STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199

RECEIVED-FPSC COMMISSION

# Hublic Service Commission

September 5, 2008

Mr. Wayne Forehand 1216 Arlinbrook Drive New Port Richey, FL 34655

FPSC, CLK - CORRESPONDE	NCE [
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DOCUMENT NO. 0963	0-04
DISTABILITIES	

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

and

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Forehand:

Enclosed is a copy of the Staff Recommendation filed in this matter on September 5, 2008. The Commission is expected to consider this Recommendation at its September 16, 2008, Agenda Conference which will be held in Room 148, Betty Easley Conference Center, in Tallahassee beginning at 9:30 a.m.

If you wish to attend, please arrive promptly at the beginning of the Agenda Conference, as we cannot state the exact time at which this item will be heard. You are welcome to come to this Agenda Conference and observe and/or participate in the discussion of this item. If you have any questions, please feel free to call me at (850) 413-6193.

Sincerely,

Jean E. Hartman Senior Attornev

JEH:th

Enclosure

cc:

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL MICHAEL G. COOKE
GENERAL COUNSEL
(850) 413-6199

DB SEP -5 PM 3: 33

# Hublic Service Commission

September 5, 2008

Mr. John H. Gaul 1120 N.W. 5<sup>th</sup> Avenue Delray Beach, FL 33444

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DOCUMENT NO. 09030-	07
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Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

and

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Gaul:

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Sincerely,

Jean E. Hartman Senior Attorney

JEH:th

Enclosure

STATE OF FLORIDA

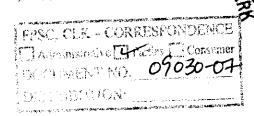


OFFICE OF THE GENERAL COUNSEL MICHAEL G. COOKE GENERAL COUNSEL (850) 413-6199

Hublic Service Commission

September 5, 2008

Brian P. Armstrong Nabors Law Firm c/o Florida Governmental Utility Authority 1500 Mahan Drive, Suite 200 Tallahassee, FL 32308



Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

and

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Armstrong:

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Sincerely,

Jean E. Hartman Senior Attorney

JEH:th

Enclosure

#### STATE OF FLORIDA

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF THE GENERAL COUNSEL MICHAEL G. COOKE GENERAL COUNSEL (850) 413-6199

Internet E-mail: contact@psc.state.fl.us

ommizzion Commos

# Hublic Service Commission

September 5, 2008

Richard Power 1534 Haverhill Drive New Port Richey, FL 34655

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

and

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. Power:

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Sincerely,

Jean E. Hartman Senior Attorney

JEH:th

Enclosure





OFFICE OF THE GENERAL C MICHAEL G. COOKE GENERAL COUNSEL (850) 413-6199



# Hublic Service Commission

September 5, 2008

Pasco Health Investors, LLC 4415 Pheasant Ridge Road, Suite 301 Roanoke, VA 24014

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DOCUMENT NO. 09030-0	57
DISTURBENDON'	

Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

and

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Pasco Health Investors:

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Sincerely,

Jean E. Hartman Senior Attorney

JEH:th

**Enclosure** 





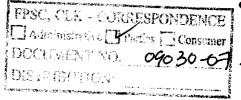
OFFICE OF THE GENERAL COUNSEL MICHAEL G. COOKE GENERAL COUNSEL (850) 413-6199

OB SEP -5 PH 3: 33

# Hublic Service Commission

September 5, 2008

Bruce May Holland & Knight Law Firm 315 South Calhoun Street, Suite 600 Tallahassee, FL 32301



Re: DOCKET NO. 060122-WU - Joint application for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

and

DOCKET NO. 060606-WS - Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order PSC-06-0270-AS-WU.

Dear Mr. May:

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Sincerely,

Jean E. Hartmar Senior Attorney

JEH:th

Enclosure

### State of Florida



RECEIVED-FPS Hublic Service Commission

08 FEB 22 PM Galtal Circle Office Center • 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

COMMISSION CLERK

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

760604

DATE:

February 22, 2008

TO:

Ann Cole, Commission Clerk - PSC, Office of Commission Clerk

FROM:

Roberta S. Bass, Assistant to Commissioner Edgar

RE:

Correspondence

Please place the attached correspondence in Docket Nos. 060122-WU and 060606-WS. Thank you.

cc:

Bill Garner Lorena Holley Larry Harris Bridget Groom

FPSC, CLK - CORRESPONDENCE
Administrative Parties Consumer
Administrative - 2030-07
DOCUMENT NO. 09030-07
DISTRIBUTION:

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006 email db\_design@hotmail.com

February 13, 2008

Lisa Polak Edgar Chairperson Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Ref: Aloha Utilities PSC Docket Nos 060122-WU and 060606-WU and Senator Fasano's presentation to the PSC Agenda Meeting on February 12, 2007

Dear Ms. Edgar,

You and your fellow commissioners should be ashamed of yourselves. You still do not get it ... Aloha plays the game well and has no intentions of honoring the PSC/OPC/Aloha/Customer agreement. We would be better off being in a deletion docket.

