

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 090424-WS

In the Matter of:

APPLICATION FOR CERTIFICATES TO
PROVIDE WATER AND WASTEWATER
SERVICE IN POLK COUNTY BY BIMINI
BAY UTILITIES CORPORATION, AND
FOUR POINTS UTILITY CORPORATION
(UNDOCKETED).



PROCEEDINGS: CUSTOMER MEETING

TAKEN AT THE
INSTANCE OF: The Staff of the Florida
Public Service Commission

DATE: Friday, November 19, 2010

TIME: Commenced at 10:00 a.m.

PLACE: Island Club West Clubhouse
3100 Sand Mine Road
Davenport, Florida

REPORTED BY: JANE FAUROT, RPR
Official FPSC Reporter
(850) 413-6732

DOCUMENT NUMBER DATE
09853 DEC 10 2010
FPSC-COMMISSION CLERK

P R O C E E D I N G S

1
2 **MS. DANIEL:** Good morning. I'll go ahead and
3 get the customer meeting started. And I know there are
4 a few people who are signing in in the back. I'd like
5 to welcome you all to the meeting this morning. And,
6 Counsel, if I could have you read the notice of the
7 meeting.

8 **MS. BENNETT:** Certainly. By notice duly
9 given, this date and time was set for a meeting for
10 Bimini Bay Utilities Corporation and Four Point Utility
11 Corporation.

12 **MS. DANIEL:** Thank you. And, again, I welcome
13 you for coming. I'm Patti Daniel, and I'm with the
14 staff of the Florida Public Service Commission. And I'm
15 going to introduce some of the other staff members that
16 are here with me today.

17 I think I have some names. This is Lisa
18 Bennett to my left, she is our staff attorney. And
19 Lydia Roberts is a staff analyst, and she's going to be
20 able to help some of you later with some very specific
21 questions. We have a staff engineer, Tom Walden, with
22 us. He may be in the back of the room. There are other
23 staff members who have come with us, as well. Lisa
24 Harvey is in the front here, and Carl Vinson is a
25 staffer. And Jerry is in the back and Kevin is in the

1 back. So we have quite a few Commission staff people
2 here to help you talk about your concerns with respect
3 to your water and wastewater usage.

4 There are a couple of other people here with
5 us today that are not from the Florida Public Service
6 Commission. We have the Office of Public Counsel, Mike
7 Jenkins is here. Let me tell you what he represents.
8 Consumers in the State of Florida have a voice, and it
9 is the Office of Public Counsel. So if for some reason
10 you believe that you need further consumer
11 representation, legal representation, technical
12 questions answered, the Office of Public Counsel is
13 available to help you. And in your handout, and I will
14 show you later where that is, you are going to have some
15 information about how to contact Mr. Jenkins' office.

16 Also, a representative of the Attorney
17 General's Office is here, and her name is Rebecca Circle
18 (phonetic), and we appreciate her coming. She is here
19 to observe. Thank you for coming.

20 I'm going to go through a brief presentation
21 with you, and then after this presentation -- bear with
22 me -- after a brief presentation, I'm going to begin to
23 ask you to come up, some of you have signed up to speak,
24 and if you didn't we will take care of that, as well.
25 But the ones who have signed up to speak, I'm going to

1 ask you to come and let us hear your concerns. And we
2 will answer those questions, and then others of you who
3 may not feel comfortable speaking before an audience, we
4 will talk to you privately afterwards. You can write us
5 letters, and I'll show you how to take care of all of
6 that.

7 What I want you to understand is we are the
8 staff members of the Florida Public Service Commission.
9 We are not the utility. We are a state agency that
10 regulates privately owned water and wastewater
11 utilities, and the screen shows you that Chapter 367 of
12 the Florida Statutes and Rule 25-30 of the Florida
13 Administrative Code are those places where the
14 Commission derives its authority and rules to govern
15 what we do.

16 The presentation today is about Bimini Bay's
17 application for water and wastewater certificates and
18 authority to change rates. I know that's not common
19 English, and I'm going to explain to you what that means
20 in just a minute. And we are going to talk about Four
21 Points Utilities, as well, and some quality of service
22 issues that we understand that you are having with that
23 company.

24 Bimini Bay filed an application for a
25 certificate before the Public Service Commission in

1 August of 2009, and what that means is Bimini Bay, while
2 they are already buying bulk water from Polk County and
3 then billing you individually for that water and
4 wastewater service, they are charging at a rate that
5 does not exceed what they paid for it, and right now
6 they are exempt from Commission regulation. And I know
7 that's a little bit complicated and really doesn't mean
8 much to you when you are upset about your water bill,
9 but what I want you to know is they have come forward
10 and have asked to be regulated by the Public Service
11 Commission. And that means that the Commission does
12 regulate them. That the Commission will set the rates
13 and charges that Bimini Bay can charge. And if that's
14 in the public interest, that is what the Commission
15 wants to do.

16 The Commission already regulates Four Points.
17 We granted them a certificate in April of 2007. We have
18 set rates for that company, but we continue to receive a
19 lot of complaints about billing issues and other quality
20 of service issues, and those are some things I suspect
21 we are going to hear from you this morning.

22 Not to belabor it, but these are the rates
23 that Four Points has authority to charge. What I want
24 you to know is that there is a base facility charge, and
25 it's an amount that is 11.68 for water, 18.61 for

1 wastewater. Four Points can charge -- these are Four
2 Point's rates. Four Points, not Bimini Bay. The base
3 charge is something that the company charges each and
4 every month regardless of whether there's usage in the
5 home. So if you are out of town, out of state, you will
6 still receive a base charge. If water goes through the
7 meter, then you are billed on a per thousand gallon
8 basis, so much for water, so much for wastewater.

9 If you are a home that uses, perhaps, 10,000
10 gallons of water per month, then you might wind up
11 paying a water bill of \$39.18 and a wastewater bill of
12 \$64.91. And what this screen also shows you, the
13 asterisk tells you that on wastewater, you pay your
14 wastewater bill based on the amount of water that you
15 use because we don't meter the wastewater. It's a tool
16 that we use, but we understand that not all of the water
17 is returned to that wastewater treatment plant where it
18 is further treated and cleaned up, but we cap the amount
19 that you have to pay for wastewater.

20 In this company's case, it's at 10,000
21 gallons. So you would be billed for all of the water
22 usage that you use at the gallonage rate, but for
23 wastewater we are going to cap the amount that you would
24 pay based on 10,000 gallons. I think those numbers --
25 if you are from Four Points, those numbers are in your

1 bulletin.

2 What does the Commission do? The staff of the
3 Public Service Commission is currently taking part in an
4 investigation. We are reviewing Bimini Bay's
5 application for a certificate and authority to charge --
6 to change their charges for water and wastewater
7 service. I understand they are charging you, but right
8 now, because of the way the statutes are written they
9 are exempt from Commission regulation, but we are
10 looking to regulate them.

11 We are looking at the information that they
12 have given us with respect to what it costs them to
13 provide that service and, therefore, what the
14 appropriate rates might be. And we are also looking
15 into some quality of service issues that we have already
16 begun to hear from the Bimini Bay customers and have
17 heard for a while from the Four Points customers. So we
18 hear you. We know those problems exist, and we want to
19 hear more from you.

20 This customer meeting is so that we can
21 accomplish exactly that. We want you to come forward.
22 If you have copies of bills that you are concerned
23 about, if you have questions, we have staff here who
24 will be willing to talk to you and answer those
25 questions.

1 When we have concluded our investigation, the
2 staff will prepare a recommendation. Our Commissioners
3 in Tallahassee are the ones who will actually vote and
4 decide whether to grant Bimini Bay a certificate, what
5 the appropriate rates and charges would be, are there
6 issues with respect to quality of service that the
7 Commissioners should address and require the company to
8 do something more or different. And the Commissioners
9 will review staff's recommendation and vote on it at an
10 agenda conference in Tallahassee.

11 Now, customers can come to that agenda
12 conference. It is also available on the Commission's
13 website, and in just a minute I'll show you how you
14 might obtain that information. The Commissioners then
15 will either approve, modify, or deny the staff
16 recommendation with respect to those things, the
17 appropriate rates for Bimini Bay, and what, if anything,
18 should be done about these quality of service issues.

19 When the Commission votes, there is an order
20 that is written by the legal staff, it's issued about
21 20 days after the agenda conference, and that order
22 codifies what the Commission's decision was. Now, it's
23 PAA order. Do you see that? It's called a Proposed
24 Agency Action process. Once the Commission votes and
25 that over is issued, there is a time period within which

1 if customers or a utility don't like the Commission's
2 decision, they can object. And if that happens, there
3 is an informal process, and we talk about those things.
4 If need be, we can have a formal hearing where testimony
5 is given. Hearings are very costly, so we try to
6 minimize the hearing process and use this Proposed
7 Agency process to address your questions and concerns.

8 What can you do? You can provide comments to
9 us today. You can provide us documentation, copies of
10 bills that you may have questions about. As I said, if
11 you have signed up we are going to allow you the
12 opportunity to come to the mike over here and speak and
13 tell us your concerns, ask us questions, and we will
14 respond as best we can. If you are not comfortable with
15 that, there's a place in your bulletin -- if you are
16 from Four Points yours is blue, and if you are from
17 Bimini Bay yours is yellow. There's a place in the back
18 where you can use this to write, give us written
19 comments. I think I even have a copy of that. You can
20 obtain a copy of the staff recommendation and you can
21 monitor the agenda conference.

22 Here we go. The sign-up sheet was in the
23 back, and Justin is going to bring that to me in just a
24 minute so that I can call on you in the order in which
25 you signed up. If you will, use the microphone when you

1 come to speak.

2 We's going to be real insistent about knowing
3 what your name and address is and whether you are served
4 by Four Points or Bimini Bay. And that's not to put you
5 on the spot, and if you need to tell us privately, we
6 certainly respect that, but we want to be able to follow
7 up with you, okay? We take these issues very seriously,
8 and so we want to get as much information from you as we
9 can so that we can follow up.

10 Be sure and use the microphone, and let's be
11 respectful of others. If someone is at the microphone
12 speaking, if you are going to be wanting to talk about,
13 yes, I know that, me, too, but try to hold it down so we
14 can hear. This is being recorded, so -- we are being
15 recorded, aren't we?

16 We may ask you to spell your last name. We
17 hear in southern drawl sometimes, so if you will spell
18 your last name. And the comments are being recorded,
19 and there is a special report, and a place in the back
20 of that report where if you want to use that to write to
21 us instead of speaking. If you go to the Commission's
22 website, this is what the website looks like, and we
23 have five Commissioners. You can see from this slide
24 that we have one vacant position right now. Those are
25 the current Commissioners who might be voting on the

1 issues with respect to Bimini Bay and Four Points.

2 There's a place on the Commission's website
3 where you can listen when the Commissioners vote on this
4 particular recommendation. There is a place on here
5 where you can actually get to a video of that agenda
6 conference and monitor it. It's a slight time delay,
7 but it is pretty much realtime.

8 I mentioned Mike Jenkins with the Office of
9 Public Counsel. He is the advocate for consumers and
10 they have a toll free number and a website. I think
11 that's in the bulletin. The Public Service Commission
12 has a staff of consumer assistance folks, and there's a
13 1-800 number, and you can also contact them via e-mail.
14 And if you have questions along the way with regard to
15 the provision of water and wastewater service by Bimini
16 Bay and Four Points, you can contact them.

17 And please remember today's meeting is being
18 recorded. Come forward to the microphone when your name
19 is called, and we may ask you to spell your last name so
20 that we can hear it. Okay. I got through that pretty
21 quickly.

22 And, Lisa, will you help us out.

23 **MS. BENNETT:** Michелlette Ramos.

24 **UNIDENTIFIED SPEAKER:** She is coming in a
25 little bit later.

1 **MS. BENNETT:** Okay. Rodney Williams.

2 **MR. WILLIAMS:** Good day. My name is Rodney
3 Williams. I live at 813 Pine Street, Ocoee, and we own
4 a unit down in Bimini Bay. We have owned for close to
5 four years now. And, you know, we feel like ever since
6 we have been there our water bill has been extremely
7 high because of the number of people that has been
8 living in the units. I know we have, you know, two
9 different units. We rent separately most of the time,
10 but there is usually three to four or five people at the
11 most since we have owned the units.

12 Here recently, we had a renter in, a single
13 guy that was in the three-bedroom unit, an older couple
14 in the single unit, and during that time the single guy
15 there in the last two or three months was gone most of
16 the month. He was mainly -- had a very disabled kid and
17 he stayed at the hospital a lot, so he wasn't hardly
18 ever there. After that, he had moved out, and I had to
19 go in and do the repairs and painting and various
20 things, and that was approximately two months. Well,
21 our water bill never came down. It was still over \$100
22 a month. There is something bad wrong with that
23 situation.

24 In that case, there are times that before when
25 the people was living there it was basically the same,

1 or sometimes a little less. But since we know -- we
2 felt like all the time we were getting charged more.
3 And I have checked the meter and checked the meter.
4 During the time I worked there, there is no leaks in the
5 units, that is one of the first things I looked for for
6 months and months now. Every time -- I have made
7 several trips down there just to check the meter to make
8 sure nothing is running when there was nobody home. And
9 so we know for a fact we don't have any leaks. And we
10 just feel that we have been -- I don't know how to
11 explain it, except that the water bill is extremely
12 high.

13 If my bill is that high for the amount of
14 people that has lived there, and knowing their use,
15 because I'm down there a lot, I can't imagine if there
16 was four, five, or six people living in a unit, the bill
17 has got to be two, three, or \$400 a month. That is just
18 extremely high for water.

19 So that's my concern. I hope that -- if
20 somebody can explain to me that is a normal charge for
21 that kind of a unit, well, then I guess I'll be happy.
22 Not happy, but I guess I can live with it. But I just
23 feel like that there is something wrong. Because of the
24 situation, we have been watching very, very close for a
25 long time.

1 **MS. DANIEL:** If I could, Mr. Williams.

