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FCRU's Response to JEA's 3rd
Interrogatories Nos. 43-51, 53-59, 61-66, 68,
72, 80-89, 91-93

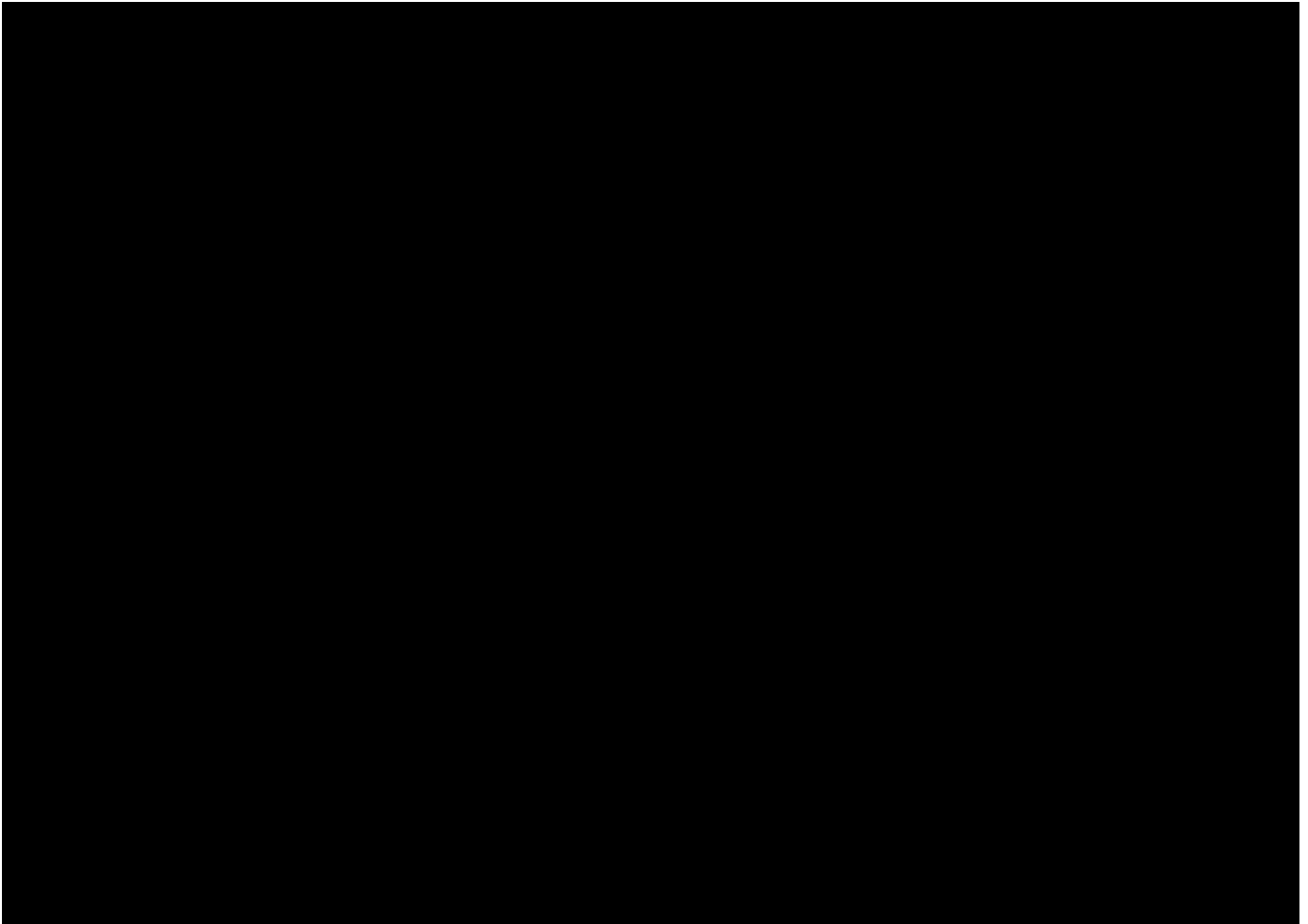
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

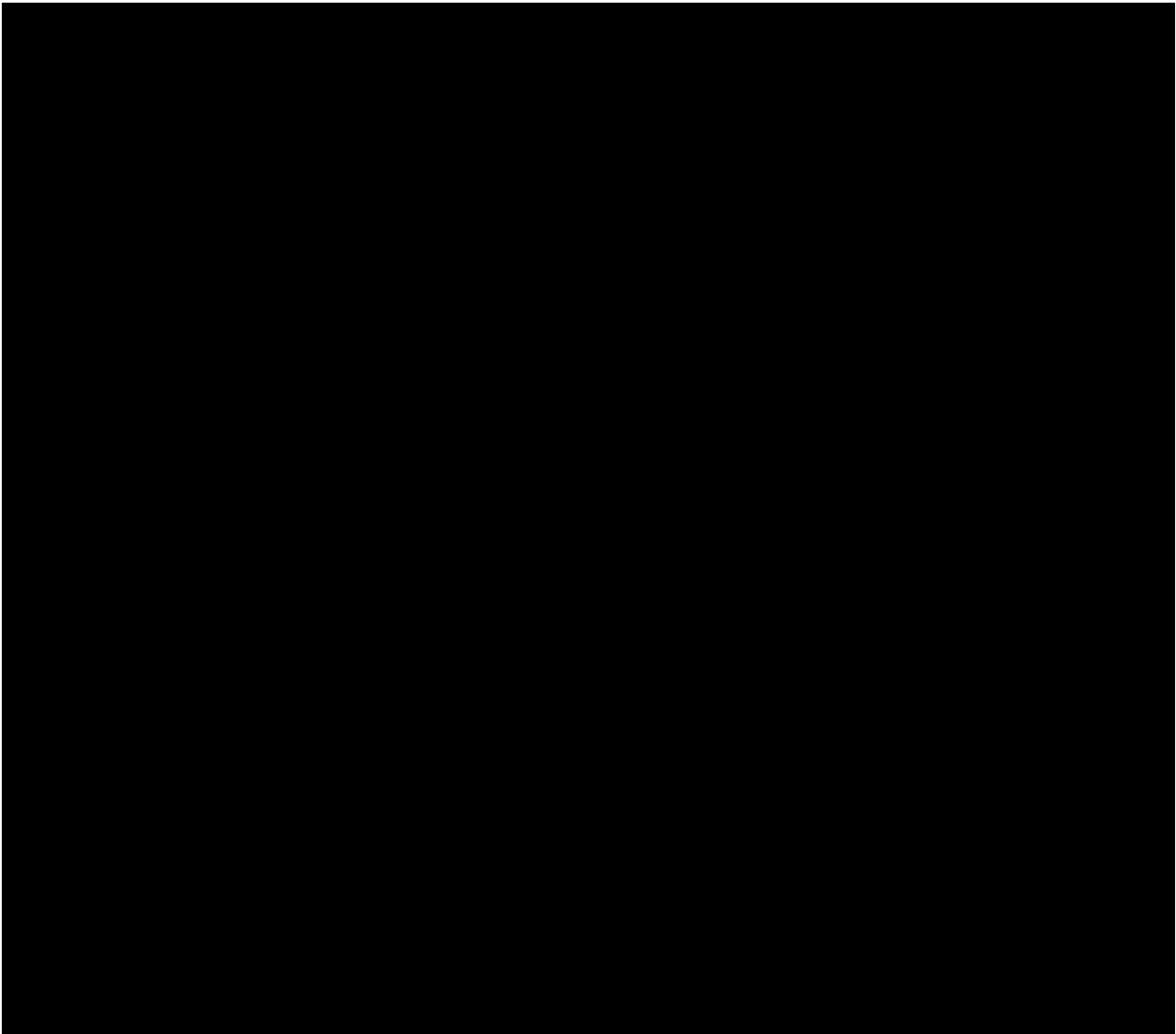
In re: Application for Original Certificate of)	DOCKET NO. 20190168-WS
Authorization and Initial Rates and Charges)	
for Water and Wastewater Service in Duval,)	FILED: October 9, 2020
Baker and Nassau Counties, Florida by)	
FIRST COAST REGIONAL UTILITIES,)	
INC.)	
)	

FIRST COAST REGIONAL UTILITIES, INC.'S RESPONSE TO
JEA'S THIRD SET OF INTERROGATORIES
TO FIRST COAST REGIONAL UTILITIES, INC.
(INTERROGATORIES 38-102)

Pursuant to rule 1.340, Florida Rules of Civil Procedure, and the Order Establishing Procedure, First Coast Regional Utilities, Inc. submits the following responses to JEA's third set of interrogatories.

RESPONSES TO INTERROGATORIES





43. Please identify the water/wastewater treatment facilities identified in Beaudet's Rebuttal Testimony, on page 3, lines 16-19, that constitute the "scores of combined water/wastewater treatment facilities in Florida, private and public, which are 4.0 MGD or greater located on far less than the 40-acre site proposed for First Coast Facilities."

