

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER & WASTEWATER
CHARLES H. HILL
DIRECTOR
(850) 413-6900

Public Service Commission

November 6, 1997

F. Marshall Deterding
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, FL 32301

Re: ~~961436-SU~~ Docket No. ~~961436-SU~~ - Forest Hills Utilities, Inc. - Show Cause on Customer Deposits

Dear Mr. Deterding:

As per your request, attached (Attachment A) is a list of names of customers who did not receive their refund by the "informally" agreed upon completion date of September 11, 1995. This list contains customers from your refund listing who received either a check or a credit against their final bill and did not have any late payments. The refund listing provided the date of the deposit payment for the customers who received either a check or a credit against their final bill. However, it did not provide the date of the deposit payment for the customers whose deposits were credited to their account, as indicated in your utility adjustment journal. In order to provide a thorough analysis, we would need a report for all of the customers in your utility adjustment journal specifying the deposit payment date.

ACK Pursuant to your letter dated April 21, 1995, the utility had been collecting deposits of \$75.00
AF from its renters. The utility realized the collection of the \$75.00 from renters was not authorized
AP under Florida Statute or the utility's existing tariff. Attached (Attachment B) is a list of names of
C customers, from the refund listing, who paid a \$75.00 deposit after the utility had realized it did not
C have the authority to collect. Based on the utility's current tariff, the maximum deposit which the
C utility may collect is \$66.93. The continued collection of the \$75.00 illustrates further violation of
C the statute by the utility.

By letter dated October 22, 1997, the utility stated that it did not believe it should be fined for the minor errors which occurred in coming into compliance with the Florida Statute and Commission rules. It is unclear whether or not this is a response to the show cause. Therefore, please be advised that based on the Commission's vote at the Agenda Conference on October 21, 1997, the utility is to show cause in writing within 20 days of the issuance of the Commission order

DOCUMENT NUMBER-DATE

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

14513 NOV-75

Internet E-mail CONTACT@PSC.STATE.FL.US

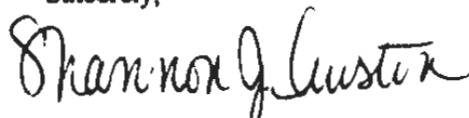
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Mr. Deterding
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why it should not be fined for violation of Section 367.091(3), Florida Statutes, Rules 25-30.311(3) & (5), Florida Administrative Code, and Rule 25-30.115 Florida Administrative Code. The response should also include an explanation as to why the utility continues to collect deposits that are not authorized in its tariff.

If you have any further questions with regards to this matter, please feel free to contact me at (850) 413-7021.

Sincerely,



Shannon J. Austin
Regulatory Analyst

SJA/sja
Attachments

cc: Division of Water and Wastewater (Willis, Rendell)
Division of Legal Services (Jaber, Vaccaro)
Division of Records and Reporting (Docket No. 961475-SU)