Please make sure this letter is posted on Aloha's dockets.

Sincerely,

Richard Power

Electronic Signature for Purposes of Expediting Response

RECEIVED

FEB 1 3 2009

Florida Public Service Commission COMMISSIONER EDGAR

#### **WARNING**

Florida - where the Governor, the PSC, and Pasco County Commissioners refuses to protect its citizens from Aloha Utility which provides an inferior water product.

1534 Haverhill Drive - New Port Richey, FL 34655 - (727) 376-7006 email db\_design@hotmail.com

February 19, 2008

RECEIVED

Commissioner Lisa Polak Edgar Florida Public Service Commission 2540 Shumard Oak Blvd.

Tallahassee, FL 32399-0850

FCB 2 1970

Fiorida Public Service Commission COMMISSIONER EDGAR

Ref: Docket No. 060122-WU - Joint petition for approval of stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

Dear PSC Commissioners,

First of all I would like to address the poor performance you showed at the Agenda meeting held on February 12, 2008. It is very apparent that you are not protecting the people in the Seven Springs area of Pasco County. You should be ashamed of yourselves!! The actions of the staff are appalling and should not be accepted by you.

This letter is to **PROTEST** your approval of the rate increase for Aloha Utilities.

My reasons are numerous, but I will only list a couple of the more important ones as follows:

- The rate was approved on estimated costs from Aloha which with a customer audit showed that Aloha submitted numerous invoices that were unrelated to the project.
- 2. The rate increase should have been on where the water is coming from rather than a blanket increase. We all know that Aloha is going to pump their wells to the maximum amount allowed and then supplement additional needs from Pasco County water. Aloha will know what is pumped from their wells and from Pasco County by day and by week so there should be two rates on our bill; one rate for water coming from their wells and one rate for water purchased from Pasco County. Why should the customer pay the Pasco rate for water coming from their wells? The bills should be adjusted monthly on our bill base on where the water comes from. Not a flat rate.
- 3. We will not be getting 'better water' because Aloha will still be pumping from their wells. So why should I pay more for water when Aloha has NOT solved their black, smelly, and unhealthy water problem. Aloha has no intension of complying with the PSC Agreement.
- 4. The staff continually ignores Aloha's customers who has proven Aloha is deceiving the PSC, staff, and the customers. And that the staff does whatever Aloha wants them to do or say.

#### WARNING

Florida - where the Governor, the PSC, and Pasco County Commissioners refuses to protect its citizens from Aloha Utility which provides an inferior water product.

#### Page 2 -- Protest to Aloha's Rate Increase -- Docket No. 060122-WU

I totally support Senator Fasano in his efforts to remove Aloha's territory. You need to listen to what thousands of the captive customers of Aloha have been telling you for over 15 years ... get rid of Aloha Utilities and work with Pasco County to acquire the utility.

Please make sure this letter is posted on Aloha's dockets.

Sincerely,

Richard Power

Electronic Signature for Purposes of Expediting Response

CC: Senator Fasano via email Florida Governor via email

Wayne Forehand via email

## \*\*CLK OFFICIAL DOCUMENT...\*\*

### Kimberley Pena

060606

From:

Kimberley Pena

Sent:

Friday, February 22, 2008 11:16 AM

To:

Jean Hartman Ann Cole

Cc: Subject:

RE: from an Aloha customer

FPSC, CLK - CORRESPONDENCE
FPSC, CLK - CONTROL Consumer  Administrative Parties Consumer
DOCUMENT NO. 09030-03
DOCUMENT NO. O
DISTRIBUTION:

Per this e-mail, we will place in the Parties Correspondence file in dockets 060122 and 060606.

----Original Message-----

From: Jean Hartman

Sent: Friday, February 22, 2008 11:12 AM

To: Kimberley Pena

Cc: Ann Cole

Subject: RE: from an Aloha customer

can you put in two dockets? 060606 and 060122 -----Original Message-----

From: Kimberley Pena

Sent: Friday, February 22, 2008 11:06 AM

To: Jean Hartman Cc: Ann Cole

Subject: FW: from an Aloha customer

Jean, could you identify the appropriate dockets? Thanks.

----Original Message-----From: Bridget Groom

Sent: Friday, February 22, 2008 10:00 AM

To: Ann Cole

Cc: William C. Garner; Roberta Bass; Lorena Holley; Larry Harris

Subject: FW: from an Aloha customer

Ann,

Can you place the following e-mail into the correspondence side of the record for the appropriate Aloha dockets. Thanks.