Response: In Mr. Beaudet's 45 years of professional experience in Florida water and wastewater utilities in the 4-8 MGD size category, 40-acres of site footprint is the rule rather than the exception. The primary reason that a utility of this size would have a site over 40-acres is if the utility was using reclaimed water to irrigate on their own land. Such

is not the case with FCRU. FCRU's reclaimed water will be provided in bulk to an unregulated irrigation utility which will irrigate common areas within the development. Attached Exhibit-1 shows examples of water/wastewater utilities which have footprints of 40-acres or less, urban, suburban, or rural. All the utilities listed in Exhibit-1 provide both water and wastewater treatment.

44. Please explain, in detail, how the St. Johns River Water Management District's recently issued and/or modified consumptive use permits will "result in an even lower per capita demand and free up additional capacity for future development beyond the entitled area and Chemours," as stated at page 4, lines 2-5 in the Beaudet Rebuttal Testimony.

Response: It is common knowledge that the St. John's River Water Management District's policy is to reduce the per capita demand of water supply systems throughout the District. There have been several attempts by the District over the past few years to reduce the allowable quantity of water in *existing* permits, attempts that have been so far successfully resisted by JEA and other utilities within the District. The primary driver for this policy is to reduce overall demand on the Floridan Aquifer in North and North Central Florida to maintain minimum flows and levels (MFLs) in the protected springs and environmentally sensitive waters within the District. Moving forward, the District is required to adopt strict MFLs by Legislative Mandate (FAC 373.042) and to conform to the uniform rules of the Central Florida Water Initiative. The District's own adopted rule 40C-8.011 states in its Policy and Purpose: (1) This chapter establishes minimum flows and levels for surface watercourses and minimum levels for groundwater at specific locations within the St. Johns River Water Management District. (2) Where appropriate, minimum flows and levels may reflect seasonal and long-term variations and may include a schedule of variations and

other measures appropriate for the protection of non-consumptive uses of a water resource.

(3) In establishing minimum flows and levels, the Governing Board shall use the best information and methods available to establish limits which prevent significant harm to the water resources or ecology. The Governing Board will also consider, and at its discretion provide for the protection of non-consumptive uses, including navigation, recreation, fish and wildlife habitat, and other natural resources. (4) Where a minimum flow has been established for a specific watercourse or a minimum level has been established for a specific surface water body, the flow or level is expressed as a fluctuation regime which will include a series of minimum flows or levels reflecting a temporal hydrologic regime that will prevent significant harm to water resources or ecology. (5) Minimum flows and levels prescribed in this chapter are used as a basis for imposing limitations on withdrawals of groundwater and surface water for reviewing proposed surface water management and storage systems and stormwater management systems, and for imposing water shortage restrictions. The limitations and review criteria are prescribed in other rule chapters of the District.

FCRU fully anticipates that to obtain a Consumptive Use Permit (CUP) for its development, a plan must be shown to minimize per capita demand. The JEA is itself in danger of surpassing its CUP unless immediate actions are taken to reduce its per capital demand and/or increase significantly its alternative water supply, specifically reclaimed water.

45. Please identify the “numerous private water/wastewater utilities in Florida that rebut Mr. Zammataro’s” comments regarding private utilities, as stated at page 5, line 4 of the Beaudet Rebuttal Testimony.

Response: In addition to Ave Maria and Seacoast Utility, which Mr. Beaudet described as exemplary private utilities rebutting Mr. Zammataro's comments, there are many other examples of private or non-profit cooperative utilities which are constructed and/or operated in an exemplary manner that would not require intervention of a larger public utility to meet high standards of operation. Attached as Exhibit-2 is a list of utilities in the exemplary category. A portion of the data in Exhibit-2 was provided by the Florida Rural Water Association.

46. The Beaudet Rebuttal Testimony references Seacoast Utilities at page 5, lines 11-17. For how long did Seacoast Utilities operate as a private utility?

Response: Thirty-three (33) years from July 1955-August 1988.

47. Please explain in detail the circumstances relating to the Ave Maria Utility Company that make it "remarkably close in situational circumstances to First Coast" as stated at page 6, lines 8-9 in the Beaudet Rebuttal Testimony.

Response: There are several circumstances. First, both are greenfield utilities formed to provide water/wastewater/reclaimed water service to greenfield developments of approximately the same size. Second, the sizes of the developments and the absorption rates are similar. Exhibit-3 shows Ave Maria's absorption rates in ERC's (historical and future proposed). FCRU's proposed absorption rate has already been provided to JEA. Third, in negotiations with Collier County, the County could not have served the Ave Maria development without constructing a regional plant which the County did not have in its capital plan and had not identified funding for, a similar circumstance to Option 2 contained in JEA's Rebuttal Testimony.

48. Please provide in detail the sizes of the Ave Maria Utility Company development in Collier County and the details of the cost to connect to the Collier County Utilities, as referenced at page 6 lines 10-11 of the Beaudet Rebuttal Testimony.

Response: Exhibit-3 in response to Interrogatory 47 contains the details of the size of the development served by Ave Maria Utility Company. Mr. Beaudet does not have personal knowledge of the details of the cost for Collier County Utilities to connect to the Ave Maria development. Mr. Beaudet does know that Collier County did not object to AMUC's Certificate of Service because they agreed that they could not serve the development economically or in a timely manner.

49. Please provide a comparison of the size of the water/wastewater system in the Ave Maria Utility Company development to the size proposed to be served by FCRU.

Response: The size of the water/wastewater/reclaimed water system for FCRU has been detailed in the Feasibility Assessment for First Coast Regional Utilities, Inc. dated April 2019 which is appended to FCRU's initial application for a Certificate of Service. Attached Exhibit-4 shows the details of the current and future planned size of AMUC's system.

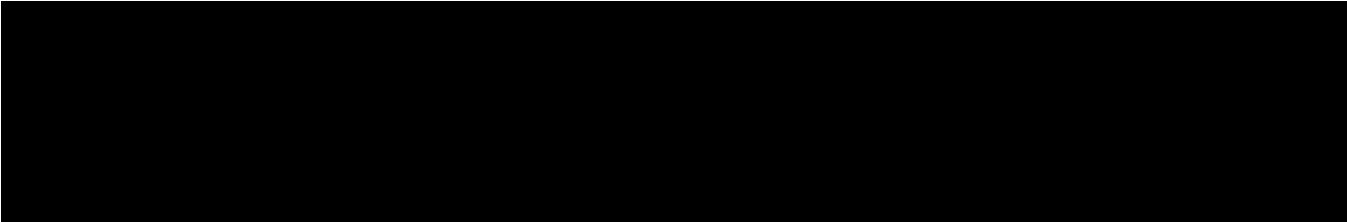
50. Please provide the facts upon which Mr. Beaudet bases his claim that the JEA pipelines "do not have capacity to meet FCRU's ultimate demand," as referenced on page 7, lines 16-17 of the Beaudet Rebuttal Testimony.

Response: JEA's closest and only realistic water and wastewater lines to connect to FCRU's proposed utility facility are over 7-miles away on Normandy Blvd. The water line is a 20" line and the wastewater line is a 16" line. Without doing a specific hydraulic analysis, it is Mr. Beaudet's professional opinion that lines of this size are not capable of delivering 4 MGD of water capacity and a concomitant 3.2 MGD of wastewater capacity

to and from FCRU. This is particularly true since JEA's service area, according to its website, covers the entire area West of the Point of Connection to US Route 301 and South of Normandy Boulevard. There is significant, potential development between and South of the Point of Connection on Normandy Boulevard which would also have to be served in the future.

51. Who are the "third-party developers" referred to on page 8, lines 23-25 of the Beaudet Rebuttal Testimony?

Response: Many national, statewide, regional, and local developers (most of whom would be readily recognizable to JEA) have expressed interest in buying land for development from 301 Capital Partners. These developers are waiting on the sidelines until the water and wastewater utility issue is decided. 301 Capital Partners considers the names of these developers to be confidential business information.



53. With respect to page 13, lines 8-12 of the Beaudet Rebuttal Testimony, please identify what municipal or county system(s) Mr. Beaudet is personally familiar with, other than Palm Beach County, and state with specificity what personal knowledge Mr. Beaudet has of each system.

Response: Mr. Beaudet has been working in the utility engineering management field since 1976. Below is a partial list of the work he has performed:

1. City of Arlington, Texas – process design for their WTP expansion.
2. Okeechobee County, Florida – treatment process optimization for their WTP.

