

M E M O R A N D U M

February 15, 1999

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (BRUBAKER) JSB
RE: DOCKET NO. 971638-SU - APPLICATION FOR AMENDMENT OF
CERTIFICATE NO. 226-S TO ADD TERRITORY IN SEMINOLE COUNTY
BY FLORIDA WATER SERVICES CORPORATION.

Please place the attached copy of the COMMISSION STAFF'S
REQUEST TO SUPPLEMENT STAFF'S PREFILED DIRECT TESTIMONY in the
docket file.

(Number of pages - 9)

JSB/lw

Attachment

cc: Division of Water and Wastewater (Messer, Chase, Redemann)

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ACK _____
AFA _____
APP _____
CAF _____
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CTR _____
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DPC _____
RCH _____
SEC _____
WAS _____

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment
of Certificate No. 226-S to add
territory in Seminole County by
Florida Water Services
Corporation.

DOCKET NO. 971638-SU
ISSUED:

COMMISSION STAFF'S REQUEST TO SUPPLEMENT
STAFF'S PREFILED DIRECT TESTIMONY

The Staff of the Florida Public Service Commission (Staff), by and through its undersigned counsel, hereby requests that the Prehearing Officer issue an Order allowing Staff to supplement its prefiled direct testimony, and in support thereof, states the following:

1. Pursuant to Order No. PSC-98-1737-PCO-SU, issued December 21, 1998, the controlling dates set forth in Order Establishing Procedure No. PSC-98-0470-PCO-SU were rescheduled and Staff's prefiled direct and exhibits were due to be filed on December 18, 1998, and rebuttal testimony and exhibits were due January 29, 1999.

2. Pursuant to Order No. PSC-98-1737-PCO-SU, Staff prefiled the Direct and Rebuttal Testimony of JoAnn Chase on December 18, 1998.

3. Pursuant to a Memorandum of Understanding between the Public Service Commission (PSC) and DCA, staff requested that the DCA provide comments to the PSC on Florida Water Services Corporation (Florida Water's) application to extend its territory. Attached as Exhibit JC-3 of Ms. Chase's testimony was a memorandum to Staff, dated March 6, 1998, from Mr. Charles Gauthier, a Growth Management Administrator in the Bureau of Local Planning with the Florida Department of Community Affairs (DCA).

4. Prior to the December 18, 1998 testimony date, Staff was unable to obtain direct testimony from the DCA on behalf of Staff with respect to the March 6, 1998 memorandum. Staff has now been able to obtain prefiled direct testimony from the DCA, which presents Mr. Gauthier's qualifications and sponsors and

authenticates the March 6, 1998 memorandum. A copy of the direct prefiled testimony has been attached hereto as Exhibit A.

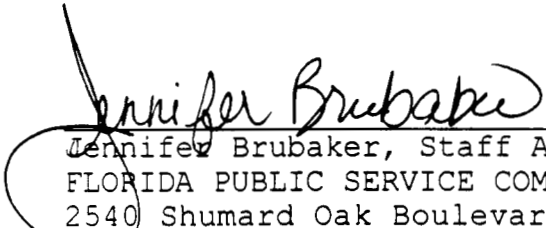
5. Staff believes that the attached testimony would serve an important role with respect to the development of the evidence in this case, and would be both meaningful and material to both the Commission and parties' evaluation of the evidence and Staff's position on the matters at issue in the hearing.

6. The allowance of Mr. Gauthier's testimony would be consistent with the provisions of the Memorandum of Understanding between the PSC and DCA.

7. Counsel for Staff has consulted counsels for Florida Water and the City of Longwood and is authorized to represent that Florida Water and the City of Longwood do not oppose this request.

WHEREFORE, the Staff of the Florida Public Service Commission requests that the Prehearing Officer issue an Order granting leave for Staff to file testimony supplementing its prefiled direct testimony in this case.

RESPECTFULLY SUBMITTED this 15th day of February, 1999.


Jennifer Brubaker, Staff Attorney
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Telephone No.: (850) 413-6199
Facsimile No.: (850) 413-6250

In re: Application for amendment
of Certificate No. 226-S to add
territory in Seminole County by
Florida Water Services
Corporation.