**Bridget Groom** 

----Original Message-----From: Nathan A. Skop

Sent: Wednesday, February 20, 2008 5:22 PM

To: Bridget Groom Cc: Mary Macko

Subject: Fw: from an Aloha customer

Please request the clerk to place the following e-mail into the correspondence side of the record for the

## \*\*CLK OFFICIAL DOCUMENT...\*\*

appropriate Aloha dockets. Thanks.

---- Original Message ----

From: wayne forehand < wayneforehand@verizon.net>

To: Nathan A. Skop

Sent: Wed Feb 20 12:22:33 2008 Subject: from an Aloha customer

Commissioner

A little more background.

From: Wayne Forehand in Trinity Florida!

---- Original Message ----

From: wayne forehand <mailto:wayneforehand@verizon.net>
To: Steve Reilly OPC <mailto:reilly.steve@leg.state.fl.us>

Sent: Friday, October 19, 2007 8:54 AM

Subject: call to Mike Cooke

Steve

I talked with Mike Cooke yesterday afternoon. I reminded him that at the meeting Wednesday, we all kind of over looked the fact that Aloha reported being behind on purchasing the property for the booster station; was to be completed 1st week in August. Pasco and DEP permitting was to be completed by 1st week in September and booster station bid awards all done by 2nd week in Oct. We asked if the country water was on schedule and as I recall the reply was positive. Mike remembered it the same way and agreed to look into today.

It appears that other work on Anion is set up for further delays than the 10 months behind after 15 months in the project.

Also we should have a concern when something goes wrong with Anion; Aloha now has no where to go for technical support. As this settlement was prepared, the customers and I suspect that the PSC did not understand that David Porter was not technically competent to implement an Anion project. Aloha should have developed a back up, because in any new start up; we all know things go wrong and technical support is needed. Mike Cook will also look into this today?

Aloha has not updated their web site with new information on anion and the monthly bill arrived with a new

## \*\*CLK OFFICIAL DOCUMENT...\*\*

flyer on how to save water. I could sure save a lot of water if I did not need to flush the black out of the system so often. I also told him that Todd Brown of the PSC PR staff did not have the following quite right. "Aloha intends to update its Web site with the new time line and other information, Brown added. The company also might provide customers with project updates through billing inserts on a regular basis." Mike waffled on that a little.

We also discussed the need for Aloha to sell and that the PSC needs to encourage a sale to the county. Mike told me that the PSC only controls 4% of the water in the state of Florida. Perhaps a significant fine and consent order by the PSc would provide some encouragement. We need you help on that. The county is clearly foot dragging on a purchase and at this rate it will never happen. I now appears Ann H being a politician does not tell Gallagher to go get it done!

I expressed my concern that Troy Rendell of the PSC Staff does not appear supportive of the customers recognition of the inflated cost of chloramination being moved forward by Aloha.

We are eager to hear from the OPC water consultant before I push that too much further.

From: Wayne Forehand in Trinity Florida!

Kimberley Pena

060638

From:

Kimberley Pena

Sent:

Monday, December 31, 2007 3:13 PM

To:

'DAVIS.PHYLLIS'

Subject: RE: Name substitution

Per this e-mail, we will make the change in all active dockets. Thank you.

FPSC, CLK - CORRESPONDENCE

Administrative Previous Consumer

DOCUMENT NO. 09030-07

DISTRIBUTION:

Kimberley M. Peña Chief Deputy Commission Clerk Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 (850) 413-6770

From: DAVIS.PHYLLIS [mailto:DAVIS.PHYLLIS@leg.state.fl.us]

**Sent:** Monday, December 31, 2007 1:45 PM

To: Records Clerk

Subject: Name substitution

**PSC Clerk:** 

Please substitute Charlie Beck's name with J. R. Kelly. Mr. Kelly was appointed Public Counsel on November 20, 2007. Please contact me at 488-9330 if you have questions.

Thanks.

Phyllis W. Philip-Guide

### **Kimberley Pena**

## 060606

From:

Kimberley Pena

Sent:

Monday, December 31, 2007 3:13 PM

To:

'DAVIS.PHYLLIS'

Subject: RE: Name substitution

Per this e-mail, we will make the change in all active dockets. Thank you.

FPSC, CLK - CORRESPONDENCE ☐ Administrative ☐ Parties ☐ Consumer DOCUMENT NO. 09030-07 DISTRIBUTION:

Kimberley M. Peña Chief Deputy Commission Clerk Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 (850) 413-6770

From: DAVIS.PHYLLIS [mailto:DAVIS.PHYLLIS@leg.state.fl.us]

Sent: Monday, December 31, 2007 1:45 PM

To: Records Clerk

**Subject:** Name substitution

**PSC Clerk:** 

Please substitute Charlie Beck's name with J. R. Kelly. Mr. Kelly was appointed Public Counsel on November 20, 2007. Please contact me at 488-9330 if you have questions.