3. City of Tampa – process design for their WTP expansion.
4. City of Pembroke Pines, Florida – assisted in design of a new WTP.
5. City of Cooper City, Florida – process design of their new R/O WTP.
6. Miami-Dade Water and Sewer Department – WTP treatment process optimization, project direction of a deep injection well for treated wastewater and production of a white paper on sewer collection system lateral lining for infrastructure rehabilitation.
7. City of Delray Beach, Florida – facilitated workshop on organizational development and utility efficiency.
8. Los Angeles, California Water and Power – project direction for environmental restoration of Owens Lake reservoir.
9. East Bay Municipal Utility District, Oakland, California – facilitator for their 2001 Strategic Plan and project director for a seismic upgrade to a 100-mile raw water aquaduct.
10. City of Albuquerque, New Mexico – facilitator to their 2001 Strategic Plan, project director for their Integrated Water Resources Plan and process design of a new surface WTP.
11. City of El Paso, Texas – facilitator for their 2002 Strategic Plan.
12. Village of Palm Springs, Florida – Interim Director of Public Works, including their water/wastewater utility.
13. City of West Palm Beach, Florida – Interim Assistant Director of Public Utilities, directed a consulting engineering team in the development of 10-year Capital Plan, developed and managed temporary sludge dewatering process during construction of a

new biosolids system for the East Central Water Reclamation Facility, and facilitated a workshop on public utilities Asset Management.

14. City of Riviera Beach, Florida – senior engineer and utility consultant. Negotiated Consent Orders with the South Florida Department of Environmental Protection and the Palm Beach County Health Department, developed a Capital Plan to respond to the regulatory enforcement, and guided procurement of engineering and construction service including writing scopes of work and engineering contracts.

54. Please state the basis for Mr. Beaudet’s claim on page 13, lines 11 -13 of the Beaudet Rebuttal Testimony, that “Palm Beach County Utility’s process was very efficient compared to other municipalities or counties where the process can take much longer.”

Response: Palm Beach County Water Utilities Department’s (PBCWUD) Capital plan ranged from \$50 - \$175 million per year during his tenure. In order to deliver the hundreds of projects involved, PBCWUD adopted a series of policies that made the procurement and delivery process much more efficient than that of most public utilities:

1. Design consulting engineers were selected according to CCNA once every three years for each category of projects – Water Treatment, Wastewater Treatment, Water Resources, Facilities, etc. As major projects arose, they were assigned to these pre-selected engineers reducing the 3-6 months often required to select and place under contract design engineers for such projects.
2. Significant effort was placed cooperatively between PBCWUD, the County Procurement Department and the County Attorney’s Office to develop highly standardized engineering and construction contracts. These contracts were published

on the County's website and served as a guide for selected engineers and contractors to expedite contract negotiation.

3. PBCWUD staff were highly organized and given specific benchmarks for response time to every aspect of project delivery to expedite the work of the engineers and contractors.
4. PBCWUD has a fully functional Asset Management Program which makes detailed information available to design engineers and contractors helping to speed their project delivery.

During Mr. Beaudet's tenure at PBCWUD, the utility received the Association of Metropolitan Water Agencies Platinum Award for Sustained Competitiveness Achievement.

55. Please state with specificity Mr. Beaudet's personal knowledge regarding JEA's process for building water and/or wastewater infrastructure.

Response: During Mr. Beaudet's tenure as PBCWUD's Director, he was personally highly involved at the state level of the American Waterworks Association, the Water Environment Federation, the American Society of Civil Engineers and the Florida Engineering Society, participating in numerous committees, attending conferences and seminars. Members of JEA staff also attended many of these meetings and conferences during which engineers and utility staff present and discuss their projects. During networking events and other informal times, project specific issues, bureaucratic obstacles and other project details are also discussed. Mr. Beaudet became aware of many issues that affected JEA's project delivery process. He is not aware of any major JEA projects that were presented or discussed that were expedited or even delivered in a particularly

timely manner. Also, from June-December 2003, Mr. Beaudet was Florida Manager for the engineering firm, CH2M Hill, and assisted their Jacksonville office in procuring and delivering several major engineering projects for JEA.

56. Please identify the law referenced in the statement on page 13, lines 17-18 of the Beaudet Rebuttal Testimony which states “under Florida law, no money can be spent on a major project without being funded in the utility’s budget.”

Response: See Florida Constitution, Article 7, Section 1(d) *et seq.*, and Sections 216.221 *et seq.*, Florida Statutes, requiring balanced budgets for the state, agencies, and counties.

57. Page 13, line 17 to page 14, line 17 of the Beaudet Rebuttal Testimony references steps necessary for getting a new water or wastewater plant approved, budgeted, and constructed and the time frame for each step. Please identify the specific projects or information on which Mr. Beaudet relied for each time frame given for each step identified.

Response: As described in Mr. Beaudet’s response to Interrogatories 57 and 62, the steps necessary for getting a new water or wastewater treatment plant approved, budgeted, and constructed are prescribed by Florida Statutes and Rules, as well as the JEA Procurement Code. The time frames described in Mr. Beaudet’s Rebuttal Testimony are typical time frames based on his 45+ years as a utility engineer and manager, during which he participated in all these steps many times. Obviously, the time frames are variable and based on two primary factors: the complexity of the project and the level of political support or opposition to the project.

58. Please identify the projects or information with which Mr. Beaudet has personal knowledge with regard to JEA’s processes for major utility infrastructure projects.

Response: In 2003, Mr. Beaudet served as Florida Manager for the engineering firm CH2M Hill, which had an office in Jacksonville. Mr. Beaudet had the responsibility of overseeing a major wellfield modelling, drilling and installation project, as well as several minor projects. He is also aware of the JEA wastewater treatment plant expansion project in St. John's County, the Black Ford WWTP. This plant was short on capacity for nearly 15 years. An expansion was planned prior to the 2008 recession and therefore reasonably delayed. When growth started to pick up in 2010-11, the expansion was resumed and work on design began again. JEA was so far behind on plant construction that they had to move a small package rim steel plant in to provide enough capacity to avoid a moratorium. Construction resumed on the larger expansion and was finally completed in 2017.

59. Please state the factual basis for Mr. Beaudet's claim on page 14, lines 22-25 of the Beaudet Rebuttal Testimony that "CSX has a reputation across Florida in delaying permits."

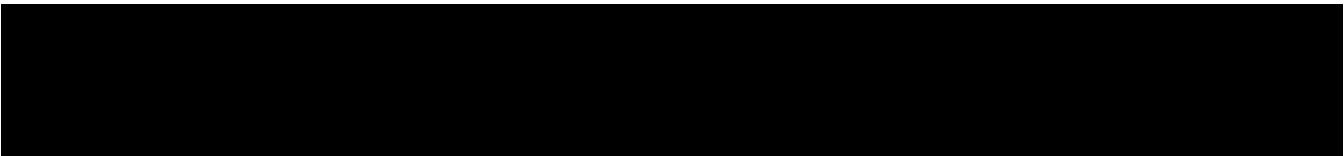
Response: In Mr. Beaudet's experience as a utility engineer and manager in Florida for 45+ years, obtaining an underground crossing permit from any railroad is a major headache to be avoided wherever possible. Crossing permits are issued solely at the discretion of the railroad. Each railroad has different, detailed and stringent design requirements in order to protect future rail traffic. Utility contractors are required to jack and bore a large casing under the tracks within which the desired pipelines are inserted. The time required for review of these permits depends on the staffing level of the railroad which never seems to be adequate. No priority is placed on such permits, nor is there any statutory requirement for timely review and issuance as there is for permits issued by state agencies.

A CSX permit that Mr. Beaudet personally signed on behalf of PBCWUD is a permit applied for by PBCWUD for a subsidiary CSX track involving a small wastewater force main and water main just South of the Pratt & Whitney facility in unincorporated Palm Beach County in 2005. The records for this permit have been retired; however, the permit required over 5-months to be issued.

Mr. Beaudet is also aware that Seacoast Utility Authority recently negotiated a contract with Florida Power & Light for their new operations center to be constructed in Palm Beach Gardens, Florida on land sold to FP&L by Seacoast. Provision of water and wastewater service to FP&L involved crossing the main CSX lines with a water main and force main. Seacoast was so concerned about liability for a delay in the timing of a CSX permit that the contract made FP&L responsible for the design and permitting of the crossing.

Another permit of which Mr. Beaudet is personally aware is an FEC Railroad crossing permit for a 3" low pressure force main inside an 8" casing at Silver Beach Road in Lake Park, Florida. It was applied for by Seacoast Utility Authority under Blanket Agreement 293-4-0, subfile 293-3620. The permit was applied for on April 4, 2018 and it was approved on January 9, 2019, a full 9-months later.

Another crossing permit Mr. Beaudet is personally aware of is an FEC railroad permit applied for by PBCWUD under Blanket Agreement 293-8-0 under a single set of subsidiary tracks involving a 4" wastewater force main and a 3" water main. The permit required a 16" casing jack and bored under the tracks. It was applied for in June 2016 and permitted on March 2017, 9-months later.



