in your bill would be about \$32  
22           to \$40 a month. So obviously, that didn't get done  
23           not in a community like ours. But they did --  
24           excuse me -- they did refund us the \$15,000 that we  
25           paid them to do the study. Although, they also

1           advised us that 15,000 would be asked for  
2           reimbursement at the next Commission hearing when  
3           they went for the next increase. And whether that  
4           happened or not, I don't know, but I have the  
5           letter that they quoted that.

6                     And that's about all I have for you. I  
7           appreciate the opportunity to do this. It's better  
8           than running around the neighborhood like many of  
9           my neighbors do complaining and going nowhere, at  
10          least I feel better.

11                    COMMISSIONER GRAHAM: Well, Mr. Saylor, we  
12          thank you very much for taking the time tonight.  
13          Actually, the stories you told are just the things  
14          that we are looking for.

15                    Do we have any questions for Mr. Saylor?

16                    Ms. Morse?

17                    MS. MORSE: I have one question, Mr. Saylor.

18                    At the beginning of your testimony, you  
19          mentioned, I think a number \$1,400. What were you  
20          saying was the cost of your monthly water bill?  
21          That it was the second highest expense -- largest  
22          expense in your household. I am sorry, I didn't  
23          catch all of that.

24                    MR. SAYLOR: That is a fact. Our real estate  
25          taxes are 1,585. For the 12-month period ending

1           2019, we paid Utilities Inc. 1,433.

2           MS. MORSE: Oh, I got it now. Thank you very  
3 much.

4           MR. SAYLOR: Thank you.

5           COMMISSIONER BROWN: Mr. Chairman, I just  
6 wanted to say thank you to Barry for, like you  
7 described, providing us some tangible facts and  
8 data that we can contemplate, and appreciate you  
9 taking the time to call us on this evening and wish  
10 you the best.

11          MR. SAYLOR: Thank you also.

12          COMMISSIONER GRAHAM: Mr. Saylor, thank you  
13 very much for your time, and I hope you and your  
14 wife have happy holidays.

15          MR. SAYLOR: You are welcome. And thank you.  
16 Same to you.

17          COMMISSIONER GRAHAM: Okay, our next speaker  
18 is Linda Trimble.

19          MS. TRIMBLE: Yes. Good morning.

20          COMMISSIONER GRAHAM: Ms. Trimble, are you on  
21 the line?

22          MS. TRIMBLE: Yes, I am.

23          COMMISSIONER GRAHAM: Linda, how are you doing  
24 today?

25          MS. TRIMBLE: Doing great. Thank you.

1                   COMMISSIONER GRAHAM: Linda, if you can get  
2                   you to raise your right hand.

3                   Whereupon,

4                                   LINDA TRIMBLE  
5                   was called as a witness, having been first duly sworn to  
6                   speak the truth and testified as follows:

7                   MS. TRIMBLE: Yes.

8                   COMMISSIONER GRAHAM: Could I get you to state  
9                   your full name and your address for the record,  
10                  please?

11                                   PUBLIC COMMENT

12                  MS. TRIMBLE: My name is Linda Trimble. The  
13                  address is 101 Fox Valley Drive. That's in  
14                  Longwood, Florida, 32779.

15                  COMMISSIONER GRAHAM: Thank you, Linda.

16                  Can you -- you got three minutes or so to  
17                  address the Commission. The mic is yours.

18                  MS. TRIMBLE: Okay. Well, mine is pretty much  
19                  short and sweet.

20                  I live with my mother. She's 80 years old.  
21                  The house that we live in right now, we live in  
22                  Sweetwater Oaks, and we have been in that house for  
23                  over 40 years. Of course, I haven't been there the  
24                  whole time. I just moved in since my father passed  
25                  away. But anyway, I just really am speaking on her

1           behalf because her bill has increased, you know,  
2           just like the previous gentleman was saying, within  
3           the last five years it's doubled, and just actually  
4           less than mine, I would say an average of probably  
5           \$1,800 to \$2,000 annually that we pay, because most  
6           of what we use ours for is for irrigation. And we  
7           have a larger lawn. Of course, we have to maintain  
8           it and everything, and so just as also the previous  
9           gentleman said, you know, we are paying for the  
10          wastewater services when probably, I would say, 80  
11          percent of what we use is for our lawn.