Thanks,

Phyllis W. Philip-Guide

#### **Ann Cole**

From:

Ann Cole

Sent:

Wednesday, December 12, 2007 2:09 PM

To:

Roberta Bass

Cc:

William C. Garner; Lorena Holley; Larry Harris; Bridget Groom

Subject: RE: from an Aloha Utilities customer

FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 09030 - 07

DISTRIBUTION:

Thanks Roberta.

This will be placed in the correspondence file today.

From: Roberta Bass

Sent: Wednesday, December 12, 2007 11:57 AM

To: Ann Cole

Cc: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom

Subject: FW: from an Aloha Utilities customer

Please place this correspondence in Docket No. 060606-WS. Thanks.

#### Roberta

Roberta S. Bass Chief Advisor to Chairman Edgar 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0854

Office (850) 413-6016 Fax (850) 413-6017

Email Roberta.Bass@PSC.STATE.FL.US

From: wayne forehand [mailto:wayneforehand@verizon.net]

Sent: Wednesday, December 12, 2007 8:48 AM

To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop

Cc: John - Chairman BWN Andrews: Steve Reilly OPC

Subject: from an Aloha Utilities customer

To: PSC Commissioners;

We really need your help to move along this long over due solution to the continuing Aloha Utilities poor customer service and water quality problem.

The below editorial appears in The Tampa Tribune, 12/12/07, The Pasco Tribune section, p2, Editorial. The editor understands and makes it clear that the best solution at this point is for the PSC to reinstitute territory-deletion proceedings against Aloha.

From: Wayne Forehand in Trinity Florida!

## Careful What You Wish For In Pursuit Of Aloha Utilities

Skip directly to the full story.

Published: Dec 12, 2007

The Tampa Tribune The Pasco Tribune section Editorial Published: Dec 12, 2007

It's understandable that state Sen. Mike Fasano and other officials want Pasco County government to purchase west-Pasco based Aloha Utilities. Customer service and water quality issues have plagued the utility for years, and dozens of orders by state regulators have failed to solve them, leaving customers frustrated and angry.

Indeed, the county's purchase of Aloha would bring local accountability, something that has been lacking, and Pasco Utilities has a very good track record of providing quality service and water. It would be a good fit.

But that doesn't mean it should happen, for several reasons.

Foremost, the county and taxpayers would be purchasing a utility that has failed to get its act together. Taxpayers—both local and statewide—should never be asked to pony up money to purchase an inferior product and, at the same time, reward its owner with millions of dollars. That's what would happen if the county purchased Aloha Utilities at this point.

Money and willingness on the part of Aloha are other issues. The utility hasn't even agreed to sell, and it's hard to believe it would be satisfied with only the \$6 million that Fasano and other legislators plan to seek in the next legislative session.

How much should taxpayers be expected to pay? Considering Aloha's record, \$6 million is excessive. And county officials should not expose taxpayers to further debt to purchase it. They have more pressing issues, such as addressing transportation deficiencies and solid-waste disposal issues.

Because Aloha has a long history of playing hardball with Fasano and the state Public Service Commission, which regulates it, it's a safe bet it will seek to extract every cent from taxpayers that it can. The utility's vow to fight any effort by the state to yank its franchise and turn its Seven Springs service area over to the county—still a possibility—only reinforces that taxpayers could be exposed to a bad business deal.

Fasano, the driving force behind a county purchase, and other supporters of the possible purchase have very good intentions: to finally give customers the relief that state regulators have failed to produce. But that relief should not come at the expense of all taxpayers, who would be taking on a headache that previously had been experienced by a relatively small number.

This isn't to suggest that a county purchase should never be pursued. But the

best solution at this point is to reinstitute territory-deletion proceedings against Aloha, which Fasano has requested, and for county officials to try to take over local utility regulation now handled by the PSC, which state law allows.

#### **Ann Cole**

From:

Ann Cole

Sent:

Wednesday, December 12, 2007 1:54 PM

To:

Lorena Holley

Cc:

Kay Posey

Subject: RE: from an Aloha Utilities customer

FPSC, CLK - CORRESPONDENCE ☐ Administrative ☐ Parties ☐ Cons

Thank you for this information. This will be placed in the Correspondence file for Docket Nos. 060606-WS and 060122-WS today

From: Lorena Holley

Sent: Wednesday, December 12, 2007 10:17 AM

To: Ann Cole Cc: Kay Posey

Subject: FW: from an Aloha Utilities customer

Ann - Please file the attached e-mail from Mr. Forehand in Docket Nos. 060606-WS and 060122-WS.