2 **MR. WILLIAMS:** Yes.

3 **MS. DANIEL:** Do you ever check the meter
4 yourself to see how much water is coming through it?

5 **MR. WILLIAMS:** Absolutely. Well, I don't know
6 how to read it.

7 **MS. DANIEL:** You don't know how to read it?

8 **MR. WILLIAMS:** But every time I go down there
9 I look down there at the little red thing --

10 **MS. DANIEL:** Uh-huh.

11 **MR. WILLIAMS:** -- it's never turning. It
12 never turns, you know, unless the water is on. Even if
13 it's dripping it would be turning. But I don't go in
14 the units usually when people are living there, but when
15 I go by down there I check it, and I'm by there quite
16 often.

17 **MS. DANIEL:** Tom, do you have any suggestions?
18 Lydia, go ahead.

19 **MS. ROBERTS:** When you looked at your meter,
20 do the meter numbers change? Is there a different
21 numbers reading on your meter right now versus when you
22 looked at it, you know, say, three weeks ago?

23 **MR. WILLIAMS:** Well, I don't look at the
24 numbers. You know, I just usually look at the little
25 wheel that's turning. But during about two months that

1 the place was vacant, I was down there not every day,
2 but most every day doing some stuff. Well, I wasn't
3 using water. I flushed the toilet maybe once or twice a
4 day and that was it. And the water bill was still as
5 high as it was when people was living there.

6 And the couple that lives next door, you know,
7 they don't -- I've talked to them about the water. They
8 don't use no water, nothing than just normal. I mean,
9 it's just impossible to use that much water.

10 **MS. ROBERTS:** Is their bill exactly as yours
11 as far as the amount goes?

12 **MR. WILLIAMS:** Well, I paid the water bill. I
13 mean, it's all in the same unit. I mean, it's a
14 block-out unit, but the larger unit is one that for
15 months, I guess a couple of years, we just had a single
16 guy living there. Even though his girlfriend moved in
17 for awhile, but then, you know, that's it. There's no
18 reason for any excess water to be used unless there was
19 a major leak of some kind, and I constantly talked to
20 them on the phone. Are you sure there's no leaks? Are
21 you checking all the time? And then every time I would
22 go by I would check the meter to see if the little red
23 thing, when they weren't home, to see if there was any
24 water running inside, you know, for some reason. But I
25 never found that, never.

1 **MS. DANIEL:** Tom, if you want to --

2 **MS. BENNETT:** Mr. Williams, do you have water
3 bills that you could provide us copies of?

4 **MR. WILLIAMS:** Sure, absolutely. We keep all
5 of our water bills. And we are constantly getting
6 billed, like, we just got a notice a couple of days ago
7 they was going to turn our water off because we haven't
8 paid our bill. We have never failed to pay our bill.
9 And that is not the first one we have got. We have
10 gotten several of them saying we are way behind, and we
11 have proof of every bill. It's never late. We
12 personally carry it down there. Yet, we still get these
13 notices in the mail that our water bill hasn't been paid
14 and they are getting ready to turn the water off. And
15 I'm sure -- I don't know if I'm the only one. I hope
16 not.

17 **MS. DANIEL:** Did you bring copies of something
18 today, or is that something you need to --

19 **MR. WILLIAMS:** Do you have a copy of that with
20 you today?

21 **MS. DANIEL:** What we are going to do is if
22 people have brought copies of bills, some of our staff,
23 there are some places in the back where you can sit and
24 talk to our staff and get a dialogue going, and that
25 will allow us to continue with other people's concerns

1 out here. If you want to do that, talk to Lydia and
2 give her some --

3 **MR. WILLIAMS:** Well, yes. We didn't know what
4 we needed to bring or not, but we did, because we
5 stopped by there to pay a bill this morning. And showed
6 it to the girl, and in the computer it showed a zero
7 balance, but we still get these notices.

8 **MS. DANIEL:** Talk to Lydia, and if you don't
9 have something, and there are some booths right back
10 there.

11 **MR. WILLIAMS:** Yes. Because it's a little
12 irritating because we have got people living in the unit
13 and we get the notice that our water may be cut off, and
14 all of it sudden we get a phone call from the people
15 living there saying we have no water, when there's no
16 reason for that because we don't owe no bill. You know
17 what I'm saying? We keep it paid. We pay our bills on
18 time.

19 **MS. DANIEL:** I understand.

20 **MS. BENNETT:** Did you just say that you were
21 disconnection, even though you paid your bill?

22 **MR. WILLIAMS:** Pardon?

23 **MS. BENNETT:** Didn't I just hear you say you
24 got disconnected?

25 **MR. WILLIAMS:** No, but we will get a notice

1 that we are going to be disconnected because of lack of
2 paying the bill. Well, we have never lacked paying our
3 bill. We have always paid our bill.

4 **MS. ROBERTS:** And you have no problem
5 receiving your bill? Do you have it going to your
6 actual location there at Four Points?

7 **MR. WILLIAMS:** No, it comes to our house where
8 we live.

9 **MS. ROBERTS:** It comes to your house. Okay.
10 All right.

11 **MS. DANIEL:** Lydia, did you want to talk to
12 Mr. Williams? Okay. Mr. Williams, if you and your wife
13 would just go with Lydia. There are some booths back
14 here, and she will be able to get some specific
15 information, and if you need to give us more information
16 to help us figure out what's going on.

17 **MR. WILLIAMS:** Okay.

18 **MS. DANIEL:** Is that okay?

19 **MR. WILLIAMS:** Sure.

20 **MS. DANIEL:** All right.

21 **MS. BENNETT:** The next person to speak is
22 Jeff -- I think it is Deyo, but it may be Deto.

23 **MR. DEYO:** Close enough. My name is Jeff
24 Deyo. I'm at 202 Washington Palm Loop in Bimini Bay.
25 The last name is spelled D-E-Y-O.

1 Some of the issues we have brought up,
2 maybe we can have some answers and see where we are on
3 this so far. The calculations that are done on the
4 bills, when you look at the base rates, and the unit
5 rates, and so on, and you compare the usage to the rates
6 to the total -- since this is being recorded, I'm not
7 going to say anything about that. Thank you.

8 (Laughter.)

9 **MR. DEYO:** Yes. About the calculations about
10 how much it is per unit and how many gallons you use and
11 so on, and you follow the calculations across. A lot of
12 times the calculations are off. Most of the time they
13 are off. So I just wanted to see if that was something
14 that the Commissioners are going to be able to address
15 and get that squared away.

16 As far as billing was concerned, I don't know
17 if this would help Tom. Tom, do you receive yours in
18 the mail, your bill, your water bill? Mr. Williams?

19 **MR. WILLIAMS:** Pardon?

20 **MR. DEYO:** Do you receive your water bill in
21 the mail?

22 **MR. WILLIAMS:** Yes.

23 **MR. DEYO:** Because e-mail has been offered in
24 the past, and it was on for awhile, and we haven't
25 received e-mail bills since. Sometimes that accounts

1 for a delay. By the time we get it in the mail and get
2 things paid, it might be a little bit late, but it would
3 be nice to have the e-mail option back again. For me,
4 anyway.

5 When they go -- before the Commission -- or,
6 actually, when the Commission takes over, if that's
7 what's going to happen, you set the rates, but isn't
8 there -- and I'll call it infrastructure, but isn't
9 there a certain amount that could be added to the fees
10 for different infrastructure that needs to be done,
11 different repairs?

12 **MS. DANIEL:** Yes.

13 **MR. DEYO:** Is that something that is monitored
14 or set by the Commission?

15 **MS. DANIEL:** I'm going to figure out what all
16 of your questions are, and then I will tell you what I
17 know about -- if there are uprates needed?

18 **MR. DEYO:** Right. If they need to rebuild the
19 water system in Bimini Bay and that gets reflected off
20 to the customers, is there a cap that can be on that or
21 how is that figured into our bills?

22 **MS. DANIEL:** Okay. Let me go ahead -- and let
23 me back up. Let me start with the calculation of the
24 bills. And we had the customer meeting last night, as
25 well, and we heard that, that you can see the number of

1 units, and the charge per unit, but when you multiply
2 those two numbers together it is not the next number to
3 the right, okay?

4 **MR. DEYO:** That's right.

5 **MS. DANIEL:** Let me back up with respect to
6 that. Bimini Bay right now is operating as an exempt
7 utility, and I know that doesn't mean anything to you,
8 but to try to put that in layman's terms, the Florida
9 Statutes provide that when Bimini Bay buys bulk water
10 from Polk County, and let's say they pay \$10,000 a month
11 for bulk water, they then turn around and bill the
12 individual homeowners. If they don't bill the
13 homeowners any more than that \$10,000, they are exempt
14 from Commission regulation because they are just turning
15 around their costs. If they try to add any overhead to
16 that, if they add any fees for meter installation, or
17 repairs, or upgrades, or anything so that they would be
18 billing their customers more than what they pay to Polk
19 County, then that would cause them to need their rates
20 to be set by the Public Service Commission.

21 When you asked me about these calculations, we
22 can look at it, but right now the Public Service
23 Commission does not set or regulate Bimini Bay's rates.
24 They are exempt. But they have applied to be regulated.
25 They want the Commission to set those rates.

1 Now, what that means is where right now they
2 are just turning around the cost that they pay for that
3 water, if the Commission sets those rates, we are going
4 to look at not only the cost that they pay to Bimini
5 Bay, but it costs Bimini Bay something to read meters,
6 and mail those bills to you. And if there are repairs
7 and upgrades that need to be made, those sorts of issues
8 can be woven into the rates that would be set for Bimini
9 Bay. But that would take a staff investigation and a
10 recommendation to the Commissioners.

11 You saw the schedule of the Four Point rates.
12 The Commission will wind up setting a base charge and a
13 gallorage charge, and the good news is if the Commission
14 regulates Bimini Bay and its rates, there are rules that
15 provide for, you know, you cannot disconnect service
16 without five days written notice separate and apart from
17 the regular monthly bill, and you can't disconnect on a
18 holiday, or after noon on Fridays.

19 We have provisions in our rules that if we
20 were to regulate Bimini Bay, and they have requested
21 that we regulate them, we could put all of those into
22 play. The billing problems with respect to the e-mail,
23 that is sort of a business decision and not something
24 that the Commission would encourage, or prevent, or
25 anything else, if that's a business decision. Did

1 that --

2 **MR. DEYO:** Yes. But just to clarify what you
3 are saying, if I understand this right, right now we are
4 getting billed only for the water that is being used by
5 Bimini Bay. If there are infrastructure repairs that
6 are needed, once they are regulated by the Commission,
7 then those expenses can be carried over to us.

8 **MS. DANIEL:** Can be.

9 **MR. DEYO:** Which right now they are not.

10 **MS. DANIEL:** Can be. The Commission would
11 have to look at that. And I talked about a proposed
12 agency action process, there would be opportunity for
13 customers to monitor what the staff is looking at and
14 what the company is recommending, and what the
15 Commission might ultimately decide.

16 **MR. DEYO:** Okay.

17 **MS. DANIEL:** But, yes, those are issues that
18 could be interwoven into the Bimini Bay rates.

19 **MR. DEYO:** Okay.

20 **MS. DANIEL:** Thank you.

21 **MR. DEYO:** Thank you.

22 **MS. DANIEL:** Okay. Let us know if you have
23 questions or if you want us to follow up on anything.

24 Thank you, Mr. Deyo.

25 **MS. BENNETT:** Brandon and Cathi Mead.

1 **MR. MEAD:** My name is Brandon Mead. This is
2 Cathi Mead. The last name is spelled M-E-A-D. I am the
3 owner of 633 Coconut Palm Way, and that is within the
4 Bimini Bay community.

5 We have a number of actual concerns ranging --
6 and as much as billing is a problem, both the accuracy,
7 the timing, such as some days we have multiple occasions
8 where it was claimed that we had no water usage. One of
9 those, first, I believe they billed some in the month
10 before, some in the month after, but we were accurately
11 living there. So why they wouldn't read the meter, why
12 they would say the same reading is there is unexplained.

13 The second one, they had a gross overbilling
14 that we brought to their attention, and we asked them to
15 fix. They came out; they said they did a reading; they
16 came in; they verified that we had no leaks and they
17 said, okay, just because you used 10,000 gallons more
18 than any other month, that's about accurate for this
19 community, so that's acceptable. You have to pay that.
20 There's nothing.

21 The next month it showed that we had
22 absolutely no usage. And, in fact, we rechecked the
23 meter and found that it was a lot lower than what the
24 original reading had claimed it was. The reading that
25 said it was 93,000 according to them, and a month later

1 it was, like, 87,000. And we have bills of all of this.
2 Of our communication, of the readings, of the original
3 bill that they had sent the previous, or the following
4 month, saying the bill was no usage, and then the
5 corrected bill where they verified. When, in fact, they
6 had misread the meter grossly inaccurately.

7 Other problems. We have received notice of
8 termination of service, even though we have paid the
9 bills. We have those notices in here, as well. We had
10 to go to them and we had to provide them with proof.
11 And it wasn't paid in cash. We had physical evidence
12 and checks and things. Obviously they had received
13 those things, and if they were receiving checks then
14 they know who paid it, and it has notes on it what unit
15 was for. There is no excuse why that funds should not
16 have been applied to our account.

17 And the fact that obviously that this is a
18 repeat thing that they are rebilling people for bills
19 that they already paid. If someone is not capable,
20 either from energy, memory, or whatever of knowing that
21 we already paid that and thinks, oh, we made a mistake,
22 then they are going to repay them again. There is no
23 excuse for that. Also, for them to recharge people and
24 cause the burden of evidence on the customer that they
25 have already paid their bill.

1 We have had two interruptions in service, both
2 towards the beginning of the year. One of them was
3 failure of the previous resident to pay. The second --
4 the second was an accident, according to them. We
5 called them up later, and we said, listen, we haven't
6 received any notices. Again, you turned our service
7 off. What is the reason that our service got turned
8 off? And the reasoning was that they had turned off the
9 wrong unit, which when the water box is directly in
10 front of the unit, I don't know how they could
11 accidentally turn off the wrong unit.