12                 As far as the quality of the water that's in  
13          the house, both my mother and I, we don't use the  
14          water for drinking or anything. It's mostly just  
15          for showering and, you know, just the essentials,  
16          because the taste of the water, it's chlorinated  
17          and all that kind of stuff, so we don't even use it  
18          for drinking. So there is an added expense then  
19          for, you know, buying bottled of water.

20                 So those are just my main things. You know,  
21          my mom, she's 80 years old, and if you could put it  
22          into perspective, you know, we are paying, I would  
23          say, an average of \$150 a month. Sometimes it's a  
24          little bit lower. Sometimes it's higher, you know,  
25          depending on the time of year. But it's, like,

1 almost 10 percent of her Social Security that she  
2 gets in a month period. So it's like 10 percent of  
3 it is going towards her water bill, which is kind  
4 of crazy. So we are just really concerned about  
5 how much the increases are coming, especially over  
6 the past five years, and we would really like to  
7 see that stopped.

8 So that's pretty much all I have to say.

9 COMMISSIONER GRAHAM: Thank you, Ms. Trimble.  
10 Have you or your mother experienced any  
11 customer service issues with this utility?

12 MS. TRIMBLE: No. The only time I did contact  
13 them was because, you know, we were so concerned  
14 about the prices and everything, and just how much  
15 it's showing our usage is, and so I thought maybe  
16 there was something up with the water meter. So  
17 they sent somebody out and did a check on the water  
18 meter, and ended up that it was actually doing less  
19 than what the water is supposed to be, so they had  
20 to put in a new meter. But other than that, we've  
21 never really had to contact them, or had any  
22 customer service issues. So I don't have any  
23 complaints on that end.

24 COMMISSIONER GRAHAM: Is there any questions  
25 for Ms. Trimble?

1           Seeing none. Ms. Trimble, thank you very much  
2           for your testimony today, and I hope you and your  
3           mother have a happy holiday.

4           MS. TRIMBLE: Thank you. Merry Christmas to  
5           you as well.

6           COMMISSIONER GRAHAM: Thanks.

7           Okay. Our next speaker is Mark Moscovitz.  
8           Mr. Moscovitz, are you on the line?

9           MR. MOSCOWITZ: I am. Thank you.

10          COMMISSIONER GRAHAM: If I can get you to  
11          raise your right hand.

12          Whereupon,

13                                          MARK MOSCOWITZ

14          was called as a witness, having been first duly sworn to  
15          speak the truth and testified as follows:

16          MR. MOSCOWITZ: Yes.

17          COMMISSIONER GRAHAM: Yes?

18          MR. MOSCOWITZ: Yes.

19          COMMISSIONER GRAHAM: If I can get you to  
20          state your full name and your address for the  
21          record, please.

22                                          PUBLIC COMMENT

23          MR. MOSCOWITZ: Sure. It's Mark Moscovitz,  
24          309 Pickering Court, Longwood. I am in the Wekiva  
25          subdivision.

1           COMMISSIONER GRAHAM: Mark, you have three  
2 minutes or so to address the Commission.

3           MR. MOSCOWITZ: Okay.

4           COMMISSIONER GRAHAM: The mic is yours.

5           MR. MOSCOWITZ: I have a little bit of a  
6 laundry list just to go through and voice concerns  
7 about.

8           Firstly, you asked about customer service.  
9 And I have to say, while it's not horrible, it's  
10 fair at best. I have had instance to call the  
11 office a couple of times about a bill or something  
12 else, and I have to tell you, whoever answers the  
13 phone, at least when I called, it sounds like you  
14 just woke them up from a nap, and they have the  
15 most monotone non-compassionate demeanor about them  
16 that it's really -- it's kind of astounding.