Forest Hills Utilities Customer Deposit Analysis

James D. Alexander	12/24/70	\$25.00	01/30/97	26	1.39
F. Seibert	07/01/71	\$25.00	04/28/97	26	1.63
Alexander Sheridan	06/01/72	\$25.00	05/30/97	25	1.72
E. Betsarakis	12/01/72	\$25.00	10/25/96	24	1.12
Clarence Davitt	07/01/73	\$25.00	01/31/96	23	0.39
William Lupton	08/01/73	\$25.00	09/27/96	23	1.05
Perry Stratton	10/02/73	\$25.00	05/20/96	23	0.69
Joseph Molnar	12/23/73	\$25.00	10/18/95	22	0.10
Joseph Van Meenen	02/05/74	\$25.00	03/31/97	23	1.55
Joseph Struck	08/01/74	\$25.00	05/30/97	23	1.72
Victor F. Jamnik	11/20/74	\$25.00	01/31/96	21	0.39
Norman L. Beck	05/01/75	\$25.00	03/31/97	22	1.55
WM. Burdette	06/27/75	\$25.00	10/18/95	20	0.10
Robert Marshall	08/01/75	\$25.00	03/31/97	22	1.55
Walter Griffin	10/15/75	\$25.00	05/20/96	21	0.69
Peter P. Nils	11/01/75	\$25.00	05/20/96	21	0.69
Henry Hayes	12/01/76	\$25.00	05/20/96	19	0.69
James R Goddard	05/01/77	\$25.00	05/20/96	19	0.69
John J. Holubek	05/02/77	\$25.00	12/31/96	20	1.31
Concetta Pate	08/01/77	\$25.00	01/31/96	19	0.39
Carl H. Nissen	08/31/77	\$25.00	09/06/96	19	0.99
Lawrence C. Clark	09/01/77	\$25.00	06/28/96	19	0.80
Carolyn Wolm	11/01/77	\$25.00	01/31/96	18	0.39
Chas A. Kennedy	11/01/77	\$25.00	07/29/96	19	0.88
Anthony Favata	11/08/77	\$25.00	06/28/96	19	0.80
Mary Senica	04/01/78	\$25.00	03/31/97	19	1.55
Arthur D. Chaboneau	10/03/78	\$25.00	06/28/96	18	0.80
William Frank	02/01/79	\$25.00	10/18/95	17	0.10
Josef Kastl	03/01/79	\$25.00	01/31/96	17	0.39
Thomas G. Cecil, Jr.	04/01/79	\$25.00	03/31/97	18	1.55
Rudolf Kent	07/31/79	\$25.00	12/31/96	17	1.31
A. J. Felici	02/03/80	\$25.00	09/06/96	17	0.99
Joseph Kolisnyk	05/22/80	\$25.00	03/31/97	17	1.55
Stephen Soik	05/30/80	\$25.00	01/31/96	16	0.39
Paricia Pawlitz	07/29/80	\$25.00	06/28/96	16	0.80
Dorothy Lee	10/29/80	\$25.00	01/31/96	15	0.39
Wanda Colbert	02/28/81	\$25.00	01/31/96	15	0.39
Joseph Seletos	02/28/81	\$25.00	06/28/96	15	0.80
Salvatore Borello	03/31/81	\$25.00	05/30/97	16	1.72
Ian Mosley	04/30/81	\$25.00	10/18/95	14	0.10
Jacquelyn Cyr	09/29/81	\$25.00	05/30/97	16	1.72
Dorothy Smith	06/02/82	\$25.00	03/31/97	15	1.55

* Length of Time in Years

Forest Hills Utilities Customer Deposit Analysis

Customer Name	Start Date	Deposit Amount	End Date	Length of Time (Years)	Rate
Dimitrios Bakas	12/29/82	\$25.00	09/27/96	14	1.05
Antique Auto Restoration	04/29/83	\$25.00	12/31/96	14	1.31
Maurice Kaveny	11/01/83	\$25.00	05/20/96	13	0.69
James De Monaco	11/01/83	\$25.00	06/28/96	13	0.80
Edward & Ethel Hill	11/02/83	\$25.00	01/31/96	12	0.39
Kenneth Trevithick	11/30/83	\$25.00	01/30/97	13	1.39
Mrs. Wallace Hall	09/25/84	\$25.00	01/30/97	12	1.39
Betty Duras	10/30/84	\$25.00	10/25/96	12	1.12
Andrew Fischer	01/24/85	\$25.00	05/30/97	12	1.72
Lewis Burdette	03/29/85	\$25.00	01/31/96	11	0.39
Stanley Wesselman	04/02/85	\$25.00	05/30/96	11	0.72
Frank Paultanis	09/23/85	\$25.00	06/28/96	11	0.80
Henri Lafleur	09/25/85	\$25.00	12/31/96	11	1.31
Al Pfaff	11/26/85	\$25.00	12/31/96	11	1.31
Victor Commune	01/28/86	\$25.00	10/18/95	10	0.10
George Georgiades	02/25/86	\$25.00	04/28/97	11	1.63
George H. Schreiber	04/30/86	\$25.00	04/28/97	11	1.63
Kumar V. Amar	03/31/87	\$25.00	01/31/96	9	0.39
Nations Bank	02/29/88	\$25.00	10/18/95	8	0.10
Barnett Bank	07/31/89	\$25.00	09/01/97	8	1.98
Jerry King	06/30/90	\$75.00	10/18/95	5	0.10
Karen Martins	10/31/92	\$25.00	09/26/96	4	1.04
Robert Tatums	12/31/92	\$50.00	10/18/95	3	0.10
James Haarsma	01/31/93	\$25.00	10/18/95	3	0.10
James Haarsma	01/31/93	\$25.00	10/18/95	3	0.10
		<u>\$1,750.00</u>			