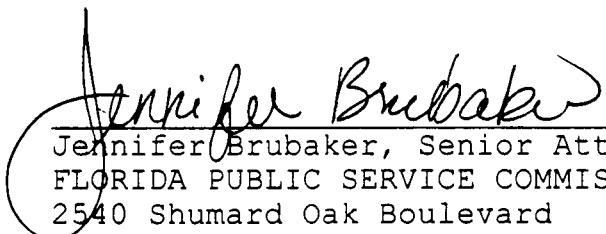
DOCKET NO. 971638-SU
ISSUED:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
has been furnished by U.S. Mail, this 15th day of February, 1999,
to the following:

Florida Water Services Corporation
c/o Matthew Feil, Esquire
1000 Color Place
Apopka, Florida 32703

City of Longwood
c/o Richard S. Taylor, Esquire
Post Office Box 1117
Longwood, Florida 32752-1117



Jennifer Brubaker, Senior Attorney
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Telephone No.: (850) 413-6199
Facsimile No.: (850) 413-6250

ATTACHMENT A
COMMISSION STAFF'S REQUEST TO SUPPLEMENT
STAFF'S PREFILED DIRECT TESTIMONY
DOCKET NO. 971638-SU

DOCKET NO.: 971638-SU - Florida Water Services Corporation

WITNESS: Direct Testimony Of Charles R. Gauthier, Department of
Community Affairs, on Behalf Of Staff of the Florida Public Service
Commission

DATE FILED: _____ __, 1999

1 DIRECT TESTIMONY OF CHARLES R. GAUTHIER

2 Q. WHAT IS YOUR NAME AND BUSINESS ADDRESS?

3 A. My name is Charles R. Gauthier, and my business address is 2555 Shumard
4 Oak Boulevard, Tallahassee, Florida 32399-2100.

5 Q. BY WHOM ARE YOU EMPLOYED AND WHAT IS YOUR POSITION?

6 A. I am employed by the Florida Department of Community Affairs (DCA) as
7 Growth Management Administrator in the Bureau of Local Planning. My
8 responsibilities include the review of comprehensive plans and developments
9 of regional impact within approximately one third of the state including
10 Seminole County. I supervise 17 professional planners. Approximately 120
11 comprehensive plan amendment packages are reviewed each year.

12 Q. HOW LONG HAVE YOU BEEN EMPLOYED WITH DCA?

13 A. I have been employed as Growth Management Administrator since October
14 of 1994. Previously I was employed by DCA for approximately two and one half
15 years.

16 Q. HOW LONG HAVE YOU BEEN EMPLOYED AS A PROFESSIONAL PLANNER?

17 A. I have been employed in the planning field since 1977 in the areas of
18 environmental regulation, comprehensive planning, development review and
19 growth management. A copy of my resume is attached as CRG-1.

20 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

21 A. Pursuant to the Memorandum of Understanding between the Public Service
22 Commission (PSC) and DCA, which is referenced in Ms. Chase's testimony, I
23 provided comments to the PSC on Florida Water Services Corporation (Florida
24 Waters)'s application to extend its territory. My comments were provided via
25 memorandum dated March 6, 1998. The purpose of my testimony is to

1 | authenticate the March 6, 1998 memorandum, which is attached as Exhibit CRG-2.

2 | Q. WAS THE MARCH 6, 1998 MEMORANDUM PREPARED BY YOU OR AT YOUR DIRECTION
3 | AND CONTROL?

4 | A. Yes, it was.

5 | Q. COULD YOU PLEASE SUMMARIZE YOUR COMMENTS REGARDING FLORIDA WATER'S
6 | APPLICATION?

7 | A. My comments are limited to the land use designation for the requested
8 | territory. The territory requested is an urban area with existing industrial
9 | land uses and an industrial future land use designation. Any expansion of
10 | that service would not contribute to urban sprawl or promote land uses which
11 | would be incompatible with existing land uses.

12 | Q. THEREFORE, IS IT YOUR OPINION THAT IT WOULD BE APPROPRIATE TO EXTEND
13 | CENTRALIZED SEWER SERVICE TO THIS AREA?

14 | A. Yes, it is.

15 | Q. DO YOU WISH TO COMMENT ON WHETHER FLORIDA WATER'S APPLICATION IS
16 | CONSISTENT WITH THE CITY OF LONGWOOD'S COMPREHENSIVE PLAN?

17 | A. No. The DCA defers to local governments to interpret their own
18 | comprehensive plans. My comments are not related to the City's interpretation
19 | of its comprehensive plan in any way.

20 | Q. DOES THAT CONCLUDE YOUR TESTIMONY?

21 | A. Yes, it does.

22 |

23 |

24 |

25 |

CHARLES R. GAUTHIER, AICP

1780 COPPERFIELD CIRCLE • TALLAHASSEE, FLORIDA 32312 • 850-894-2252

EXPERIENCE

FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

Growth Management Administrator, October 1994 to Present

Responsible for review of local governmental comprehensive plans, evaluation and appraisal reports, developments of regional impact and other planning documents within the areas of Northeast, East Central, Treasure Coast and Southwest Florida Regional Planning Councils. Responsible for drafting proposed legislation including optional sector plans and service as expert witness. Supervise 18 employees.