12 Additional problems. My notes just went away.
13 One of the primary things that we have had is just the
14 ethics of the people doing it. I'm more concerned with
15 the people running the utility even if the Commission is
16 monitoring them. The history of all the litigated
17 things, all of the criminal charges against the owner.
18 It is quite a history. And why customers, why citizens
19 should be responsible to deal with that, I don't
20 understand. So primarily I would give my own opinion
21 that the people running Bimini Bay Utility Corp are
22 ethically unqualified to run it.

23 Fundamentally, even with the Commission's
24 oversight, looking back at the history, even at these
25 specific communities, the arson that burnt down the

1 clubhouse, the insurance money has still been pocketed
2 by the owner who is the owner of Bimini Bay Utility
3 Company. I think it shows an ethical balance that shows
4 that they are not ethically qualified to be ran even
5 with oversight.

6 Also, we have the inability to communicate
7 with them. That calls are ignored. That unless we
8 physically go into the office during business hours most
9 things are ignored. I have numerous e-mails that have
10 been ignored. I have numerous phone calls, voicemails,
11 continuing on and on and on. If any of those had
12 actually been for an emergency, if there was a line
13 breaking, if there was anything, since I know exactly
14 where the box is, I now how to turn off the water,
15 anyone else in the community who may not know that that
16 is a huge problem.

17 And, of course, as we have seen, that even if
18 it is not the consumer's responsibility of why
19 additional water was used, in our case it wasn't used,
20 still Bimini Bay expects them to pay that if it's
21 unexplained. So if they failed to be in communication
22 with the customer, a line were to break, massive amounts
23 of water were to be leaked, then I'm completely
24 convinced that that responsibility would still fall on
25 the customer, even though it's the failure of Bimini Bay

1 Utility Corp to be in communication with them.

2 Additionally, the staff, I don't feel that the
3 staff which currently services them are qualified. They
4 are the same staff that services all the HOA needs.
5 Most of them turn over completely all the time. The
6 accounting people that we dealt with at the beginning of
7 the year are not the same people anymore. Those people
8 have already quit and gone to other places.

9 The individuals who the last time when we
10 asked them to correct our bill that was grossly overuse,
11 it was obvious, came in, looked at things, said nothing
12 is wrong. Nothing is explained, which was also the
13 staff that misread the meter in the first place, those
14 staff members we have problems with.

15 The animal abuse. When we have left a room
16 when we had other problems, we have a small puppy, a
17 labrador that we are training to be a service dog. When
18 we left the room, suddenly there was a yelp from the dog
19 and they went running away. These are dogs that are
20 specifically known for their friendliness, for their
21 nonaggressiveness, for -- and there was no excuse to why
22 this dog had yelped, screaming, and ran out of the room
23 and refused to go over towards the service provider.
24 That person is still there. I don't know if there is
25 background checks for the individuals there. I don't

1 know what the qualifications are that they should be
2 going into people's homes, that we should have to allow
3 them access to our homes should we have a problem with
4 our water.

5 **MS. DANIEL:** Can I interrupt you. The service
6 person was inside your home?

7 **MR. MEAD:** No. We are serving -- we are
8 training the service dogs, and the service dog was left
9 there. Obviously we had seen that they didn't have a
10 problem with it, that the service dog -- I mean, she was
11 only, what, three months old. I mean, this is a
12 three-month-old yellow lab puppy. They have no
13 aggression. The most that they do is sniff you as you
14 are doing whatever. So there was no problems. She left
15 the room for just a moment, heard a yelp, returned and
16 the puppy refused to go back over towards the person who
17 is still employed at Bimini Bay.

18 I don't know what the qualifications are. I
19 don't know what screening there are for the employees.
20 For most things that they fix, they break shortly after.
21 It seems like these are unqualified individuals to be of
22 any service providing especially in this case.

23 Yes, ma'am.

24 **MS. ROBERTS:** If you don't mind elaborate a
25 little bit more as far as what it is -- (Inaudible.)

1 **MR. MEAD:** No, no, no. These are things with
2 the HOA in general. The individuals who are servicing
3 the water are the same ones responsible for all HOA
4 responsibilities from what we've seen, which at the same
5 case --

6 **UNIDENTIFIED SPEAKER:** (Inaudible.)

7 **MR. MEAD:** Property maintenance, garbage. So
8 if they were suddenly controlled by the --

9 **MS. ROBERTS:** What is everything, I'm sorry?

10 **MR. MEAD:** Everything literally. The HOA, all
11 common areas.

12 **MS. MEAD:** They mow the lawns, they read the
13 water meters, they put down fertilizer, I mean, they are
14 responsible for everything across the board throughout
15 the entire neighborhood. So it's the same people. I
16 mean, it's not like you've got a team that does the
17 utilities, and then you've got a team that does the yard
18 maintenance, and then you've got a team that -- you
19 know, everybody. It's the same people that does
20 everything.

21 **MS. ROBERTS:** And that is the water,
22 wastewater --

23 **MR. MEAD:** Water, wastewater --

24 **MS. MEAD:** Telephone, internet, cable TV.

25 **MR. MEAD:** Maintenance of the HOA.

1 **MS. MEAD:** They mow the lawns. The same
2 people come in -- you know, they may be riding their
3 lawnmower, "Oh, I'm having an internet problem, can you
4 come fix it?" You know, it's the same person.

5 **MS. ROBERTS:** And is this still in your bill
6 or is this separate from your bill? Is this included in
7 your bill?

8 **MR. MEAD:** As far as the utility portions,
9 they don't step in much, except for the water, reading
10 the meter. And in this case, I mean, when we have
11 service problems, these are the same individuals that we
12 are not able to contact to try to rectify our bills. I
13 mean, the accounting department, but we are not able to
14 contact them unless we physically go into the building.
15 Which I have had to take days off just to fix problems,
16 because they refused to correspond with us in any other
17 way except for me physically going there and holding
18 them responsible for communication.

19 **MS. MEAD:** I called twice yesterday. I still
20 haven't got a call back. I called once in the morning
21 and once in the afternoon.

22 **MS. ROBERTS:** I am going back to the bill.

23 **MR. MEAD:** Uh-huh.

24 **MS. ROBERTS:** So is the cable bill on a Bimini
25 Utility bill, and the telephone, is that all on one?

1 **MR. MEAD:** They are sent as separate bills
2 from the same individuals.

3 **MS. ROBERTS:** Okay.

4 **MR. MEAD:** So they will come in separate
5 envelopes, but the same individuals I will have to
6 contact if I have a problem with my water bill, with my
7 HOA bill, with my cable bill. It's the same individuals
8 that I have to contact. Currently, I don't know who
9 that would be, because the last person that I contacted
10 has quit recently, and that was the same individual who
11 I have communications from them stating that they know
12 there is problems with billing. They know that there
13 are issues, and they can't explain what may have
14 happened, what would have happened.

15 And this was in regards to a separate case
16 with HOA bills, but she explained that she knows there
17 is problems with the billing, but there's errors. She
18 doesn't know exactly what has gone on, but that she
19 would try to fix that. That individual case was related
20 to HOA, but still that has yet to be fixed by the
21 Association.

22 **MS. MEAD:** These are the same people who send
23 us our utility bill.

24 **MR. MEAD:** By the property manager. I have
25 tried to get him to fix that. He is also in charge of

1 these. It is Robert Trenner (phonetic). I think he was
2 in the back here.

3 David Meadows, I have also sent him e-mails.
4 I have yet to have those things resolved. And at this
5 point it's just short litigation due to the failure to
6 address any of these concerns, to even acknowledge that
7 there's a problem.

8 **MS. MEAD:** And there are so many problems that
9 when I get tired of calling and waiting for returned
10 call phones, I go into the office and they run. They go
11 the other way because they know. If I happen to get
12 contacted by phone, and I have to identify myself, I
13 basically just say it's the bitch at 633 Coconut Palm
14 Way, because I'm always calling and complaining about
15 something because there is always something wrong.

16 And it doesn't matter if it's a utility bill,
17 it doesn't matter if it's the Internet, there is always
18 something wrong. The water, the water sprinklers, I
19 mean, always. We have no yard. It's all just weeds,
20 and it is the same people that are running the
21 utilities.

22 **MS. DANIEL:** Let me see if I can kind of wrap
23 this up for you.

24 **MR. MEAD:** There was just one last thing that
25 I had as a concern.

1 **MS. DANIEL:** Okay. Yes.

2 **MR. MEAD:** Which kind of relates to the
3 overlap of HOA utilities, all of these different
4 corporations that David Meadows runs with the same
5 group. But we don't know, and since you don't have
6 oversight, I don't know if you would either, if the
7 association pays for its water that it uses throughout
8 the community. I mean, there are sprinkler leaks
9 throughout. And according to our bills for the HOA, it
10 says that we pay those as part of our HOA fees.

11 However, we don't know if that's accurate or
12 if they are saying that as a community we are paying
13 those divided up based on our water usage. And the
14 morning when I drive by and see sprinkler heads leaking,
15 I always wonder if that is being divided up into my bill
16 or if that actually is being paid as part of the lawn
17 maintenance that has been incorporated into our HOA
18 dues.

19 **MS. DANIEL:** I am so glad you made that point.
20 One of the issues we have looked at is we have had an
21 audit done and we have looked at the amounts that Polk
22 County has charged to Bimini Bay and we have looked at
23 the amounts that the company has, in turn, billed to the
24 individual homeowners. I'm not sure if we have looked
25 to see if additional monies for water and wastewater --

1 for water and wastewater, that's our jurisdiction, has
2 been collected via the HOA, and that is something that I
3 very much want to check into.

4 You heard me correctly. Our hands are tied a
5 little bit, unless and until the Commission asserts its
6 jurisdiction, grants this company a certificate, which
7 means the authority from the state to provide that water
8 and wastewater service at a rate that exceeds what they
9 pay for it. We would set those rates.

10 Some of these things we can -- we would be
11 able to work on. The same person doing meter reading
12 and cutting the grass, that is not an issue we would be
13 able to help with. That's not to say that there aren't
14 remedies for some of these other things, and that's why
15 some of the people in the audience today that are
16 monitoring what we are doing are here and listening,
17 because there are other issues that go well beyond the
18 Florida Public Service Commission, but we understand.

19 **MR. MEAD:** Yes. And we would certainly love
20 to talk with them after this also.

21 **MS. DANIEL:** Okay. Thank you so much.

22 **MS. BENNETT:** Mr. Mead, could you meet briefly
23 with Lydia in the back. She wanted to get a little bit
24 more information.

25 **MR. MEAD:** Absolutely.

1 **MS. DANIEL:** And we're not taking you off to
2 the back for any reason --

3 **MR. MEAD:** No, no, no.

4 **MS. DANIEL:** -- we can continue this
5 conversation.

6 **MR. MEAD:** No, thank you for holding this.

7 **MS. DANIEL:** Okay. Thank you.

8 **MS. BENNETT:** Rafael Baquero.

9 **MR. BAQUERO:** Good morning.

10 **MS. DANIEL:** Bring it down so you can -- there
11 you go.

12 **MR. BAQUERO:** Good morning, everybody. This
13 young lady in case --

14 (Inaudible.)

15 **MR. BAQUERO:** I'm trying to explain what I
16 want to say, but sometimes --

17 **MS. DANIEL:** I understand.

18 **MR. BAQUERO:** -- I fall short. So now since
19 this works --

20 **MS. DANIEL:** You take your time. You feel
21 comfortable, okay?

22 **MR. BAQUERO:** Thank you. Well, unfortunately
23 I don't have any complaints for my utilities, the water
24 expenses in the time that I have been in my house, but I
25 would like to -- I know that nobody from Four Points is

1 in here, right? I understand that all of you are from
2 the official --

3 **MS. DANIEL:** So far we have only heard from
4 Bimini Bay, but there may be people for Four Points.

5 **MR. BAQUERO:** Because the comments and
6 questions that I have in here is really for Four Points.
7 It's not really -- it is not really complaints, it's
8 only something to say, comments.

9 **MS. DANIEL:** The company does not have a
10 representative here. They were offered the opportunity
11 to have a representative, but not necessarily really to
12 make a presentation or even to answer questions, because
13 we want to hear from you, and so we were afraid that it
14 would take a path that we didn't want to take if we
15 offered that opportunity.

16 **MR. BAQUERO:** I have three basically points.

17 **MS. DANIEL:** Okay.

18 **MR. BAQUERO:** As far as this, I would like to
19 understand much better in reference to the charges, the
20 fillers that come every month in the bills.

21 **MS. DANIEL:** Yes.

22 **MR. BAQUERO:** Because I see in here -- I never
23 paid attention, you know. Fortunately, I don't have
24 high charges, but when I bring my bill here, it confuses
25 me sometimes, because it is about four or five different

1 charges. I know that you explain there, but just now
2 I'm trying to put (inaudible) what is this --

3 **MS. DANIEL:** Did you bring a copy of your
4 bill? Did you bring a copy?

5 **MR. BAQUERO:** I have two copies now.

6 **MS. DANIEL:** That is what we need. We will
7 talk to you. Let us sit down with you and go through it
8 slowly.

9 **MR. BAQUERO:** I would like to understand
10 better, because I feel more comfortable, you know, with
11 what I paid for, right? And the second point is last
12 night I came in here, and I hear a lot of big
13 complaints. I got a big surprise? I understand some
14 people explained big problems and big amounts, bills, I
15 don't know if that was wrongs or what was really what
16 happens, but I really got a surprise. Again,
17 fortunately, I haven't had these kinds of problems, but
18 the question is for you. What do you have -- what do
19 you do with that big complaints regarding the big
20 amounts or the big lines problems that got to do with
21 the people, because in the future anytime we ought to
22 be -- we got to come to (inaudible). So I would like to
23 understand definitely what are you going to do with all
24 of these big complaints?

25 **MS. DANIEL:** All right. What will happen as a

1 result of these meetings is what you want to know?

