

State of Florida



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

RECEIVED--FPSC

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

COMMISSION  
CLERK

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**DATE:** October 14, 2011  
**TO:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**FROM:** Lydia Roberts, Regulatory Analyst II, Division of Economic Regulation *LR*  
**RE:** Re: Docket No. 090424-WS- Application for certificates to provide water and wastewater service in Polk County by Bimini Bay Utilities Corporation.

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Attached are documents for inclusion in the docket file for the above referenced docket. The documents consist of complaints from customers pertaining to Bimini Bay Utilities Corporation and Four Points Utility Corporation.

DOCUMENT NUMBER-DATE

07559 OCT 14 =

FPSC-COMMISSION CLERK

**Lydia Roberts**

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**From:** Cathi [bbneighborhood@yahoo.com]  
**Sent:** Thursday, October 13, 2011 9:24 PM  
**To:** Carl Vinson; Lydia Roberts; Kevin Carpenter; Jerry Hallenstein  
**Subject:** Bimini Bay Water Utility Certificate DENIAL !

Hey All,

It has been a year that you have allowed David Mann Meadows to clean up his act. And he still feels he is invincible from the law and rules don't apply to him. Under NO circumstances should this crook be allowed to run a utility, let alone be certified! He continues to charge excessive water prices, bills incorrectly and often double bills with two different amounts to be paid in hopes that we will have forgotten that we have already paid the bill and pay him again. In all of central Florida our water bills continue to be higher than any other area. I personally know two people who are in central Florida and have 5/4 homes with pools no less and pay monthly what we pay. David Meadows needs to be stopped any way possible. Please don't allow him to rip us off anymore. Thank you for your year long involvement in this investigation.

**Cathi** 

10/14/2011

DOCUMENT NUMBER-DATE

07559 OCT 14 =

FPSC-COMMISSION CLERK

**Lydia Roberts**

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**From:** Kevin [imwitya@aol.com]  
**Sent:** Friday, October 14, 2011 8:00 AM  
**To:** Carl Vinson; Lydia Roberts; Kevin Carpenter; Jerry Hallenstein  
**Subject:** Bimini Bay Water Utility Certificate DENIAL !

Dear PSC:

I am all for the denial of the utility certificate for Bimini Bay Utilities Company.

I have been an owner since 2005 and the developer, David Meadows, has basically destroyed the entire Bimini Bay Resort community through his mismanagement of all the resources that he has control over (which is just about everything) - from the internet service to the water and sewer services.

I have sent the PSC information previously regarding the many issues regarding the Bimini Bay Utility invoices. Some of the issues that I have found with the Bimini Bay invoices are:

1. Invoices do not foot across - the usage times the rates did not equal the total invoiced.
2. Incorrect name on the invoice
3. Incorrect beginning and ending balances - i.e. - the same beginning and ending balances as the previous months invoice
4. High usage amounts - usage went up about 7 x when I had one extra tenant in the unit. I requested an investigation of this high usage and after several attempts to investigate this issue - I received a hand written verification with a 5 gallon meter reading test that included the beginning and ending meter readings signed by some person - other than my tenant - to verify the meter reading. First of all, the meter reading should have been witnessed by my tenants and secondly the meter readings did not even match the meter readings that were on my invoice!
5. In light of the high usage - I also requested the average meter readings for all of the units that are the same as my unit and never received any information for this request. My tenant indicated that the high meter readings were coincidentally at the same time the HOA planted new grass and started to water every day so not sure if the HOA was tapping into other units water supply rather than the common water supply.

These are just a few examples of the poor quality of service that is being provided by Bimini Bay Utility company. I believe David Meadows is a poor business person based on the failure of the development (I would guess over half of the units that were sold have been foreclosed), the mismanagement of the complex through his management of the HOA, the numerous issue that occurred with several Bimini Bay closings that involved his title company (Assured Title) and mortgage company (Grace Mortgage), the mismanagement and bankruptcy of the David Meadows, Bimini Vacation Inc (BVI) company that handled the "guaranteed" rental program that lured investors to buy into the Bimini Bay Resorts development -- the list goes on and on --

Thank you for your time in reading this DENIAL request.

