

STATE OF FLORIDA

ORIGINAL

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DIVISION OF WATER & WASTEWATER  
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(850) 413-6900

Public Service Commission

August 10, 1998

Mr. James Worth  
1238 W. Oleander Circle  
Barefoot Bay, FL 32976-7153

Re: Docket No. 971663-WS - Petition of Florida Cities Water Company (FCWC) for a limited proceeding to recover environmental litigation costs for its North and South Ft. Myers Division in Lee County and Barefoot Bay Divisions in Brevard County.

Dear Mr. Worth:

Thank you for your letter concerning FCWC's request to recover litigation costs. The Commission held customer service hearings on July 14 and 15, 1998 in Barefoot Bay and Ft. Myers, respectfully. Customers from both areas provided testimony to the Commission, which became part of the official record for this case. The Commission will benefit from the testimony and evidence offered by the customers at these service hearings.

The Commission will hold a technical hearing in Tallahassee for the purpose of hearing testimony and evidence from various expert witnesses sponsored by the parties to this proceeding, including the Office of Public Counsel which has intervened on behalf of the citizens. This hearing is scheduled for August 12 through 14, 1998. The technical hearing will also be open to the public.

After the hearing, this docket is set for a November 3, 1998 agenda, at which time the Commission is scheduled to render its decision.

Your second concern was that FCWC's 1996 rate increases allowed them to charge for treating wastewater which never reached its sewage treatment plant. In response to this concern, the Commission has approved a residential wastewater gallonage cap for FCWC. The implementation of a residential wastewater gallonage cap serves two purposes. One is to recognize that all water used by residential customers is not returned to the wastewater collection system. This is why a cap is not imposed on general service customers, since most of their water is returned to the wastewater facility. But more importantly, the residential wastewater gallonage cap affects rate design because it creates the maximum amount a customer will pay on his bill. In other words, the wastewater cap prevents residential wastewater customer from being charged above 6,000 gallons of water used and recognizes excess wastewater not returned to the wastewater facility.

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July 16 1998  
1238 W. Oleander Circle  
Barefoot Bay, Fl. 32976

To: Florida Public Service Commission  
From: James V. Worth  
Subject: Fl. Citeis Water Co. proposed rate increase

Gentle People, I respectfully urge this Commission to reject or dismiss the above water Co's. request for a rate increase at the upcoming judicial hearing Nov. 3 in Tallahassee..

I make this plea based upon the following>

This same Co. was granted an astronomical increase in rates in 1996. To wit: Increase of over 100% for basic sewer charges, and an almost 50% increase user charge! The rate increase was requested to offset their cost of having to alter/adjust, or add to the capacity of their Sewage disposal/treatment plant so as to meet the required Government standards! This in my opinion should not have been granted. Being a Private (for profit) Business, such costs should have been considered a "Hazard of Business" and the application dismissed instead of causing the consumer to "Foot the Bill".

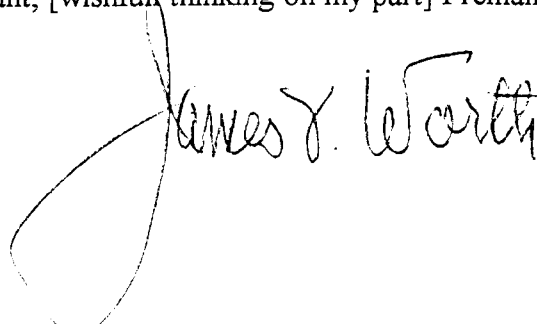
Once again this very same Company is applying for another rate increase! Again they are asking you the P.S.C. to allow them to recover their "Hazard of doing Business" expense by placing the burden upon the backs of their customers in the form of another rate increase! It matters not that it be for a limited time, what matters is that it is to offset another cost incurred by a Private (for profit) Company while engaged in their Business.

In this country if one feels they are unjustly accused the laws provide recourse through the Courts, not however in the manner that Fla. Cities Water Co. has elected as their Avenue of Pursuit. If the Company feels that the U.S. Environmental Protection Agency wronged them they have the right to seek recourse through the courts. But, not in my opinion the right to force the consumers to pay for the cost of abiding or not abiding with the Laws of The LAND!

The Commission might care to know that the 1996 rate increases allowed F.C.W.C. to charge for treating waste water which never reaches their Sewage treatment plant! How? The charge the consumer based upon the number of gallons that flow through the water meter, with no consideration of the amount of water used to water lawns, gardens, trees, etc. Nor the water used to wash one's car, fill a wading pool or a swimming pool. None of these waters are returned to the sewer lines for processing, thus a charge for sewage not treated and, no doubt a profit sans any costs that are bound to make the stock holders happy!!

In light of the above one would hope the P.S.C. might consider instead of a rate increase a reduction in the Basic sewer charges and users fee or, at the very least compel the Company to install meters to all sewer lines in all residential buildings. This would be in my opinion, A Real Public Service!

Awaiting the outcome of the judicial hearing this November or, the news that the rate proposal has been withdrawn by the applicant, [wishful thinking on my part] I remain Sincerely



**James Worth**  
1238 W Oleander Cir  
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