LEE COUNTY DIVISION OF ZONING

Zoning Manager, April 1990 to September 1994

Responsible for review of developments of regional impact, planned developments, rezonings, special exceptions and variances. Presented more than 300 cases to Hearing Examiner and Board of County Commissioners. Extensive experience with master planned communities, commercial centers, marinas and public facilities including Southwest Florida International Airport, Lee County Energy Recovery Plant and Florida Gulf Coast University. Supervised ten employees. (Position reclassified from Principal Planner in October 1993.)

WILSON, MILLER, BARTON AND PEEK, INC., NAPLES, FLORIDA

Senior Planner, June 1989 to April 1990

Responsible for land planning consulting including preparation and presentation of applications for developments of regional impact, planned developments, rezonings and site plan approval, assessments of site development potential, liaison with government and clients. Supervised one employee.

COLLEGE OF SOUTHWEST FLORIDA, NAPLES, FLORIDA

Instructor, April 1989 to June 1989

Responsible for teaching course "Familiarization with the Comprehensive Plan and Zoning Ordinance of the Unincorporated Area of Collier County."

COLLIER COUNTY GROWTH MANAGEMENT DEPARTMENT

Manager of Comprehensive Planning, December 1988 to June 1989

Responsible for formation of department and conduct of land use, transportation and technical planning. Supervised 13 employees.

COLLIER COUNTY PLANNING/ZONING DEPARTMENT

Chief of Long Range Planning, October 1985 to December 1988

Responsible for implementation of existing Collier County Comprehensive Plan and preparation of Growth Management Plan. Prepared Immokalee Area Master Plan. Supervised five employees.

FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

Planning Manager, Bureau of State Planning, August 1984 to October 1985

Assisted implementation of Resource Management Plans for Hutchinson Island, Charlotte Harbor and the Suwannee River including working closely with local governments on revisions to comprehensive plans and land development regulations. Supervised three employees.

FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

Planner II, October 1983 to August 1984

Assisted initiation of Kissimmee River Resource Planning and Management Committee and implementation of Green Swamp and Big Cypress Areas of Critical State Concern.

FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

Environmental Specialist III, Office of the Secretary, October 1981 to July 1983

Assisted agency responsibilities on broad range of environmental policy issues including use of pesticides, water quality standards, outstanding Florida waters and water management district programs.

FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

Environmental Specialist II, Office of Director of Environmental Programs, June 1980 to October 1981
Duties related to major initiative to eliminate surface water discharges from sewage wastewater treatment plants in Orange and Osceola Counties.

FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

Environmental Specialist I, Bureau of Water Management, November 1977 to June 1980
Duties related to state comprehensive planning, water management district planning, water quality planning, state public works program and legislative monitoring. Emphasis on south Florida water management.

EDUCATION

FLORIDA STATE UNIVERSITY

Master of Science, Geography, June 1976 to August 1977

Achieved Master of Science with specialization in spatial analysis of land use. The program of study was interdisciplinary and emphasized applicable skills including statistics, remote sensing, computer mapping, feasibility analysis, environmental hazards, environmental policy, planning legislation, transportation planning and environmental law. Graduate level courses completed in College of Business, College of Law and Departments of Urban and Regional Planning and Geography.

UNIVERSITY OF SOUTH FLORIDA

Bachelor of Arts, Geography, August 1972 to March 1976

Achieved Bachelor of Arts degree with emphasis on physical geography. Course work included meteorology, climatology, hydrology, physiography, geology, ecology, conservation, photo interpretation and cartography.

PROFESSIONAL AFFILIATIONS

MEMBER OF AMERICAN PLANNING ASSOCIATION SINCE 1986

MEMBER OF AMERICAN INSTITUTE OF CERTIFIED PLANNERS SINCE 1988



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

LAWTON CHILES
Governor

JAMES F. MURLEY
Secretary

MEMORANDUM

TO: Billie Messer and John Williams, Division of Water and Wastewater
Public Service Commission

FROM: Charles Gauthier, AICP, Growth Management Administrator
Department of Community Affairs
Bureau of Local Planning

DATE: March 6, 1998

SUBJECT: Public Service Utilities Expansion Application
Florida Water Services Corp., PSC Docket No. 971638-SU

The Florida Water Services Corporation has applied to the Public Service Commission to amend its water and wastewater certificate to include additional land area in its service territory. The area proposed for addition to the Florida Water Services service territory is located in the City of Longwood in Seminole County, as follows: The Florida Central Commerce Park, Longwood, Florida, Township 21 South, Range 30 East, Section 6, the southwest 1/4 of the southeast 1/4.

The area described above is an urban area with existing industrial land uses and an Industrial future land use designation. These facts have been verified with the planning staff of the City of Longwood.

The expanded service area would not contribute to urban sprawl or promote land uses which would be incompatible with existing land uses. The Department identifies no growth management issues related to the proposed expansion of the Florida Water Services Corporation service are as described above.

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 Internet address: <http://www.state.fl.us/comaff/dca.html>