

Kimberley Pena

FPSC CLK CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 06041-08		
DISTRIBUTION:		

From: Kimberley Pena
Sent: Tuesday, September 09, 2008 3:08 PM
To: 'Jan Voorheis'
Cc: Erik Sayler
Subject: RE: Interested Party -- FPSC Docket #080428 Transfer of Water and Wastewater Papers from K & C Starkey to Ni Florida

Mr. and Mrs. Voorheis, per this e-mail, you have been added to the mailing list as an interested person in Docket 080428.

Thank you for contacting the Florida Public Service Commission.

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: Erik Sayler
Sent: Friday, September 05, 2008 9:48 AM
To: Kimberley Pena
Cc: Jan Voorheis
Subject: Interested Party -- FPSC Docket #080428 Transfer of Water and Wastewater Papers from K & C Starkey to Ni Florida

Kim,
 Hi. Would you please add the Voorheis to the Interested Party list in Docket No. 080428? Below is her contact information.
 Thanks,
 Erik

John & Janet Voorheis
 3420 Wormer Dr
 Waterford Township, MI 48329
 248-674-1117
 voorheis@msu.edu

-----Original Message-----

From: Janet L Voorheis [<mailto:voorheis@msu.edu>]
Sent: Friday, September 05, 2008 7:49 AM
To: Erik Sayler
Subject: Re: FPSC Docket #080428 Transfer of Water and Wastewater Papers from K & C Starkey to Ni Florida

Dear Attorney Sayler,

Yes, I would appreciate being added to the Docket as an Interested Party.
 Thank you for keeping me informed.

Janet Voorheis

Erik Sayler writes:

9/9/2008

> Ms. Voorheis,
 >
 > Hi there. As you are aware, John Morelli has withdrawn his objection
 > and asked to be added to the Docket as an Interested Party. Click
 > <http://www.psc.state.fl.us/dockets/cms/docketdetails.aspx?docket=080428>.
 > He suggested that you would like to be added, too.
 >
 > As an Interested Party, you will receive a copy of the Agenda Notice
 > (i.e., the date that the Commission will make its decision regarding
 > the transfer), the PAA Order (i.e., the Commission's interim/initial order
 > following the Agenda), and the Commission's Final Order. Would you
 > like me to ask the Clerk's Office to add your name and this contact
 > information to the Interested Parties list?
 >
 > John & Janet Voorheis
 >
 > 3420 Wormer Dr
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 > Waterford Township, MI 48329
 >
 > 248-674-1117
 > voorheis@msu.edu
 >
 > I'll wait until I hear back from you before doing so.
 >
 > As always, if you have any questions about this docket, please let me
 > know.
 >
 > Sincerely,
 >
 > Erik
 >
 > Erik L. Saylor
 > Attorney
 > Florida Public Service Commission
 > 850-413-6199 mainline
 > 850-413-6084 direct
 > 850-413-6085 fax
 >
 >
 > _____
 >
 > From: JOHN MORELLI [<mailto:fujimocar@msn.com>]
 > Sent: Thursday, September 04, 2008 10:29 AM
 > To: Erik Saylor; STEVE Reilly
 > Cc: Ann Cole; bettymannie; Ivan McMillen; Jan Voorheis; Jan&Bob
 > Gorsuch; Linda Doepker; Pat Brady; Patti Daniel
 > Subject: FPSC Docket #080428 Transfer of Water and Wastewater Papers
 > from K & C Starkey to Ni FLorida
 >
 >
 > Dear Mr. Saylor,
 > This e-mail is to inform you of my decision NOT to pursue a formal
 > hearing on the transfer of this docket (FPSC #080428). In the past
 > everything that I have tried to do for our community was for the
 > betterment of it and to keep their/our costs down and to ensure that
 > everything that transpires was done legally. In speaking with you and
 > with Pat Brady I believe that we have brought up many valid points and
 > that you (the FPSC) are addressing said points and will act accordingly.
 > Since the legal expenses that would be incurred by the two parties in
 > this transfer (Mr. and Mrs. Starkey and Ni Florida) could be passed on
 > to the residents (Utility customers) I will not be responsible for
 > putting an additional burden on them that could amount to many
 > thousands of dollars in pass through costs.

