

State of Florida



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Public Service Commission

09 MAR 24 10:25 AM  
CAPITOL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

COMMISSION  
CLERK

-M-E-M-O-R-A-N-D-U-M-

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**DATE:** March 23, 2009  
**TO:** Ann Cole, Clerk  
**FROM:** Patrick L. "Booter" Imhof, General Counsel *BI*  
**RE:** Aloha Utilities, Inc.

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Please file the attached letters in the following dockets:

**Docket No. 010503-WU**, Application for an increase in water rates for Seven Springs System in Pasco County by Aloha Utilities, Inc.

**Docket No., 060122-WU**, Application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

**Docket No. 060606-WS**, Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order No. PSC 060260-AS-WU.

**Docket No. 090120-WS**, Joint notice by Aloha Utilities, Inc. and the Florida Governmental Utility Authority of transfer of water and wastewater assets to the Florida Governmental Utility Authority, in Pasco County, and cancellation of Certificate Nos. 136-W and 97-S.

Thank you.

PLI:tf

cc: William Garner  
Roberta Bass  
Lorena Holley  
Larry Harris  
Bill McNulty  
Mary Andrews Bane  
Ryder Rudd  
Tim Devlin  
Marshall Willis  
Mary Anne Helton  
Jennifer Brubaker  
Jean Hartman

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STATE OF FLORIDA



GENERAL COUNSEL  
PATRICK L. "BOOTER" IMHOF  
(850) 413-6199

## Public Service Commission

March 23, 2009

The Honorable Mike Fasano  
President Pro Tempore  
The Florida Senate  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Senator Fasano:

Thank you for your letter of March 20, 2009, on behalf of constituents of Aloha Utilities, Inc.

As you requested, copies have been added to the following dockets regarding Aloha Utilities and distributed to Commission staff:

**Docket No. 010503-WU**, Application for an increase in water rates for Seven Springs System in Pasco County by Aloha Utilities, Inc.

**Docket No., 060122-WU**, Application for limited proceeding increase in water rates in Pasco County, by Aloha Utilities, Inc.

**Docket No. 060606-WS**, Progress reports on implementation of Anion Exchange in Pasco County, filed by Aloha Utilities, Inc. pursuant to Order No. PSC 060260-AS-WU.

**Docket No. 090120-WS**, Joint notice by Aloha Utilities, Inc. and the Florida Governmental Utility Authority of transfer of water and wastewater assets to the Florida Governmental Utility Authority, in Pasco County, and cancellation of Certificate Nos. 136-W and 97-S.

I appreciate you sharing your views with me. I know you have been working on this issue for many years.

Sincerely,

A handwritten signature in cursive script that reads "Booter".

Patrick L. "Booter" Imhof  
General Counsel

PLI:tf

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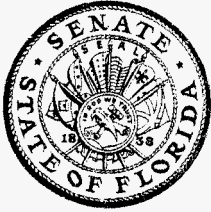
PSC Website: <http://www.floridapsc.com>

DOCUMENT NUMBER-DATE

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Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

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# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

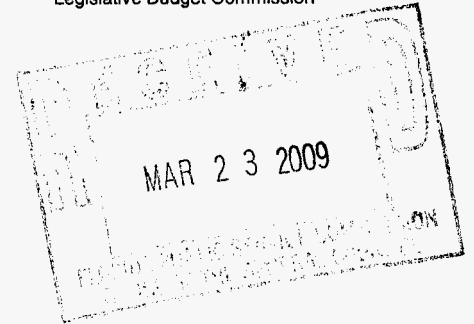
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Legislative Budget Commission

## SENATOR MIKE FASANO

*President Pro Tempore*  
11th District

March 20, 2009



Patrick "Booter" Imhof, General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Dear Mr. Imhof:

I am writing on behalf of my constituents who were customers of Aloha Utilities. As you know, Aloha was recently purchased by the FGUA for \$90.5 million dollars. This was an extraordinary ending to a years-long struggle between Aloha and its customers. The customers, who have had to live with dirty water, poor customer service, and repeated attempts to have their rates increased, are happy that they will no longer have to deal with Aloha. Unfortunately, the March 13, 2009 letter sent to you from William Sundstrom on behalf of Aloha demonstrates that Aloha's efforts to continue creating havoc among its former customers has not ended.

Aloha is attempting to keep approximately \$375,000 (rates plus interest) in interim rate fees that they collected but ultimately were not granted by the Public Service Commission. The interim rates were collected for about 18 months between 2001 and 2003 to pay for an anion exchange system that Aloha ultimately abandoned. The Commission never granted the higher rates, which were collected subject to refund. The letter from Mr. Sundstrom asks for Commission approval to release the interim rates from escrow to be disbursed back to the company, not the customers.

The customers are protesting this action through the representation of the Office of Public Counsel. I am sending this letter in wholehearted support of the customers' efforts to have the interim rates refunded to them. The customers paid the rates, subject to refund, and never received the benefit of the proposed treatment system since it was never completed. Given that the rates were never approved by the Commission I see no reason why Aloha has any claim to them. I encourage the Commission to allow for those funds to be released to the customers as soon as may be possible.

**REPLY TO:**

- 8217 Massachusetts Avenue, New Port Richey, Florida 34653-3111 (727) 848-5885
- 404 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5062

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**JEFF ATWATER**  
President of the Senate

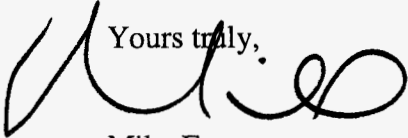
**MIKE FASANO**  
President Pro Tempore

March 20, 2009

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Thank you in advance for your attention to this request. Please distribute this letter to all interested parties at the Commission. If you need to discuss this matter further please do not hesitate to contact me or my chief legislative assistant Greg Giordano. I will await your reply.

Yours truly,

A handwritten signature in black ink, appearing to read 'Mike Fasano', written over the text 'Yours truly,'.

Mike Fasano  
State Senator Mike Fasano, District 11

MF/gg

Cc: Wayne Forehand, Better Water Now  
Steve Riley, Office of Public Counsel