2 MR. BAQUERO: Yes.

3 MS. DANIEL: We are going to continue looking
4 at the information that the company has provided to us.
5 We are going to have our staff take a look at the
6 company's business practices, their billing practices.
7 We are going to continue to look into on a very broad
8 scope, and we are going to talk to individuals like you
9 here today so we can have some very specifics, and we
10 are going to try to see where do the problems lie.

11 We are going to offer Mr. Meadows some help.
12 If he needs a better billing system, perhaps we can help
13 him with that. If he needs to have some better business
14 practices, perhaps we can help him with that. Now, it
15 would be up to him to accept some of those things.
16 Other things we can require him to do. So it will be
17 something that -- do you have access to the internet?

18 MR. BAQUERO: Yes, definitely.

19 MS. DANIEL: Okay.

20 MR. BAQUERO: That was the other point.

21 MS. DANIEL: The bulletin will tell you how to
22 monitor what we are doing with respect to this company,
23 and some of our staff can help you afterwards as far as
24 how to actually go to the Commission's website and
25 monitor, and you will be able to observe as things

1 progress in this case.

2 MR. BAQUERO: Yes. That is the other question
3 for Four Points Utilities, because I know I understand
4 now that they are trying to send the bills by e-mail,
5 right, but they haven't had a presence in the internet.
6 The other utilities, we can go on there and check it
7 out, and get a history of the whole months, months and
8 the amounts. But Four Points Utilities, they don't have
9 it. So at this time I would like to -- I would like to
10 go, you know, where I can find my history and make a
11 comparison with the whole -- with the whole months.

12 Because I understand that now I don't have
13 really a big amounts of my bills, but I remember when I
14 came here to begin I have problems, a higher, higher
15 amounts, but I really never (inaudible) because in that
16 time we didn't know that we could get help from, you
17 know, from some official office. So the question is for
18 them. Why they don't have presence in the internet, you
19 know, to get the whole history of the months and the
20 service. So that's all, that's what I want to say.

21 MS. DANIEL: Okay.

22 MR. BAQUERO: All right.

23 MS. DANIEL: You want to understand your
24 bills. If you have some --

25 MR. BAQUERO: I would like to understand, yes.

1 **MS. DANIEL:** We have some staff who will be
2 happy to talk to you.

3 **MR. BAQUERO:** Okay. All right. Thank you.

4 **MS. DANIEL:** You did very nicely.

5 **MR. BAQUERO:** Thanks.

6 **MS. BENNETT:** I believe it's Iran Montijo. Is
7 that correct? I improperly said your name.

8 **MR. MONTIJO:** That's all right. It's not the
9 first time.

10 Good morning. My name is Iran Montijo.
11 I-R-A-N, like the country, but I am from Puerto Rico.
12 The last name, M-O-N-T-I-J-O. I am a tenant at 243
13 Coconut Palm Drive here in Island Club West. I have
14 been now -- in December it's going to be a year.

15 Initially when I started service with the Four
16 Points Utilities, the bill that I received for the unit
17 was around \$200-plus, which I haven't even moved in and
18 I'm getting a bill. When I went there, they said, well,
19 that was the prior tenants. That's going to be erased.
20 So I said, well, how much do I have to pay? Well, let's
21 wait till -- bring me your papers when you move in. And
22 I guess I spoke to a lady. And when I went back, they
23 charged me 190-something dollars, but they still had on
24 the total balance the other monies that was from the
25 other people.

1 After numerous calls, which I think they are
2 understaffed, you call them there, the lady probably
3 there handling all these other HOA things, and for
4 whatever reason I never get calls back. That was the
5 first month.

6 The second month, I went there and paid with a
7 check. Still I received a notice, like, they have
8 reported here that some discrepancies that I didn't pay,
9 whatnot. I went back, and spent another day at work.
10 Went over there trying to figure out what is going on.
11 The lady recently quit or moved, and there was another
12 person there that I have to go in and explain again all
13 these back problems that I have been having with the
14 bill.

15 Then she mentioned, well, have you paid with
16 checks? Can you bring me proof? The same thing that
17 everybody here I heard. And I think that the main
18 problem is that they are understaffed for the amount of
19 work that needs to be done and it affects me and
20 everybody else.

21 The other thing is that they don't have a --
22 from what I'm seeing, they don't have a standard system
23 of how to bill people. I went there not too long, like
24 three months ago, and paid with my credit card, and it
25 is not being reported from what they mentioned. Well,

1 unfortunately, when I went there and said, well, I paid
2 with my credit card. And he says, well, for some reason
3 our system is not getting the information when you paid
4 with your credit card in time when we sent the bill.

5 And I don't know anything about how they run
6 their business, prior to that they were charging through
7 another company which was not Four Point Utilities. It
8 was, I don't know, it is a different company that was
9 charging the credit card. They will take the amount
10 that I was paying, but then they were supposed to report
11 it to them that they charged the credit card, and that
12 never happened.

13 To this day I still have problems
14 understanding their billing structure. Basically, I
15 have never seen my balance to be correct to what I truly
16 owe them. That's some of the issues that I have had.
17 The water last month on my unit was cut off. I don't
18 know if it's that I owe them money or if it was a
19 mistake. I called two times, and said, listen, my water
20 was cut off. I don't have a notice on my door. Do I
21 owe you any money? The last time I was there I was
22 supposed to be up-to-date; it was last month, and yet
23 the service is off. I am just going to go ahead and
24 turn it back on. So I went outside and turned it back
25 on. There was no lock there. There was no calls from

1 them telling me that the service was disconnected
2 because lack of payment.

3 Basically, I didn't know if some children or
4 somebody shut it off or what's going on with the system,
5 so I turned it on. To this day nobody has contacted me
6 from their office saying, well, Mr. Montijo, it was cut
7 off, or we didn't cut it off, we are going to put a lock
8 on your box there so that doesn't happen again. So it's
9 kind of -- it is a big concern, because I don't know if
10 the monies that I am paying are actually the monies that
11 I owe.

12 I have a property that falls under Polk County
13 Utilities. It is a much bigger property with pools,
14 sprinkler systems all the time. I'm a family of five,
15 and I would say that when I lived there I only paid 75
16 or \$80 for the whole house. And it was just
17 mind-boggling for me that I'm living in a smaller
18 property, I don't pay for a sprinkler system that I know
19 of, and my smallest bill is \$120-plus. I don't know who
20 set the rates. I guess it was answered today, it was
21 your office. I think that needs to be revised. I
22 cannot see myself why would I be paying 65 percent more
23 for the same water that just a couple of blocks down I'm
24 paying less. And that's the main question.

25 My main concern is that most of the people

1 that live here, we are -- we have our hands tied and we
2 can do nothing. Basically, come to you, tell you
3 things, but if you don't act promptly, it's costing us
4 money. And I would urge you to please look into the
5 billing practices and the billing amounts and who is
6 responsible for it and just hold them responsible as
7 soon as possible.

8 **MS. BENNETT:** Would you -- I think she is back
9 there speaking with somebody else, but could you speak
10 with Lydia before you leave. And if you have your
11 bills --

12 **MR. MONTIJO:** I didn't bring any bills today.
13 I didn't know I would need them.

14 **MS. DANIEL:** That's all right.

15 **MR. MONTIJO:** But I will be more than happy to
16 later on be in contact with your office. As to my
17 questions, from Polk County Utilities and to Four
18 Points, what is the big difference in charge, and if
19 there is a cap in how much profit they can make from
20 this? I would like to know what is the allowable
21 percentage for profits per gallon besides Polk County
22 Utilities.

23 **MS. DANIEL:** There is no standard percentage,
24 per se. What we do find is that -- you're Four Points.
25 Four Points is buying the bulk water from the county, so

1 that, of course, is a part of what's included in your
2 rates. But there is also the additional expense
3 associated with reading the meters and issuing the
4 bills. And, you know, there must be a staff person, so
5 there is some salary involved with respect to overseeing
6 the things that happen with the utility.

7 Now, your frustration is you feel like they
8 are understaffed, and they are not doing the minimal
9 things that you believe need to happen, and we certainly
10 appreciate that. I don't know exactly what the
11 information was that the prior staff and the
12 Commissioners might have looked at that developed these
13 rates in particular, but those are the sorts of things
14 that would have been included.

15 **MR. MONTIJO:** Is that something that could be
16 addressed again on a hearing, see what is the amount?
17 Because, my main concern is that it's costing us money.
18 It's costing me money. I mean, paperwork is nice, that
19 we do all of this paperwork stuff and try to proceed,
20 but, I mean, it's just -- for me it's mind-boggling that
21 Polk County Utilities, as big as they are, I mean,
22 charge less than what I am here. And nobody seems to
23 know what is -- what is the cap. I know that when you
24 say bulk, well, bulk means a lot, but there is not an
25 actual number to -- well, Polk County Utilities charged

1 so much per gallon, and Four Points Utilities should
2 only charge this much. I don't see -- I just -- I do
3 want a straight answer on what is the dates where you
4 want to do these things. I mean, I know this is just a
5 hearing, but, what dates you have set to take a
6 determination of when these things can be solved.

7 **MS. DANIEL:** We have not set a date because we
8 were so uncertain as to what we might hear today. What
9 we have done is we have provided you a place on our
10 Commission website, and phone numbers, and e-mail
11 contacts so that we can keep you in the loop so that you
12 can know what our progress is on this case. And the
13 Commission has a website, and for Four Points there is
14 no open case, per se, with respect to Four Points. With
15 Bimini Bay there is, and we are asking that if you
16 communicate with us with respect to Four Points and
17 Bimini Bay, there is actually a docket number for Bimini
18 Bay, 090424. If you need to get -- well, it's on the
19 Four Points document as well.

20 And the information in the back of your
21 bulletin with respect to Four Points, on Page 2 it will
22 tell you that if you communicate with us we would need
23 to know that your water service is provided by Four
24 Points, include your street address, and then reference
25 to this docket number that I'm referring to. And on the

1 Commission's web page, you would be able to monitor our
2 progress on that. We could set a date, but we want to
3 make sure that we have good information, documented
4 information before we go to the Commissioners to say
5 what the remedies, we believe, should be.

6 **MR. MONTIJO:** All right. Thank you.

7 **MS. DANIEL:** Thank you.

8 **MS. BENNETT:** Patti, doesn't the bulletin
9 include Four Points, what they are allowed to charge?

10 **MS. DANIEL:** Uh-huh.

11 **MS. BENNETT:** So if you get a copy of the
12 bulletin, you will see what they have permitted to
13 charge for water and what they're permitted to charge
14 for wastewater.

15 **MS. DANIEL:** I think his question is, though,
16 how do you get from Polk County to here.

17 **MR. MONTIJO:** Yes. My main question is at the
18 beginning you said that you determined the rate.

19 **MS. DANIEL:** Uh-huh.

20 **MS. BENNETT:** Correct.

21 **MR. MONTIJO:** And I don't know it is the same
22 staff that is here now that will determine that
23 particular rate, but my belief is that needs to
24 revisited, because it is grossly overcharged for the
25 amount of service, and it's the same water. I mean, and

1 run by less people, so I don't see my -- it is just that
2 it needs to be revisited. I don't know, that may sound
3 fair for some folks here, but I had a bigger property
4 and I was paying less money. Eighty, \$90 for not even
5 using water, it is unheard of. And maybe that needs to
6 be addressed. But that's just my concern. I don't know
7 if other people here have the same concern, but I will
8 follow up. To my understanding there is no
9 investigation being done to Four Points at this time for
10 their service.

11 **MS. DANIEL:** This is the beginnings of the
12 investigation. The Commission's actions are always sort
13 of tied together with what we call docket numbers, case
14 numbers, and that is the point where we have a timeline
15 of progression of events. For Bimini Bay we have that
16 going on. For Four Points, because we know Mr. Meadows,
17 the same person owns both utilities, having heard from a
18 lot of customers over the last several years, knowing
19 that we were going to be in the area, we made a decision
20 to go on and bring enough staff here today so that we
21 could hear both Four Points and Bimini Bay even though
22 we don't have an open and formal investigation. We are
23 going to go ahead and look at Four Points as well as we
24 are looking at Bimini Bay. So that is going to happen.
25 That is happening. That is why we are here, okay?

1 **MR. MONTIJO:** Okay. Good. Thank you so much.

2 **UNIDENTIFIED SPEAKER:** (Inaudible.)

3 **MS. DANIEL:** What we were going to do is
4 finish the people who are here, and then we are going to
5 go to them. Okay. All right. Do we have someone else?

6 **MS. BENNETT:** Yes. Margaret Blankenship-Luke,
7 or Margaret Blankenship.

8 **MS. DANIEL:** Did you want to speak,
9 Ms. Blankenship?

10 **MS. BLANKENSHIP:** I don't really have much to
11 say. It will just take a minute.

12 **MS. DANIEL:** And tell us which utility serves
13 you. Is it Four Points or Bimini Bay?

14 **MS. BLANKENSHIP:** It's Four Points. When I
15 was having a leak before it reached my meter, I wasn't
16 paying for it. But it was actually eroding my yard, and
17 so it was a lot of water going there, and I would call,
18 and I would go into the office; call and go into the
19 office. I raised some beautiful ferns there. But I
20 finally called Lydia and she -- it was fixed
21 immediately.

22 So service is a real problem. We don't get
23 any service from the staff in the office. We don't get
24 any service from any problems that we have on the
25 ground. We just -- we just need to dispense with all

1 the middlemen and all those other people. Get back to
2 the utility company and back in the real world. Thank
3 you.

4 **MS. DANIEL:** Thank you, Ms. Blankenship.
5 Thank you for your comments.

6 **MS. BENNETT:** Michael Flynn.

7 **MR. FLYNN:** My name is Michael Flynn, and I
8 live at 254 Mango Drive here in Island Club West, so we
9 are served by Four Points.

10 I guess my main function here today would be
11 sort of a historian. I served on the board for Island
12 Club West for about two and a half years in the earlier
13 days when David Meadows controlled everything here. The
14 difference between serving on the board then and serving
15 on the board now is when you are on the board now, you
16 wake up in the morning and you address the problems of
17 the community. When you served on the board back then,
18 you woke up in the morning, you donned your battle gear,
19 and you went to war with David Meadows, and that was our
20 primary function.