61. Please identify the area or areas referred to on page 15, lines 2-3 of the Beaudet Rebuttal Testimony that references “several long stretches of environmentally sensitive land for which permits would be required from FDEP.”

Response: In the response to page 15, lines 2-3 of the Beaudet Rebuttal Testimony, the requirement for permits through the referenced environmentally sensitive lands mistakenly identified FDEP as the permitting agency. The permitting agency would be the St. Johns Water Management District (SJWMD). The type of permit required would be an Environmental Resource Permit (ERP). Regarding the water and wastewater force mains needed to connect JEA service from Normandy Boulevard to the FCRU utility site, there are numerous drainage canals and structures under the right of way of US 301. Following a detailed survey by the design engineer, it is likely that the pipelines would have to be directionally drilled under these canals, requiring a permit either from SJWMD or the Florida Department of Transportation (FDOT), or both. In order for these pipelines to reach the FCRU utility site from US 301’s right of way, the pipelines would have to cross SJWMD jurisdictional wetlands as well as Deep Creek, again requiring an ERP permit from SJWMD for the directional drilling required. Should the option of building a regional wastewater treatment plant on the Peterson tract be the selected option, the pipelines crossing the main line CSX Railroad tracks to the FCRU utility site would have to be accomplished well South of the rail yard. This crossing would have to be directionally drilled through the Loblolly Mitigation Preserve South of the rail yard, requiring a major ERP permit from the SJWMD.

62. With respect to page 15, lines 6-7 of the Beaudet Rebuttal Testimony, please provide the specific steps to support the claim concerning JEA's time frame for providing the infrastructure for service to the 301 Development.

Response: The steps that Mr. Beaudet described in his Rebuttal Testimony are prescribed by the Florida Purchasing Mechanism and Rules referenced by Chapter 287 Florida Statutes which includes Section 287.055 the Consultant's Competitive Negotiations Act, Rule 60A-1 Florida Administrative Code and the JEA Procurement Code. These steps are essentially the same for all Florida state, county and municipal utilities and agencies for procurement and delivery of any major infrastructure project.

63. Please explain, in reference to page 2, lines 22-24 in the Kennelly Rebuttal Testimony, what "significant conditions of the Ordinance granting our development entitlements" would be violated if FCRU builds "regional water, wastewater and reclaimed water facilities and [gives] them to JEA."

Response: The Ordinance specifically requires that the developer "shall provide, at its expense, **on-site treatment capacity to serve the needs of this Rural Village PUD** for potable water, wastewater, and reuse water . . ." (emphasis added).

64. Please state the factual bases for the statement in the Kennelly Rebuttal Testimony, page 2, lines 21-22, that "JEA wants First Coast to build regional water, wastewater, and reclaimed water facilities and give them to JEA" or any other implication that JEA would expect FCRU to pay for regional facilities to serve other than the Development.

Response: The notes prepared by JEA memorializing the meeting of April 9, 2019, state: "JEA recommends an off-site Water Reclamation Facility to be built on the northern section of JEA owned property (Peterson Tract). A regional facility would allow for flow

to be diverted from adjacent wastewater basins to provide needed flow to seed the new facility.” JEA has never offered to finance the building of this facility. Rather, JEA has consistently demanded that FCRU build and give JEA any facilities needed to serve the proposed territory. Also, the subject was discussed at a meeting held on February 14, 2020, between Messrs. Kennelly, Beaudet, Zammataro, and Ms. West.

65. With respect to page 3, lines 8-9 of the Kennelly Rebuttal Testimony, please explain how First Coast offering to sell the water and wastewater to JEA is not a violation of the Comprehensive Plan or PUD Ordinance.

Response: There is nothing in either the Comprehensive Plan nor the Ordinance that prohibits a privately owned utility from selling its assets to the JEA. In fact, the Jacksonville 2030 Comprehensive Plan, Sanitary Sewer Sub-Element, Policy 1.2.1 mandates that JEA continue its efforts toward acquisition of non-regional investor-owned utilities.

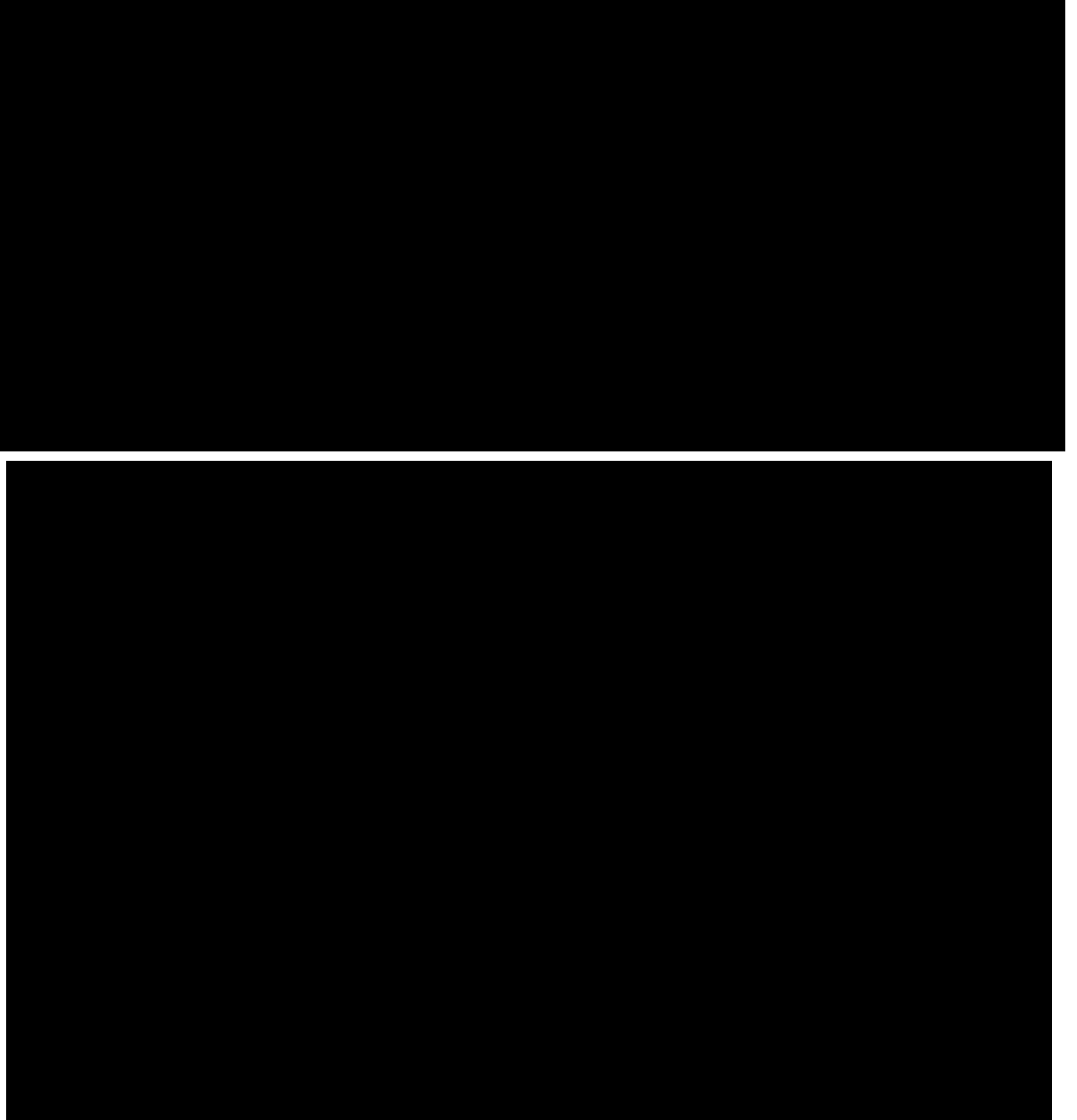
66. On page 3, lines 19-20 in the Kennelly Rebuttal Testimony, Mr. Kennelly states that it was “never the intention of the parties to dedicate the ownership of the facilities to JEA.” Please identify the “parties” to whom Mr. Kennelly is referring.

Response: ICI Villages, LLC and the City of Jacksonville.



68. Who “informed” 301 Capital Partners regarding the intent of the dedication language, as discussed on page 3, lines 22-25 of the Kennelly Rebuttal Testimony?