17           The second thing that I wanted to talk about  
18 was I heard one of the gentlemen who went earlier  
19 talk about wastewater being a primary concern. So  
20 I have many friends in the area that live in other  
21 areas, and they all seem to have reclaimed water  
22 available at a far lower cost than the regular  
23 water price for irrigation.

24           If wastewater is such a concern, and it's  
25 something that Utilities wants to, you know,



1           enhance and do better on, I think reclaimed water  
2           being available for irrigation would be tremendous.

3           As far as the quality of the water. I grew up  
4           in South Florida. I have lived in Central Florida  
5           for over 27 years, and I lived in North Florida, in  
6           Leon County in Tallahassee, for four years. This  
7           is the only place I have lived where there is no  
8           fluoride in the water and hard water, brown cruddy  
9           buildups on the spigot coming out of the dispenser  
10          in the refrigerator and many of the other strainers  
11          on the faucets gets positively disgusting.

12          Lastly, because I don't want to take up too  
13          much time, time is valuable, price increases. I  
14          mean, how this is anything short of price gauging I  
15          fail to understand. They have passed on four rate  
16          increases over 18 months. There were increases on  
17          3/26/19, 11/26/19, 4/1/20 and 9/4/20.

18          How many times in a pandemic and record  
19          unemployment can a company that professes being in  
20          tune with its community and the good of the people  
21          it serves justify such ludicrous continual rate  
22          increases? Now this rate increase of three cents a  
23          gallon that's proposed is 166 percent increase.  
24          How is this fair to anybody? If I had a choice and  
25          I could pick another supplier for my water, I would

1 do it in a heartbeat. This is ludicrous.

2 And an 11.5 percent return on investments,  
3 that's egregious. I would like somebody to tell me  
4 where I could put my money to make that type of a  
5 return, because I am clearly doing something wrong  
6 personally.

7 Thank you. I am finished.

8 COMMISSIONER GRAHAM: Thank you, Mr.  
9 Moscovitz. Let me see if there is any questions  
10 for you.

11 Is there any questions for this customer?

12 Commissioner Brown.

13 COMMISSIONER BROWN: Thank you.

14 Thank you, Mr. Moscovitz. Enjoyed your  
15 dialogue here.

16 I did want to have staff, if they are  
17 available on the phone, to kind of explain some of  
18 those price increases, because I think there needs  
19 to be some clarity for you so that you understand.  
20 In Florida we have different types of mechanisms  
21 that allow pass-throughs without -- with not a  
22 return on profit, on equity. So they have annual  
23 increases. They have certain purchase prices that  
24 go through, and I would just ask staff to kind of  
25 clarify why you are seeing those increases.

1 MS. NORRIS: This is Amber Norris with  
2 Commission Staff. I'm making sure you can hear me  
3 okay.

4 Yes, thank you, Commissioner Brown. I'm  
5 sorry, pardon my voice, it's a little horse right  
6 now. But, yes, that's -- to clarify on the price  
7 index and pass-through increases.

8 So by statute, the utilities -- water and  
9 wastewater utilities are able to apply for an index  
10 and/or pass-through each year. And the index is  
11 based on the CPI deflator, and it's basically kind  
12 of a way of keeping up with changes in O&M expenses  
13 throughout the year. And so that's, on an annual  
14 basis, the Commission sets that percentage.  
15 Recently, it's been, I believe, like 1.76 percent.  
16 That's applied only to certain O&M expenses. And  
17 likewise, there is a pass-through mechanism that  
18 they are able to apply for increases in things like  
19 purchased utilities, purchased water, purchased  
20 sewage treatment if they are passing through that  
21 service from, say, another provider. And a lot of  
22 times you see those increases and expenses come  
23 annually for these other providers, such as the  
24 municipality they purchase water from.