21 David controlled everything in this place:
22 Telephone, television, water, electricity, you name it
23 he had control over it. Most of the services that he
24 was providing at the time was substandard, particularly
25 television, computers, internet. It was atrocious. And

1 the reason for it primarily was not his people, it was
2 the fact that he purchased substandard equipment, and
3 tried to have his people make substandard equipment work
4 as up-to-date equipment. Needless to say, that just
5 doesn't work.

6 I have been to many -- I have been to hearings
7 with the PSC up in Tallahassee. I have been to hearings
8 with the PSC in Bartow. I can't tell you how many times
9 I have been in courtrooms. It has been on and on and
10 on. Myself and a gentleman named Jim Brent (phonetic)
11 were the ones that went to the mediation hearings
12 originally when David was becoming the water provider.
13 We stated to the PSC at that time that we did not want
14 David to become our water provider, that we wanted Polk
15 County to become our water provider. From what I
16 understand back then, Polk County refused. They did not
17 want to become our water provider. I'm from the north.
18 I kind of don't understand these sort of politics down
19 here. That would not happen up north. They would be
20 your water provider, and there would be no question
21 about it.

22 In regard to that, I would love to see some
23 laws changed down here so that you folks had a little
24 more control over your county governments, particularly
25 Polk County. I think that they are tremendously lacking

1 down here. They have some work to do in the government.
2 I don't believe that any private individual should be a
3 water provider. It's a county function, and they should
4 be providing the water.

5 For those of you that live in this
6 development, the agreement that we reached during the
7 mediation, we had some pretty poor meters back in the
8 day when this all was transpiring. Those meters have
9 since been changed out. If you have a question about
10 your meter in Island Club West, under the agreement you
11 have the right to have that meter tested. You also have
12 the right to be present at the bench testing. I don't
13 know if any of you know that or not. If you have a
14 question about your meter, you need to request that it
15 be tested and you need to be there.

16 And I'd just like to take a second. Please,
17 thank you so much for coming all the way down here. I
18 have taken the trip. It's not a great one. So, thank
19 you so much for that.

20 There has been -- there is no secret, David's
21 integrity has been tried and tested on many occasions.
22 With the way things have been put in, installed in here,
23 we have had people that have had their toilets connected
24 to hot water. We have had -- now, our sprinkler system,
25 we are very fortunate here, although the system was put

1 in wrong, but it is under a well system, so we are not
2 paying for that. Thank goodness.

3 **UNIDENTIFIED SPEAKER:** We're not getting it.

4 **MR. FLYNN:** We are also not getting it. Well,
5 that's true. That's an ongoing project.

6 **UNIDENTIFIED SPEAKER:** (Inaudible.)

7 **MR. FLYNN:** In defense of the people that are
8 trying to get this up and running, the system was bad in
9 the first place. So they are working on it.

10 We have street lights that are tied into
11 people's electrical panels on individual homes here.
12 They are still tied into those panels. These people are
13 paying for that street light out in front of their house
14 on their individual electric bill.

15 This is the kind of shoddy workmanship that
16 Mr. Meadows put into this place. I'm assuming, although
17 I can't tell you for sure, but I'm assuming it's going
18 into Bimini Bay, also. As far as the water company goes
19 down there, one of the gentlemen said he believed they
20 are severely understaffed. I believe that the people
21 that are working there are doing everything they can to
22 try to solve things; however, they are severely
23 understaffed.

24 I'm assuming that they are all overwhelmed.
25 They are working out of a house since their building was

1 burned down. So I just want to give credit to the
2 people that work for David Meadows. I will not give any
3 credit to David Meadows himself because -- how do I say
4 this.

5 (Inaudible.)

6 **MR. FLYNN:** I'm not going to say it.

7 **UNIDENTIFIED SPEAKER:** History repeats itself.

8 **MR. FLYNN:** Exactly. Okay. Yes.

9 The point that I want to make to you folks is
10 when we went to mediation, we wanted Polk County,
11 because we know Polk County is going to deliver a
12 service, they are going to deliver it honestly, and they
13 are going to deliver it fairly. And if we had a
14 problem, then they are going to fix it. I don't believe
15 that is true of David Meadows. I know it's not true of
16 David Meadows. I think it's a terrible shame that Polk
17 County has the right to opt out. I think that's
18 something that needs to be fixed in the government. I
19 think we are their responsibility.

20 **UNIDENTIFIED SPEAKER:** (Inaudible) I think the
21 residents of Polk County.

22 **MR. FLYNN:** Exactly. Exactly.

23 If you have any questions for me?

24 **MS. DANIEL:** I did want to -- on the street
25 lighting and the tied into the individual homes'

1 electrical panel, have you contacted -- the electrical
2 provider is Florida Progress?

3 **MR. FLYNN:** They have been contacted. As a
4 matter of fact, I just heard Naeem Saroya sign back in,
5 and he can probably enlighten you in that. It's going
6 to be a very costly thing to get those rewired. I don't
7 think Progress Energy is willing to do this without a
8 tremendous cost to us, and we just don't have the money.
9 I don't know where that is at the moment. When these
10 were wired in, Mr. Meadows controlled the electricity.
11 We did not have Progress Energy.

12 **MR. SAROYA:** Mike, what was the question? I
13 might attempt to answer it. What was the question?

14 **MR. FLYNN:** Naeem, the question is --

15 **MR. SAUNDERS:** Are you talking to me, Mike
16 Saunders?

17 **MR. FLYNN:** The question is, Naeem, the houses
18 that are wired to the street lights --

19 **MR. SAUNDERS:** My water has been turned off.
20 (Simultaneous conversation.)

21 **MR. SAROYA:** I was talking to Mike Flynn.

22 **MR. SAUNDERS:** Oh, okay.

23 **MR. SAROYA:** Mike, go ahead, please.

24 **MS. DANIEL:** He can't hear and talk at the
25 same time, so what we need to do is let's kind of wrap

1 you up.

2 **MR. FLYNN:** Okay, sure.

3 **MS. DANIEL:** Let's let him know.

4 **MR. FLYNN:** Okay.

5 **MS. DANIEL:** We will wrap you up. There are
6 probably one or two others that want to speak, and then
7 I'm going to talk to him.

8 **MR. FLYNN:** Okay. Basically, what I'm telling
9 you is David has got a tremendous history of not caring
10 what he does to people. He has been dishonest. I know
11 he has been in several court cases, and we have managed
12 to get him out of here on everything but water. We
13 would love to be David Meadows free.

14 Any questions?

15 **MR. SAROYA:** Mike, what was the question? If
16 you could repeat it, I might be able to answer it. I
17 might not, but I'll try.

18 **MR. FLYNN:** Thank you.

19 **MS. DANIEL:** Mr. Naeem, we are going to get to
20 you. Give me just one minute, okay, but we are going to
21 get to you. Thank you.

22 **MR. SAROYA:** All right.

23 **MS. BENNETT:** Lorre Jetton.

24 **MS. JETTON:** I am Lorre Jetton, J-E-T-T-O-N,
25 and I have three units here. I have 647 Orchid, 758

1 Orchid, and 142 Orchid. I am the property manager for
2 Jetton Rentals, and I have approximately 35 to 40 owners
3 that I represent. I do all of my correspondence with
4 Four Points in person, because you cannot get through
5 the phone lines to them. They will not respond. And if
6 I take down my utilities in a check, and I represent a
7 couple of the owners and do it by check, then I know
8 that usually we won't have a problem. Otherwise, we do
9 have problems.

10 I do have -- this is -- I don't know if you
11 can see it, but this is sand that comes into my unit.
12 It has for over two years. This one is from 647 Orchid.
13 I contacted them and let them know. They put out an
14 e-mail to all the owners that, yes, they know it's a
15 problem, that they are going to work on it. For us to
16 contact them and let them know. That was two years ago.

17 The sample was burned up in the fire, so they
18 couldn't do anything about it. I have submitted about
19 five other samples to them. I did take some more sand
20 out of my faucet this morning, so I know it's -- they
21 said that they put on -- that they didn't put on filters
22 between the meter and the house, and that's why I'm
23 getting this. But I have continued to get it, even
24 though they say, oh, we put the filters in. And then
25 the next month I go down -- oh, well, we have got them

1 on order. We are going to put them in. Oh, we put the
2 filters in.

3 But I'm still getting -- this is what I'm
4 drinking, and I don't know how many other people. You
5 have to take off your filter off of your bathroom sink
6 and empty out the sand, and you have to do it about
7 every three to four weeks or else you stop getting water
8 into your utilities.

9 I have a couple of short letters that my
10 tenants or my owners have sent. This is from Steve
11 Gray, 422 Orchid Drive. In September they sent me a
12 letter saying that they were cutting off my water as I
13 hadn't paid my last invoice. The fact of the matter was
14 my account was still \$20-plus in credit, even after that
15 invoice had been paid. Their billing system is a joke
16 and customer service nonexistent. Knowing that they
17 have international customers, they put short deadlines
18 for payments on the invoices and take up to a week to
19 post them. I have had invoices arrive in the past that
20 if I had mailed back the check that day, there is no way
21 that it would arrive in America for the due date.

22 It was identified that my water supply was
23 hooked up to the unit next door to mine, meaning I was
24 charged for their water. Despite writing FPU regarding
25 this and sending approximately three chasers out to

1 follow up and call, I have not had a response to them
2 with regards to the refund of incorrectly billed water.

3 As a utility company, they should offer
4 automatic billing payments and to ensure bills are paid,
5 and I don't understand why they are not.

6 This is from Scott McKinley (phonetic), 564
7 Orchid. I got billed an enormous amount last year due
8 to a leaking meter, which they took an eternity to get
9 them to correct it. Strange amounts on bills and poor
10 administration when queried.

11 I would also say that Terry Blackwood at Four
12 Points has been great. I feel that he has done his best
13 to provide services and acknowledge questions, even
14 though David Meadows has strange business practices and
15 customers. He does deserve positive mention.
16 Unfortunately, Terry Blackwood was fired.

17 The reason, part of the reason that they have
18 billing problems is that every month the person that
19 answers the phone is different, every one. And so I
20 joke. I go in -- because I go in monthly, I go in there
21 and I say, oh, you're the new flavor of the month, and
22 every month. So I know that in the past if they have
23 had employees that have tried to work with us, in the
24 past that they have had employee say I know that's
25 illegal, I'm sorry you got charged. I have tried to

1 tell him that you can't do that, but he insists anyway.
2 They have gotten fired.

3 Okay. I have three units, and one of them I
4 usually get a bill between 50 and \$60. One of them is
5 charged 115 every month. She went on vacation for three
6 weeks, it still was the same price. Some of the turnoff
7 valves, from my understanding, are supposed to be before
8 the meter, some of them, in fact, quite often they are
9 after the meter. So if the meter has a leakage in it
10 going to the house, the owners will get billed for that.

11 It takes -- one of my units had a leak and it
12 took them over two months to come out to fix it. And I
13 finally caught somebody that was there for something
14 else and I made them go to the unit so that it can be
15 fixed.

16 One meter, the one that he sent the letter
17 that had a line going to the next door neighbor's house,
18 they are usually disconnected on Friday so that nobody
19 can get their water turned back on. If people do
20 complain by phone, they do not answer it until Tuesday
21 or Wednesday. So this is why a lot of my owners are
22 able to get good service, because I just run down there
23 continuously and say, look, what is going on?

24 One of the invoices, I believe it was this
25 year, had an extra \$5 charge put on it. It wasn't told

1 what it was for, and they couldn't explain it, but I
2 complained for my individual owners and they took it
3 off. They said it was a computer glitch. But there is
4 255 units here at Island Club West, and if they have \$5
5 glitch for each one of them, some of the property
6 management companies will just go ahead and pay it.
7 Some owners will think, oh, I didn't pay that extra \$5,
8 it's from before, I must pay it. So he can collect
9 quite a bit money with these little mistakes.

10 The meter lids are constantly being left off
11 when they read the meters. We have cottonmouth snakes
12 here, which means I have continually asked them, put the
13 lids back on; kids can fall in them; snakes can live
14 there. So, please -- and they don't do it. Sometimes I
15 have found that the meters weren't read. I would go out
16 there and the numbers didn't match. They just took an
17 estimate and went ahead and charged me for it.

18 I seem to have less problems because I go down
19 there often. My European and foreign countries always
20 have had more problems and almost double bills, and
21 sometimes I don't know about it until after I start
22 representing them. Oh, if there's a problem, say, for
23 instance, when we had that freeze, some of the spigots
24 broke and were leaking. If they went ahead and fixed it
25 and did damage to the siding, and I would take a picture

1 and send it to them, and say, look, your man did damage
2 to the siding. Their response was that, oh, well, it
3 wasn't our responsibility, so we're going to charge you
4 for it. So you can't complain, or else they come back
5 with something like that.

6 And, basically, that's it. We get the wrong
7 billings, they overcharge. And this is just a side note
8 on his credibility. When he had -- a couple of years
9 ago, when we were paying the HOA to him, he put on
10 everybody's bill \$1,000 for the use of the pool, even
11 though he was getting HOA money for the pool water. And
12 some of the management companies, you have 255, say if
13 only 50 of them slip through, at 1,000, that is \$50,000
14 that he collected incorrectly. So he can't be trusted.

15 If he takes something off the bill and he
16 tells you he takes it off, like that \$5, two or three
17 months later it might reappear. So I always have -- if
18 they have to make an adjustment, I make sure I get a
19 copy of it because it will oftentimes come back on the
20 owner again. So that is it. And if I can give you
21 that.

22 **MS. DANIEL:** Are you going to leave the
23 letters with us, as well?

24 **MS. JETTON:** Yes.

25 **MS. BENNETT:** Will you be around after the

1 meeting? I would like to talk to you.

2 **MS. JETTON:** Sure.