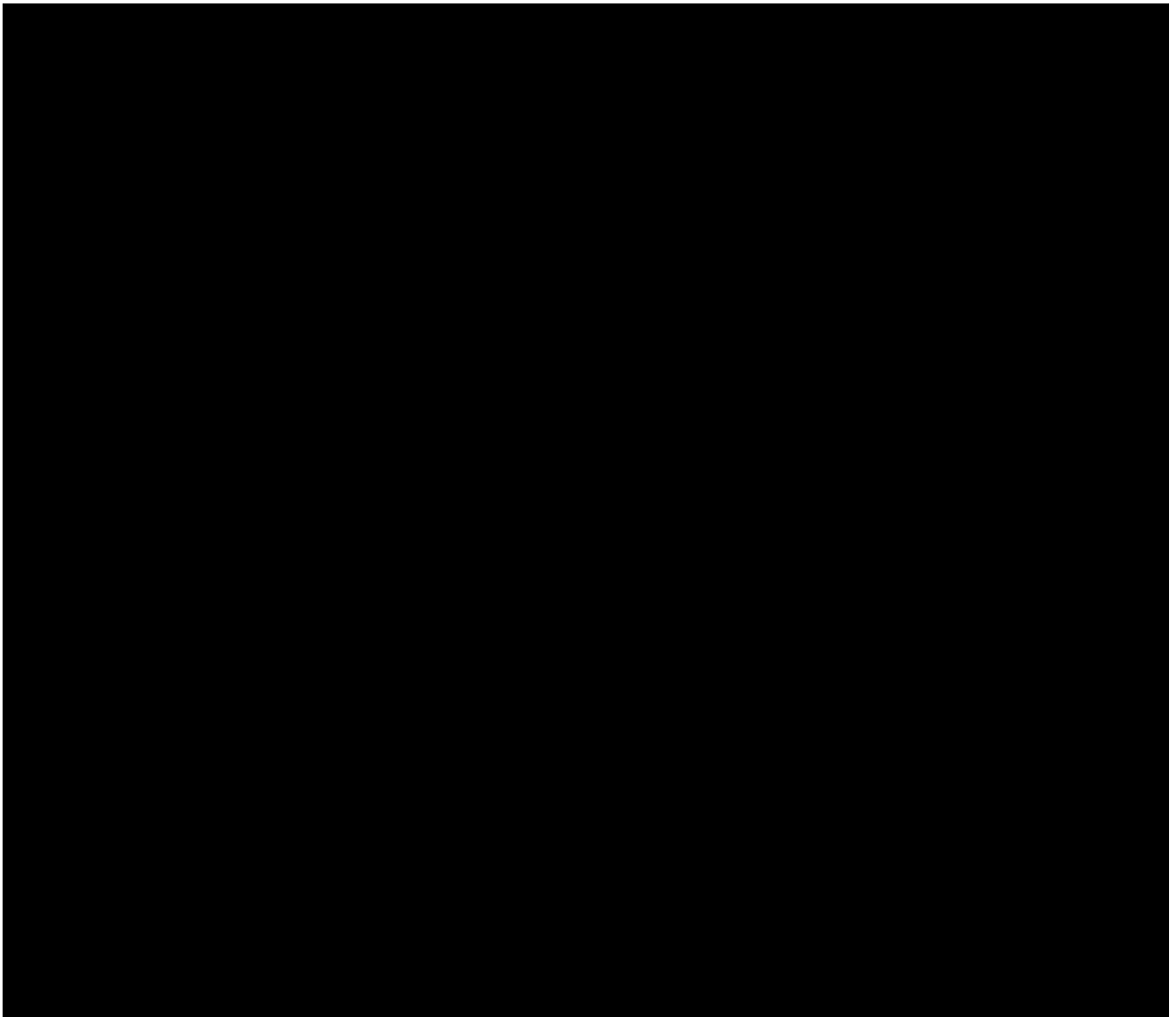
Response: Mr. David Haas of ICI Villages, LLC. Mr. Haas was a participant in the negotiation of the PUD Ordinance and has personal knowledge of the intent of the parties.