Thank you.

Lorena A. Holley Chief Advisor to Commissioner McMurrian Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 (850) 413-6040 (telephone) (850) 413-6023 (facsimile) (850) 273-0633 (mobile) lorena.holley@psc.state.fl.us

From: Katrina McMurrian

Sent: Wednesday, December 12, 2007 10:08 AM

To: Lorena Holley

Cc: Michael Cooke; Mary Bane

Subject: FW: from an Aloha Utilities customer

From: wayne forehand [mailto:wayneforehand@verizon.net]

Sent: Wednesday, December 12, 2007 8:48 AM

To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop

Cc: John - Chairman BWN Andrews; Steve Reilly OPC

Subject: from an Aloha Utilities customer

To: PSC Commissioners;

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This isn't to suggest that a county purchase should never be pursued. But the best solution at this point is to reinstitute territory-deletion proceedings against Aloha, which Fasano has requested, and for county officials to try to take over local utility regulation now handled by the PSC, which state law allows.

FPSC, CLK - CORRESPOND

☐ Administrative ☐ Parties ☐ Con

**DISTRIBUTION:** 

#### **Ann Cole**

From:

Ann Cole

Sent:

Tuesday, December 11, 2007 9:04 AM

To:

Lorena Holley

Cc:

Kay Posey

Subject: RE: from an Aloha Utility customer

Thank you for this email.

Unless otherwise instructed, it will be placed in the correspondence file for Docket No. 060606-WS.

From: Lorena Holley

Sent: Tuesday, December 11, 2007 8:48 AM

To: Ann Cole Cc: Kay Posey

Subject: FW: from an Aloha Utility customer

Ann - Please file the attached e-mail from Mr. Forehand in Docket No. 060606-WS.

Thank you.

Lorena A. Holley Chief Advisor to Commissioner McMurrian Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 (850) 413-6040 (telephone) (850) 413-6023 (facsimile) (850) 273-0633 (mobile) lorena.holley@psc.state.fl.us

From: wayne forehand [mailto:wayneforehand@verizon.net]

Sent: Saturday, December 08, 2007 8:56 AM

To: Nathan A. Skop; Nancy Argenziano; Matthew Carter; Lisa Edgar; Katrina McMurrian

Cc: Steve Reilly OPC; Mike Fasano; John - Chairman BWN Andrews

Subject: from an Aloha Utility customer

To: PSC Commissioners

This week. Aloha Utilities, at the last minute, again refused to allow an independent water consultant hired by the Office of Public Counsel to review and assess the validity of their water chloramination installation prior to the January 29th PSC Agenda Conference rate increase. How can the PSC allow this refusal when independent assessment is so essential? We all should wonder what this utility is hiding?

We also wonder how long this shameful utility with never-ending dependence on their legal group will be allowed to fool the state agencies.

The following article in the Tampa Tribune is forwarded for your information.

From: Wayne Forehand in Trinity Florida!

## **County May Lack Money For Aloha**

Skip directly to the full story.

By CHRISTIAN M. WADE The Tampa Tribune

Published: Dec 8, 2007

NEW PORT RICHEY - To hear the politicians tell it, Aloha Utilities is up for grabs.

In recent weeks, a flurry of movement from state lawmakers has seemed to indicate that Pasco County officials are nearing a deal to buy the private tap water and wastewater provider, one of several utilities they have been eyeing for possible acquisition.

Leading the charge is Sen. Mike Fasano, R-New Port Richey, an Aloha customer and longtime critic who, two weeks ago, asked the Florida Public Service Commission to turn the utility's service area over to the county.

And Thursday night, Pasco's legislative delegation endorsed a bill that would, if approved by the Legislature and signed by the governor, provide \$6 million to the county as seed money to purchase New Port Richey-based Aloha.

Fasano called the company a "threat" to the environment and the health of its 25,000 customers.

"Aloha is one of the worst corporations in this country," the Republican lawmaker said.

Thing is, there's no indication that Aloha is even interested in selling its franchise or, for that matter, whether the county could afford the multimillion-dollar price tag.

Aloha President Steve Watford has declined to comment on the issue and previously pledged to fight attempts by the state or county to take over his franchise.

County Commissioner Ann Hildebrand said she and other senior county officials met with Watford several weeks ago to discuss their interest in acquiring his company. Aloha made no commitments during that meeting, she said.

"The best of all worlds is a willing seller and a willing buyer," Hildebrand said. "We're not there yet. They told us that they would get back to us, but we haven't heard from them."

The \$6 million in seed money wouldn't go far in buying the utility, she said. And Hildebrand doubts the

allocation will even make it to the governor's desk.