3 **MS. BENNETT:** Karen Smith. Karen Smith.

4 Dennis Shinkle.

5 **MR. SHINKLE:** How's it going? I am Dennis
6 Shinkle. The last name is S-H-I-N-K-L-E. I am at 749
7 Orchid Drive. I'm right down the road over here. And I
8 am two buildings away from her, and I have sand in mine
9 continuously. We have to clean ours out every three to
10 four days. We also lose water pressure all the time.

11 For a lot of you that are paying bills to the
12 water company, congratulations. I signed up for water a
13 couple of months ago. I haven't received a bill yet to
14 this bill still. We call. We don't get phone calls. I
15 see how they go by their rates. My fear is if, because
16 I have gotten a little statement here, they can bill me
17 whenever they choose to pretty much; monthly,
18 bi-monthly, quarterly. I might be on the quarterly
19 plan. I'm figuring about four months of water and I
20 haven't received a bill yet.

21 My problem is when you start talking about
22 they have a regular rate on their water, once it breaks
23 10,000 gallons, I start getting charged additionally.
24 Am I going to be charged additionally for everything
25 because I don't get monthly payments? Are they going to

1 jack me up to a whole new level because I am getting --
2 you know, obviously my meter is going to read over
3 10,000 gallons in four months.

4 **MS. DANIEL:** Are you a new resident here?

5 **MR. SHINKLE:** I have been here since
6 June/July, but I worked for Meadows years ago. I did
7 the air conditioning in here, which works better than
8 any air conditioning out there because I quit him. Then
9 when they were doing Bimini Bay, I started working down
10 there, and I found out it was Meadows again, and ended
11 up quitting again.

12 When they talk about the supplies they used to
13 build these, they used more than just the supplies.
14 Half the employees were heroin addicts when I was there.
15 That was one of the main reasons that caused me to
16 leave.

17 Meadows has been a nuisance to these people.
18 I remember going to work one day, they had news teams
19 out here and they were stickering red stickers on
20 everyone's door because he diverted money towards the
21 other developments instead of this one. Pretty
22 much took -- they were coming to take everyone's homes.

23 I went down there, and I have listened to
24 people talk about their bills. For anybody that lives
25 in Bimini Bay you have probably got a high electric

1 bill. I do air conditioning. I am a contractor and
2 have been for 25 years. They don't have metering
3 orifices put in any of their air conditionings down
4 there, which is causing them to be overcharged and have
5 extremely high electric bills. For any of you in Bimini
6 Bay, you need to check this out.

7 They have used people that I know that were
8 unqualified beyond to do any form of air conditioning,
9 because I have worked with them in the past, and I have
10 seen them still to this day. My main problem with them,
11 like I said, we do not get a water bill for no reason at
12 all. We have made it -- we have called, nothing. We
13 are not getting a water bill. My main fear is one day,
14 probably soon, I'm going to get a five or \$600 electric
15 bill.

16 You know, I see the woman that took my deposit
17 here. She was new at the time, and I told her to get
18 ready because she worked for Meadows. And she said she
19 had heard a few things, but she is still around, so
20 apparently she is good with the customers.

21 There is other people that have been here
22 since I worked here that are still running around. You
23 know, we lose water pressure all the time from my unit
24 for some reason. Half the time it's because I didn't
25 take the dirt out of the screens. You know, the sand is

1 coming in, so I can understand where she is bringing you
2 a bag. If I had been collecting dirt since I have been
3 here I could probably give you a 20 or 30-pound bag of
4 sand.

5 I do not want to be billed the way he does
6 things, because I have been in the inner loop with him
7 before. I know how he runs his business. I have heard
8 things about him. I know about the other complaints at
9 properties he has been thrown off of in different
10 counties and everything else. I know what the people
11 have been through here. I have worked with several of
12 the property owners. I do air conditioning. I maintain
13 their stuff here on the property. When tenants come in
14 and tear them up, I go in and refix them and get them
15 back out on the market to try to take care of these
16 customers.

17 They are upset. They are beyond upset with
18 this Meadows guy. You know, it took them -- how many
19 years did it take you guys to get the clubhouse back
20 away from this guy because you weren't even allowed to
21 use your own pool in your own community? You know, this
22 is things that he has done, this is things I have
23 learned about.

24 I thought he was 100 percent out of here.
25 That's the only reason I'm living in here. Then come to

1 find out he is still doing the water, which is
2 ridiculous. You know, since I have been here and come
3 in here, yeah, this place was booming at one time, then
4 he destroyed it. Then the homeowners have been trying
5 to put it back together. They got it back up. It
6 started falling apart again. They got a new homeowners
7 association that is getting back together again. Now
8 they are painting buildings, they are doing everything
9 they can.

10 Bimini Bay is right down the street, and I
11 believe -- what's the place five or six years old? As
12 Lorre says, we have to physically go down there to go
13 pay our bill, or actually have face-to-face
14 conversations to know they are going to listen to you
15 and respond to you.

16 You all need to take a ride down there and
17 check out that development. I'm sick of going somewhere
18 where my children's life might be at danger because
19 people are looking at us like why are we in their hood.
20 And that is pretty much what it is. That neighborhood
21 down there is destroyed. And for that man that keeps
22 taking everybody's money and all he does is put it in
23 his pocket and live in his big-ass house. You know, I
24 know that. I knew that when the employees weren't
25 getting paid here.

1 You know, he is a slumlord and he is always
2 going to be a slumlord. He is not allowed to work in
3 other counties, but yet he is in Polk County still. You
4 all need to really do an extensive background check on
5 that man.

6 These are the people that's paying him. These
7 are the ones that are keeping you all's jobs going. All
8 he's doing is taking advantage of everybody. You all
9 need to take this over and you need to really start
10 revoking him from anything in Polk County. You know,
11 because apparently he's doing to them what they have
12 done to these homeowners down here, and since they are
13 new in the ballgame and they are getting ready to enjoy
14 the headache beyond headaches like these homeowners have
15 done.

16 You know, I'm just here as a renter. I don't
17 own. I won't own anywhere that David Meadows has his
18 little foot on. You know, I have thought about buying a
19 couple of these because the price is right and it's
20 going to be -- you know, these places are going to
21 double its value in the next two years just because of
22 what is going on right now. You know, it is a good
23 property and everything else, but as long as Meadows is
24 involved you are going to have issues like this nonstop.
25 Nonstop. Because he has done this. He has done it in

1 the past. Just like the lady said, history repeats
2 itself, and Meadows is never going to learn until you
3 stop him. You know, what am I supposed to do about
4 getting a water bill?

5 **MS. DANIEL:** If you will, as I said, we have
6 got some staff people here.

7 **MR. SHINKLE:** Uh-huh.

8 **MS. DANIEL:** Let us sit down with you today,
9 if you have time, and let's see what we can resolve for
10 you.

11 **MR. SHINKLE:** Okay. Now, all their meters,
12 because he is buying this water, is it all coming in as
13 one meter or is it coming in as two different?

14 **MS. DANIEL:** Actually I believe there are two
15 meters out there.

16 **MR. SHINKLE:** Because we see sprinklers run in
17 areas out here that just run continuously with broken
18 heads and stuff, and we're worried. To me I know how he
19 did it before. This is how much my bill is. I'm going
20 to divide that times the amount of residents in here,
21 and this is how much profit I want and divide it. And
22 that is how he has done it. He don't care.

23 You know, I do not know what my water bill is
24 going to be for the last three to four months. I can
25 just imagine by hearing these people. Right before

1 Christmas -- I'm a single father with four kids, he is
2 getting ready to hurt my Christmas for my kids, and I'm
3 going to be very upset when this takes place. You know,
4 the numerous phone calls we make to never have anybody
5 call us back is just sickening.

6 And, you know, as we started talking
7 throughout the community, I think it just became more
8 and more of an issue, that is why everybody is starting
9 to have these meetings now. You know, people are like,
10 well, I get billed all the time and they shut my water
11 off when I even pay it. Well, I don't get mine shut
12 off, I don't get a bill, I don't get nothing. Maybe
13 Meadows knows my name and maybe he is afraid of me and
14 wants to back down. I don't know. You know, I know
15 more about his insights than he thinks I do.

16 But all I'm wanting is what I pay for, but I
17 am getting what I paid for because I'm paying for
18 nothing, I guess. But, you know, I do not want a
19 quarterly bill. For some strange reason, you know, we
20 have got nothing. All we have got in this initial --
21 when we filled out to get it and we got a receipt from
22 when we put a \$120 deposit down on the water, and never
23 again have we heard anything. And it's just -- I don't
24 want to have to pay four or 500 bucks four or five times
25 a year because I'm going to get a bill. I don't see how

1 come everybody else seems to be getting a monthly bill,
2 and I'm on some type of a quarterly month bill.

3 **MS. DANIEL:** Let us talk to you and let us get
4 that straightened out today, if we can.

5 **MS. BENNETT:** Mr. Shinkle, Lydia would like to
6 talk to you about your bill, but I would also like to
7 speak with you after this meeting.

8 **MR. SHINKLE:** Okay. Because that is pretty
9 much it. You know, like I'm saying, there's a lot of
10 stuff that has happened during the building of these
11 that, you know, like the issues of hot water. I
12 remember being here when they took a woman out in an
13 ambulance because she flushed the toilet and it burnt
14 her because of the hot water that was coming out of the
15 toilet. And she was a guest at the time. So I remember
16 these things. I know what it's like. And I have
17 actually went through -- that was one of the first
18 things I did when I moved in here was went and ran every
19 bit of my water and made sure that nothing was hooked up
20 that was hooked up wrong before, because it's quite
21 common because they basically subbed it out.

22 You might have -- I think one person was
23 holding pretty much the majority of the licenses in here
24 and he was working with Meadows and everybody else was
25 just subbing underneath him. And these people had no

1 knowledge of it. Like I said, I started with this. I
2 started on that first street. The next thing you know
3 they brought in people that didn't know what they were
4 doing building air conditioning. I got out of here. I
5 didn't want my name, you know, adjoined with it.

6 The same thing other places. I did the first
7 street. The next thing you know, everybody said, no
8 that is Meadows again. I'm like, oh, crap. And I had
9 to quit again.

10 **MS. ROBERTS:** And I know that we had a
11 statement yesterday stating that one of the homeowners
12 water was hooked to the neighbor's hot water, and the
13 bill -- you could see the meter going even though
14 nothing was going in their particular unit, but yet
15 their neighbor was using the water and the meter in the
16 other person was going. Do you know anything about
17 those issues?

18 **MR. SHINKLE:** They had them all hooked up
19 wrong. They used people that did not know what they
20 were doing when they built them. Flat out. They did
21 not know what they were doing. You can go in the unit I
22 am in and you can tell by the bathroom that they have
23 already cut out the wall to get to the pipes to switch
24 them back. They had pure hot water in their tubs over
25 there. They had no cold water at all. They just piped

1 in hot water for the cold and hot for the whole
2 bathroom. You can see where they cut the wall apart and
3 repaired it. That was common in here. That was common
4 in this place. You would be surprised with some of
5 shabby things that is in here. Walls aren't even
6 straight. You know, it was just shabbily built.

7 A lot of these people that bought them were
8 from up north, out of state, they bought it because this
9 was a time share place. They bought it as a property,
10 you know, for an investment. That was it. Now
11 homeowners are coming. People are moving down here and
12 they are wanting to move in their units, and they are
13 coming to find out for years those things are falling
14 apart.

15 They are hooked up wrong. You literally have
16 to go in and check all of your hot waters, you know, to
17 find out what they are hooked up to. They had put heat
18 recoveries on the majority of these units, even down at
19 Bimini Bay, which gives you free hot water when your air
20 conditioner is running. Go out and look at a lot of
21 them. They are not even hooked up, but they built them.
22 They are just sitting on the side of the buildings and
23 none of them was hooked up. The majority of them in
24 here is not hooked up.

25 You know, the way their electric bill --

1 because Meadows was in control of the electric bill,
2 like he is down there. You know, little things like the
3 metering orifice in your air conditioning can be a 30 to
4 \$50 difference on your electric bill every month. And
5 from the people I know in the industry, I've got one,
6 one of my other former employees that worked for him,
7 Josh, he goes down there a lot and he says every one he
8 has ever found don't have metering orifices in them.
9 And I said that is going to cause it to run more and
10 burn more power, but --

11 **MS. ROBERTS:** Now, the electric -- one more
12 question on that. The electric is no longer being
13 billed because it was taken away and given to Progress
14 Energy.

15 **MR. SHINKLE:** Is that down at Bimini, too, for
16 them, or just here?

17 **MS. ROBERTS:** That is what I am wanting to
18 find out.

19 **UNIDENTIFIED SPEAKER:** Yes.

20 **MS. ROBERTS:** So Progress Energy has your
21 electric at Bimini Bay. Nobody is being charged for
22 electric service that is currently in this facility?

23 **UNIDENTIFIED SPEAKER:** Through Bimini Bay, no.
24 As far as for Bimini Bay, we get it directly from
25 Progress, and we don't have issues with those bills.

1 **MS. ROBERTS:** And your utility bills -- if a
2 utility bill for water and wastewater, that is what the
3 utility is certificated in doing, water and wastewater
4 services (inaudible).

5 **MR. SHINKLE:** Yes. We have had one -- Ed
6 Sikes (phonetic) owns properties in here. He has had
7 one where they shut his water off, like, I think, two or
8 three different times, and he has called me wanting to
9 know what is going on, go check meters or something and
10 find out what is going on. The same thing. No locks.
11 We didn't know if a kid turned it off or what happened.
12 He has paid his bills and had them cut off. He has
13 gotten notices where they said he hasn't paid and he has
14 paid.

15 You know, so he -- you know, they are the same
16 thing. They are the reason I'm here today. They want
17 to know what is going on and why. And they have done
18 everything in their power, some of these owners they
19 fought with them for years to get Meadows out of here,
20 and they just can't seem to get rid of the man for
21 nothing. And I think you all are the only ones that are
22 in power that can actually take him away from it. And,
23 you know, give these people their lives back instead of
24 having to worry about what they have got to do.

