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TESTIMONY
OF
TRICIA A. MADDEN

On Behalf of
Wekiva Hunt Club Community Association, Inc.

Before the
FLORIDA PUBLIC SERVICE COMMISSION

Docket No. 93-0256-WS

ACK _____
 AFA _____
 APP _____
 CCF _____
 CMU _____
 CTR _____
 EAG _____
 LEG *O'Sullivan*
 LIN *Oris + 4*
 OPC _____
 RCH _____
 SEC *1*
 WAS *Rendell*
 QTH _____

DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a Rate Increase) DOCKET NO.
in Seminole County by SANLANDO UTILITIES) 930256-WS
CORPORATION) Filed:
_____) July 22, 1994

Direct Testimony of

Tricia A. Madden

On Behalf of

Wekiva Hunt Club Community Association, Inc.

Robert L. Taylor, Esq.

Curry, Taylor & Carls
1900 Summit Tower Blvd.,
Suite 800
Orlando, Florida 32810

(407) 660-1040

Attorneys for Tricia A. Madden,
as President of Wekiva Hunt Club
Community Association, Inc., and
Individually

1 Q1. What is your name and address?
2 A1. Tricia A. Madden, 108 Beaufort Drive, Longwood,
3 Florida 32779.

4 Q2. Do you own that property?
5 A2. Yes, with my husband.

6 Q3. As an owner of that property are you a customer/rate
7 payer of Sanlando Utilities Corporation?
8 A3. Yes.

9 Q4. What is your capacity with petitioner Wekiva Hunt Club
10 Community Association, Inc. (Hereinafter "WEKIVA")?
11 A4. I am the president of the WEKIVA. It's legal address:
12 Wekiva Hunt Club Community Association, Inc. c/o Prestige
13 Management, 237 Hunt Club Blvd., #201, Longwood, FL
14 32779.

15 Q5. Is WEKIVA a customer/rate payer of Sanlando Utilities
16 Corporation?
17 A5. Yes.

18 Q6. First, in order to invalidate an argument that has been
19 made by the intervenors, Florida Audubon Society and
20 Friends of Wekiva, Inc., are you or WEKIVA against the
21 reuse of reclaimed water as a conservation program?

1 A6. No. Both WEKIVA and I are in favor of conservation
2 programs, in general, including the reuse of reclaimed
3 water under the proper circumstances.

4 Q7. Then, what is the purpose of your protest?

5 A7. The purpose of our protest is to show that the
6 method of funding the proposed Sanlando reuse
7 facility is unfair, inequitable and unwise.

8 Q8. Why do you and WEKIVA feel that this is the case?

9 A8. There are multiple reasons why Sanlando's proposal should
10 be disallowed. They are:

11 1. The persons least benefitted by the project, the
12 average rate payer, is funding the total project,
13 while the parties most benefited by the project,
14 the golf courses, pay virtually nothing for the
15 construction project.

16 2. The subject "Notice of Proposed Agency Action"
17 ("PAA") addresses the golf course issue in one
18 short paragraph and then dismisses it as a matter
19 beyond its control. It is very interesting to note
20 the exact language used in that regard:

1 "Ideally the golf courses should pay
2 a charge to recover at least a
3 portion of the operating costs of
4 the reclaimed water system; however,
5 it may not be possible to implement
6 such a charge at this time."

7 (Emphasis added.)

8 After making that statement, the PAA requires
9 that Sanlando file a proposed charge for reclaimed
10 water to the golf courses prior to the completion
11 of the effluent transmission system. This matter
12 needs to be addressed and resolved now.

13 3. At this point there has been no evidence to reflect
14 whether the golf courses will or must even accept
15 the reused water at all. The only statement
16 addressing that issue is found in the same
17 paragraph addressed above where an unsubstantiated
18 statement is made that:

19 "The SJRWMD has stated that it
20 will require the golf courses
21 to use reclaimed water when it
22 becomes available."

1 We have been informed that the Wekiva golf course
2 will contest the obligation to accept the reused
3 water and will vigorously fight this issue. This
4 matter needs to be addressed and resolved now.