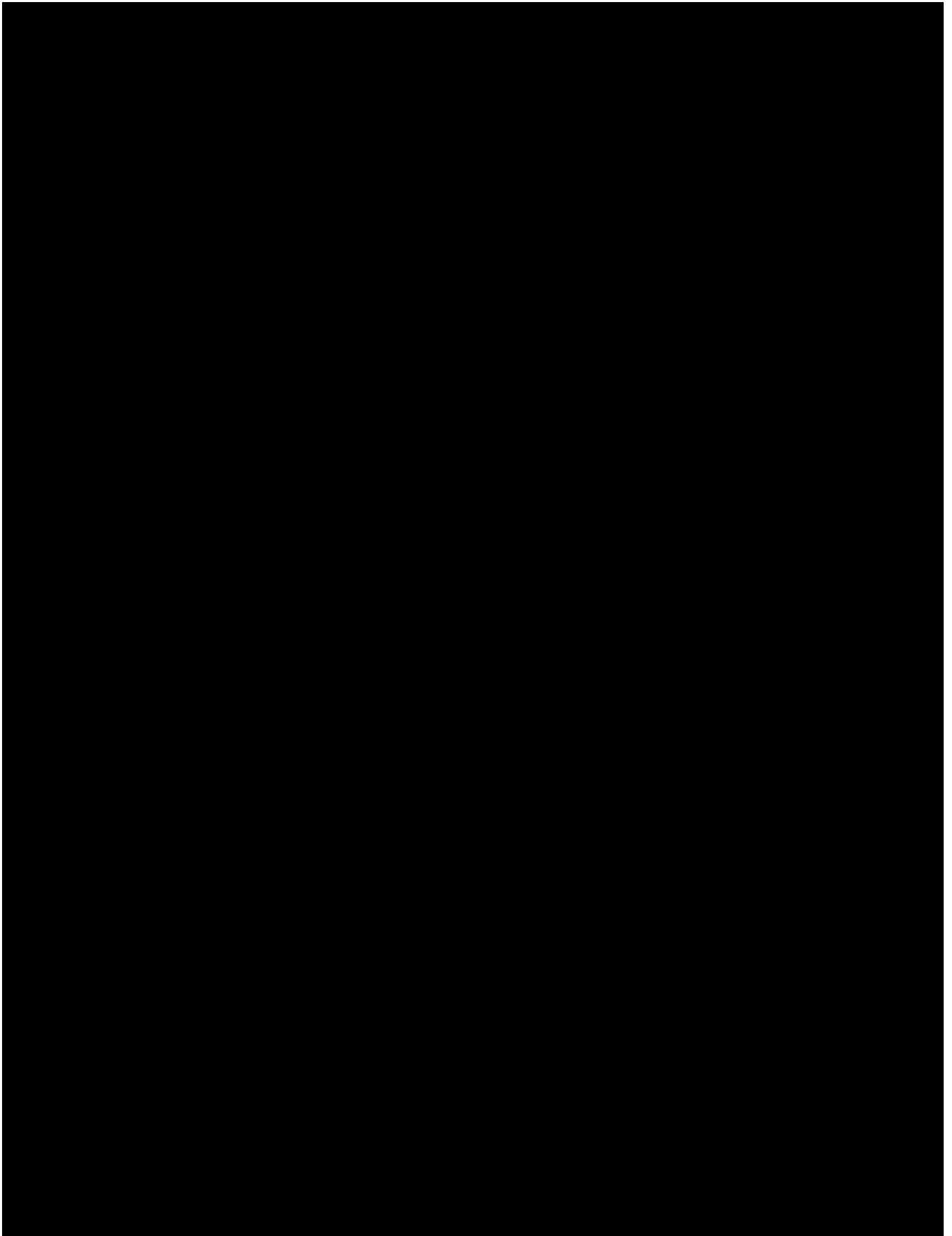


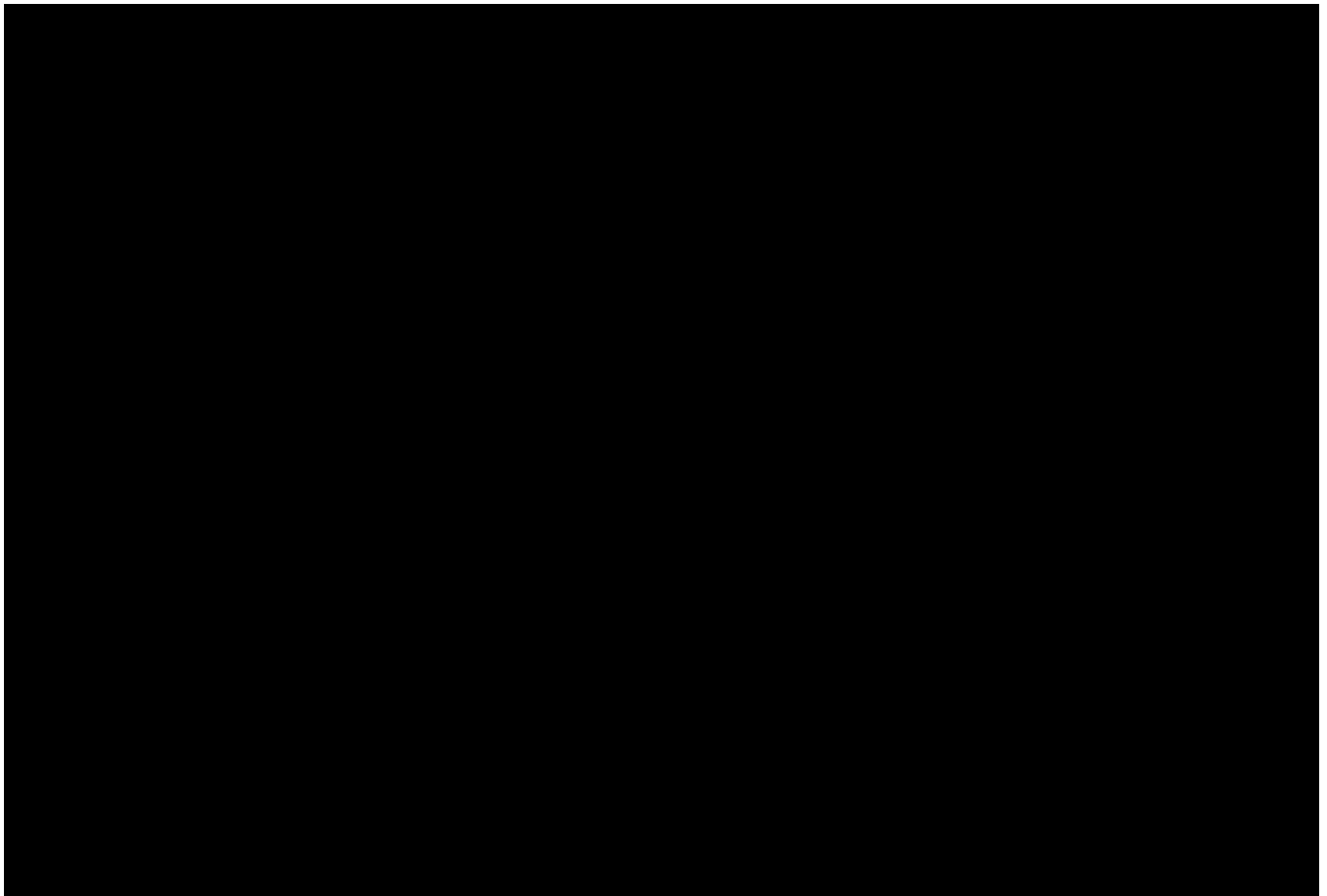


72. Page 6, lines 7-8 in the Kennelly Rebuttal Testimony references a meeting that occurred on April 9, 2019. Please identify all persons who attended that April 9, 2019 meeting.

Response: Please refer to JEA's notes of the April 9, 2019, meeting attached as Appendix "A" to Exhibit "E" to the Application.







80. Please provide the citation(s) to JEA's testimony referenced on page 10, lines 11-13 of the Kennelly Rebuttal Testimony which states: "JEA witnesses briefly acknowledged the idea of providing operation and maintenance services but even a surface level examination of the testimony makes clear that their view of the matter is much broader than that. . . ."

Response: Orfano, page 4, line 24 through page 5, line 4. Additionally, JEA's position regarding its desire to have FCRU turn over ownership to JEA so that it can serve the proposed territory is the cornerstone of its assertion that it can provide services to the development.

81. Please state the facts that support Mr. Gandy's statement at page 3, lines 11-23 in the Gandy Rebuttal Testimony that estimates the FCRU's water and wastewater facilities could be operational within 30 months of obtaining a certificate from the Public Service Commission.

Response: The design-build process allows for significant overlap of predesign, permitting, procurement, final design, site development and construction. Additionally, ‘early-start’ procurement and construction/building permit packages may be completed to allow for partial permitting as the design and procurement progresses. Upon notice to proceed from the Owner (not necessarily coincident with the PSC approval), a preliminary design and preliminary engineering report would be completed in three months and submitted to FDEP, or their surrogate, for the FDEP environmental construction permit. This typically takes 30-60 days for review and approval with specific conditions occurring with issuance at 4-5 months after NTP from the Owner. During this period, the project would proceed to final design for the ‘early-start’ permitting and construction packages such as well construction, site development, pipeline construction, and structural elements. At 60% total design package (including process treatment and equipment), early procurement begins for long-lead items. The 60% design level would be complete at month 5 and ‘early-start’ construction packages, after building department permit approval, would typically begin in months 5-7. Final design completion and permitting should be complete at months 7-10. Start of plant site facilities and process equipment construction, including peripheral facilities, such as well heads, should be under way after month 10. This would allow for 10-12 months of remaining construction and startup/commissioning time. The Owner also benefits from working directly with a single point of responsibility Design-Build entity so that project related decisions are reached quickly and acted upon by the team.

82. Please identify the specific licenses, permits, or other governmental authorizations FCRU will need to begin construction of the water treatment plant facilities.

Response: Construction of new water treatment plants, as well as the well pumps, will require a construction permit from FDEP or their surrogate, as per FAC 62-555.500 (construction of a new public water system). Construction of the new production wells will require a construction permit from FDEP or their surrogate, in accordance with FAC 62-524 and FAC 62-532. A water use permit through the St. Johns River Water Management District will be required to withdraw groundwater. The fuel and chemical storage tanks will need permits/licenses through FDEP (per FAC 62-762) and/or local County/City agencies. Stormwater control may require a permit through FDEP or their surrogate. The water treatment facility shall be operated, supervised, and maintained by an operator licensed in accordance with FAC 62-602.300. Local county/city building permits will be required for the actual construction components of the water plant (structural, electrical, plumbing, fire, etc.).

83. For each specific license, permit, or other governmental authorization identified in response to Interrogatory 82, please identify each governmental entity from whom those licenses, permits, or authorizations are obtained.

Response: As stated in response to Interrogatory #82, the Florida Department of Environmental Protection or their surrogates will be the governing agency for most of the permits. The local county/city building permits will be the governing agency for the actual construction components.

84. Please identify the length of time it typically takes to obtain those licenses, permits, or authorizations identified in response to Interrogatory 82 once an application is submitted.

Response: The construction permits/licenses required for construction of a new public water system and wells typically require 30-180 days to obtain.

85. Please identify the specific licenses, permits, or other governmental authorizations FCRU will need to begin operation of the wastewater treatment facilities.

Response: Construction of new wastewater treatment plants will require a construction permit from FDEP or their surrogate, as per FAC 62-620 (*Wastewater Facility and Activities Permitting*). Residuals treatment and residuals land application shall require a permit and shall be included in the wastewater treatment permit according to FAC 62-600 and FAC 62-640. A separate permit will be required for a reuse and land application portion of the wastewater facility in accordance with FAC 62-610.800. Proper operation and maintenance of the wastewater facility will require qualified personnel with license requirement as stated under FAC 62-620.610 and 62-620.630. The fuel and chemical storage tanks will need permits/licenses through FDEP (per FAC 62-762) and/or local county/city agencies. Stormwater control may require a permit through FDEP or their surrogate. The wastewater treatment facility shall be operated, supervised, and maintained by an operator licensed in accordance with FAC 62-602.300. Local county/city building permits will be required for the actual construction components of the water plant (structural, electrical, plumbing, fire, etc.).

86. For each specific license, permit, or other governmental authorization identified in response to Interrogatory 85, please identify each governmental entity from whom those licenses, permits, or authorizations are obtained.

Response: As stated in response to Interrogatory #85, Florida Department of Environmental Protection or their surrogates will be the governing agency for most of the permits. The local county/city building permits will be the governing agency for the actual construction components.

87. Please identify the length of time it typically takes to obtain those licenses, permits, or authorizations identified in response to Interrogatory 85 once an application is submitted.

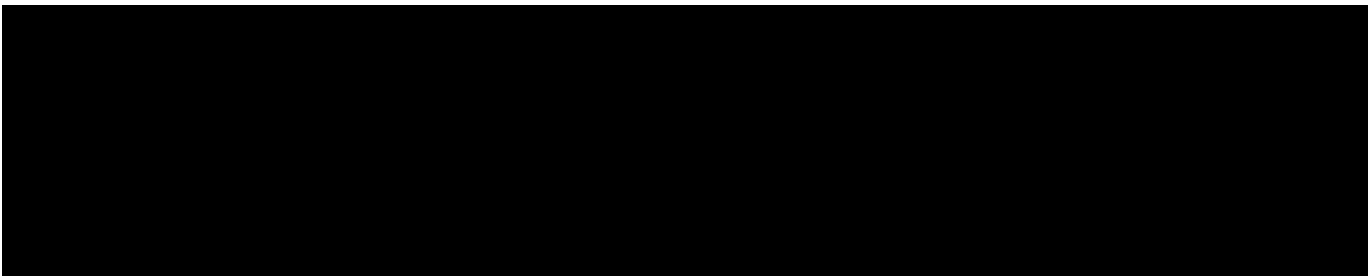
Response: The construction permits/licenses required for construction of a new wastewater treatment facility typically require at least 30-180 days to obtain.