25 You know, the littlest thing on water -- you

1 know, I stress out wondering am I going to come home and
2 my kids are going to be able to take a shower because
3 they are going shut my water bill off. When am I going
4 to get a water bill? How come when I call they don't
5 call back? You know, why do I have to put me life in
6 threat going down here? You all really need to go down
7 there and take a look at this Bimini Bay that he has
8 created down there. Look at it on the computer and then
9 go look at it in person. It is it totally two different
10 places.

11 You know, but like I said, the staff does what
12 they can, but everybody knows they are underpaid and
13 they are overworked. That's just the way Meadows is.
14 And being the fact that everybody is in the middle of a
15 recession right now, everybody has got to keep their
16 jobs, so these people are going to do what they have got
17 to do to keep their jobs. But, in the meanwhile, the
18 people paying the taxes are the ones getting screwed
19 here.

20 And Meadows is making out like a bandit. He
21 lives in a multi-million dollar home and just chilling
22 out somewhere. So that's all I have to say, but I am
23 afraid I'm going to get some crazy electric bill or some
24 water bill today now. But I would love a water bill,
25 though, I would appreciate it.

1 **MS. DANIEL:** Mr. Shinkle, if you will come
2 talk to Lydia. We need to get you that first bill, and
3 then hopefully (inaudible). Thank you so much.

4 **MS. JETTON:** I had two other important things
5 real quick.

6 **MS. DANIEL:** Give us your name, please, for
7 the recording.

8 **MS. JETTON:** Lorre Jetton, Jetton Rentals.

9 Two other points. Number one is that he does
10 not give back the deposits. Now that tenants are moving
11 in and putting the water in their name, he will not give
12 the owners back their deposit. The only way that I got
13 mine back was to complain to the Commission itself and
14 then he gave it back.

15 Number two, some of the owners have the
16 tenants put the water in their name, and then they get
17 both the tenant and the owner with the name and both of
18 them get billed for the same unit.

19 **MS. DANIEL:** Do you have some information on
20 that?

21 **MS. JETTON:** Yes, I can do that. And then
22 addressing the hot water to the toilets, that is in a
23 lot of my units. And really it's not so bad, because a
24 woman could turn around, take off the tank top and get a
25 facial at the same time that she is using the restroom.

1 So, I mean, you can make that a positive. But that's
2 it. Thank you very much.

3 **UNIDENTIFIED SPEAKER:** Okay. Guys, now you
4 guys on the phone will be able to talk, so I don't know
5 how you are going to handle this, but one at a time,
6 please.

7 **MS. DANIEL:** Can you hear us okay on the
8 phone?

9 **MR. SAROYA:** Hello?

10 **MS. DANIEL:** Can you hear us okay?

11 **MR. SAROYA:** Yes, I can hear you.

12 **MS. DANIEL:** Okay. I'm Patti Daniel with the
13 Public Service Commission. I apologize for having you
14 have to wait for us to give you a turn on the -- to make
15 your comments, but I did want to go ahead and let the
16 folks that had attended the meeting get their comments
17 out there.

18 I don't know how we are going to do this.
19 This phone, I can tell, only one person can talk at a
20 time. It is not a phone that allows, you know, two
21 people to talk at the same time. So we are going to
22 have to be real careful about how we do this. Do you
23 have a suggestion about who would like to speak first?

24 **MR. SAROYA:** See, the thing is, if there's any
25 questions for me from the audience, I would be able to

1 answer that. As far as Four Points is concerned, I have
2 dealt with David Meadows for the last six and a half
3 years, and the person is a very -- what do you call it,
4 shrewd, and what do you call it, crafty person.

5 Whatever people have already said up to now, I
6 concur with them. These things have been happening.
7 And at times what they do is they would suffer. The
8 last, what do you call it, two or three times they are
9 sending a notice to people that they owe money from I
10 don't know where. Otherwise, if they don't pay that
11 much money going back five years and six years,
12 therefore, the accounts would be shut off.

13 So once in awhile he would stick into a stack
14 of letters to the water customers, and that is something
15 which is also, what do you call it, a violation. He has
16 done that twice, and twice I have spoken to him and also
17 to his staff and they have retracted those letters.
18 They say, oh, it was computer mistake. How could there
19 be three computer mistakes in one year. He's looking
20 for vast areas of 180, \$170. That type of practice
21 which he is doing is -- I mean, some people would go
22 ahead and pay, because they thought, okay, if we don't
23 pay, we have tenants in our the units or we have owners
24 in our units, and they would go ahead and pay it. Some
25 of the people would come get back to him and stop it.

1 That practice which he is doing is criminal and I think
2 it needs to be stopped.

3 I have told him -- see, I do have an access to
4 him direct, so I have spoken to him on that issue and
5 then told him. He said, oh, that was a computer
6 mistake, or the staff mistake, and he corrects those
7 things right away.

8 **MS. DANIEL:** Mr. Saroya, if I could, and let
9 me just for the audience, I believe we have Naeem
10 Saroya, S-A-R-O-Y-A. Mr. Saroya, are you the president
11 of the HOA at Island Club West?

12 **MR. SAROYA:** Yes, ma'am, I am the president of
13 the Island Club Homeowners Association, yes.

14 **MS. DANIEL:** And you are not here in town
15 today, you are out of town?

16 **MR. SAROYA:** Yes, I am in the state of
17 Michigan.

18 **MS. DANIEL:** You are in Michigan, okay. Very
19 good. I just wanted to clarify that. I'm not sure that
20 we have questions for you today. We are really here to
21 take your comments, and if there are issues with respect
22 to the provision of water and wastewater service that
23 you would like for us to address, we will be glad to do
24 that.

25 I do see -- I know Lydia Roberts has given us

1 some names and phone numbers of different
2 representatives of the homeowners association, and I
3 think that we do have your cell phone number if we find
4 that we have questions that we want to follow up on with
5 you. We do have that information, but really this is an
6 opportunity for you to tell us about any issues or ask
7 us questions.

8 **MR. SAROYA:** Yes. The issues of concern, I
9 think most of the people have covered it. There was one
10 other issue which I brought up that sometimes he sends
11 out the fake bills which have nothing to do with the
12 water, and he just sends out bills of areas of something
13 for electric or phone or something, and then say if you
14 do not pay, your water will be shut out. That was
15 different utility, electric and water, electric and
16 phone and other things, and he attaches those areas to
17 the water bill. Can he do that? That is one question.

18 The second thing is his practices of running a
19 utility company is contrary to what I am familiar with.
20 I have worked for a utility company for 25 years in
21 Detroit, Edison, and I know how the utility companies
22 work, and I know how the Public Service Commission
23 checks each and every move. This person tries to con us
24 and tries to con the Public Service Commission. He has
25 applied, he has already gotten this license -- when he

1 was getting his license we had petitioned not to award
2 him the license because he would continue to do the
3 crafty practices. What is there that his license could
4 be pulled out and given to somebody else?

5 **MS. DANIEL:** You have asked two questions, and
6 the first one was can he offer multiple services,
7 include the price of those services on the water bill.
8 There is no specific preclusion from him doing that.
9 For example, if you have a water bill and it has maybe
10 the -- he is doing the billing for internet on that
11 water bill, there is no prohibition as long as the
12 internet service or whatever the service is is
13 separately identified. He could not discontinue your
14 water service for failure to pay internet service.

15 **MR. SAROYA:** Very good.

16 **MS. DANIEL:** So it's a fine line there. As
17 far as taking his certificate away, I understand your
18 concern and frustration with Mr. Meadows. That's why we
19 are here today. I don't have anybody asking to take
20 over this system is frankly the problem. Polk County
21 has been reluctant to come in and take over the water
22 system. The Commission doesn't have another alternative
23 provider for you, so there is a little bit of
24 frustration there on the part of the Commission as to
25 what we need to do, but it is part of our investigation

1 to figure out what the best options are for this
2 utility.

3 **MR. SAROYA:** Okay. If we come up with an
4 alternate, would the Commission be willing to listen?

5 **MS. DANIEL:** Absolutely.

6 **MR. SAROYA:** All right. I am not going to
7 public it now, but we will talk of that. We might come
8 up with an alternate to take it over from David Meadows.

9 **MS. DANIEL:** That would be something certainly
10 worth pursuing, Mr. Saroya.

11 **MR. SAROYA:** Thank you. And I don't have
12 anymore questions, so I will just keep listening. And I
13 thank you very much for coming. I thank you. Thank
14 Lydia for putting a lot of effort in listening to us,
15 and I also thank the Commissioners for coming out and
16 listening to us and taking up your time. I really
17 appreciate it on behalf of the association and all the
18 owners.

19 **MS. DANIEL:** Thank you. And, again, I
20 apologize for taking so long to get to you. Are there
21 others on the telephone listening in who would like to
22 make comments?

23 Mr. Saroya, do you think there is anyone else
24 that had intended to make comments?

25 **MR. SAROYA:** I think there were six people on

1 the line when they joined in. Is anybody there?

2 **UNIDENTIFIED SPEAKER:** I'm here, but I don't
3 need to make any comments. Everything else has been
4 said and my husband has spoken to Lydia personally.

5 **MS. DANIEL:** Thank you so much for listening
6 in.

7 **MR. SAROYA:** Anybody else on the telephone
8 line?

9 **MS. DANIEL:** If not, then I will address those
10 on the phone and those in the audience, as well. We
11 have heard your comments. We take them seriously.

12 **MR. MEAD:** Can we make just one more
13 statement?

14 **MS. DANIEL:** Absolutely. Absolutely. We are
15 just going to -- whatever the last is, we want to hear
16 it, and then if we need to take some individual time we
17 will. Go ahead.

18 **MR. MEAD:** Once again, thank you guys for
19 coming and listening to all of our concerns. That is
20 typically not the case with all of our concerns when we
21 try to address it to the associations and the parties
22 that we have been --

23 **MS. DANIEL:** State your name.

24 **MR. MEAD:** Yes. My name is Brandon Mead,
25 M-E-A-D.

1 **MS. DANIEL:** And Cathi. Got it.

2 **MR. MEAD:** Yes. And just something else that
3 we wanted to bring up. Particularly for Bimini Bay, but
4 that we realized that there is not a lot of people
5 attending here. Personally, we have neighbors that we
6 have talked to. One in particular that I will not say
7 that individual's name, just so that it isn't held
8 against them by the association later, but she had
9 mentioned to us that she has the same problems. In
10 fact, most of the problems that we are experiencing she
11 has been experiencing for a greater amount of time.

12 She had to work today. She worked yesterday.
13 She has two jobs. She doesn't have anyone else in her
14 family who can come and speak for her. Therefore, it's
15 more important that she would be able to go to work.
16 And, unfortunately, that in this case didn't allow her
17 to come. I also know that she is a renter, as is the
18 case with most of the people in our community just due
19 to the fact of how it was ran. That is now the
20 opportunity that most people jump at is renting very
21 inexpensive housing.

22 Those people, once again, are in such
23 affordable housing because they can't afford something
24 more. Therefore, it's to be assumed that they have jobs
25 that can work -- a lot of them work two jobs and can't

1 come here. Also, as renters, it is confusing to see --
2 and, I mean, I luckily didn't have this confusion, but
3 to get the notice in the mail saying that we would have
4 this hearing, and I believe most of them assumed that it
5 would be the owner's responsibility to speak for them.
6 Since they are not the owners.

7 In order for you guys to get a more accurate
8 consensus to see how broad this problem is, I would
9 certainly welcome you guys to come and speak to the
10 residents there in person. But just from my experience
11 that we have had all the same problems from everyone
12 that we have talked to in our communities. You are not
13 seeing a lot of them, but I can assure you that those
14 same concerns would be expressed by the countless amount
15 of people that weren't able to show up today or didn't
16 think they had the right to show up today.

17 So that was one thing that just, even though
18 you don't see a lot of us, obviously you are not hearing
19 a lot of compliments about them. It's the same problem
20 with everyone, and so I can tell you from the neighbors
21 that I have spoken to that it is all the same thing, and
22 it is for the masses of the entire community, not just a
23 select few.

24 Also, in regards to the HOA boundary with
25 water, the fact that it is the same entities paying for

1 the same things controlling the same things, and our
2 questions about where that water is coming from. We
3 also have questions about their other billing practices
4 personally, and I have heard that it is the same
5 practices with others. Once again, we are fairly new
6 residents there, and we are being told as each of these
7 individual things happen to us that, oh, yes, yes, that
8 is what they do. That is what they did to everyone.
9 Yes, not surprised.

10 But we had a car in our driveway that wasn't
11 registered. We got a new car. And after it was there
12 for a few weeks, I believe, we got a notice that it was
13 out of the HOA regulations, which we were never given.
14 We also weren't invited to the HOA meeting, which there
15 is only one, and they limit it to such a restrict amount
16 of time during mid-day on a workday, and anyone who
17 shows up a minute late won't be allowed into that. We
18 weren't even invited to that, even though we were the
19 owners of the property, and had the legal right to be a
20 part of that meeting.

21 But since we didn't know, I was told that all
22 of a sudden we had over a \$700 fine for a car being in
23 front of our unit, and that we would be charged an
24 additional \$100 per day for that car to be there. I
25 went in, talked to the accounting. I literally left

1 work because I knew that it had to be corrected
2 immediately. I left work, since that was the first
3 opportunity I had heard about it. I spoke to the person
4 in the accounting. They informed me that things were
5 being billed incorrectly. She didn't know if I had
6 gotten any notice, that I may or may not, that she would
7 try to fix it, but just try to have the car gone. I had
8 the car gone in less than 24 hours.

9 Since then, waiting on a response to get the
10 association, the other people that were involved with
11 the association, accounting as well as David Meadows to
12 fix that, I received over \$3,000 worth of fines for the
13 same thing because they have yet to return any of my
14 correspondence saying that they would correct this issue
15 in the first place. Instead they add more and more fees
16 and failed to contact me so that they can add more fees
17 is what I have been told is their common business
18 practice.