John Wharton, Aloha's attorney, said Thursday night that the efforts by state lawmakers to intervene are hurting the discussions between Aloha and the county.

"It's not helpful," he said.

Wharton also took issue with the wording of Fasano's legislation.

"I have never seen a bill with this kind of language," Wharton told the delegation. "It would probably be libelous if it were not for the protection that the body that you all serve on has."

County officials have pushed for years to tie small utilities into regional water systems amid complaints from customers about poor water quality and service, and high rates.

In 2001, Pasco County Utilities Services - which pumps an average of 20 million gallons of water a day to about 100,000 residents - looked at buying 14 local utilities, including Aloha. But after months of negotiations, the agency managed to acquire only three of them.

Aloha customer John Andrews said he supports the county's efforts to buy the water provider.

"It's time for bold new actions by our government to end the suffering," he told the legislators. "The key words are deletion, removal and acquisition."

#### **Ann Cole**

From:

Ann Cole

Sent:

Friday, November 30, 2007 5:54 PM

To:

Roberta Bass

Cc: Subject: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom; Michael Cooke

RE: From an Aloha Utilities customer

Thanks Roberta.

This will be placed in the Correspondence file for Docket No. 060606-WS.

----Original Message----

From: Roberta Bass

Sent: Friday, November 30, 2007 3:06 PM

To: Ann Cole

Cc: William C. Garner; Lorena Holley; Larry Harris; Bridget Groom; Michael Cooke

Subject: FW: From an Aloha Utilities customer

Please file in Docket No. 060606-WS. Thank you.

Roberta

Roberta S. Bass Chief Advisor to Chairman Edgar 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0854

Office (850) 413-6016 Fax (850) 413-6017

Email Roberta.Bass@PSC.STATE.FL.US

FPSC CLK - CORRESPONDENCE

Consumer DOCUMENT NO 09030-07

DISTRIBUTION

---- Original Message -----

From: wayne forehand <wayneforehand@verizon.net>

To: Katrina McMurrian; Lisa Edgar; Matthew Carter; Nancy Argenziano; Nathan A. Skop

Cc: Steve Reilly OPC <reilly.steve@leg.state.fl.us>; Charles Beck; Jim Wilder

<poywatch@verizon.net>; Mike Fasano <FASANO.MIKE.S11@flsenate.gov>

Sent: Fri Nov 30 12:20:28 2007

Subject: From an Aloha Utilities customer

To: PSC Commissioners,

I received the following note (referring to the Tampa Tribune article this morning which is printed at the bottom) from a long time friend who lives in an adjacent subdivision with water and waste water provided by Aloha. This note reflects the continued inappropriate customer relations, problems and inaction by Aloha utilities. I share this note because we continue to seek the punitive action against this utility as promised to the customers, if the utility delayed, by Sr. Attorney Rick Melson in March of 2005 at a public meeting before 150 customers. When asked what happens if Aloha delays as they have for so many years, PSC Sr. Attorney Melson told us that if the Utility delayed the two year implementation of Anion, the PSC would have a good case for deletion of their territory and would proceed.

To add insult to the customers, the Aloha Utility management is still on their extended Thanksgiving vacation rather than working towards a much needed solutions. The customers who have gone "the extra mile" are still seeking relief after 14 years from this shameful private utility which appears out of control.

"Wayne

I hope this happens, but Aloha is a tough customer and may not sell unless Roy Spears

passes away. They can't seem to see the writing on the wall. It is even tougher to deal with them in my subdivision because they insisted on us using a third party billing company instead of them reading the meters and dealing with us. We have already had their sewers back up twice at our house.

Jim & Betty Wilder"

> comply with a

From: Wayne Forehand in Trinity Florida!

The following article appears in The Tampa Tribune 11/30/07, The Pasco Tribune section, pl.

John Andrews BWN Chairperson

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County May Get $6 Million To Purchase Aloha Utilities
 FRANCHISE CALLED 'THREAT' TO CLIENTS, ENVIRONMENT
>
> PROPOSAL TO PURCHASE ALOHA UTILITIES (On problems with the
> franchise) - "The utility's lack of a working customer service program
> and lack of responsiveness . . . has created a breakdown."
> By CHRISTIAN M. WADE
> The Tampa Tribune
> Published: Nov 30, 2007
> NEW PORT RICHEY—A bill being considered by Pasco legislators would
> provide
> million in state funding for the county to purchase Aloha Utilities.
> Proposed by state Sen. Mike Fasano, an Aloha customer and critic, the
> legislation also would require county commissioners to issue bonds to
> cover the remaining cost of acquiring the New Port Richey-based water
> and wastewater provider.
> The state money, to be used as collateral for a county government
> loan, would be provided by the Florida Department of Environmental
> Protection.
> A draft of the legislation calls Aloha a "threat" to the environment
> and its customers.
> "The utility's lack of a working customer service program and lack of
> responsiveness to customer complaints has created a breakdown in trust
> that is irreconcilable," the proposal reads.
> Aloha serves about 25,000 households in Seven Springs and Trinity and
> is one of several private providers that county officials have been
> eyeing for possible acquisition.
> Whether Aloha is even interested in selling its franchise is not yet
> known. A spokeswoman for Aloha president Steve Watford couldn't be
> reached for comment Thursday.
> The company's legal representatives have said they would challenge any
> attempts by state officials to remove the utility's franchise and turn
> over its service area to the county.
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> Fasano, R-New Port Richey, also has asked the state Public Service > Commission to remove Aloha's area, arguing the utility has failed to

