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Public Service Commission

September 9, 2008

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08 SEP -9 PM 3:50
COMMISSION
CLERK

Mr. Robert McBride
FIMC Hideaway, Inc.
P.O. Box 357246
Gainesville, FL 32635-7246

Re: Docket No. 080268-WS, Joint application for transfer of the Springside water and wastewater systems from Par Utilities, Inc. in Levy County to FIMC Hideaway, Inc.; amendment of Certificates 426-W and 362-S held by FIMC Hideaway, Inc.; and amendment of Certificate 428-W and cancellation of Certificate 366-S held by Par Utilities, Inc.

Dear Mr. McBride:

As you should be aware, customers of the Springside and Hideaway systems have responded to the notice of the application for transfer of the Springside potable water and wastewater systems with environmental compliance, customer billing, late payment charge, and service response time complaints. Their letters have been filed in the above-referenced docket under document number 06782-08. Commission staff has also contacted the Florida Department of Environmental Protection (DEP) and confirmed that the Springside and Hideaway potable water and wastewater systems are both significantly out of compliance with DEP rules and regulations to the extent that enforcement action is being initiated by DEP. In order for staff to complete their analysis of the public interest determination for this transfer, we need for you to respond as completely and accurately as possible to the following request for additional information.

Request for Additional Information

- Transfer Date.** Please confirm the date that the operation of the Springside potable water and wastewater systems was transferred to FIMC Hideaway, Inc.
- Springside Operators.** Please identify the operator(s) of the Springside potable water and wastewater systems prior to and, if different, subsequent to the transfer of operation, along with each operator's DEP license number and class. Please also provide the length of time each operator has operated the systems.
- Hideaway Operators.** Please identify the operator(s) of the Hideaway water and wastewater systems along with each operator's DEP license number and class. Please also provide the length of time each operator has operated the systems.

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4. **Springside Wastewater Non-Compliance.** Please provide a copy of your response to DEP's June 27, 2008, letter of non-compliance with regard to the Springside wastewater treatment plant (WWTP). Please explain in detail why matters brought to the operator's attention in DEP's January and March 2008 inspections were not corrected, as noted in DEP's June 27, 2008 letter.
5. **Hideaway Wastewater Non-Compliance.** Please provide a copy of your response to DEP's June 30, 2008 letter of non-compliance with regard to the Hideaway WWTP. Please explain in detail why matters brought to the operator's attention in DEP's March 2008 non-compliance letter were not corrected, as noted in DEP's June 30, 2008 letter.
6. **Springside Potable Water Non-Compliance.** Please provide a copy of your response to DEP's July 17, 2008, letter of non-compliance for exceeding maximum contaminant levels for total dissolved solids and sulfate at Springside's potable water treatment plant (WTP). Please also explain in detail how any requirements that boil water notices be distributed were handled.
7. **Hideaway Potable Water Non-Compliance.** Please provide a copy of the your response to DEP's May 9, 2008, warning letter of possible violations of law for exceeding maximum contaminant levels for total dissolved solids and sulfate at Hideaway's potable WTP. Please also explain in detail how any requirements that boil water notices be distributed were handled. In addition, please provide an explanation as to why matters brought to the operator's attention in DEP's March 2008 non-compliance letter were not corrected as noted in DEP's May 9, 2008 letter.
8. **Springside Sanitary Survey Deficiencies.** Please provide a copy of your response to DEP's November 15, 2007, letter regarding sanitary survey deficiencies at Springside's potable WTP. Please also explain in detail how the utility intends to clean and inspect the finished drinking water tanks in the future.
9. **Hideaway Sanitary Survey Deficiencies.** Please provide a copy of your response to DEP's November 15, 2007, letter regarding sanitary survey deficiencies at Hideaway's potable WTP. Please also explain in detail how the utility intends to clean and inspect the finished drinking water tanks in the future.
10. **System Interconnection.** Please explain how the Springside and Hideaway potable water and wastewater systems have been, or are intended to be interconnected, if the transfer is approved. The explanation should include what facilities, if any, are to be retired.
11. **Shut off Valves.** Please describe the condition of the shut off valve system for the Springside and Hideaway systems. If the valve system is not fully operational for either system, please explain what actions why that system is not fully operational and what steps are being taken to make the system operational.
12. **Customer Billing.** According to customer complaints, the bill for service has been changed. It no longer shows approved rates and, as a result, customers cannot verify that the billing is correct. Also, according to customer complaints, the bill appears to indicate that it is delinquent upon receipt. Pursuant to Rule 25-30.335(1) Florida Administrative Code (F.A.C.), each bill shall indicate: the billing period covered; the applicable rate

schedule; beginning and ending meter reading; the amount of the bill; the delinquent date or the date after which the bill becomes past due; and any authorized late payment charge. Pursuant to Rule 25-30.335(6), F.A.C., a utility may not consider a customer delinquent in paying his or her bill until the 21st day after the utility has mailed or presented the bill for payment.

- 12a. Please provide a copy of FIMC Hideaway Inc.'s current bill format for water and wastewater service.
 - 12b. If the bill's format is different from the format approved in FIMC Hideaway Inc.'s existing tariff, please provide an explanation why the bill format was changed without prior Commission approval.
 - 12c. If the bill's format does not show the applicable rates, please provide an explanation as to why they do not appear
 - 12d. If the bill does not allow 21 days for payment, please provide an explanation why it does not so indicate.
13. **Late Payment Charge.** According to customers, they are being charged a \$5.00 late payment charge. The existing tariffs for the Springside and Hideaway systems do not include authorization to collect a late payment charge. Pursuant to Section 367.091(1), Florida Statutes (F.S.), all applications for new rates or changes in rates must be made to the Commission in writing as prescribed by rule.
- 13a. Please confirm whether or not the utility charges a late payment charge of \$5.00.
 - 13b. If yes, please indicate the date the charge was initiated. In addition, please provide a schedule identifying each instance in which the fee was collected. The schedule should identify the service connection, date charged, and amount collected.
14. **Service Response Time.** According to the customer letters, calls to the service provider are not returned. Pursuant to Rule 25-30.355(1), F.A.C., a utility shall make a full and prompt acknowledgement and investigation of all customer complaints and shall respond fully and promptly to all customer requests. Please describe your procedures for responding to customer calls, including the procedures for responding to service complaints and emergency situations. The description should also include the approximate number of calls received monthly and the average length of time it takes to initially respond.
15. **Additional Information.** Please also provide any other information you believe to be relevant to staff's analysis of the public interest determination on the transfer.

Please file a response to the information requested above by October 9, 2008. The response should reference the docket number and be addressed solely to:

Ann Cole, Director, Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Mr. Robert McBride
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If you have any questions about the information requested, please contact Patricia Brady at (850) 413-6686, pbrady@psc.state.fl.us; Richard Redemann, P.E., at (850) 413-6999, rredeman@psc.state.fl.us; or Jean Hartman, Esq. at (850) 413-6193, jhartman@psc.state.fl.us.

Sincerely,



Patti Daniel
Public Utilities Supervisor
Bureau of Certification, Economics & Tariffs

PD\PB:slc

cc: Fred Loughmiller
Nelson G. & Margaret Capelli
James B. Ford
Lonnie Parnell
Robert Dodrill
Jean Hartman, Esq.
Patricia Brady
Richard Redemann
Office of Commission Clerk