Sincerely,

Kevin Zamudio  
835 Washington Palm Loop

**Lydia Roberts**

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**From:** Sal Marino [sal\_marino7@yahoo.com]  
**Sent:** Friday, October 14, 2011 9:24 AM  
**To:** Carl Vinson; Lydia Roberts; Kevin Carpenter; Jerry Hallenstein  
**Subject:** Bimini Bay Water Utility Certificate Denial

Dear PSC,

My name is Salvatore Marino and I am the owner of 2603 Fan Palm Way. I have been dealing with Mr. Meadows and his various companies since April of 2007. David Meadows is a morally and ethically bankrupt human being and he should not be given the opportunity to serve customers in any capacity. I have had issues with improper billing, multiple bills, faulty math and have finally just given up. I simply just pay what he says because to resist is futile. I am very blessed in that I have a good job and can afford to maintain my property. There are many people in that community that cannot afford groceries and to allow him to continue fleecing them would be a terrible injustice.

Thank you,

Salvatore Marino  
168 Fanning Street  
Staten Island, NY 10314  
(p) 917-279-3255

10/14/2011

**Lydia Roberts**

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**From:** Azucena Rojas [azucenarojas@live.com]

**Sent:** Friday, October 14, 2011 12:57 PM

**To:** Lydia Roberts

**Subject:** Bimini Bay Bills Complaint

To who it may concern:

My name is Azucena Rojas and I own a property in Bimini Bay/ Island Club Resort. My complaint is about the monthly payment for the street lights, irrigation station which does not exist. This division is very dark at night and the irrigation does not work every three to six months David Meadow send his workers out to plant new grass and in the winter the grass is completely dead, but still we have to pay for the water that he claims he is using for it. Also there is a problem with the workers that are reading the water meters, they are not trained for this job. They are comiting all types of mistakes.

My second complaint is the INTERNET AND THE CABLE. He also has been prevented people of having any other company to provide this utilities, then him. This service is very bad, sometimes there is no internet available but still we have to pay for service that we are not receiving.

I hope you will pay close attention to this very long and difficult matter.

Azucena Rojas

**Lydia Roberts**

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**From:** Jeff [jeffdeyosr@gmail.com]  
**Sent:** Friday, October 14, 2011 11:37 AM  
**To:** Carl Vinson; Lydia Roberts; Kevin Carpenter; Jerry Hallenstein  
**Subject:** Bimini Bay Water Utility Certificate DENIAL !

Hello PSC:

We are forwarding this email in response to your correspondence of Oct 6, 2011 to "Office of the Commission (Cole)" regarding Docket Number 090424-WS as well as your correspondence of October 7, 2001 to "Office of the Commission (Cole)" regarding Docket number 110254-WS.

It is our recommendation that the agency deny any certificate to David Meadows and Bimini Bay Utilities.

As was outlined in the aforementioned documents, Bimini Bay and specifically David Meadows has "laughed" in the face of your authority since 2005... that's 6 (**SIX**) years of neglect by the Commission. David Meadows time and time again refused to comply with your requests no matter how lenient you have been. Your authority has extended time limits time and time again as well as sending reminder letters and emails. But to no avail.

David Meadows claims the records were destroyed in the fire. How is it that the HOA records were on a back up QuickBooks file kept off property but the water records were destroyed? We believe this is yet another deception on the part of David Meadows. Terry Blackmon from Bimini Bay had mentioned to us that he backed up the system at his home AND on line every night.

**We beg your Commission to demand access to the QuickBooks file and investigate the contents yourself.**

Owners through the years have been DENIED access to the financial records, perhaps your Commission will be more successful.

Looking forward. If the Commission allows David Meadows to gain the certificate he requests it will send a dangerous message the public.

IE: Anyone who is thinking about securing a water authority certificate has only to read the aforementioned documents. In that content all future applicants will know just how easy it is to work around the system, or lack of a system, and do whatever they want. Your Commission holds in it's hand the power to set the record straight.

ANYONE WISHING TO DO BUSINESS IN THE STATE OF FLORIDA "WILL" ABIDE BY YOUR RULES AND REGULATIONS. Yes ? or No?

Again, we strongly request that you deny any and all certificates to David Meadows and/or the Bimini Bay Utilities and/or the Four Points Utility.

