

Utilities Department

Wedgefield Water Discussion

November 14, 2017



Presentation Overview

- **Background**
- **Recent Timeline**
- **FDEP Overview**
- **Private Water Utility Regulation**
- **Next Steps**

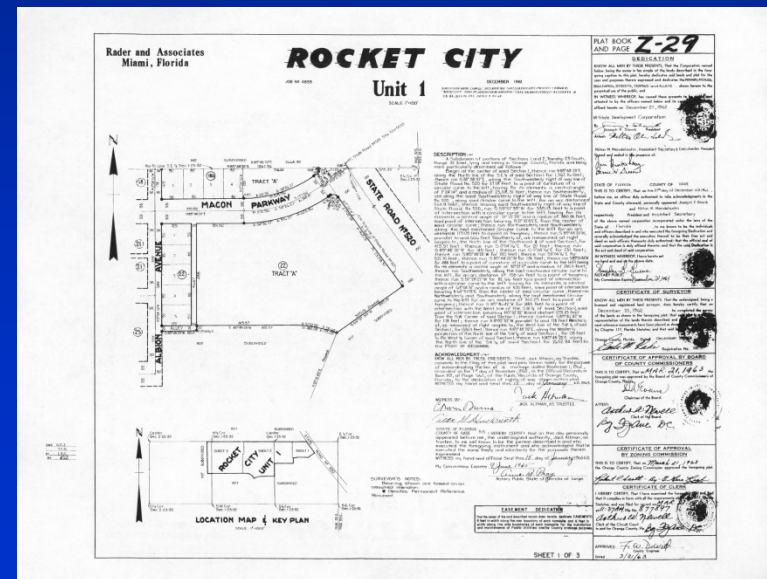


Presentation Overview

- **Background**
- Recent Timeline
- FDEP Overview
- Private Water Utility Regulation
- Next Steps

Background

- **Rocket City – started by All State Development Corporation in 1962**
 - Billed as a 20,000 acre development that would supply housing for Kennedy Space Center employees
 - Rocket City renamed to Cape Orlando Estates in 1970 and Wedgefield Golf & Country Club in 1983
- **Utilities provided privately since inception**
 - 1996 - Wedgefield Utilities, Inc.
 - 2009 - Pluris Holdings, LLC





Background

- **Pluris Wedgefield, Inc. currently provides water and wastewater services to approximately 1,800 parcels**
 - Rates regulated by the Florida Public Service Commission
 - Operations and water quality regulated by the Florida Department of Environmental Protection (FDEP)
- **Ongoing concerns voiced by Wedgefield residents:**
 - Water quality
 - Water aesthetics
 - High rates/pricing
 - Lack of responsive customer service



Presentation Overview

- Background
- **Recent Timeline**
- FDEP Overview
- Private Water Utility Regulation
- Next Steps



Recent Timeline

- **April 2016**
 - EPD conducts water sampling event at Wedgefield
- **June 2016**
 - Orange County releases frequently asked questions document
 - Pluris releases plan of action for TTHM and HAA reduction
 - FDEP holds open house at Wedgefield
- **August 2016**
 - OCU prepares customer impact analysis for multiple cost scenarios
 - OCU staff/Commissioner Edwards meet with Wedgefield HOA Boards to review steps required to consider acquisition



Recent Timeline

- **September 2016**
 - Wedgefield HOA holds first of multiple community meetings to gauge community-wide interest in pursuing an acquisition
- **October 2016**
 - Wedgefield HOA Boards formally request BCC to begin negotiations and due diligence for acquisition of Pluris Wedgefield, Inc.
- **November 2016**
 - District 5 discussion item at BCC – decision to schedule BCC work session in early 2017



Recent Timeline

- **January 2017**
 - BCC work session regarding Wedgefield, process to consider acquisition of Pluris Wedgefield defined
- **March 2017**
 - Pluris launches “Twin-Oxide” pilot test in Wedgefield
- **June / July 2017**
 - Compliance sampling of pilot test including third party sampling requested by FDEP for TTHMs and HAAs documents compliance with water quality standards



Recent Timeline

■ September 2017

- District 5 discussion item regarding Wedgefield and discussion of PSC Jurisdiction. Requested follow-up by the BCC:
 - Invite FDEP to address regulatory status of Pluris Wedgefield
 - Invite Pluris to attend and address their operations
 - Review the process to assume PSC jurisdiction
 - Review steps to consider acquisition of Pluris Wedgefield



Presentation Overview

- Background
- Recent Timeline
- **FDEP Overview**
- Private Water Utility Regulation
- Next Steps



