

ORIGINAL

MEMORANDUM

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RECORDS AND REPORTING

March 14, 2000

TO: DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF LEGAL SERVICES (BRUBAKER) *JSB*

RE: DOCKET NO. 981781-SU - APPLICATION FOR AMENDMENT OF CERTIFICATE NO. 247-S TO EXTEND SERVICE AREA BY THE TRANSFER OF BUCCANEER ESTATES IN LEE COUNTY TO NORTH FORT MYERS UTILITY, INC.

Please place the attached letter dated March 13, 2000, in the docket file.

JSB/lw

Attachment

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

AFA \_\_\_\_\_

APP \_\_\_\_\_

CAF \_\_\_\_\_

CMU \_\_\_\_\_

CTR \_\_\_\_\_

EAG \_\_\_\_\_

LEG \_\_\_\_\_

MAS \_\_\_\_\_

OPC \_\_\_\_\_

RRR \_\_\_\_\_

SEC \_\_\_\_\_

WAW \_\_\_\_\_

OTH \_\_\_\_\_

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March 13, 2000

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OF COUNSEL

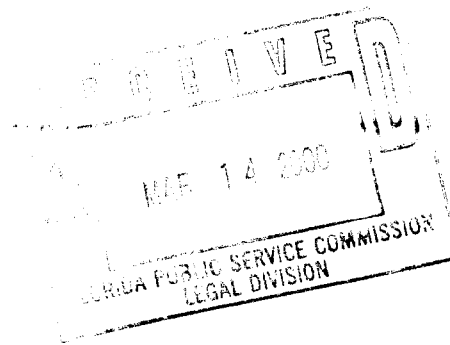
Robert Burandt, Esquire  
1714 Cape Coral Parkway East  
Cape Coral, Florida 33904-9620

Re: Buccaneer Estates  
Our File No. 16319.29

Dear Mr. Burandt:

I understand that you are the attorney for the Buccaneer Homeowners Association. As you know, this law firm represents North Fort Myers Utility, Inc., which was recently granted authorization from the Florida Public Service Commission to provide wastewater service to the residents of Buccaneer Estates. I read the February edition of *The Blow Hard* that the President of the Buccaneer Homeowners Association, Joe Devine, is advising residents not to pay the utility bill which they receive from North Fort Myers Utility, Inc.

Pursuant to Florida Public Service Commission Rules and NFMU's Tariff, bills for wastewater service are due 20 days after mailing. If a bill is not paid within that period of time, then a utility will give the customer a separate notice that if the bill is not paid within the following 5 days, service will be disconnected. Please be assured that NFMU will strictly comply with these requirements and any customer who has not paid within these time frames will have their service disconnected. Since NFMU does not have control to disconnect water service for non-payment of wastewater service, NFMU will be compelled to bring in a back hoe to dig up the sewer line and close it off with a valve. In order to have service reconnected, the customer will be compelled to pay all outstanding bills, plus a \$25 customer deposit, plus the actual cost of disconnecting and reconnecting service. I would expect the later cost to be several hundred dollars.

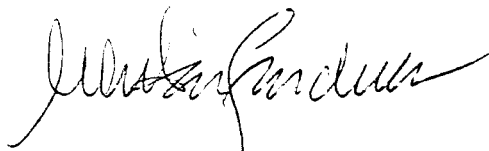


Robert Burandt, Esquire  
March 13, 2000  
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In spite of Mr. Devine's comments in *The Blow Hard*, NFMU does not intend to negotiate anything further with regard to providing wastewater service to Buccaneer Estates. As you know, NFMU had made a substantial compromise in not charging the residents of Buccaneer Estates for ten months usage, as well as waiving any pass through charge for the capital cost of connecting the Buccaneer system to that of NFMU. In addition, NFMU has been more than fair in billing the Buccaneer residents for the usage since September 1, 1999. Instead of billing the customers for service from September 1, 1999 through February, 2000 in a single bill (which it is legally allowed to do), NFMU will only be billing two months at a time until the past billing months usage is fully billed. Since that is a voluntary concession NFMU is making, that concession will be withdrawn as to any customer whose service is disconnected and as a requirement for reconnection, those past months bills will have to be paid in full.

I trust you understand the position which NFMU is compelled to take in this matter.

Very truly yours,



MARTIN S. FRIEDMAN  
For the Firm

MSF/brm

cc: Jennifer Brubaker, Esquire  
Ms. Billie Messer  
David Fell, Esquire (via fax)