88. Please specify the efforts of Nassau County to acquire JEA facilities as stated on page 3, lines 11-13 in the Kelly Rebuttal Testimony.

Response: Nassau County served notice of the Nassau Board of County Commissioners unanimous vote to initiate the negotiation process for the purchase of JEA water, wastewater and reclaimed water assets in Nassau County.

89. With respect to page 8, lines 2-8 of the Kelly Rebuttal Testimony, has FCRU applied for a consumptive use permit?

Response: No. Such actions would be premature prior to the granting of FCRU's Application.



91. Please identify the specific language in subsection 1.2.10 of the Comprehensive Plan that “encourages” non-regional investor or community owned utility acquisition, as stated on page 12, lines 10-12 of the Kelly Rebuttal Testimony.

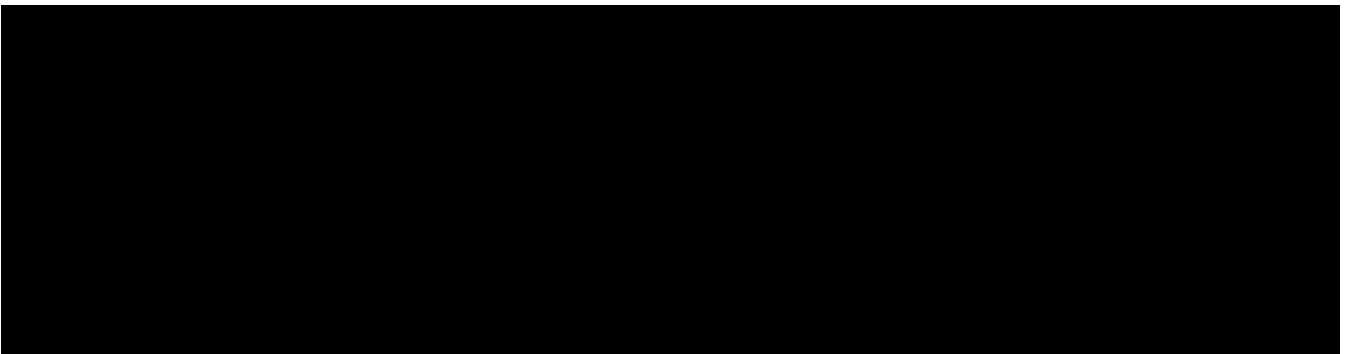
Response: “Nonregional wastewater facilities may be permitted as interim facilities, provided all of the following requirements are satisfied”. FCRU believes that its proposal to JEA meets all of the listed requirements.

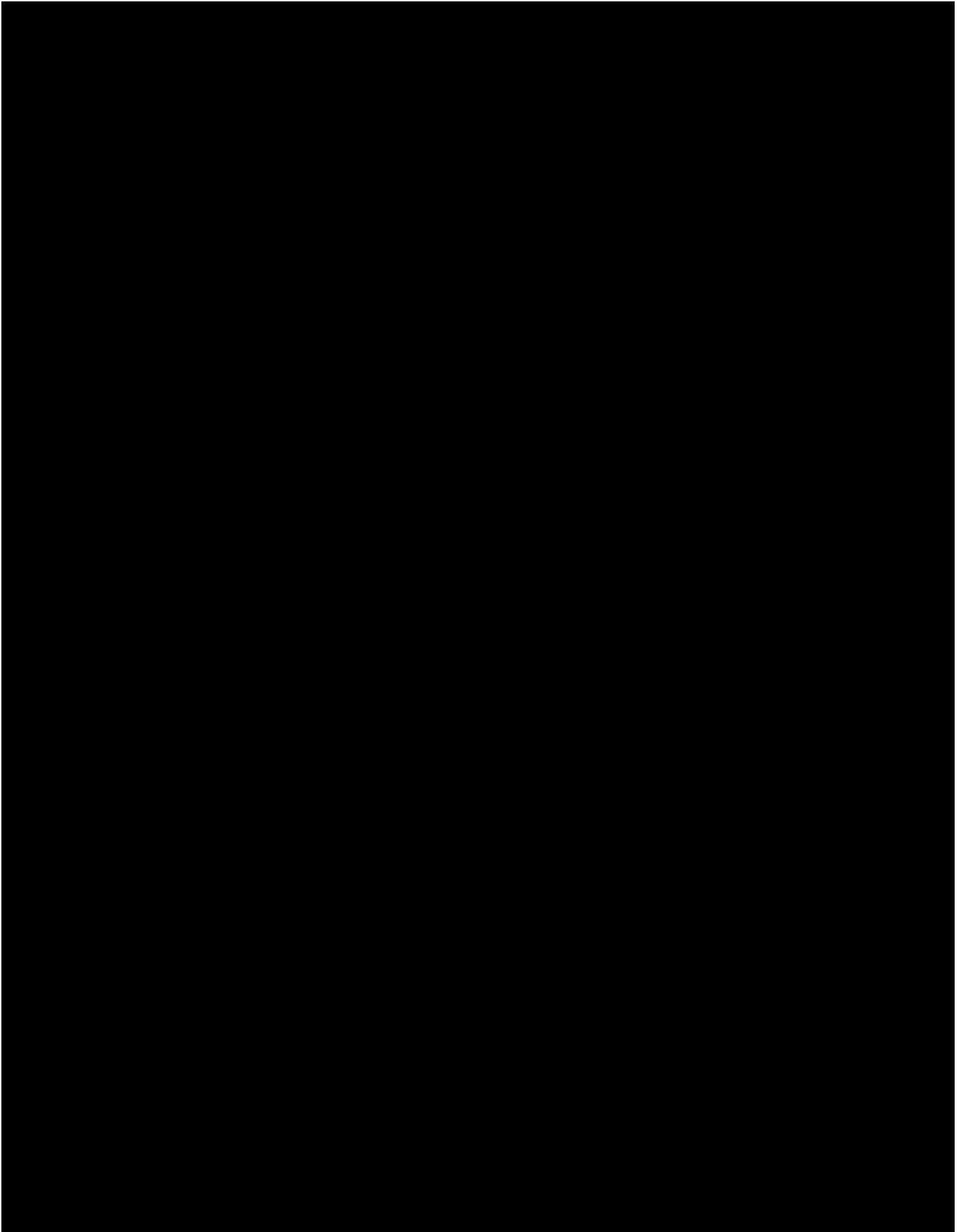
92. With respect to page 21, lines 7-9 of the Kelly Rebuttal Testimony, please identify how many investor-owned public utilities have come into existence and been certificated by the Florida Public Service Commission since JEA took over providing water and wastewater service in Duval County, including the name of each utility.

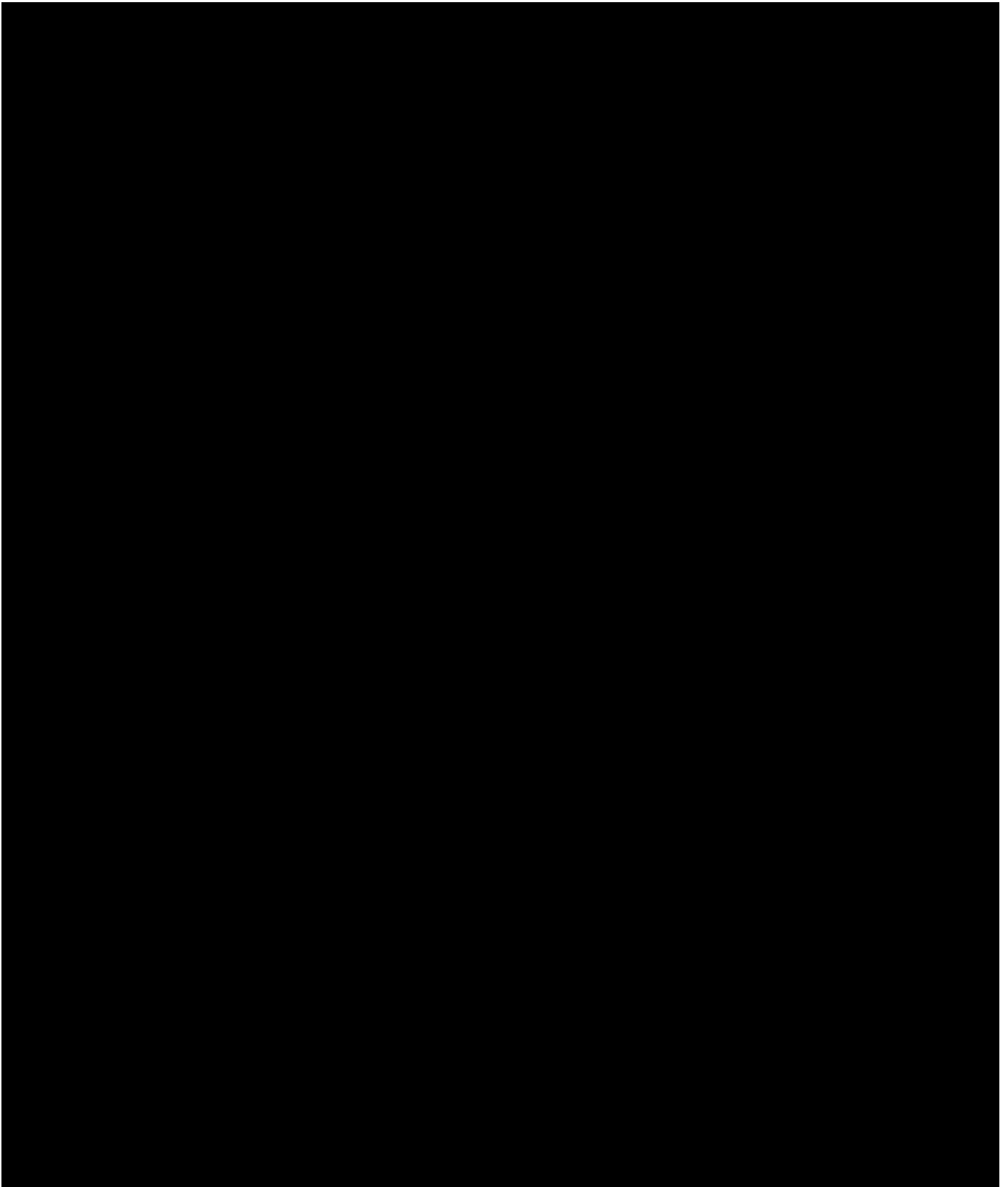
Response: None, to Mr. Kelly’s knowledge since JEA began providing water and wastewater service in the urban and suburban areas of Duval County.