5 4. It is apparent that the conclusions reached in the
6 PAA are based in large part on the fact that
7 Sanlando presently has low rates. It is equally
8 apparent that the PAA somehow concludes that this
9 fact alone sanctions a new improper rate increase.
10 That conclusion is factually and legally invalid.
11 It is important to note that this position is taken
12 at the same time that the PAA reminds us that
13 Sanlando's CIAC is, and has been, well above the
14 Florida Administrative Code guidelines. This, of
15 course is one of the primary reasons that the low
16 rates exist; Sanlando has paid for very little in
17 the way of capital improvement. Apparently the
18 reasoning is that if Sanlando has been allowed to
19 violate the Florida Administrative Code in the past
20 it is acceptable to continue to do so and place the
21 burden on the average rate payer. This confounds
22 logic. Since the PAA specifically included the
23 statement that Sanlando will not construct the
24 project unless the rate payers fund the same, we

1 can only draw the conclusion that the obligation to
2 fund the reuse improvement, which by code should
3 fall on Sanlando, will be imposed on the average
4 rate payers by default. It appears from all
5 evidence presented that Sanlando is attempting to
6 shift the responsibility of funding this reuse
7 project from itself to the average rate payer in
8 order to avoid the financial consequences of the
9 lawsuit filed against them by the two intervenors
10 (Audubon and Friends).

11 5. It appears from information supplied to me and
12 WEKIVA, that the proposed method of funding is
13 wasteful in two very important ways. First, it is
14 wasteful in terms of extra unnecessary costs.
15 Secondly, it is wasteful from an environmental
16 standpoint since the implementation of the project,
17 if approved will be severely delayed since the
18 funding will not be completed for at least four
19 years.

20 Q9. Does this complete your direct testimony prefiled
21 on July 22, 1994?

22 A9. Yes, it does.

23 rltwip\psctest1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)
Petition of SANLANDO UTILITIES)
CORPORATION For A Limited) DOCKET NO.: 930256-WS
Proceeding to Implement Water)
Conservation Plan in)
Seminole County)
_____)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and fifteen (15) copies of of the Testimony of Tricia A. Madden was filed with the Division of Records and Reporting, Florida Public Service Commission and one (1) true and correct copy of each Testimony was forwarded by United States Mail this 22 day of July, 1994 to the following parties of record:

Cleatous J. Simmons, Esq.
Lowndes, Drosdick, Doster, Kantor
& Reed, P.A.
215 North Eola Drive
Orlando, Florida 32801

Maggie O'Sullivan, Esq.
Division of Legal Service
Florida Public Service Com.
101 E. Gaines Street
Tallahassee, Florida 32301

Kathy Biddell
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399

Jack Shreve, Esq.
Office of Public Counsel
111 W. Madison St., Rm 812
Tallahassee, Florida 32399-1400

Charles Lee, Senior Vice President
Florida Audubon Society
460 Highway 436, Ste 200
Casselberry, Florida 32707

Nancy B. Barnard
St. John's River Water
Management District
Post Office Box 1429
Palatka, Florida 32178-1429

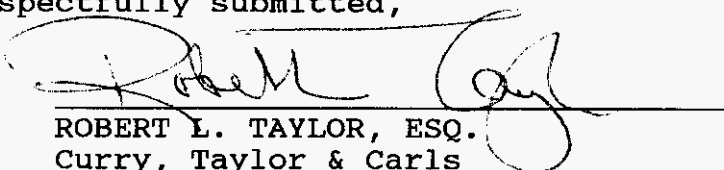
John F. Lowndes, Esq.
Lowndes, Drosdick, Doster,
Kantor & Reed, P.A.
215 North Eola Drive
Orlando, Florida 32801

Jennifer L. Burdick, Esq.
Assistant General Counsel
St. Johns River Water
Management District
Post Office Box 1429
Palatka, Florida 32178-1429

Robert E. Swett
106 Wyndham Court
Longwood, Florida 32779

Jack Hiatt
1816 Wingfield Drive
Longwood, Florida 32779

Respectfully submitted,



ROBERT L. TAYLOR, ESQ.
Curry, Taylor & Carls
1900 Summit Tower Blvd., Suite 800
Orlando, Florida 32810
(407) 660-1040
Florida Bar No. 149464
Attorneys for Tricia A. Madden, as
President of Wekiva Hunt Club
Community Association, Inc. and
Individually