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> 2006
> settlement with its customers that's aimed at resolving more than a
> decade of water quality issues.
> So far, state regulators have not moved forward with the "deletion of
> territory" process.
> If Pasco's nine-member legislative delegation approves the Aloha bill,
 it would have to be passed by the state House of Representatives and
> Senate next year, then signed by Gov. Charlie Crist.
> The legislation is one of four local bills to be voted on at next
> week's legislative delegation meeting chaired by state Rep. John Legg,
> R-Port Richev. The others are:
> • A bill aimed at reducing sinkhole insurance rates in Pasco. Legg's
> proposal would require the Florida Office of Insurance Regulation to
> take into account county sinkhole ordinances when it approves rates
> which, in theory, would force private insurers to lower premiums.
> • A tentative bill strengthening the county's building codes to
> require stronger foundations for all new construction. The legislation
> is aimed at reducing the number of sinkhole claims by improving
> housing standards and stock.
> • A repeal of a state law, approved in the 1970s, that requires
> special liquor licenses for restaurants in Pasco that can accommodate
> more than 200 customers and have more than 4,000 square feet.
> The delegation will meet from 6 to 8 p.m. Thursday in the performing
> arts center at Pasco-Hernando Community College, 10230 Ridge Road in
> New Port Richey.
> Reporter Christian M. Wade can be reached at (727) 815-1082 or
> cwade@tampatrib.com.
```

> http://www.tbo.com/pasco/MGBUQ003M9F.html

### Kimberley Pena

From:

Kimberley Pena

Sent:

Monday, November 26, 2007 10:11 AM

To:

Rosanne Gervasi

Subject: RE: DN 060606-WU (Aloha)

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	FPSC, CLK - CORRESPONDENCE	1
	Administrative Parties Consumer	
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Per this e-mail, we have changed OPC's status to Party of Record and added Mr. Reilly on the attention line.

From: Rosanne Gervasi

Sent: Monday, November 26, 2007 9:33 AM

To: Kimberley Pena

Cc: reilly.steve@leg.state.fl.us Subject: DN 060606-WU (Aloha)

Kim, please change OPC (Steve Reilly) to a party of record (from an IP) in the above-referenced docket. Thanks.

### Kimberley Pena





060606

From:

Kimberley Pena

Sent:

Friday, June 01, 2007 8:44 AM

To:

Rosanne Gervasi; Troy Rendell; Cheryl Bulecza-Banks

Cc:

Ruth McHargue

Subject: RE: John H. Gaul Address Update

Per this e-mail, we have added Mr. Gaul and Mr. Forehand as Interested Persons in Dkts. 060606 and 060122.

From: Rosanne Gervasi

Sent: Thursday, May 31, 2007 9:33 AM

To: Troy Rendell; Cheryl Bulecza-Banks; Ruth McHargue; Kimberley Pena

Subject: RE: John H. Gaul Address Update

Rather than a party of record, please include Dr. Gaul as an interested person in both of the below dockets, using his Delray address. Please also include Wayne Forehand as an interested person in both of these dockets. His info. is as follows:

Wayne Forehand 1216 Arlinbrook Dr. Frinity, FL 34655-4556

:el: 727 372 2104

Thanks!

From: Troy Rendell

**ent:** Thursday, May 31, 2007 8:16 AM

o: Cheryl Bulecza-Banks; Rosanne Gervasi; Ruth McHarque

iubject: RE: John H. Gaul Address Update

m not sure. Rosanne, see below.

luth.

lease include him as a party of record in both Docket No. 060606-WS and 060122-WU.

hanks.

rom: Cheryl Bulecza-Banks

ent: Thursday, May 31, 2007 8:07 AM

o: Troy Rendell

ubject: FW: John H. Gaul Address Update

ey Troy - Can you handle this? Has he been getting documents in the current dockets?

om: Ruth McHargue

:nt: Wednesday, May 30, 2007 2:59 PM

: Timolyn Henry

:: Matilda Sanders; Cheryl Bulecza-Banks

1/2007

Porloi km

Subject: FW: John H. Gaul Address





Not sure if this one goes to you. Mr. Gaul is requesting his address be updated. He is listed as a party of record on two closed dockets, 050018 & 020896.