9/9/2008

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> I will still be involved in this case/transfer. I would appreciate
> you advising me of any and all hearings that are being held on this
> docket in the future. I WILL attend those meetings and bring up our
> concerns personally so the FPSC will realize that we are very
> concerned about everything that happens in our community. We are a
> retirement community with most on a fixed income and have many widows,
> widowers and couples that can not afford to pay any additional costs
> that are unnecessary or too high. In the many conversations and
> e-mails that we have discussed in the past I do believe that you (the
> FPSC) will make your decisions accordingly and in our best interests.

>
> I made this decision with a heavy heart since I still have many
> doubts about this transaction. I do not believe that the two major
> players in this ordeal have been entirely truthful and given us all
> the facts that are available. We are counting on the FPSC and the
> Office of Public Counsel to make sure that we are treated justly and fairly.
> There are still too many unknowns.

>
> Once again I thank you and your staff for all your help, time,
> information and patience. It is greatly appreciated and was of much
> help to us. I know that I understand the operations and procedures of
> the FPSC a lot more now than when this ordeal first started. Please
> feel free to contact me at any time if there are any questions or
> other occurrences where you believe I can be of any assistance. It has
> been a pleasure dealing with you.

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> Sincerely,
> John Morelli

Kimberley Pena

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Kim,
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 Thanks,
 Erik

John & Janet Voorheis
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 Waterford Township, MI 48329
 248-674-1117
 voorheis@msu.edu

*Done
 09/09/08
 kmp*

-----Original Message-----

From: Janet L Voorheis [mailto:voorheis@msu.edu]
Sent: Friday, September 05, 2008 7:49 AM
To: Erik Saylor
Subject: Re: FPSC Docket #080428 Transfer of Water and Wastewater Papers from K & C Starkey to Ni Florida

Dear Attorney Saylor,

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Janet Voorheis

Erik Saylor writes:

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> Erik
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> Erik L. Saylor
> Attorney
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> 850-413-6084 direct
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> To: Erik Saylor; STEVE Reilly
> Cc: Ann Cole; bettymannie; Ivan McMillen; Jan Voorheis; Jan&Bob
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9/9/2008

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> Sincerely,

> John Morelli

9/9/2008

Kimberley Pena

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Docket	<input type="checkbox"/> Consumer
DOCUMENT NO. 0604-08		
DISTRIBUTION:		

From: Kimberley Pena
Sent: Thursday, September 04, 2008 3:42 PM
To: Erik Sayler
Subject: RE: FPSC Docket #080428 Transfer of Water and Wastewater Papers from K & C Starkey to Ni Florida

Per this email, we will do so. Thank you.

From: Erik Sayler
Sent: Thursday, September 04, 2008 1:55 PM
To: Kimberley Pena
Cc: 'JOHN MORELLI'
Subject: FW: FPSC Docket #080428 Transfer of Water and Wastewater Papers from K & C Starkey to Ni Florida

Kim,
 Mr. Morelli would like to be added as an Interested Party to this docket, as he is now withdrawing his objection. Would you "mark him with an (R)" so he'll receive a copy of the Recommendation?

John J. Morelli, Sr.
 110 50th Ave W.
 Bradenton, Florida 34207
 941-756-5627 (phone/fax)
 fujimocar@msn.com

Thanks.
 Erik

From: JOHN MORELLI [mailto:fujimocar@msn.com]
Sent: Thursday, September 04, 2008 10:29 AM
To: Erik Sayler; STEVE Reilly
Cc: Ann Cole; bettymannie; Ivan McMillen; Jan Voorheis; Jan&Bob Gorsuch; Linda Doepker; Pat Brady; Patti Daniel
Subject: FPSC Docket #080428 Transfer of Water and Wastewater Papers from K & C Starkey to Ni Florida

Dear Mr. Sayler,

This e-mail is to inform you of my decision NOT to pursue a formal hearing on the transfer of this docket (FPSC #080428). In the past everything that I have tried to do for our community was for the betterment of it and to keep their/our costs down and to ensure that everything that transpires was done legally. In speaking with you and with Pat Brady I believe that we have brought up many valid points and that you (the FPSC) are addressing said points and will act accordingly. Since the legal expenses that would be incurred by the two parties in this transfer (Mr. and Mrs. Starkey and Ni Florida) could be passed on to the residents (Utility customers) I will not be responsible for putting an additional burden on them that could amount to many thousands of dollars in pass through costs.