25 And so the pass-through enables them to,

1           again, pass on those increases dollar for dollar.  
2           As Commissioner Brown stated, it's also a way of  
3           really targeting just those expenses. There is not  
4           a return on that. And again, to be able to look at  
5           those expenses in between rate cases so we are not,  
6           you know, looking at such a higher impact when it  
7           comes to the next rate case.

8                       And so those are by and large the different  
9           increases that you were citing. I believe it's --  
10          usually there is an index filed every year and a  
11          pass-through recently. That's at a different time.  
12          You can combine those at some points, and those are  
13          the increases that you were referring to.

14                      COMMISSIONER BROWN: Thank you so much, Amber.  
15          I appreciate that.

16                      And, Mr. Moscovitz, I know it can be confusing  
17          because --

18                      MR. MOSCOWITZ: Yes.

19                      COMMISSIONER BROWN: -- it may not be as clear  
20          as we need it to be. And maybe we need to do a  
21          better job as a Commission and as the IOUs around  
22          the state to convey that to customers, but just so  
23          that you are not uncertain about why you are seeing  
24          these increases sporadically.

25                      MR. MOSCOWITZ: Well, you know, I appreciate

1 the clarification. Thank you. And I know  
2 everything goes up constantly. I mean, that's the  
3 world we live in. That's the nature of things and  
4 finances. However, you know, two more questions  
5 come into play.

6 The first one is -- well, the first one isn't  
7 a question. The first one is four, four-and-a-half  
8 years ago, 60 to 65, 66-dollar bills regularly,  
9 monthly, fast forward to today where my bill never,  
10 never drops below 100. Ever. I mean, that's  
11 significant. And that's with one less person in my  
12 household, because the last child has left. So,  
13 you know, as a customer, I am not a very happy  
14 camper, but I can't go anywhere else.

15 And then I guess the last thought, which is a  
16 question is, so with that being said, what was just  
17 explained to me, how many times in 2021, 2022, 2023  
18 can I expect to see and incur increases? I mean,  
19 when does it end?

20 COMMISSIONER GRAHAM: Mr. Moscovitz, we do  
21 thank you very much for your testimony today, and I  
22 hope you have a happy holiday. And as we said  
23 earlier, we are going to have this technical -- we  
24 will have this technical hearing in February, and  
25 the Commission will make a determination sometime

1 first quarter of next year.

2 MR. MOSCOWITZ: Thank you very much for  
3 allowing me to speak. Happy holidays to all.

4 COMMISSIONER GRAHAM: Thank you, sir.

5 Okay. We have one last speaker, Ellen Bonus.  
6 Ms. Bonus, are you still on the line?

7 MS. BONUS: Yes, I am.

8 COMMISSIONER GRAHAM: Ma'am, if I can get you  
9 to raise your right hand.

10 Whereupon,

11 ELLEN BONUS

12 was called as a witness, having been first duly sworn to  
13 speak the truth and testified as follows:

14 MS. BONUS: Yes, I do.

15 COMMISSIONER GRAHAM: Ma'am, if I can get you  
16 to state your full name and your address for the  
17 record, please.

18 PUBLIC COMMENT

19 MS. BONUS: Ellen Bonus, 700 Sandpiper Circle,  
20 Longwood, Florida, 32750.

21 COMMISSIONER GRAHAM: Ma'am, thank you so very  
22 much for being here today. You have got three  
23 minutes to address the Commission. The mic is  
24 yours.

25 MS. BONUS: Okay. I live in the Landings of

1 Longwood. It's a subdivision of 135 homes. This  
2 subdivision was built in 1982, and the  
3 infrastructure is old. We only pay for sewer in  
4 the -- in the Landings of Longwood. Our water bill  
5 goes to the Longwood -- the City of Longwood.

6 We have one wastewater station on Fallsmead  
7 Circle, and every time there is a power outage, the  
8 wastewater station fails, and refuse, body refuse  
9 flows into our pond, the Landings Pond, which then  
10 goes into West Lake, and then goes into St. Johns  
11 Circle. And sometimes our power outage, after the  
12 hurricane in the early 2000s, was for two weeks.  
13 Sometimes it's for a week. Sometimes it's for four  
14 days.