19 And, again, I have proof of the e-mail and
20 things that people, including Robert Trenner, in this
21 room I have addressed those things to in writing, and I
22 have yet to receive any sort of correspondence from
23 them. Instead, I have received threats of foreclosure
24 against my house, and absolutely no assistance to
25 rectify what was done on their error in the first place.

1 **MS. BENNETT:** Do you want to talk a little bit
2 about the mail-in problem.

3 **MS. DANIEL:** Your neighbor that was not able
4 to attend --

5 **MR. MEAD:** I will certainly encourage her.
6 And, I mean, we have a copy of that, so we can provide
7 that to her. Again, she is a renter. She has had so
8 many problems with everything that it seems like most of
9 the residents our community have given up, and in
10 exchange for such cheap house prices they expect just
11 basically to be treated like trash in their own
12 community. So I will certainly encourage her to do
13 that.

14 Like I said, this is not the only problem that
15 we are dealing with, and a lot of the other ones, such
16 as the threatened foreclosure against my house, are much
17 more pressing that it takes all of our time and resource
18 and energy to address, so I don't know how many people
19 would utilize that, but I'll certainly encourage her to.

20 **MS. DANIEL:** I appreciate that.

21 **MS. ROBERTS:** I also had a question.

22 **MR. MEAD:** Yes, ma'am.

23 **MS. ROBERTS:** For the record, would you state
24 what that invoice is for. What I saw was for \$500 for
25 sending out the bill.

1 **MR. MEAD:** I believe the first invoice was for
2 a \$300 fine and a \$400 fine, but it was unexplained what
3 dates those were for. All that was told to me was that
4 I had already been given notice about that. I have
5 received since then part of that \$3,000 worth of fines.
6 One letter that they supposedly sent to me they charged
7 \$500 for a letter sent to our house. I don't know if
8 that is an administrative fee of \$500 for a piece of
9 paper, but the piece of paper apparently had stated that
10 we had a fine that was due, and for they added
11 additional.

12 We have also received invoices since then. A
13 number of those invoices only show our regular \$136.50
14 HOA due as the balance. We have gone in and we have
15 asked for other invoices that show that we have \$3,000
16 worth of fines, but some of the invoices that they send
17 monthly don't represent any of those fines whatsoever.

18 So depending on where we go, whether or not
19 that has been rectified and the fines against us vary
20 completely almost as if they had two completely
21 different accounting policies. So that record trail, it
22 shows two completely separate things is more than a
23 little concerning.

24 Again, I'm happy to say that for the record,
25 and just part of their ethic background and

1 qualifications, I think it's good for you guys to take
2 into consideration, and it has a lot more implications
3 in other realms. Also, I think it's important to note
4 that our property manager, Robert Trenner, is sitting
5 back in the back of the room taking notes of all of
6 this, a bit ominously, which certainly wouldn't
7 encourage other residents to come forward. As it is
8 with the concerns, we have brought all of these up to
9 him in the past. And after about a month of us trying
10 to rectify other things with cable, internet, HOA, and
11 water, after that it has been nearly impossible for us
12 to get any sort of correspondence from them now.

13 So that, again, shows a pattern. Any time we
14 actually express our concerns, that is directly held
15 against us, and we are typically punished in service and
16 quality and not getting things as part of the HOA, or
17 corrections, or fixing our bills, that we should
18 normally, as customers, are entitled to.

19 **MS. DANIEL:** Thank you.

20 **MR. MEAD:** Thank you guys, again.

21 **MS. DANIEL:** Yes, ma'am. Go ahead.

22 **UNIDENTIFIED SPEAKER:** (Inaudible.)

23 **MS. BENNETT:** I can help you.

24 **MS. DANIEL:** Let's get her name and which
25 utility she is served by.

1 MS. ROJAS: Azuzena Rojas.

2 MS. DANIEL: Would you spell that for us?

3 MS. ROJAS: A-Z-U-Z-E-N-A, Rojas, R-O-J-A-S.

4 I'm coming from New Jersey. I was given this letter
5 about this hearing, okay. Actually, I don't pay water.
6 Inside of my house I have been here around a month and a
7 half, okay. That is not my problem. My problem is that
8 when I send my payment, okay, for the HOA association, I
9 see that we pay for lawn and (inaudible), okay. We got
10 nothing; \$69. Then, irrigation restriction, the grass
11 is dead, okay. They not service at all. I got pictures
12 in my phone where the garbage is piled up, you know, to
13 the top. And, also, I've been hit for \$700. It start
14 with \$700. I got all the -- you know, it start
15 with \$700. Here, this is the first one, and continuing
16 now to \$3,000; \$3,200. This is notice of foreclosure
17 (inaudible). And I went to the court yesterday. I
18 hired a lawyer because I can't deal with it anymore.

19 So, whoever, you know, whoever is here from
20 Bimini Bay, you know, I got a lawyer. If you want, you
21 know, we can get (inaudible) because I just got
22 everything. I called. I live in New Jersey. I am a
23 school bus driver, I am not a rich woman, you know. My
24 savings, I put it in that house, my savings, okay. So I
25 came over here. I stopped working and came over here to

1 be here. And, you know, my English, I'm so afraid that
2 I can't communicate very clear, but, you know, I'm
3 trying to, because I have been calling them and that
4 answering machine is putting me to another answering
5 machine and go back to the same answering machine and
6 leave a message.

7 And then yesterday, the answering machine for
8 this lady is (inaudible). Let me see the name, because
9 she made this thing here, (inaudible) say we can't take
10 any more message, it's full.

11 Can you imagine how many people is calling
12 there and nobody answering? You know, it's like going
13 nowhere. It is going nowhere in this place. We need
14 help. We need help. And really when I open the water,
15 you know, maybe I'm going to have \$3,000 in water, and
16 only here -- I have been here for a month and a half
17 altogether, okay. I don't live here. I live in New
18 Jersey.

19 So this is my complaint. I wish that this
20 will be resolved because it is very hard for me to be
21 coming down here, you know. All these letters without
22 signature, okay. Let me read it. We have got time
23 here. This is a canceled check. But the worst thing is
24 this here. Let me see if I've got here my --

25 **MS. DANIEL:** Ms. Rojas?

1 MS. ROJAS: Yes.

2 MS. DANIEL: Let me ask you, these are
3 questions with respect to your homeowners association,
4 right?

5 MS. ROJAS: Yes. And also the bills that we
6 are paying, because we pay for the water. The
7 irrigation for lake.

8 MS. DANIEL: Okay. What I wanted to tell you
9 is --

10 MS. ROJAS: Uh-huh.

11 MS. DANIEL: -- we will talk to you about
12 that, but I don't know that the Florida Public Service
13 Commission can help you very much with the homeowners
14 association issue, because it's not something that we
15 are able to help you with. But if you will let us talk
16 to you after this meeting, you have hired an attorney
17 and that may be --

18 MS. ROJAS: Yes.

19 MS. DANIEL: -- a good step for you, but I
20 don't think at this meeting we are really going to be
21 able to get into -- we're not going to be able to help
22 you, but what we can do is maybe offer you some
23 suggestions --

24 MS. ROJAS: Yes.

25 MS. DANIEL: -- about a better way to pursue

1 this.

2 MS. ROJAS: But I think that you can help us
3 with the water.

4 MS. DANIEL: With the water, yes, ma'am.

5 MS. ROJAS: And we have got no lights in the
6 street at night in Bimini Bay. There is no lights and
7 it is a very dangerous place. In December when I came,
8 even by the entrance that was so scary. Very bad. And
9 it's the same thing. We pay for that.

10 MS. DANIEL: Let us talk to you, but as I
11 said, it is probably going to just be to offer you some
12 help in terms of how best to pursue that. But thank you
13 so much for talking anyway.

14 MS. ROJAS: Thank you.

15 MS. DANIEL: You did just fine, Ms. Rojas.

16 MS. ROJAS: Okay.

17 MS. DANIEL: All right. We are going to bring
18 this meeting -- (simultaneous conversation) -- if I
19 could just close the meeting out.

20 MS. COLON: I have a statement.

21 MS. DANIEL: Okay. All right.

22 MS. COLON: My name is Zoraya Colon,
23 Z-O-R-A-Y-A; last name C-O-L-O-N. That was Z-O-R-A-Y-A.
24 I represent the owner of 445 Caribbean here in Island
25 Club West. I am their property manager. Complaints

1 that I have had from the owner. Basically, she lives in
2 New York. She actually has a couple of times that she
3 had tried to contact them about the water bill. She
4 never gets through. I took it upon myself to go
5 personally and help her out. I have been there about
6 three or four times.

7 The first time I was there, I was there for
8 about ten minutes. The office was open. Nobody was in
9 there. I waited about ten minutes after that, or 15
10 minutes after that, and I decided to leave. I went back
11 in a second time. I noted that second time nobody was
12 there, either. And there were a lot of documents on the
13 desk with credit card information pertaining to owners.
14 I took -- that struck me a little bit, so I decided to
15 wait a little longer, and I did. I spoke to somebody
16 about the water bill. I had a check in my hand.
17 Particularly the water bill for the owner. The amount
18 that the owner had received on their statement was faxed
19 to me. I went in thinking that that was the amount.
20 After being there for about ten minutes talking to the
21 girl, I got three different amounts said back to me. I
22 couldn't pay the bill.

23 The next day -- the end of that conversation
24 was we will get back to the owner with the correct
25 amount. I left my number, my card, my e-mails,

1 everything. I am always with my cell phone next to me.
2 No information was ever received. The next day they
3 shut the water down. I had to drive all the way -- that
4 day I was in Lakeland. I had to come all the way down
5 and went over there. And I asked them why they shut the
6 water down, and they said because the Island Club West
7 HOA had requested them to shut the water off because we
8 were working on -- they were working on the irrigation.

9 It just happened to be that I am the clubhouse
10 attendant here working for the HOA, and we did not order
11 the water to be shut down. So I went back in there
12 again, and I make sure that she got the information
13 correct, because a lot of owners were coming in. They
14 thought that the water was shut down of the units, so I
15 put the sign up, closed, and made people wait here and
16 drove all the way there. Nobody was there. I waited
17 ten minutes. I told her what is the reason why the
18 water is shut down, because the water wasn't paid. I
19 said, well, the information that they had given me and
20 other owners about the water being shut off is because
21 we were working on irrigation, and that is not correct.

22 I am here to pay the water bill. They still
23 didn't have an amount. So I just wanted to -- you know,
24 I am not an owner or a resident, I am just helping an
25 owner who was not available at the time, couldn't call

1 on the conference call, and I wanted to relay the issues
2 that are happening in there.

3 **MS. DANIEL:** Thank you. I appreciate that.

4 **MS. COLON:** You're welcome.

5 **UNIDENTIFIED SPEAKER:** My issue is pretty big,
6 so that is why I wait until the end. The first one, I
7 have a lien on my house because David Meadows, when they
8 cut the -- they were no longer bringing the electricity
9 here. I went there and I paid my bills anyway, and they
10 put the amount in my water bill when they transferred to
11 Four Points Utility. I have a bill for \$2,895. Another
12 one for \$3,000. So this is one of my issues that I want
13 to resolve here. Also, I have different bills in here
14 with different serial numbers. They are not from my
15 unit, and they were charging me for it. Once I called
16 the Public Service Commission on my last bill, all the
17 ones were \$100, 120, 130, \$90, and my last bill was
18 \$30.29. I don't know how this happened, but, you know,
19 a miracle. (Inaudible. Laughter.) So I know that
20 something is wrong in my bill.

21 Also, you know, the box that they have in
22 front of the units where they read the meters, I made my
23 husband clean it up and put the box back so they can
24 read the meter. And the next day they took it out, and
25 I don't know the mess they leave there, but the next day

1 I don't even know how they can read it, because now I
2 have dirt all around.

3 We did that like four times. I went there. I
4 think that they don't like the box. I don't know what
5 is going on, but they are not reading it because there
6 is no way they can read my meter. There is dirt and all
7 the stuff in there. They have to dig. And they also
8 send me a letter that I have here that if they have to
9 dig again to read my meter they are going to charge me
10 \$25. And I am like, hello, you did it. I fixed it.

11 So, anyway, I have all of my information here
12 from 2005, so it's going to be a lot of work. So that
13 is what I have to say for now. I'm going to explain to
14 you guys in the back, okay.

15 **MS. DANIEL:** Thank you so much (inaudible).
16 And thank you for helping us secure this facility. I
17 know that you helped us with that.

18 **UNIDENTIFIED SPEAKER:** Thank you for coming.
19 I really appreciate that.

20 **MS. DANIEL:** All right. Okay. I think we
21 have gotten to everyone. If you have friends or
22 neighbors who were not able to attend or were
23 uncomfortable speaking, we have mentioned before we
24 welcome hearing from you. As you can see, we continue
25 each time with each person that speaks, do you have a

1 copy, do you have a piece of paper. We cannot help you
2 on allegations. We have got to have the documentation.
3 I think we have collected a lot of documentation. I
4 hope that we will be able to do something to bring some
5 satisfactory resolution to some of these issues.

6 Lisa, do you have anything you want add?

7 **MS. BENNETT:** No. There are a few people I
8 have asked to speak with afterwards, so make sure you
9 come see me or one of the other staff members. And
10 thank you all for coming.

11 **MS. DANIEL:** Thank you.

12 **UNIDENTIFIED SPEAKER:** Thank you.

13 * * * * *

1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

4
5 I, JANE FAUROT, RPR, Chief, Hearing Reporter
6 Services Section, Office of Commission Clerk, do hereby
7 certify that the foregoing proceedings were transcribed
8 from digital recording to the best of my ability.

9 I FURTHER CERTIFY that I am not a relative,
10 employee, attorney or counsel of any of the parties, nor
11 am I a relative or employee of any of the parties'
12 attorneys or counsel connected with the action, nor am I
13 financially interested in the action.

14 DATED THIS 9th DAY OF December, 2010.

15
16
17
18
19
20
21
22
23
24
25



JANE FAUROT, RPR
Office of Commission Clerk
(850) 413-6732