Thank you very much for your time

Jeff Deyo Sr  
Karen M Smith

10/14/2011

October 14, 2011

Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

To Whom It May Concern;

This correspondence relates to an **Initiation of Show Cause Proceedings**, scheduled for October 18, 2011 and pertaining to Bimini Bay Utilities Corporation, PSC audit findings, (Docket 090424-WS);

Please take note, that I respectfully maintain my objection to the issuance of any relative certificates to David Meadows with regard to the operation of Bimini Bay Utilities. I am an unfortunate owner of a unit at Bimini Bay Resort and Spa. My historical involvement with Mr. Meadows, back to 2005, has been nothing short of total frustration. My most recent experience, was receipt of a Bimini Bay Utilities bill for water usage relating to the month of September, 2011. I objected to this bill, as my water was shut off to my unit, many months previously. Upon my objection, this bill was reportedly rescinded, via email, without explanation as to the erroneous bill.

Today, I am objecting to another such fraudulent bill for the month of October, 2011. My water is still shut off to my unit, yet Bimini Bay Utilities (David Meadows) has billed me for use. How do they continue to generate such FALSE bills? Who is manipulating the meters? Is BB accessing my water (meter) to water the grounds? Why is this even an option? I have just received their reply, this date that the bill was again in error. Please consider these additional cited experiences I have had with Bimini Bay Utilities;

1. Shortly following my closing, I paid a \$200 security deposit for water access. Thereafter, Bimini Bay Utilities additionally billed me \$30.00 security deposit. Years later, BB Utilities attempted to collect additional securities in excess of \$60.00. They claimed to have no record of my prior security deposits. They required and accepted my show of proof, resulting in no further such collections.
2. Bimini Bay, (David Meadows) abruptly terminated the "guaranteed rental income program", whereby all water utilities were to be paid through this program, (in addition to many other operating costs). Subsequent to this program termination, I have been billed directly for water usage, (while receiving no income for any anticipated costs, ie: mortgage, taxes, HOA, cable, telephone, etc).
3. Billing has frequently been erroneous, even conflicting with its own meter readings. One such bill revealed a sudden 700% increase in use from one month to the next, (while only my one bedroom lock-out unit was in use). Attempts to remedy this egregious bill was met with threats of increased bills and termination of service. BB agreed to inspect the water meter, and if they found no errors, would bill me to replace it with a new one. They offered no explanation for the ridiculous water use, despite a personal inspection of my unit revealing no water leaks, running toilets, etc. They even rejected observations by their own employee that witnessed the meter "fluttering". They claimed that their

“inspection” revealed no apparent improper function. They maintained an arrogant, dismissive attitude despite my reasonable objections.

4. The staff at BB is believed to have illegally accessed homeowner’s outdoor water for grounds maintenance. This has resulted in extreme meter growth and high billing. While they have denied such, out-of-state “investors” are left at their mercy, without any remedy to their continued abuses and crimes.

5. Bimini Bay staff has failed to provide any financials, quick books, etc. with regard to the billing of the utilities, as well as with regard to the community HOA accounts. It appears that all such sources of revenue for BB and David Meadows may be subject to misappropriation and/or personal gain, all at the expense of the owners. Why has he failed and refused to provide any/all financials to anyone?

6. Communication with the staff at BB Utilities is often ignored. No calls are answered. No messages are returned. Email replies are sporadic, if at all. U.S. mail is ignored or sporadically answered. In-person complaints are met with empty promises in an apparent attempt to exhaust the complainant into compliance or defeat

7. BB refuses to honor in-person representatives, as assigned by the out-of-state owner, in an effort to receive cooperation.

8. BB threatens fines for various baseless claims of violations against the owners, at the rate of \$100 per day, via the HOA. The same complaints apply (and more) to the operation and abuses by the HOA, and its President, David Meadows. Inappropriate liens have been filed against many owners, (including me) and ultimate foreclosures.

In summary, David Meadows is a poor, inept business man, at best. He is a criminal at worst, and in my opinion, yes, criminal. He retaliates against his investment homeowners with false allegations of violations, false bills, false fines and legal threats, unsubstantiated liens and foreclosures, all the while, refusing to communicate in good faith. For months and years, Mr. Meadows has refused to produce any financial records, to the owners or to other legal authority. He arrogantly ignores his legal, moral and ethical obligations to properly respond to his customers, who have more appropriately become his VICTIMS.

For the aforementioned reasons, I vehemently object to approving any certificate applications by David Meadows for the operation of water and wastewater facilities. This would only serve to further empower and encourage his continual abuses of many homeowners. Further, I hope you will find it appropriate to penalize and fine him accordingly. We need to bring honesty to this community.

Thank you for your attention to this matter.

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]