* Length of Time in Years

Forest Hills Utilities Customer Deposit Analysis

Customer Name	Deposit Date	Amount	Count
Kathy Swan	07/31/95	\$75.00	3
Cynthia Parlamen	07/31/95	\$75.00	3
Walter Poirier	09/30/95	\$75.00	5
Bradley Redlin	10/31/95	\$75.00	6
Davis/Farley	10/31/95	\$75.00	6
Jabir Talaoani	10/31/95	\$75.00	6
Charles Jerrell	10/31/95	\$75.00	6
Earl Bookwalter	10/31/95	\$75.00	6
Gary Robinson	10/31/95	\$75.00	6
Henry Lamberson	10/31/95	\$75.00	6
Deborah McClusken	10/31/95	\$75.00	6
Carl E. Faust	11/30/95	\$75.00	7
Linda Haines	12/30/95	\$75.00	8
James Darling	01/31/96	\$75.00	10
Joe Criswell	02/29/96	\$75.00	10
Noemi Hernandez	02/29/96	\$75.00	10
Carole Gilroy	02/29/96	\$75.00	10
Joseph Reth	02/29/96	\$75.00	10
S. Price/E. Shagaury	02/29/96	\$75.00	10
Ellen Stinnett	03/31/96	\$75.00	12
Jerald Cobb	03/31/96	\$75.00	12
Debbie Baren	03/31/96	\$75.00	12
Leonard Morris	03/31/96	\$75.00	12
Carmen East	04/30/96	\$75.00	13
Barry Brannon	04/30/96	\$75.00	13
Leslie Alestra	04/30/96	\$75.00	13
Christina Faucett	04/30/96	\$75.00	13
Jason Cheverieer	05/31/96	\$75.00	14
Kathleen Terrey	05/31/96	\$75.00	14
David Blass	05/31/96	\$75.00	14
Laszarou Alonso	05/31/96	\$75.00	14
Elizabeth Culugno	05/31/96	\$75.00	14
Justin Spencer	06/30/96	\$75.00	15
Elmer Gutterman	06/30/96	\$75.00	15
Bonnie Leblanc	06/30/96	\$75.00	15
Carol McFadden	06/30/96	\$75.00	15
Allen Vaughn	06/30/96	\$75.00	15
Dawn Levandowski	08/30/96	\$75.00	17
Scott Vanlandingham	09/30/96	\$75.00	18
Saverio Lonpabardi	09/30/96	\$75.00	18
Maryanne Savani	09/30/96	\$75.00	18
Mary Seymour	09/30/96	\$75.00	18
Joannah Neal	09/30/96	\$75.00	18

Forest Hills Utilities Customer Deposit Analysis

Jean & John Rain	09/30/96	\$75.00	18
Robert Bacon	11/30/96	\$75.00	20
Cherie Perkins	01/31/97	\$75.00	22
Rachel Bialowas	01/31/97	\$75.00	22
Butros Samulian	01/31/97	\$75.00	22
Cosmo & Maria Racco	02/28/97	\$75.00	23
Mrs. Preeper	02/28/97	\$75.00	23
Mary Soctt	02/28/97	\$75.00	23
Jim Schon	03/31/97	\$75.00	24
Gina Kramer	03/31/97	\$75.00	24
Anisia Valdes	03/31/97	\$75.00	24
Leonard & Cole Ashcraft	03/31/97	\$75.00	24
Michael Miraglia	07/31/97	\$75.00	28
		\$4,200	