Florida Department of Environmental Protection

Pluris Wedgefield

Jeff Prather, Director
Central District





DEP Role in Potable Water

- Regulate primary/secondary drinking water standards (62-550 FAC)
- 1,250 Potable Water Systems in Central District
- Inspections, monthly monitoring reports
- Permit construction of PWS components (treatment, storage and distribution)
- Return facilities to compliance
- Investigate complaints
- Important: Regulate to the customers' meter (exception is lead and copper)



Wedgefield Information

- Treats water with aeration, corrosion inhibitor, magnetic ion exchange, softening, and disinfection.
- Licensed operator six hours/day each weekday; one on-site visit each weekend day.
- Samples are collected either by licensed operator or certified laboratory technician and tested at DOH certified laboratories.
- Customers are made aware of water quality through annual consumer confidence report.
- Direct communication to customers for BWN and MCL violations.



Wedgefield Required Monitoring

Disinfectant Residual	Daily at point of entry (POE) and throughout the system.
Bacteria	Monthly at each well and six locations in the system.
Lead and Copper	Triennially at 20 locations in the system.
Chemical	Annually at POE for nitrate and nitrite, triennially for inorganic, volatile organic and synthetic organic. Every nine years for radionuclide.
Secondary (aesthetics)	Triennially at POE.
Disinfection Byproducts	Quarterly to annually depending on results from two locations in the system.



Wedgefield Information

- Wedgefield has incurred three violations in the past five years.
 - 5/2016 – Inadequate chlorine.
 - 9/2016 – Late submittal of bacteria results.
 - 3/2017 – Late submittal of disinfection byproduct results.
- Community meeting on 06/16.
- Piloted Chlorine Dioxide treatment system 03/17; permitted 9/17.



Water Quality Concerns

- If a resident has any health concerns, they should first consult their physician, and then consult the Utility.
- Damage to clothing or garments should be reported to the Utility.
- At no time has Pluris exceeded the maximum allowable levels of disinfection.
- DEP will continue to address concerns to extent of regulatory authority at the water meter and will follow up with any complainant.



Presentation Overview

- Background
- Recent Timeline
- FDEP Overview
- **Private Water Utility Regulation**
- Next Steps



Private Water Utility Regulation

- **Florida Public Service Commission (PSC)**
 - Regulates private water and wastewater utilities in 38 Florida counties including Orange County
 - Regulatory purview
 - Territory
 - Service
 - Rates
- **PSC regulates 4 private utilities operating in the County**
 - East Central Florida Services, Inc.
 - Oak Springs MHC, LLC
 - Pluris Wedgefield, Inc.
 - Utilities, Inc. of Florida



Private Water Utility Regulation

- **Process to Assume PSC Jurisdiction (Ch. 367, Fla. Stat. controls)**
 - BCC adopts resolution rescinding PSC jurisdiction
 - PSC reviews BCC resolution
 - PSC issues order accepting the resolution and acknowledging the rescission of its jurisdiction
 - Orange County accepts jurisdiction subject to Ch. 367, Fla. Stat.
 - Orange County issues certificate of authority to regulated utilities
 - Orange County adopts by ordinances regulations relating to private utilities' authority, service, and rates



Private Water Utility Regulation

- **PSC retains jurisdiction when:**
 - The utility has a pending case before the PSC or a PSC-related case in a court of competent jurisdiction until the matter is resolved
 - The utility's operation traverses county boundaries



Private Water Utility Regulation

■ Utility Regulation Status Quo

- Within 90 days of acquiring regulatory authority, Orange County must adopt and follow as minimum standards of regulation the provisions of s. 367.081, with exception, and s. 367.082
- The utility's PSC-approved tariff (rates and charges), operating regulations and procedures, and current rate base shall remain in effect after assumption of regulatory authority “until thereafter lawfully changed”



Private Water Utility Regulation

■ Issues Relating to County Regulation

- Requires additional staff to administer regulatory program, including interactions with utility personnel and utility customers
- Requires special knowledge of private utility regulation
- May require hiring of special magistrate or administrative law judge to oversee utility proceedings



Presentation Overview

- Background
- Recent Timeline
- FDEP Overview
- Private Water Utility Regulation
- **Next Steps**



Next Steps

- **Discussion and direction regarding PSC jurisdiction**
- **November 28 BCC Work Session**
 - Status of community education and engagement
 - Acquisition considerations and process discussion

Utilities Department

Wedgefield Water Discussion

November 14, 2017