I will still be involved in this case/transfer. I would appreciate you advising me of any and all hearings that are being held on this docket in the future. I WILL attend those meetings and bring up our concerns personally so the FPSC will realize that we are very concerned about everything that happens in our community. We are a retirement community with most on a fixed income and have many widows, widowers and couples that can not afford to pay any additional costs that are unnecessary or too high. In the many conversations and e-mails that

9/4/2008

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I made this decision with a heavy heart since I still have many doubts about this transaction. I do not believe that the two major players in this ordeal have been entirely truthful and given us all the facts that are available. We are counting on the FPSC and the Office of Public Counsel to make sure that we are treated justly and fairly. There are still too many unknowns.

Once again I thank you and your staff for all your help, time, information and patience. It is greatly appreciated and was of much help to us. I know that I understand the operations and procedures of the FPSC a lot more now than when this ordeal first started. Please feel free to contact me at any time if there are any questions or other occurrences where you believe I can be of any assistance. It has been a pleasure dealing with you.

Sincerely,
John Morelli

9/4/2008

****CLK OFFICIAL DOCUMENT...****

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <i>06041-08</i>		
DISTRIBUTION: _____		

Kimberley Pena

From: Kimberley Pena
Sent: Wednesday, August 13, 2008 4:47 PM
To: Erik Sayler
Subject: RE: Docket No. 080428-WS, Joint Application for transfer of water and wastewater systems from Keith and Clara Starkey d/b/a Heather Hills Estates to Ni Florida, LLC, in Manatee County.

Mr. Sayler, per your request, I have added Ms. Doepker to the mailing list of docket 080428 as an interested person.

From: Erik Sayler
Sent: Wednesday, August 13, 2008 4:36 PM
To: Kimberley Pena
Subject: Docket No. 080428-WS, Joint Application for transfer of water and wastewater systems from Keith and Clara Starkey d/b/a Heather Hills Estates to Ni Florida, LLC, in Manatee County.

Erik

From: NET Satisfaxtion
Sent: None
To: Erik Sayler
Subject: 330 633 2213, 4 page(s)

You have received a new fax. This fax was received by **NET Satisfaxtion**. The fax is attached to the message. Open the attachment to view your fax.

Received Fax Details

Received On: 8/13/2008 2:45 PM
Number of Pages: 4
From (CSID): 330 633 2213
From (ANI):
Sent to DID: 6085

Duration of Fax: 0:01:56
Transfer Speed: 14400

Received Status: Success
Number of Errors: 0
Port Received On: RockForceOCTO+ Port 8 #2

<< File: FAX.TIF >>

July 10,2008

RECEIVED-FPSC

080428

Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

08 JUL 14 AM 10:13

COMMISSION
CLERK

PARTIES

Dear Clerk,

I am writing my concerns in response to a recent NOTICE OF APPLICATION FOR TRANSFER OF WATER AND WASTEWATER CERTIFICATES which was sent to me as an affected property owner of the requested transfer. (copy enclosed).

I have a concern with the way the certificate appears to address the property involved as a small piece of real estate approximately 100 feet square when in reality the transfer will affect 353 privately owned home sites encompassing nearly 50 acres of land.