Please advise.

Thanks, Ruth

From: Consumer Contact

Sent: Wednesday, May 30, 2007 1:03 PM

To: Ruth McHargue

Subject: FW: John H. Gaul Address Update

To CLK Aloha docket

From: John Gaul [mailto:jhgaul@gmail.com]
Sent: Wednesday, May 30, 2007 12:19 PM

**Fo:** Consumer Contact **Cc:** Walters, Tom

Subject: John H. Gaul Address Update

Dear Sir or Madam, I recently received a forwarded copy of a letter from Michael G. Cooke, General Counsel, to Messrs. Deterding and Wharton regarding the ...."current status of the parties' implementation of the March 9, 2006 settlement agreement"..... This is reference to the Aloha Utilities implementation of an agreement to install the Anion Exchange Process at their facilities in Pasco County.

wish to inform you of my change in mailing address. While I still own property in the Aloha Utility Service Area and vas and is a party to the agreement reached in March of last year, I am now residing in Delray Beach having recently narried. Could you please update my old mailing address to my new one as indicated below to ensure that I continue to eceive updates on this important matter.

)ld address:

ohn H. Gaul 633 Albacore Drive lew Port Richey, FL 34655

lew Address:

ohn H. Gaul 120 N.W. 5th Ave. elray Beach, FL 33444

lany thanks for your kind considerations.

hn H. Gaul

### Kimberley Pena

060606

From:

BECK.CHARLES [BECK.CHARLES@leg.state.fl.us]

Sent:

Thursday, April 05, 2007 8:37 AM

To:

Records Clerk

Subject: FW: Substitution of Counsel

I would like to request that you substitute Charles J. Beck, Interim Public Counsel, for Harold McLean in any docket where Harold's name appears. Harold retired from the state on March 8.

Thanks. Please call me at 487-8240 if you have any questions.

Charlie Beck

From: Kimberley Pena [mailto:KPena@PSC.STATE.FL.US]

Stephen C. Burgess

Stephen Burgess/Charles Beck

Sent: Wednesday, April 04, 2007 11:23 AM

To: BECK.CHARLES

)10492

)10503

Subject: RE: Substitution of Counsel

Mr. Beck, below is the list of active dockets in which OPC is a Party of Record or Interested person. I have included the names in the attention line for your convenience. If you would like to make changes to the attention line, please forward your request(s) to <u>Clerk@psc.state.fl.us</u> or you may fax it to 413-7118. Please let me know if I can be of any further nelp.

)41272	∠Harold McLean/Patricia Christensen
)41441	√Harold McLean/Rick Mann
)50374	ч H. McLean/C. Beck/P. Christensen
150958	√Harold McLean/Patricia Christensen
60038	/McLean/Beck/McGlothlin/Christensen
60122	Harold McLean/Stephen C. Reilly
60162	∠Harold McLean
60198	✓ Harold McLean
60253	✓ Harold McLean/Stephen Reilly
60256	√Harold McLean/Stephen C. Reilly
60257	Harold McLean/Stephen C. Reilly
60258	√Harold McLean/Stephen C. Reilly
60260	√ Harold McLean/Stephen Reilly
60261	✓ Harold McLean/Stephen Reilly
60262	∕Harold McLean/Stephen Reilly
50285	⊬Harold McLean/Stephen Reilly
50300	Harold McLean/Charles J. Beck
50368	Stephen C. Reilly
50598	√Harold McLean
50606	√Harold McLean

Harold McLean

✓ Harold McLean

Harold McLean

'Harold McLean/Charles J. Beck

Harold McLean/Patricia Christensen

P. Christensen/C. Beck/J. McGlothlin

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070183	Stephen C. Reilly

## **PARTIES**

Kim Peña Chief Deputy Commission Clerk

Officeof the Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Fallahassee, FL 32399-0850 (850) 413-6770

**From:** BECK.CHARLES [mailto:BECK.CHARLES@leg.state.fl.us]

Sent: Wednesday, April 04, 2007 10:25 AM

Fo: Kimberley Pena

Subject: Substitution of Counsel

(im, would you please send me a list of all pending dockets in which the Office of Public Counsel has ntervened?

hanks.

Charlie Beck

harles J. Beck Iterim Public Counsel

ffice of Public Counsel
11 West Madison Street, #812
allahassee, FL 32399-1400

el: 850-487-8240 ax: 850-488-4491

mail: beck.charles@leg.state.fl.us

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