93. Please identify the specific facts in Mr. Kelly’s “study of this matter on behalf of First Coast” that have “signaled Nassau County’s and St. Johns County’s desire to acquire the JEA water and wastewater assets within those counties,” as referenced on page 21, lines 12-14 of the Kelly Rebuttal Testimony.

Response: Notice by Nassau County on January 31, 2020, of the Board of County Commissioners’ vote to initiate the negotiation process for the purchase of JEA water, wastewater and reclaimed water assets in Nassau County, and a letter to JEA dated February 20, 2020, from Jeb Smith, Chairman of the Board of County Commissioners of St. Johns County, Florida, concerning the Interlocal Agreement between St. Johns County and JEA.









Respectfully submitted this 9th day of October, 2020.

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/s/ Robert C. Brannan
Attorneys for First Coast Regional Utilities, Inc.

Exhibit-1 - Florida Water and Wastewater Utilities Site Sizes

Utility	County	Delivered Water MGD	Treated WW MGD	Size of Site Acres
Bonita Springs East Facility	Lee	18	8	39
Pace Water Utility	Santa Rosa	15	5	25
Sandestin Utilities	Walton	5	4	40
Carolina Water Services	Seminole	4	2.9	32
Ave Maria Utility Company	Collier	4	3.5	33
City of Margate	Broward	13	3	8
Cooper City	Broward	7	3.5	9
Coral Springs Improvement District	Broward	7.2	7.5	25

WWTP Name	County	Water Service Provided	Permitted Capacity WW (MGD)	Company Name
South Walton Utility Company	WALTON	yes	2.75	South Walton Utility Company
Carolina Water Services	SEMINOLE	yes	2.9	Utilities Inc of Florida
Holley-Navarre Wastewater Treatment Facility	SANTA ROSA	yes	2.99	Holley-Navarre Water System, Inc.
Englewood Water District	CHARLOTTE	yes	3	Englewood Water District
Little Sumter Utility Co	SUMTER	yes	3	Village Center Community Development District
Del Prado WWTF	LEE	no	3.5	Florida Governmental Utilities Authority
Sandestin Utilities	WALTON	yes	4	Florida Community Services Corp. of Walton County
Bonita Springs Water Reclamation (West)	LEE	yes	4.25	Bonita Springs Utilities Inc
West Villages Improvement District Reuse	SARASOTA	no	4.82	West Villages Improvement District
Pace Water System	SANTA ROSA	yes	5	Pace Water System, Inc. & Pace Property Finance Authority
George F French Water Utility	OKALOOSA	yes	6	Destin Water Users, Inc.
North Sumter Utility Company Master Reuse	SUMTER	no	6.4	North Sumter County Utility Dependent District
Bonita Springs Utilities East WRF	LEE	yes	9.75	Bonita Springs Utilities Inc
Reedy Creek Improvement District	ORANGE	yes	20	Reedy Creek Improvement District
Ave Maria Utility	COLLIER	yes	5	Ave Maria Municipal Utilities

EXHIBIT 2

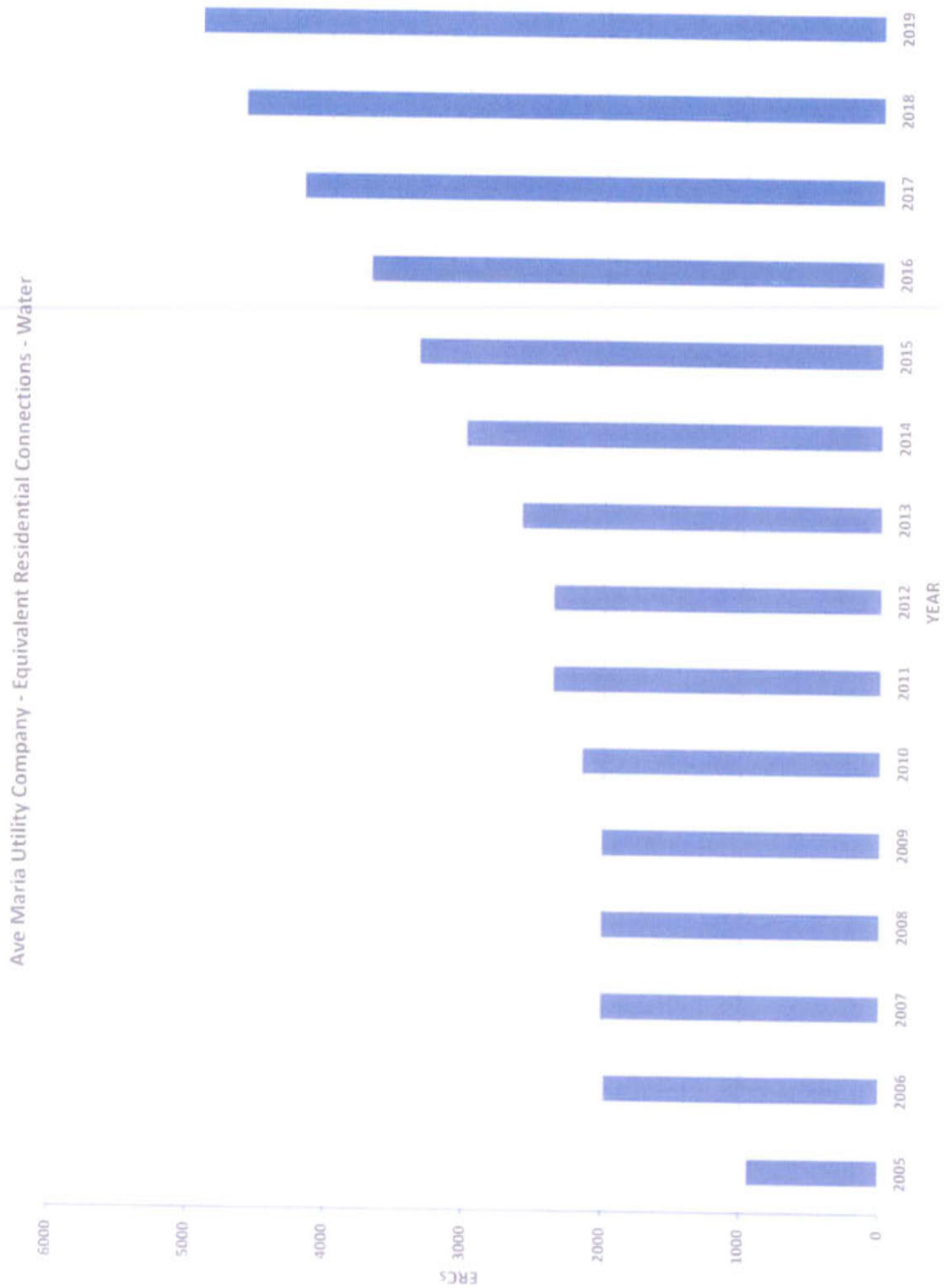


Exhibit 3