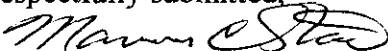
A second concern is that numerous valves in the water distribution system have not been maintained by the present owners, Mr. and Mrs. Starkey (as Mr. Starkey said to me personally some time ago, "I'll fix them ,but you (the residents) will have to pay for them" or words to that effect,) as has been evidently true over the years past when all 353 homes have had their water shut off without notice on many occasions, which I have been informed is against regulations which require advance notice if more than 150 homes will be denied water service. I believe that it has been incumbent upon the Starkeys to comply with regulations in the past and to properly maintain the system with the profits made from the service provided. We have been informed that the intended buyers will upgrade the system, but entirely at the expense of the homeowners instead of the Starkeys bearing those costs which I believe has been their responsibility.

- CMP _____
- COM _____
- CTR _____
- EDR 1
- ECU 1
- DFC _____
- PCA _____
- SCR _____
- SCA _____
- SEC _____
- OTH _____

Finally, Some of our members have investigated the track record of the intended buyers and they have expressed a major concern that in those areas where that company provides service the rates and added expenses to the homeowners have been a very significant burden.

It is my understanding that Ni America with this intended purchase is seeking to establish a footprint in Florida under the name of Ni Florida. I am requesting your office to investigate my concerns and if possible deny this transfer unless specific regulations are implemented to prevent excessive financial burdens from being imposed upon the residents of Heather Hills Estates, some of whom have very limited incomes.

Respectfully submitted,


Marinus C. Staal
404 50th Ave. Plaza West
Bradenton Fl. 34207

cc.Marsha E. Rule,Esq.,

DOCUMENT NUMBER-DATE

06041 JUL 14 8

FPSC-COMMISSION CLERK

**NOTICE OF APPLICATION FOR TRANSFER
OF WATER AND WASTEWATER CERTIFICATES**

Notice is hereby given on the 30th day of June, 2008, pursuant to Section 367.071, Florida Statutes, of the Joint Application for Keith and Clara Starkey d/b/a Heather Hills Estates ("Heather Hills") and Ni Florida, LLC ("Ni Florida") for Approval of the Transfer of Heather Hills's Water and Wastewater Systems and Certificate Nos. 577-W and 498-S to Ni Florida, in Manatee County, Florida, providing water and wastewater service to the following described territory in Manatee County, Florida:

Section 11, Township 35S, Range 17E

The NE 1/4 of the SE 1/4 and the South 1/2 of the SE 1/4 of the NE 1/4.

also

Section 12, Township 35S, Range 17E

From the NW corner of the SW 1/4 of the SW 1/4 of the NW 1/4 run due East 170.0 feet to the Point of Beginning;

thence due North 50.0 feet; thence due East 100.0 feet; thence due South 100.0 feet; thence due West 100.0 feet; thence due North 50.0 feet to the Point of Beginning.

Any objections to the Joint Application must be made in writing and filed within 30 days from the date of this Notice with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Marsha E. Rule, Esq., Rutledge, Ecenia & Purnell P.A., P. O. Box 551, Tallahassee, Florida 32302. The objection must state the grounds for the objection with particularity.

Keith and Clara Starkey d/b/a Heather Hills Estates
4925 Third Street, West
Bradenton, Florida 34207
(941)755-0123 (Telephone)

-- and --

Ni Florida, LLC
10913 Metronome
Houston, Texas 77043
(713) 574-5952 (Telephone)

086428

RECEIVED--FPSC

08 JUL 14 AM 10:11

COMMISSION
CLERK

COMMUNICATIONS CENTER

08 JUL 14 AM 8:06

Thadeus J. Ryba
7815 Chippewa Rd., Apt. 3
Brecksville, OH 44141-2034

I am writing to object the sale of Heather Hills water system to "N1 FLORIDA". Mr. Starkey has failed to update + maintain the water system, and has been cited by Manatee County for failure of equipment. Valves, ect.

A new company comes in and does these improvements, then justifies price increases as essential, rates skyrocket because of prior poor maintenance.

My understanding that N1 FLORIDA has a poor track record in Florida where they have taken over + rates went up dramatically.

Mr. Starkey is not destitute and for this sale to go thru without oversight by N1 FLORIDA reputation is a sad commentary about Florida regulations.

Thadeus J. Ryba
309 49th AV. DR. W.
BRADENTON FL. 34207

PHONE # 440 526 7898