15 Now, one of our board members several years  
16 ago by the name of Bill Lomar (ph) contacted the  
17 general manager of Utilities Inc. and offered to  
18 split the cost of a generator that would stop the  
19 sewage from flowing into the waters of the  
20 Landings. The generator would go on when the power  
21 would go out. At first they talked about it, and  
22 then they said, no way, they are not going to do  
23 it.

24 So we still have this problem. And people  
25 that live on the pond and the lake, they are our

1 home friends there, they see the sewage going  
2 through. And I think it's time something has to be  
3 done. I did offer to help and nothing was done.

4 The water bill just keeps going up.  
5 Everybody's is old. I know the pipes on my block  
6 broke several times. They did come out and fix  
7 them, but the infrastructure has never been  
8 changed, and why they cape keep raising the bill, I  
9 don't understand because that's the only service we  
10 are getting, is flushing the toilet. We have no  
11 other service.

12 And that's about all I have to say.

13 COMMISSIONER GRAHAM: Thank you, Ms. Bonus,  
14 for being here today.

15 I do have a quick question to ask you before I  
16 turn to rest of the group.

17 Have you or anybody you known actually called  
18 the Health Department when you had these problems  
19 with the -- with the lift station backing up into  
20 the pond?

21 MS. BONUS: I think a lot of the residents on  
22 Fallsmead Circle attempted to do something about it  
23 because they see it. I really have, you know, not  
24 experienced seeing it except from what they have  
25 all called and, you know, called and told me.



1 I am the Vice-President of the HOA, and I  
2 somehow try to help everybody. I don't -- I think  
3 they have called everybody, if you want to know.  
4 They have called the City. They have called the  
5 County. They have called Utilities Inc. The  
6 Health Department I am not sure about.

7 COMMISSIONER GRAHAM: Okay. Thank you.

8 Does anybody have any questions for Ms. Bonus?

9 Okay. Ms. Bonus, I want to thank you very  
10 much for your time today, and I hope you have a  
11 happy holiday.

12 MS. BONUS: Okay. And I hope something  
13 happens from this conversation.

14 Thank you so much for your time. I appreciate  
15 it.

16 COMMISSIONER GRAHAM: Thank you, ma'am.

17 MS. BONUS: Okay. Bye.

18 COMMISSIONER GRAHAM: Bye.

19 Do we have anybody else that came on late that  
20 didn't get their name turned into our staff?

21 Anybody on the line who hasn't spoken yet?

22 MR. TRIERWEILER: No other customers.

23 COMMISSIONER GRAHAM: Okay. All right.

24 Everybody, I do want to thank you all for being  
25 here today, and for putting up with me one last

1           time. Our next meeting, I promise the Chairman  
2           will be there.

3           Mike Staden, I want to thank you for the  
4           contact information you have before us. I think  
5           it's very helpful.

6           And that all being said, if there is nothing  
7           evident left, I think we are adjourned.

8           Thank you very much. Be safe.

9           COMMISSIONER BROWN: Thank you.

10          (Proceedings concluded.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF REPORTER

STATE OF FLORIDA )  
COUNTY OF LEON )

I, DEBRA KRICK, Court Reporter, do hereby  
certify that the foregoing proceeding was heard at the  
time and place herein stated.

IT IS FURTHER CERTIFIED that I  
stenographically reported the said proceedings; that the  
same has been transcribed under my direct supervision;  
and that this transcript constitutes a true  
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,  
employee, attorney or counsel of any of the parties, nor  
am I a relative or employee of any of the parties'  
attorney or counsel connected with the action, nor am I  
financially interested in the action.

DATED this 23rd day of December, 2020.



---

DEBRA R. KRICK  
NOTARY PUBLIC  
COMMISSION #HH31926  
EXPIRES AUGUST 13, 2024